

The Economics of Peace and Security Journal

© www.epsjournal.org.uk, ISSN 1749-852X

Book Review

Weiss, Thomas G. & Sam Daws. 2007. The Oxford Handbook on the United Nations. Oxford University Press. xxviii + 810 pp. ISBN 978-0-19-927951-7. Price £85.00 (hb).

Farrall, Jeremy Matam. 2007. United Nations Sanctions and the Rule of Law. Series: Cambridge Studies in International and Comparative Law. Cambridge: Cambridge University Press. ISBN: 978-0-521-97802-9 (hb). Price: £65.00.

Prantl, Jochen. 2006. The UN Security Council and Informal Groups of States. Oxford: Oxford University Press. xiii + 299 pp. ISBN: 978-0-19-928768-0 (hb). Price £50.00.

by Bjørn Møller (17 April 2008)

All three volumes deal with aspects of the United Nations. The book edited by **Weiss and Daws** is monumental, in length (more than 830 pages) and scope, covering all aspects of the organization's work. Intended as a handbook, it functions well thanks to its logical structure and excellent indexes. But it is more than that. In addition to recording the facts, each chapter — all written by renowned experts — also offers an independent and occasionally critical analysis.

In the introduction, the editors paint the big picture of an organization unable to move beyond what the great powers, especially the United States, want it to be. They even claim that “at this moment, there are two world ‘organizations.’ The United Nations is global in membership, and the United States is global in reach and power” (p. 9). As the U.S. has a long tradition of unilateralism, they dismiss as far too optimistic any hopes that U.S. reluctance to grant the U.N. greater authority will disappear with the departure of the Bush Administration. Michael Barnett and Martha Finnemore provide a survey of theoretical approaches to understanding the U.N., ranging from realism's “tool of the great powers” view to the optimistic notion — held by liberalists and neoliberal institutionalists, with the English School somewhere in-between — that the U.N. can facilitate interstate collaboration by acting as a governor of a society of states. Unsurprisingly, some attention is paid to the authors' own theory, social constructivism, with its more open-ended and open-minded attitude, seeing the organization as constructed by its founders and members but, in turn, also impacting on their identities and behavior.

Several chapters are devoted to the main organs of the U.N., including the General Assembly, the Security Council, ECOSOC, the almost forgotten Trusteeship Council (which some have recently suggested be reinvigorated to take charge of failed states), the International Court of Justice, the Secretariat, and of the office of the Secretary General. This is followed by chapters on the relations between and among the U.N. and regional organizations, the Bretton Woods organizations (World Bank and International Monetary Fund), civil society organizations, and the private sector. Regarding the latter, Craig Murphy provides an account of the Global Compact, launched in 1999, to harness private business support for, and cooperation in, development and conflict-related initiatives.

Most of the following 400 pages are given to current issues on the U.N.'s agenda. Thus,

Keith Krause writes about disarmament, both within the Disarmament Commission and in the “hybrid minilateral” Conference on Disarmament, in neither of which any particularly impressive result have been reached. Other chapters are devoted to issues such as health, human security, and human development.

Several chapters are devoted to the range of instruments available to the U.N. in dealing with armed conflict. Michael Doyle and Nicholas Sambanis trace the evolution of peacekeeping through successive generations, pointing to the need for a more strategic approach, in which connection they apply game theory to devise appropriate strategies based on an identification of the preferences of the warring sides. This is one of the most substantial chapters in the entire book. Michael Pugh is the author of the chapter on peace enforcement, identifying instances of abuse of the term for what are in fact unilateral interventions, and this point is followed up by Ramesh Thakur in his chapter on so-called humanitarian interventions. He argues that “the common refrain of humanitarian rhetoric masking other motivations is clear proof of the scope for abuse of such a right to intervention” (p. 400). Roland Paris contributed a chapter on postconflict peacebuilding in which he warns against rapid economic liberalization, that donors tend to favor, as this risks undermining political stability in postconflict societies. David Cortright, *et al.* write about sanctions, highlighting some of the detrimental humanitarian consequences of economic sanctions as well the abuse of the instrument. In dealing with Iraq, for instance, goal posts were continuously moved to prevent (!) Iraqi compliance that would have necessitated a lifting of the sanctions. (As is well-known, this has had severe humanitarian consequences).

The U.N.’s use of economic sanctions is the subject of a comprehensive work by Jeremy **Farall**, based on his doctoral thesis and his work experience in the U.N. Security Council. First he enumerates the actors and agencies making use of sanctions, from regional organizations to individual states and private citizens, he then focuses on the United Nations. His assessment is that the excessive use of sanctions has undermined rather than strengthened the rule of law in international relations. Taking as his point of departure the quasi-legislative character of the Council’s activities (as when the UNSC create legal obligations binding on all member states, but perhaps even others) and the growing frequency of references to the rule of law in its resolutions, he looks at the imposition and implementation of sanctions to query whether they are in fact compatible with a rule of law. While other international law specialists argue that the UNSC as lawmaker is itself somehow above the law, Farall differs and formulates five principles which should be binding even upon the UNSC. The principles are based, in part, on Just War theory: transparency, consistency, equality, due process, and proportionality. On all accounts, he finds the imposition of sanctions to be deficient: that deliberations usually take place behind closed doors violates the transparency principle; the norm of consistency is violated by, for instance, the application of double standards (e.g., Iraq was prohibited from importing allegedly dual-use medicines, whereas other sanctioned countries were allowed such imports); the equality norm is incompatible with the veto system in the Security Council; and the due process norm is violated when, for instance, entities are placed on a sanctions list on the mere suspicion of their involvement in terrorism (and when it is next to impossible to be removed from the list, implying that these entities are guilty until proven innocent). Finally, the proportionality norm is violated by the tendency of economic sanctions to inflict hardship and suffering on the (usually completely innocent) civilian population.

This entire line of argumentation is convincing enough as a political argument, but it does not

quite convince as a legal argument. The last half of the book is devoted to a detailed summary-cum-analysis of various U.N. sanctions regimes, from those imposed against the Ian Smith regime of the present Zimbabwe in the 1960s to the sanctions imposed against Iran in 2006 for its alleged breach of the NPT treaty. This overview is useful but might have benefited from greater attention to the economic aspects of sanctions on which a lot of material is available, e.g., demonstrating how sanctions against Saddam Hussein's Iraq almost exclusively harmed civilians, including children as yet unborn when Iraq invaded Kuwait.

Jochen **Prantl**'s, also based on a doctoral thesis, deals at length with a partial institutional innovation in the U.N. system in the form of informal groups of states working with the U.N. Secretary General. Typically organized on an *ad hoc* basis, they may take different forms, but most common forms today are contact groups and so-called Friends of the Secretary General. The author traces their gradual evolution from the Suez and Congo deployments where he sees them as institutional companions of the so-called Uniting for Peace procedure, in turn intended to shift responsibilities from the Security Council to the General Assembly. In this respect, the author might have been more critical in his repetition of the often-used phrase that the UNSC is "stalemated" or "incapacitated." Taking political realities into account, these phrases simply refer to situations where the West (and especially the United States) has not been unable to get its will, whereas it is rarely used when others (even majorities) cannot. What made the General Assembly appealing to the West in the 1950s and 1960s was the automatic majority it enjoyed, whereas the U.S.S.R. was able to block decisions in the UNSC with its veto. When the majority in the Assembly changed in the 1970s, the West immediately lost interest and fell back on the UNSC where it enjoyed not one but three vetoes. A more critical approach to the Suez mission might also have been warranted. The author quotes the then-U.N. Secretary General for likening the informal group (an Advisory Committee) to "a cloud of angels" over his head (p. 54), but surely not all of them were angels. The metaphor was even less appropriate for the advisory group for the Congo mission, comprising all troop-contributing states, including those responsible for instigating the Katanga secessionist attempt and the assassination of Patrice Lumumba.

Whereas the main mission of the informal groups during the Cold War may thus have been to circumvent the UNSC and to undermine its authority, a point the author might have emphasized more clearly, since the vaning and subsequent disappearance of the Cold War in the late 1980s, the rationale for informal groups has changed, as the author rightly points out. Conflicts in the Third World have become less salient for the Permanent Five but also more complex, and the author presents a convincing case for informal groups having played a very constructive role, usually comprising troop contributors and major donors who have thus been able to coordinate their activities to improve the U.N. success rate, thereby strengthening its authority and what the author calls its "output legitimacy" (p. 253). This is at least the impression one gets from reading the three case studies included in the book, devoted to Namibia, Guatemala, and Kosovo.

Bjørn Møller, Danish Institute for International Studies.