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## UNITED NATIONS COLLECTIVE SECURITY SYSTEM: AN ANALYSIS FROM LEAGUE COVENANT TO UN CHARTER

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### ABSTRACT:

**T**his paper aims to analyze the issue of Collective Security system in United Nations. This article underlines the presence of the Collective Security concept in League of Nations Covenant and its continuation in United Nations Charter. With the explain of Covenant and Charter Article details regarding Collective Security it explore that what are the causes and consequences of failures of proper implementation of Collective Security concept at the international floor. After analyzing the problem, it puts forth few suggestions to resolve the problem on the current scenario.

**KEYWORDS:** Nature, humanism, man, philosophy of life.

### COLLECTIVE SECURITY

The devastating effects of World War I lead to the emergence of the concept of Collective Security. The idea of Collective Security system defines as an effective alternative for the management of power relations among states and for the prevention of war and promotion of peace among nations. According to Claude, the concept of Collective Security describe as "Security represents the end; collective defines the nature of the means; system denotes the institutional components of the effort to make the means serve the end" (1964:223). Aggressive or unlawful use of force by any nation against any nation will be counter by the combined force of all other nations.

Collective Security is considered as a relation of states where everyone is his brother's keeper. Any states aggressive and unlawful use of force against other states will take as an attack on all other nations. All nations will come together and through co-operation make a collective approach against that peace disturbed state (Saksena, 1974:4-5). Collective Security is states arrangements, political, regional, or global which is committed and have concern that all for one and one for all. It is committed to a collective responsibility for peace and security, and against the threats of peace (Claude, 1964:224). Historically, Collective Security concern reflects in the Concert of Europe, where European states came together under the fear of Napoleon war. But Collective Security concept gains a special significant when Woodrow Wilson (as President of United States) described it in its new form. Primarily Wilson's conception of Collective Security "posited a system of international organization in which all nations would recognize an obligation to against any nation guilty of aggression as determined by impartial procedures and laws" ( Saksena,1974: 8). The foundation of Collective Security carries peace concern. States come together for security guarantee of all members. If the interest of the state is similar, they come together for attaining the determined goals. Collective Security as an inter-state arrangement by which all states are dedicated to helping any country threatened with armed aggression by any other states. States will act as one

for all and all for one which will serve as a guarantee of the security of each (Saksena, 1974:4-5).

### COLLECTIVE SECURITY AND ALLIANCE

In Collective Security all peace loving countries come together for maintaining peace and security of world community, but it is not an alliance system or balance of power. In Collective Security states are not allowed for alliance or against the alliance against (Claude, 1964:233). No individual interest is dominant in Collective Security; the common interest is basic principle of Collective Security. The essential components of Collective Security system are the willingness and commitment of nations to fight for the status quo and against of peace threat situation. Although collective action against the aggressor is also a kind of alliance or grouping but this alliance is for peace threaten not for certain enemies. Like in alliance form, there is the advance recognition or identification of enemies but in Collective Security whoever commits aggression or trying to threaten world peace and security is consider as everybody's enemy as well as whoever opposes aggression is identifies as everybody's friend (Claude, 1964:233).

Guarantee of the security of each state is the key component of alliance system as well as of Collective Security too, but Collective Security system is with an aim which engaged with the world peace establishment and maintain not with national interest of the certain country. At same time Collective Security system mistaken or interchangeably used with alliance system and states that this also a form of the balance of power, for instance Senator McMahon and General Omar Bradley described NATO as Collective Security alliance, it is a military alliance for peace and it is a Collective Security system (Claude, 1964:225). However Collective Security system is far different from balance of power. Balance of power is a group of power against another group of power. Collective Security system is a group of nations who shall be a trustee of the peace and came together to maintain peace and security of world community. Collective Security system not came against the group of countries (Saksena, 1974:8-9). Collective Security works against of aggressor policy which creates the threat for peace and balance of power work against under the power. All nations are identified as the enemy, who are alliance of other group, this is balance of power. In Collective Security only that state becomes recognized as default state that threaten peace. In brief, Collective Security is based on the notion of peace, that peace is invisible and that all states have a collective interest and commitment in countering aggression whenever it may appear and world peace may find threat (Kans & Mingst, 2005:297). Collective Security system has an aim and commitment to ensure and guarantee the security of all states. in the concept of Collective Security system an aggressor or who is threat the international peace, anywhere is to be identifies and treated as a national enemy of all peace loving country.

### COLLECTIVE SECURITY AND PROVISIONS OF LEAGUE COVENANT:

During the establishment of the League of Nations, the concept of Collective Security was recognized as the main aspect of League. Collective Security and prevent war situation is the main idea of League of Nations. In League Covenant, provisions elaborate about the Collective Security system. Many articles of League of Covenant elaborate about, how the League will maintain international peace and security through the system of Collective Security approach and it given in the League Covenant (Claude, 1964). In Article 10 of League Covenant, it has been shown that there is the duty of every state to maintain territorial integrity and to respect and preserve state from external aggressor as well as it also respects political independency of all members of League of Nations. Members have responsibility to positive support for system against of defaulting state. It is give authority to take legal action against the aggressor state (League Covenant: 1920). Saksena also explained that, the Article 10 of League Covenant primarily defines the basic concept of Collective Security. This article states that this is the Collective responsibility of all member states to respect and protect against external aggression. The territorial integrity and existing political independence of all members of the League is should be respected by all members (1974:10).

Covenant Article 11 mainly discussed about the principles of Collective Security. What are the basic principles of Collective Security according to League Convents; this article related not only the members of League, even it is talk about that state's security also who are not members of Leagues (League Covenant: 1920).

It refers that any war or threat of war, whether it is affecting immediately any member of League or non member of League, is considered as a war against of entire League of Nations states. So this declares as a subject of all member or non-member states subject and shall be matter of whole League, not an individual's matter .

In Article 16 laid down the positive responsibilities of member states. Members of League accepted the rule that war against of any state is an act of war against all member states. Members of League accepted the resort to war by a state should be considered ipso facto as an act of war against them all. And all member states should ban all normal, personal, trade, commercial and financial relation with offending state. Article 16 also provided for the possibility of collective military sanctions, to be initiated on the recommendation of the council (League Covenant: 1920). It is reflecting a collective boycott against the aggressor or peace threatens state, and as well as collective military authorization against the defaulting state.

#### FAILURE OF THE COLLECTIVE SECURITY UNDER THE LEAGUE OF NATIONS:

There are many reasons for the failure of League of Nations to operationalise the Collective Security system. According to Claude the Covenant was far from a perfect design of Collective Security system, it imposes inadequate legal restriction on aggressor. Also many other reasons were responsible for Collective Security failure in League of Nations. And these reasons are insufficient commitment for enforcement action among members of League. Due to not legal prohibition of aggressor and not legal commitment among states League decision affected. It is a big reason for not properly implement the boycott or isolation strategy against the aggressor. Decision against the particular state must not be subject of the veto of an obstinate minority. And no states can be allowed for the ignored or back out from the commitment, which holding against the aggressor (Claude, 1964:239).

Another cause of failure of the Collective Security was unanimous voting system of League. League Assembly could only take decision by a unanimous vote, so it was very difficult to make any decisions and this voting system in League had played a big reason for not implementing effective and immediate action. As an example Japanese invasion of Manchuria 1931 occupied the capital city; China pleads to the Council of the League for take action. But due to the oppose of Japan, the Council recommended taking out of the Japanese troops, yet stronger actions under Article 11 of the League Covenant would require a unanimous vote, a outcome unlikely because of the potential Japanese veto (Diehl, 2007:30). Such as other example of inadequate legal binding, when Italian invasion of Ethiopia in 1935, and ultimately occupied that country, for which the League impose economic sanctions against Italy, but due to the major powers own interest this sanction was not very effective. And essential legal binding and effective collective action not very much revised in League (Kans & Mingst, 2005:297). There are not very clear provisions in Covenant. Such as article 10 and 16 were ambiguity nature so every state may interpreted it's according own benefits. When war started than League was no adequate machinery for stop war (Saksena, 1974:11). The scarcity of army force was also a reason of failure of Collective Security system. Such as League of Nations based on voluntary cooperation, League does not have own military force. So when the need of military force it was waiting for member states voluntary cooperation. (Goodrich, 1947:9). League of Nations was failed but idea of Collective Security still present and in United Nations.

#### UN CHARTER AND COLLECTIVE SECURITY:

League of Nations failed in maintaining international peace and security. This pushed statesmen of the allied powers to give serious attention to the idea of establishing a more effective international organization to maintain international peace and security. The United Nations (UN) was established in 1945 to maintain international peace and security. There are many articles in United Nations Charter which deals with Collective Security system. In the light of past experience the Charter of United Nations is a more suitable constitutional basis for Collective Security system than Covenant. Though the concept of Collective Security is specifically the primary concern of the authors of Charter, pacific- settlement approach and the maintenance of international peace and security was the key factor of UN Charter.

Chapter VII of UN Charter, concerned with Actions Respect to Threats to Peace, Breaches of Peace and

Act of Aggression stated that in order to prevent an aggravation. This chapter laid down the collective measures of coercive nature for war prevention. It is also talk about removal of the aggressor who threatens the peace. The Security Council is authorized to recognize to particular, that threat to peace or act as an aggressor. The Council is also authorized under article 40, call upon the parties concerned to comply with such provisional measures to prevent the aggravation of the situation and maintain peace (Saksena, 1974:11). Article 41, Article 42 both are deals with Collective Security system. Such as Article 41 which provides for measure "not involving the use of force" such as disruption of economic relation or division of diplomatic relation, means not involve the use of force by members, if situation calls for this Security Council take action by air sea or land forces for maintaining or restore international peace and security (UN Charter:1945).

Collective Security as a concept has been identified under Article 42 "the Security Council may take action by air, sea or land forces as may be necessary to maintain or restore international peace security" (UN Charter: 1945). In this chapter it has been laid down that there will be all efforts from Security Council to maintain peace and order at the international level. Article 43 of UN Charter discusses about maintaining international peace and security. All members of the United Nations will contribute for peace and security any time. This is the responsibility of all United Nations member states that they shall make their presence whenever Security Council calls for protection of world peace and security. Maintenance of international peace and security is necessary for all country. This article also spells out the arrangement of United Nations –led military operations against the aggressor states (UN Charter:1945). Through the unanimous voting system experiences in League of Nations, United Nations take limited voting system. Only Security Council has veto authority in United Nations. The UN Security Council voting system need only nine of fifteen votes to take action, and none of the five permanent members of the council (United States, Soviet Union-now Russia, China, United Kingdom, and France) oppose that resolution it means unanimous voting of all permanent member (P5) of Security council is compulsory for resolution.

#### THE FAILURE OF COLLECTIVE SECURITY UNDER UNITED NATIONS:

League of Nations has unanimity vote system and it was emerged as a big obstacle for take any decision by League of Nations. In United Nations permanent members have veto system, only nine votes is require for taking decision in Security system, five permanent members and four non permanent members. Article 27 of UN Charter, which states that Security Council decisions "on that procedural matter" shall be made by the affirmative votes of any nine of that fifteen members, but that decision on all other matters shall require nine affirmative "including the concurring votes of the permanent members." Thus any big Five can unilaterally defeat any Security Council decision (Claude. 1964:134). United Nations tried to formulate a better and clearer system of Collective Security. At the same time the experience of UN was also not satisfactory due to the eruption of bi-polarization during Cold War. Big powers used their veto power frequently and Security Council does not take any strong decision. Council would not capable to discharge its primary responsibility to maintain peace and security due the unanimous voting condition of permanent member (P5) of council. Unity for act against aggressor became more difficult due to this veto power system.

After the Second World War the Soviet Union and United States come out as the two leading powers in international politics. Thought they had been allies during the Second World War and the United Nations comes into because both the powers were equally interested in having such an International Organization to maintain and secure international peace. But at the same time the scenario was changed and bipolar concept at international floor came and exists with two great powers polar. After the establishment of United Nations the Soviet Union and United States seemed to each other with suspicion and distrust, because of their conflicting security interest as well as due to their ideological differences. And this suspicious and distrust atmosphere divided to world into two camps. The one camp was "the ant- democratic and imperialism and other was anti-imperialism and democratic promoter. During the cold war politics there were serious differences among the permanent member of Security Council regarding take decision on Collective Security operations. USSR believe in communist and give it consent for communist government at the same time USA vitally support the capitalist. This different based on both geopolitical and ideological factors of both power (Hardwick, 2011). These



differences of two great powers and permanent members of Security Council critically influence the Council decisions.

Disagreement among permanent members not only affected the strong Collective Security action, even it is effecting international peace system also. For Collective Security operations all major powers willing are important, because of without the willingness of permanent members, they can use veto power. And they use this power for own national interest or own alliances interest. The USA's invention in Iraq and Syria this type of example explained how major power use United Nations and ignored collective securities basic things (Hardwick, 2011). As in this time world was divided on bipolar system. USSR and United State of America are leader of this bi-polar system. And on this situation Collective Security system became utopia of United Nations also. As an example of Korean crisis, where due to differences between USSR and USA, Collective Security system was not worked immediately. Security Council has special responsibility to maintain international peace security and security but many permanent members have used it as a mean for achieving its determined goals in the present international system.

### CRITICAL ANALYSIS

Collective Security is older idea which was presented in League of Nations and in United Nations. In both these international organizations's main purpose was through Collective Security system maintain and restore international peace and security. As the primary concern of establishment of Collective Security is to prevent the situation of war and to maintain and restore the peace and security. In the deficiency of proper implementation Collective Security system became a utopia for world community. When League of Nations was established it's give much of attention on prevent of war relatively to international peace and security. In a way both have similar objectives and goals but in practical sense, process needs more legal binding for maintaining the peace in international system which are absent in League. League of Nations maximum attention was on prevention of war, so attention on collective approach or concern for international peace and security had not very much.

Collective Security in United Nations again not very much affective, because world was divided into two blocks. During Cold War United Nations could not carry out decision effectively because of lack of consensus among permanent members. Lack of consensus and commitment among members for Collective Security, the primarily aim of Collective Security system became an unrealized dream of UN.

United States of America and Soviet Union both not trusts each other and oppose each other policy at international floor For instance Marshall Plane which announced by United States, it refused by Soviet Union. All these mistrust and suspect leaded world into two polar and it affects the Security Council's decision making also. United States and Soviet Union disagreement harm the basic notion of Collective Security system.

In order to maintain hegemony veto power was used to look after their interest. United Nations could not take decision on time of crisis and international peace and security is not effective under the Collective Security system. When veto power given to permanent members at that time, it was concerned with more special responsibility for maintaining peace and security, but in today's time actions have become unilateral and super powers are involved in threat of peace, such as United States invention in Iraq.

Powerful regional organization also create problem of Collective Security system, where regional security concern has become primary and Collective Security come letter. Voluntary military force is also emerging as a big issue for immediate action against the aggressor. In the lack of consensus building in Collective Security, United Nations found an alternative in peacekeeping operation for maintaining the peace and rooting out the conflicts in international system. The basic assumption of Collective Security was that the great powers would not go for war but work together for maintaining international peace and security.

However the big powers, openly or by proxy, involve on threat peace and security plan which create difficult situation for establishment of international peace and security. For example Soviet intervention in Czech-Slovakia in February 1948 , establishment of North Atlantic Treaty Organization (NATO) in April 1949, the successful Communist Revolution in China(1949) and the Korean Crisis in 1950. All are related to big powers involvement indirect or by proxy in conflict and the Collective Security system as became an unrealized dream.

## CONCLUSION

In um-up due to proper implementation of Collective Security system became a utopia for world community. In practice Security Council has not much success in settling disputes and situation under the Chapter VI of UN Charter. In most cases differences among the Great Powers either blocked the proceeding of Council or undermined the effectively of its resolution or recommendations. Security Council's Permanent Five (P5) seats should be increase and decision should be taken by major voting not by unanimous voting. There are various big and small countries are still not got proper representation in UN decision making process. Funding system and great power states unnecessary interference for own nation interest should be eradicated. Miss uses of veto power require a proper evaluation. With these reforms in Collective Security approach the world peace and security became more accessible and meaningful.

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