

The Casualties of Veto: Abuse of the Veto by the Great Powers

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Introduction

Political scientists have been sounding the alarm on the structural issues inherent to the United Nations Security Council (UNSC, Council, or SC hereafter) since the time of the Cold War. Despite a range of literature being produced globally on the ineffectuality of the UNSC over the past seven decades, primarily attributed to the veto power structure, no clear path for reform has emerged. Various suggestions including expansion of the Council membership with or without veto powers, limiting the power of the veto, and complete abolition of the veto each have UN member states strongly opposed to their implementation. As the main UN body with the legal power to sanction action against violators of international law and maintain peace, the ability of the SC to uphold its mandate comes into question with its growing futility. This paper aims to evidence the fact that, unless major changes to the veto power structure are implemented, the SC is unable to function as intended in relation to the gravest international conflicts due to the conflicts affecting the interests of one or more permanent members of the SC. While the UN has occasionally served its function well in smaller regional conflicts, the SC is complicit in the escalation of the Ukraine-Russia conflict and the Israel-Palestine conflict to full-fledged war by virtue of being handcuffed to the most powerful states such as the US and Russia. The failure of the SC to reach any binding agreement in the case of the Ukraine invasion as well as in preventing Israeli settler colonialism and the ongoing ethnic cleansing of Palestinians in Gaza and the West Bank are clear testaments to this.

Efficacy of the UNSC during a period of Coalition between Great Powers

When a great power is able to prioritize global peace over its own national interests, or when they are not in a position to influence global politics in favor of their interests, the SC can be surprisingly effective in bringing an end to international and national conflicts. The international

politics of the 1990s brought a change to the manner in which the UNSC functioned, laying down precedent for actions beyond merely peacekeeping to peace-enforcement through military operations.ⁱ The euphoria that resulted from the unified response of the permanent members against the Iraqi invasion of Kuwait in 1990 in the form of no-fly zones in Iraq and humanitarian assistance to the Kurdish population led to a short period of high effectiveness in the SC and in its peacekeeping responses.ⁱⁱ The ending of the Gulf war was followed by interventions in the civil wars in Guatemala and El Salvador, as well as providing protection to East Timor in 1999,ⁱⁱⁱ extending the peacekeeping efforts of the Council to internal matters of state. Directly prior to this period, the UNSC created five peace-keeping and observer missions in order to address the Angolan, Afghan, and Namibian crises and related contestations ongoing in Central America, not to mention prior efforts to resolve the Iran-Iraq war, the momentum from which may have contributed to this utopian period of the Council that effectively ended in 1993.^{iv} Peacekeeping missions of the UN prior to the 1950s mostly involved mediation and monitoring, where light armed forces were restricted to the task of maintaining peace by preventing engagements between the conflicting parties.^v What changed as the UN gained more experience in peacekeeping was, as John Trent writes, that: "Operations have become multidimensional, aiming to facilitate the political process, protect civilians, promote human rights, support election, restore the rule of law, and assist in the disarmament, demobilization and reintegration of former combatants."^{vi}

The coalition that responded decisively to end the Iraqi invasion of Kuwait represented an unprecedented, unified response based on the combined efforts of Moscow and Washington. The end of the Cold War and Soviet Union President Gorbachev's policies that favored improving relations between the USSR and the US towards a new post-Cold War world order played a significant role in setting the stage for this event.^{vii} It was also

the first example of a conflict in the Middle East where the US and USSR did not take opposing sides to establish military or political influence in the region, at least initially. However, it cannot be ignored that the USSR was facing significant challenges at this stage in the form of most Baltic republics issuing claims to independence in 1990^{viii} and other internal issues that included economic decline. These issues may have protracted their ability to act in the national interest of the Soviet Union. The aim to abandon the East-West rivalry, heralded by Gorbachev, became strained soon after as the US ground incursion in Iraq went through on February 25th, 1991, despite Gorbachev's extensive diplomatic efforts to settle the matter peacefully and having asked Washington for a delay to the incursion. The threat of a strong US military presence so close to Soviet borders had been a clear concern for the Soviets, but it had not taken precedence over attempting to maintain US-Soviet relations after the careful diplomatic efforts it had taken to build it up.^{ix} This, and the necessity of the threat of war to increase the efficacy of sanctions, was the primary reason why the USSR was unopposed to employing force to oppose Iraq, although there was a notable distinction between a joint military operation and an American-led military offensive. Both the internal struggles of the USSR and its attempts to foster a new world order were central in allowing such a decisive response to the Kuwait crisis, despite the United States' lack of tact in maintaining such relations. During the brief period when the two major powers of the era agreed on a unified response to global violence, influenced by the various external factors mentioned above, the effectiveness of addressing violence and breaches of sovereignty in the developing world reached an unprecedented level.

The ground incursion on 25th February received staunch criticism from the Soviets. Soviet disapproval expressed in a Pravda editorial stated: "this war was launched by the United States in order to impose its world leadership. It is a dirty war, like the one in Vietnam, despite the lofty intentions proclaimed by Washington."^x The USSR did not participate in the military action on this day, and yet they were complicit by virtue of being on the side of the US in this specific instance, bringing about resentment and distrust from the side of the Soviets that would sustain itself for decades to come. Had the US chosen to handle this differently, prioritizing US-Soviet relations by considering interests beyond its own national interest, the 'new world order' Gorbachev had hoped for could have had the potential to be sustained. Today President Putin's and the general Russian public's opinion of Gorbachev has been reduced to that of a panderer to the US who brought about the decline of the USSR,^{xi} and the East-

West rivalry continues full throttle.

The fall of the USSR likely contributed to the effective functioning of the UNSC in the early 1990s as a more unipolar world order emerged. Gorbachev's attempts to create freedom and democracy for his constituents undoubtedly ended in failure, but the US benefited in political and military terms in control of the Middle East. However, it has resulted in endless wars in the region since 1990, most notably the horrible failures of the 2003 Iraq invasion. Ever since, Russian-US relations have been in a "boom-bust cycle" with US administrations failing time and time again to develop a sustainable diplomatic relationship with Russia by failing to accept the Russian state as a non-democratic world actor.^{xii} Similarly, Russia's own aggressive and unpredictable maneuvers have played a major role in the instability, although the US's refusal to prioritize global stability over a US-led unipolar world order that is unacceptable to Moscow is undoubtedly to blame as well, despite the sanctimonious rhetoric it employs.^{xiii}

This constant back and forth that has swayed global politics for the past three decades is indicative of the fact that the effective functioning of the UNSC is foundationally dependent on the relations of opposed world powers, most notably the US and Russia. In each instance where the global community is proximal to a peaceful equilibrium, considerations of national interest and want for global hegemony overtake considerations of global stability and result in the perpetuation of violence, as shall be shown by the Ukraine and Palestine crises case study below. Until and unless the state leaders of these powers can come to see eye to eye on the highest priority of the global world order, the maintenance of peace and global stability, the UNSC will

fail to function effectively in the bloodiest conflicts in history, as we are seeing unfold in 2023.

The Ukraine and Palestine crises

One need not look beyond the events of the 21st century to see how desire for global dominance and international partisanship have ensured that the UNSC is paralyzed when responding to crises that concern the interests of the great powers. The USSR representative at the time of the Iraqi invasion staunchly condemned the breach of peace, but in 2022 when the breach was conducted by Russia themselves, the Council remained paralyzed and unable to enact any curative action against the violence.^{xiv} The only way to preserve international peace seemed to be to allow Russia to occupy Ukraine, but a unified Western response emerged when Ukraine displayed its ability to resist Russian aggression to some extent. Not only did this event force the European Union to fund arms deliveries and other equipment to a country under attack for the first

time in history, but it also forced Germany to revert its ban on international arms delivery and increase its military spending.^{xv} While such a unified response is laudable, it also underscores the immense failures of the primary global peacekeeping body by forcing nations around the globe to resort to means outside of the Council to deal with the catastrophe at hand. Russia has vetoed any resolutions within the Council in regard to its military activities in Ukraine, in both 2014, and 2022 onwards.^{xvi} Despite being declared as going against the UN Charter, all nations opposed to Russian aggression are unable to enact any meaningful action against Russia through the UN beyond non-binding resolutions coming out of the General Assembly.^{xvii} Both the permanent members and their closest international allies, including Israel and Syria, are protected from Council action due to the presence of the veto.^{xviii}

Similarly, we are witnessing a failure of the SC to address an ongoing ethnic cleansing in Gaza due to the United States' longstanding allyship with Israel. Hamas launched a terrorist attack on October 7th 2023 killing around 1,200 Israelis, including soldiers, in an unprecedented attack that took the form of air, land, and sea offensives.^{xix} In response, the Israeli government and defense forces have launched indiscriminate attacks on the Gazan population which consists primarily of children under the age of 18, killing at least 11,000 civilians according to the Health Ministry in Gaza over a span of one month in the highly populated Gaza strip and in the occupied West Bank.^{xx} The justification for such an indiscriminate retaliation that does not distinguish between civilian and military targets has repeatedly been that 'Israel has a right to defend itself'. Both the US and Israel have been repeating this mantra to international media outlets since the day of the catastrophic Hamas attack.^{xxi} At the very moment this paper is being written, innocent children, women and men are being bombed by a UN member state that is in essence being unconditionally backed by the strongest Western permanent member of the Security Council. It seems we have returned to an archaic mindset in the international order that justifies use of lethal force against innocent civilians with a logic no more salient than "an eye for an eye" or "an arm and a leg for an eye" in this case. Plainly, the world is witnessing the barbaric perpetuation of state sponsored terrorism right before our eyes, and the Security Council is ineffective in trying to prevent it due to the presence of the veto power.

The United States, along with other Western states such as the United Kingdom are complicit in the unfolding events. The beginning of the Israel-Palestine crisis that has culminated in this attempted ethnic cleansing can be attributed to the failure of the United Kingdom to ap-

propriately handle its foreign affairs in relation to the Balfour Declaration and the failure to uphold its initial agreements which has led to almost a century of oppression of the Palestinian people.^{xxii} Further, the United Kingdom has now pledged its "unequivocal" support to Israel in its 'self-defense' while Israel's gruesome acts continue against the Gazan population.^{xxiii} The attack by Hamas "did not occur in a vacuum", as Secretary General Guterres has recently stated.^{xxiv} While there is no justification for Hamas' civilian casualties, and they should be condemned with equal force, the attack *can* and *should* be partially attributed to the ongoing occupation of the Gazan and West Bank territories by Israel, which could not be prevented or addressed by the UNSC due to the United States' continuous and unequivocal support for Israel in light of the strategic advantage the Israeli-US allyship holds for the US.^{xxv} Denying the role that Israel has historically played in breeding insecurity for its citizens through its settler colonial activity is absolving them of responsibility and accountability, even precluding considerations of the massive failures of Israeli and other intelligence services that allowed the attack to occur in the first place.^{xxvi} The US has vetoed at least 53 resolutions that condemn Israel and its occupation of Palestinian land and has ensured that no action can be taken against its primary ally in the Middle East despite their illegal occupation.^{xxvii} ^{xxviii} An insight report from 2015 highlights:

"Between 1945 and (September) 2015, the United States has vetoed a total of 30 UNSC resolutions related to Israel and the Palestinians. This by far amounts to the largest number of resolutions vetoed by a UNSC permanent member on one specific issue. Next in line is the United States veto of UNSC resolutions on the situation between Israel and Lebanon (10 vetoes...)." ^{xxix}

Almost half of all vetoes cast by the United States are in relation to the Israel-Palestine issue, especially in the post-Cold War period.^{xxx} Furthermore, the official vetoes do not reflect the internal leveraging of the veto during negotiation periods within the Council, wherein a hidden veto can be employed. The hidden veto is the covert employment of a veto by a permanent member during negotiations that threatens to invalidate a resolution unless demands are met, and such tactics are employed potentially even more than the official uses of the veto.^{xxxi} They were likely employed in watering down the wording of the recently adopted UNSC Resolution (the US abstained, allowing it to pass) 'calling for' instead of 'demanding' humanitarian pauses (rather than ceasefires) in regard to the Gaza war on November 15th 2023.^{xxxii} The long-standing position of the US to unequivocally voice the right for Israel to "defend itself" has never been altered despite nu-

merous calls from the global community indicating that Israel employs disproportional force against Palestinian civilians in many of the instances that it has aggressed against the civilian population and despite having actively pursued the domination and occupation of Palestinian territories well prior to the October 7th attacks.^{xxxiii} The current Gaza situation is reminiscent of the disproportional response of Israel against Palestinians in Lebanon in 1982, and will likely lead to similar outcomes.^{xxxiv} Following the 1967 war where Israel defeated Egypt, Syria, and Jordan and occupied Palestine, it became clear to the US that a partnership with Israel was necessary to maintain diplomatic and political dominance over occurrences in the Middle East. Ever since, Israel has employed coercive and invisible modalities of control and power in order to covertly maintain its occupation and exploitation of the Palestinian population without consequence.^{xxxv} Henceforth, the strategic interests of having a powerful ally in the Middle East seemed to always outweigh the need to impose consequences for the breaches of international humanitarian and sovereignty laws by Israel.^{xxxvi} The interests of great powers are clearly at stake in a region as strategic as the Middle East, and they continue to interfere with the functioning of the UNSC as can be seen by the vetoes of the US and Russia/China against resolutions that called for a ceasefire on October 18th and 25th 2023, each unhappy with one aspect or another of the wording of the resolution, leading to yet another stalemate.^{xxxvii} These vetoes are once more being justified by the US using the long-standing rhetoric of the UN's failure to adequately condemn terrorist attacks against Israel which is at least "partially unfounded" considering the UN has explicitly condemned attacks against Israel multiple times.^{xxxviii}

The continuous blockade of Gaza since 2007 onwards by Israel and Egypt has perpetuated insecurity of all kinds for the Gazan population and has been enabled by the United States who has actively sidelined and disempowered the UN in cases involving the Middle East multiple times since the end of the Cold War.^{xxxix} After the Battle of Gaza in 2007, when Hamas wrested control of the territory, the blockade that had been in place was tightened drastically in both Gaza and the West Bank.^{xl} As Gordon points out:

"The sectarian clashes that erupted in 2006 between Hamas and Fatah as well as between different *hamulas* in the Gaza Strip ... [have been understood] as either a struggle over who will control the Palestinian government and resources or as a local manifestation of a much broader international conflict between fundamentalist and secular forces in the Islamic world. While such interpretations no

doubt capture some of the most important recent developments, they also obscure the central role that Israel and the United States have played in producing the internal Palestinian violence."^{xli}

The sustained sanctions have precipitated internal violence by creating intense dissatisfaction and unrest among the workers and armed members of the Palestinian society, leading to a struggle for control; Israel and the US have, in essence, employed a divide and conquer strategy that has ultimately failed due to rising sentiments of Palestinian nationalism in the face of forced social disintegration. Attempts to enforce a military solution to the conflict that does not depend upon the unification and right to self-determination of the Palestinian people, skirting around the resolutions that arise in the SC, will inevitably result in an unending cycle of violence – a cycle that wrongly instrumentalizes the Council veto powers.^{xlii}

Conclusion

On April 26th, 2022, the UN General Assembly adopted what was termed the 'veto initiative' in an effort to curtail the unbridled usage of the veto in the SC in reaction to the Russian invasion. The resolution was co-sponsored by 83 states, including the three Western permanent members of the Council.^{xliii} These three members vowed, at least in name, not to use the power of the veto until "exceptional circumstances" are at hand, but much of this has shown itself to be pure hubris in light of the heavy-handed employment of the veto, both covertly and explicitly, by the permanent members while witnessing large scale conflict with mass casualties. Just as the UN was mostly paralyzed in a struggle between the Great Powers prior to 1991, we now enter a similar phase of global politics where any effective joint action through the Council seems precluded by virtue of worsening international relations between the global powers as the Ukraine and Palestine crises have shown. Neither state is willing to concede to the other for any reason, even if that means the protection of innocent civilians on the ground, for each side has in essence decreed that any concession to the other is tantamount to jeopardizing national or international security. The protection of national interests aimed at global hegemony is justified through a zero-sum blame game, leaving civilians to pay the price. While the recent attack by Hamas has brought the Israel-Palestine issue to the forefront of global news, indicators of this escalation were present well before the attack. The 56-year occupation of Palestine and its global condemnation should've been enough to arrive at a solution to this issue and yet we are witnessing another catastrophe similar to the Rohingya genocide and the ongoing Congo crisis. The failure of global governance to function amidst such gruesome outcomes in the 21st cen-

Notes

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