

COLLECTIVE SECURITY OF THE UNITED NATIONS AND UNITED STATES INVASION OF IRAQ IN 2003

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Abstract

Collective Security has been credited with averting likely wars, and contributing to international peace and security. But its application is increasingly paralyzed by the rising resort to unilateral actions by powerful nations who invade weaker ones for economic interest. It is the pursuit of this economic interest that creates artificial “colliding” forces in the Middle East, hence the region is conflict ridden. Much have been said and written about the US invasion of Iraq in 2003 but adequate attention has not been given to the major problems confronting the collective security- such as the persistent problem of double standards, lack of a real sense of oneness of the international community and politics of economic interest among the members of the Security Council. This paper therefore, provides solutions that can unlock the impasse bedeviling the UN collective security application by recommending that the use of force should be viewed as a last resort irrespective of the overwhelming economic interests of different nations. The use of force will only be appropriate when all reasonable diplomatic efforts like negotiation, mediation, conciliation and arbitration are exhausted. As a way forward, the United Nations should restructure its Security Council for mass representation and adequate application of collective security which will enhance tolerance of one another among member nations and keep war away.

Keywords: Collective security, invasion, Neo-Gramscian theory, fighting terrorism, eliminating weapons of mass destruction.

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Introduction

The term "collective security" has been cited as a principle of the United Nations, and the League of Nations, this implies that by employing a system of collective security, the UN hopes to dissuade any member state from acting in a manner likely to threaten peace and security of the world, thereby avoiding any violent conflict. To attain this high level peace and security, nations must be willing to subdue their conflicting interests to the common good defined in terms of the common defense of all members-states- Morgenthau (1948).

Collective security at the international level is synonymous with the maintenance of global peace and security aimed at securing the territorial integrity of the member states of the United Nations and the settlement of inter and intra-state disputes-Morgenthau (1948). This paper argues that the concept of collective security is being constantly abused by the super powers as was witnessed in 2003 Iraq's invasion by the United States. The invasion has further exposed the porous structure of the United Nations' Security Council. Permanent members of the Security Council have manipulated the collective security with veto power principle which has caused severe impasse in the global peace and security -Edward (2008). Since the era of Cold War, the big powers or the permanent members of the Security Council have always manipulated the Veto privilege to further their political and economic interest globally-Hans (2004:22).

The invasion of Iraq pointed clearly the future of global security mechanism. It reflected the self-interest of US: so long that the American monolithic power push is constant, the concept of collective security in the international community and the way in which it is evoked will reflect the values, preferences and standards set by the United States, which strengthens its position and influence on arm of NATO through choosy wars or what Chomsky (2004) called preventive war. Iraq invasion in 2003 was used as 'a test run' of economic hegemony in the Middle East. This type of hegemonic element of coercion was evident in the support the United States got from its core allies in NATO (Britain, Portugal, Spain, Turkey, Poland) and few other countries during the Iraq invasion in 2003, even when it failed to get a consensus in the Security Council and support from core EU powers-Germany and France to back its unilateral auspices for a collective security evoked against Iraq-Ufomba (March2007).

Theoretical Framework

This paper analyzed the role of the United States invasion of Iraq in 2003 and the application of collective security doctrine. In achieving this we adopted the Neo-Gramscian theoretical framework of analysis. This approach serves as a useful guide to the changing dynamics of international relations with respect to the United States hegemonic role in international politics. Gramsci (1971) went beyond the “economic determinism” of orthodox Marxist analysis by attributing to the political “superstructure” a capacity to change the “economic base” through the “hegemony” of certain social forces and ideas by broadening the definition of state through the export of democracy. Here, we attributed to the concept of hegemony a practical role in the prevailing dominance of ruling class over the ruled, through the ascendancy of a set of ideas such as democracy and gaining the “consent” of the ruled. In this vein, Emre (2007) observed that “a hegemon exercises power internationally by linking leadership to methods of coercion that are both intellectual and moral in character. Such hegemon rests on the protection of territorial integrity of member states and the settlement of inter-state disputes through an international governing body like the United Nations, in which all member states are directly represented.

Conceptual Clarifications

Collective security is a security arrangement in which all states cooperate collectively to provide security for all by the actions of all against any states within the groups which might challenge the existing order by using force. This contrasts with self-help strategies of engaging in war for purely immediate national interest. Therefore, United Nations Security Council as a global security organ is mandated to act whenever there is a serious threat to global peace and security from its member states unlike collective defense.

Collective defense is an arrangement, usually formalized by a treaty and an organization, among participant states that commit support in defense of a member state if it is attacked by another state outside the organization. NATO is the best known collective defense organization-Clarke (2004). For instance, its famous Article V calls on member states to assist another member under attack. This article was invoked against Afghanistan after the September 11 attacks on the United States. NATO members provided assistance to the US War on Terror in Afghanistan. The

Article V empowered US to seek alternative coalition within NATO member states. US therefore, adopted coalition of the willing from its NATO allies when it failed to secure support at Security Council for collective action against Iraq in 2003.

From its inception, the UN collective security is fraught with too many challenges hampering its successful application among member nations. Below are the identified challenges:

1. Abuse of the Veto for reasons of power politics: The General Assembly hoped to restrain the permanent members of the Security Council with the lengthy list of types of decisions. A superpower wants to use its privilege excessively; therefore, the veto must be interpreted broadly” Edgar (1981). This explains why the permanent members established for themselves a privilege of definition when they subjected the preliminary question of defining a matter as either procedural or substantive to the veto. At the same time, they made the only restrictive regulation completely obsolete: namely, the obligation to abstain from voting when party to a dispute (Art. 27, Paragraph. 3). In the eyes of the legal scholar, this arbitrary interpretation exposes the permanent members’ real motivations in the introduction of the double veto as explained below:

a. **The “Double Veto”** arises in the classification of decisions as procedural or substantive. In this case, holding the privilege of interpretation may expand the range of the veto at will. The permanent members’ overbearing influence and self-provided increase in power status through the double veto have been undermined to a certain extent since the treatment of the Formosa Case in the Security Council in August 1950. This decision was similar in its moral and exemplary significance for the enforcement of the UN Charter to the Uniting for Peace in 1950 during the Korean War. The Soviet Union, however, saw the declaration of San Francisco as binding upon the permanent members, Organization and Procedure of the Security Council of the United Nations, in Resolution of the General Assembly-Hans (1978).

b. **Circumventing the Abstention Clause:** In a manner similar to the double veto, the permanent members of the Security Council always evade the requirement in paragraph 3 of Article 27 of the Charter to abstain from voting when involved as a party to a dispute. Hans (1978:229) puts it thus: “the veto privilege is only tempting and useful if one is involved, that is if one’s “vital” interests are at stake. Here, too, the sponsoring governments, and subsequently

the permanent members; have arrogated to themselves a privilege of definition in order to lead more or less concealed proxy wars without the risk of being challenged". With this power, they can block an unacceptable resolution at its conception. Of course, allowing "the Wolf to tend the sheep" never disturbed the advocates of power politics. Until now, theorists in international relations have been alone in raising their voices against the prominent standing of the maxim "might makes right" in resolving transnational conflicts. In fact, throughout the history of the United Nations, the permanent members have almost always ignored the provisions requiring them to abstain from voting-Morgenthau (1948).

Hans (1978) maintains that the "biggest stumbling block to the Security Council's effectiveness to date has been the power of the permanent members to veto actions which otherwise would have been taken. A close reading of Article 2763 reveals that on procedural matters, all that is needed to pass a resolution is an affirmative vote of nine members, while on matters that are not procedural, the concurrence of the permanent members is required." This means that if any one permanent member votes against a matter, that matter will not pass. Further, the General Assembly may not act with regard to a matter of international peace and security while the Security Council is exercising its functions with regard to the same matter-Hans (1978). Therefore, a single permanent member of the Security Council may prevent the entire United Nations from fulfilling its purpose.

Since the ratification of the UN Charter in 1945, the main impediment in terms of power politics to the achievement of collective security has been the veto. This privilege further contradicts basic principles of international law as outlined especially in Article.1, paragraph. 2 of the Charter. At the founding conference in San Francisco, the Mexican delegate declared that-"The veto rights of the five permanent members of the Security Council place them above the law of the United Nations, establishes their legal hegemony over all the other Members, and thus stamps the Organization with the mark of an autocratic regime..." Hans (1978:255).

2. Unilateral actions: Perhaps the most complex challenge of the collective security system is the increasing tendency to resort to unilateral actions by powerful states as exemplified in Iraq invasion in 2003 by US. Such unilateral action contradicts the obvious principle of collective

security-Morgenthau (1948). This therefore, illustrated the instances where unilateral actions have undermined the intent and objective of collective security as mentioned below:

a. Intervention in Afghanistan

Following the September 11 terrorist attacks on the United States, the Bush administration declared war on terrorism, calling for a crusade against all that were deemed as terrorists-Clarke (2004). Al-Qaeda – a group identified as being responsible for the attack under the leadership of Osama Bin Laden was allegedly attacked by US. The US then saw this connection between the Taliban regime and Al-Qaeda as a legitimate basis to invade Afghanistan and remove the Taliban from power.

b. Intervention in Iraq

Another illustration of unilateral action is the US war in Iraq which began in 2003. The justifications given for the invasion by the US and its allies, particularly, the UK through its Prime Minister Tony Blair, was the presence of weapons of mass destruction in Iraq and the threat it posed to the global peace and security. The illegality of the war was more explicit than the case of Afghanistan. The US sought support from the Security Council for the war but the Council was not convinced that there were sufficient and reasonable grounds to authorize the US military action on Iraq. But, US stretched to its allies in NATO for “coalition of the willing” despite the council’s directive that Iraq should allow for free investigation of such weapons in different sites by a UN mandated group of experts-Clarke (2004). At the beginning, President Bush tried to present the war against Iraq as a war that was justified by the resolutions passed by the Security Council on Iraq. President Bush claimed that the contents of resolutions 678, 687, and 1441 were sufficient grounds to declare war on Iraq. Despite these claims, the first two resolutions were directly relevant to the first Gulf war and the third resolution did not contain any provision that authorized any unilateral action including war -Mandel (2004: 30).

War (Invasion)

War (invasion) is one of the persistent inclinations of human existence. Communities, states and nations have constantly engaged in warfare as an instrument of conducting foreign policy,

acquisition of power, imperialism, and control of hegemony etc. - Nte (2010). According to Hunt (2008) “war is often regarded as inevitable and many states seem to prefer peace only when it comes from their enemies complete submission”. As recorded by Raaflaub (2007) “The historian of ancient law Sir Henry Maine, famously remarked that ‘War appears to be as old as mankind, but peace is a modern invention.”

Even in modern times, religion and economy have been a major cause of international or intra-conflicts. According to Huntington (2002) “Conflict along the fault line between Western and Islamic civilizations has been going on for 1,300 years.” He goes on to state that religion “reflected in the on-going civil war in the Sudan between Arabs and blacks, the fighting in Chad between ..., the tensions between Orthodox Christians and Muslims in the Horn of Africa, and the political conflicts, recurring riots and communal violence between Muslims and Christians in Nigeria.” In support of Huntington, Mac-Ogonor (2000) posits that “countries on the choke points and strategic locations are vulnerable and prone to attacks by great powers. The huge resources in the Middle East have great influence on US foreign policies, because whoever controls the region controls the global economy”.

US Invasion of Iraq: A Continuation of the Gulf War

The Gulf war ended on 28 February 1991 with a cease-fire negotiated between the UN Coalition and Iraq. The U.S. and its allies tried to keep Saddam in check with military actions such as Operation Southern Watch which was conducted by Joint Task Force Southwest Asia.

US invasion of Iraq appears to be a continuation of the 1991 Gulf war, because since after the 1991 Gulf War, the U.S. and UK had been engaged in low-level attacks on Iraqi air defenses which targeted them while enforcing Iraqi no-fly zones. (CNN 28 November 2002). These zones, and the attacks to enforce them, were described as illegal by the former UN Secretary General, Boutros Boutros-Ghali, and the French foreign minister Hubert Vedrine. Other countries, notably Russia and China, also condemned the zones as a violation of Iraqi sovereignty- Pilger (23 February 2003). Further, in mid-2002, the U.S. began more carefully selecting targets in the southern part of the country to disrupt the military command structure in Iraq.

In October 1998, removing the Hussein regime became official U.S. foreign policy with enactment of the Act. The policy was to hamper Saddam Hussein's government's ability to produce chemical, biological, and nuclear weapons, but U.S. intelligence personnel also hoped it would help weaken Hussein's grip on power- Arkin (17 January 1999).

With the election of George W. Bush as president in 2000, the U.S. moved with a more aggressive policy toward Iraq. The Republican Party's campaign platform in the 2000 election called for "full implementation" of the Iraq Liberation Act as "a starting point" in a plan to "remove" Hussein- (CNN 21 April 2006). After leaving the George W. Bush administration, Treasury Secretary Paul O'Neill said that an attack on Iraq had been planned since Bush's inauguration, and that the first United States National Security Council meeting involved discussion of an invasion on Iraq- (CNN 14 January 2004).

Bush began formally making his case to the international community for an invasion of Iraq in his 12 September 2002 address to the UN Security Council-Bush(12 September 2002). Key U.S. allies in NATO, such as the United Kingdom, agreed with the U.S. actions, while France and Germany were critical of plans to invade Iraq, arguing instead for continued diplomacy and weapons inspections. After considerable debate, the UN Security Council adopted a compromise resolution, UN Security Council Resolution 1441, which authorized the resumption of weapons inspections and promised "serious consequences" for non-compliance. Security Council members France and Russia made clear that they did not consider these consequences to include the use of force to overthrow the Iraqi government-(*BBC News*, 26 October 2002). Both the U.S. ambassador to the UN, John Negroponte, and the UK ambassador, Jeremy Greenstock, publicly confirmed this reading of the resolution, assuring that Resolution 1441 provided no "automaticity" or "hidden triggers" for an invasion without further consultation of the Security Council-Nte (2010).

Although as of February 2003, the IAEA found no evidence or plausible indication of the revival of a nuclear weapons program in Iraq; the IAEA concluded that certain items which could have been used in nuclear enrichment centrifuges, such as aluminum tubes, were in fact intended for

other uses-Clarke (2004). UNMOVIC "did not find evidence of the continuation or resumption of programs of weapons of mass destruction" or significant quantities of proscribed items.

As a way of support to Bush military attack on Iraq, in October 2002 the U.S. Congress passed a "Joint Resolution to Authorize the Use of United States Armed Forces against Iraq"- Hans (13 May 2003). The resolution authorized the President to "use any means necessary" against Iraq. The U.S. government engaged in an elaborate domestic public relations campaign to market the war to its citizens. Americans overwhelmingly believed Hussein did have weapons of mass destruction. By February 2003, 64% of Americans supported taking military action to remove Hussein from power--Nte (2010).

Concluding Remarks

It was found out that the invasion of Iraq was guided by US quest for oil: Oil is the mother reason for US invasion of Iraq in 2003, just as it was a key factor for Washington's intervention in the Kuwait crisis with Iraq in 1991. Washington feared that if Iraq was allowed to annex Kuwait, Saddam would have wielded much economic power in the region. A report entitled Strategic Energy Policy: Challenges For The 21st Century, commissioned before 9/11 by Vice-president Dick Cheney on "energy security" clearly identified Iraq as a major "de-stabilizing influence to the flow of oil to international markets from the Middle East."

With its known oil reserves standing at 112 billion barrels, second only to Saudi Arabia, Iraq occupies a very important strategic position in the Gulf region. Since the discovery of oil, Iraq has been a scene of imperialist rivalries for the dominance and control of its vast oil wealth. At the beginning of the twentieth century, Britain directly ruled Egypt, Sudan, and the Persian Gulf, while France was the dominant power in Lebanon and Syria. Iran was divided between British and Russian spheres of influence. At the end of World War I, Britain also got the mandate for Palestinian and Iraqi oil exploration. With Germany's defeat in the war, its stake in the Turkish Petroleum Company, which had the concession for the whole of Iraq, fell into Britain's table. Britain's complete dominance, though it had the largest empire among the imperialist powers, was not unchallenged. A declining British empire, unable to compete with other industrial economies, desperately tried to use its exclusive grip over its colonies to strengthen its economy.

Therefore, given the disintegration of Soviet Union in 1990, the United States as the emerging new superpower and the leading capitalist power, however, sought an “open door” to exploit the possessions of the waning colonizing powers.

The height of Saddam’s political ambition was the invasion of Kuwait that provided a golden opportunity for the US to escalate its military presence in the gulf region which eventually led to the Gulf War in 1990- Steven (2007). Subsequent to the expulsion of Iraq from Kuwait, rival oil companies in France, Russia and China were in an enhanced strategic position vis-a vis their giant rivals in US and UK to conclude lucrative production sharing agreements with the Iraqi government . During the 1980s and the 1990s, rival oil companies in Russia, France, China and Japan found a ground to aggrandize their market capacity through acquiring a large potential share of Iraq’s oil resources. To counter the economic inroads of rival oil companies in Iraq, the US and UK employed the sanction regime as a tool to frustrate these agreements and thus protecting the future stakes of their own oil companies which had been deprived from having access to Iraqi oil resources-Steven (2007).

Toppling Saddam’s government and Installing a U.S. client regime in Baghdad would serve American interests in different ways: (1) provide them with permanent military installations in the region; (2) give American and British companies (Exxon Mobil, Chevron-Texaco, Shell, and BP) a good shot at direct access to Iraqi oil for the first time in 30 years; (3) exclude possible rivals from access to the vast Iraqi oil reserves and development projects in Iraq; (4) create lucrative jobs for the oil service industry, including Vice President Cheney’s former company, Halliburton, to rebuild and rehabilitate the Iraqi oil industry which had run down by years of war and sanctions; and (5) if the puppet regime opens the way for the oil multinationals to return, “it is possible that a broader wave of de-nationalization could sweep through the world’s oil industry, reversing the historic changes of the early 1970s.

However, the sharp question about the invasion was whether the United Nations Security Council authorized military intervention in Iraq in 2003. It became increasingly clear that U.N. authorization would require significant further weapons inspections- Hans (13 May 2003). Many critics had criticized the invasion as unwise, immoral, and illegal. Robin Cook, the then leader of

the United Kingdom House of Commons and a former foreign secretary, resigned from Tony Blair's cabinet in protest over the UK's decision to invade Iraq without the authorization of a U.N. resolution. Cook said at the time that: "In principle I believe it is wrong to embark on military action without broad international support. In practice I believe it is against Britain's interests to create a precedent for unilateral military action." - (*The Guardian*, 17 March 2003). United Nations Secretary-General Kofi Annan said in an interview with the BBC in September 2004, "From our point of view and from the Charter point of view [the war] was illegal." - (BBC News, 16 September 2004).

According to U.S. President George W. Bush and British Prime Minister Tony Blair, the coalition mission was "to disarm Iraq of weapons of mass destruction, to end Saddam Hussein's support for terrorism, and to free the Iraqi people." - *CNN* (18 February 2003). Former chief counter-terrorism adviser on the National Security Council Richard A. Clarke believes Bush took office with a predetermined plan to invade Iraq- Clarke (2004). Others place a much greater emphasis on the impact of the 11 September 2001 attacks, and the role this played in changing U.S. strategic calculations, and the rise of the freedom agenda. According to Blair, the trigger was Iraq's failure to take a "final opportunity" to disarm itself of alleged nuclear, chemical, and biological weapons that U.S. and British officials called an immediate and intolerable threat to world peace and security. But the ulterior reason of the invasion was for economic dominance and control of the Middle East region.

By a way of recommendation, we recommend the followings:

1. The United Nations Security Council needs to be democratized as to reflect and represent the democratic principles the world is undergoing. The Security Council needs an urgent review on its use of Veto privilege by the five permanent members-US, China, France, Russia and Britain. Evidently, the power play of these permanent members had caused the world too much violent wars than the presupposed peace and security. Therefore, if democratized to include the participations of other countries outside the western nations, the Security Council will lead more peaceful and secure world.

2. Basically, parties to international and local disputes should first and foremost seek a solution by negotiation, enquiry, mediation, conciliation, arbitration and judicial settlements. They may also resort to regional agencies or other peaceful means of their own choice as recommended by the United Nations Charter; instead of blatantly declaring war on other sovereign states. The recent (2010) approach to international conflicts where diplomacy was adopted by the United States of America as manifest in the Iran Nuclear ambition crisis and the brewing conflict between South Korea and North Korea is worthy of commendation as it is in line with this recommendation.

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