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The Pluralist International Society:

Solidarist renegotiation and pluralist backlash

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In this time of dramatic upheavals, international relations are the business of any news consumer. How could the UN Security Council authorize military intervention during the revolution in Libya, when it cannot agree to clearly condemn the same kind of violence in Syria, and a similar situation in Bahrain has not even been open to discussion, let alone agreement? What can the governments of the Euro zone do to save their economies, when markets are shaky and people are taking to the streets to protest against unemployment and deep cuts in welfare and salaries? Why is the Treaty on Non-Proliferation of nuclear weapons not being adhered to and respected, and what can governments, and the International Atomic Energy Agency, do to avoid more states acquiring nuclear weapons? What makes it so impossible for the world's states to agree on ways to tackle climate change, and why are most of the Millennium Development Goals so far from being met? How come human rights violations occur on a massive scale in many parts of the world, while the UN Council on Human Rights can hardly agree on condemning them, and is absolutely powerless in stopping them?

These questions are obviously as important to IR scholars as to the general public, and there have been no lack of theoretical goggles for analysing phenomena of their kind. Some of them would point to the current distribution of power in the international system to explain the UNSC votes and the nuclear threat, some would emphasize domestic constraints on international action to explain the unrest in the Euro zone and the disagreement over climate change, while still others would argue that the spread of norms and knowledge plays a major role for the MDGs and for upholding human rights. In the present paper, however, I take as my point of departure the idea that all the above questions are part of the same, larger problem of understanding international affairs, and that we would gain from understanding them all through the same theoretical lens, focusing on what they have in common rather than on what divide them. The tendency to focus attention on actors, institutions or ideas needs to be complemented by a society-focused view, which takes into account the social setting within which actors, institutions and ideas occur.

The present study belongs to the tradition usually called the English school of international relations, within which the international realm is construed as a rule-bound association of states; an 'anarchical society'. No other theory is as well placed to study the uniting features of international problems, not as cases of international cooperation or cases of international power play – but as issues of an underlying, more basic, society within which cooperation, socialization and *realpolitik* all take place. What distinguishes the international society approach from other theoretical roadmaps is precisely that it allows cynicism and optimism to coexist. We do not have to decide whether we will look for signs of (normative) progress in international relations, or whether we rather assume that international relations are still the same old business as during the antique Greek wars. Nor do we need to put these different aspects of international life in a position of opposition, or treat them as mutually exclusive. The decisive advantage of the society approach is exactly that it can house tensions and contradictions,

as long as they are logical given the assumption of an international society. The existence of this society, at least in the classics, is argued teleologically, as a means to further the common goals of states, thus summarized by Hedley Bull (Bull 2002 [1977]: 16-19):

1) The preservation of international society itself;

2) The maintenance of independence or external sovereignty of individual states;

3) The keeping of peace 'in the sense of the absence of war among member states of international society as the normal condition to their relationship'; and

4) Common goals of all social life, namely 'limitation of violence resulting in death or bodily harm, the keeping of promises and the stabilisation of possession by rules of property'.

The research question underlying this paper is '*How can we understand the present international order through the English school?*' I will study this by splitting the English school account of international society into its two primary versions, one 'pluralist' and one 'solidarist', before applying the pluralist frame to a current and important international development which deals with meta-issues of how international interaction should be organized: the project of reforming the United Nations. I use the English school perspective on this case so to be able to trace the underlying organizing principles of interaction between states, thereby, I hope, both furthering our understanding of the current international order, and providing a re-brush of one certain aspect of the English school, namely its primary institutions.

By way of delimitation, I should point out already at this stage that the present paper is concerned with the international society of states, rather than with the idea of a world society (which includes non-state actors and has individuals as its ultimate referents) that has also received some attention from the English school. This means that it is to interaction between states, in the form of governments or formal representatives, that I devote the bulk of my attention. I should also specify what I mean by 'current' international developments: my horizon covers the last 20 years or so, often shorthanded by 'since the end of the Cold War'. UN reform has been discussed since the creation of the organization, but my analysis concerns the 'current' reform debate, namely the post-Cold War debate, which has, in turn, intensified since the early 2000s. In the English school, the time perspective tends to be long, which motivates my relative inexactness; 10 years more or less are not very consequential in this tradition. International society is commonly visualized as starting out around the time of the peace of Westphalia in 1648, developing slowly and gradually under the centuries that follow, reaching a regional high-point during the Concert of Europe in the 19th century, and spreading outside Europe

only during the 20th century. A time perspective of several hundred years is not unusual in contributions to the English school (see for instance Mayall 1990; Keene 2002; Holsti 2004; Clark 2005). My choice of an, in this context, much shorter perspective, is motivated by a wish to discern a detailed interplay of principles at one, relatively concentrated, point in time, rather than tracing the development of the principles themselves history.

The 'Classical' Institutions of the International Society

Hedley Bull is the most famous classical representative of the research tradition which we know as the English school. Starting out from the proposition that the usual idea of international anarchy is built on a faulty analogy between states and individuals, he claimed that there existed an international system, 'order', defined as 'a pattern of activity that sustains the elementary or primary goals of the society of states' (Bull 2002 [1977]: 8). This way, he pointed to a certain degree of predictability on the international arena. Moreover, he claimed that this order brought with it an 'anarchical society', so that a 'group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions' (Bull 2002 [1977]: 13). Order in international society is upheld by common interests in certain primary goals (relating to preserving the society itself and its units, the states), by rules that guide the preservation of the society, and by institutions that safe-guard the rules (Bull 2002 [1977]: 51).

Bull's central claim of order in the world was directed both against his contemporary realist colleagues, who assumed Hobbesian anarchy at the international level; and against idealists, who saw an existing community of humankind, rather than the international structure which limits agency at the international stage (Dunne 1998: 142-146). Bull's device to get around the realist/idealist divide was to distinguish between world society, where there indeed would be a community of humankind; international systems, where states would take each other's actions into account – behave like 'parts of a whole' (Bull 2002 [1977]: 9); and international society, where states would consider themselves bound by common rules (Bull 2002 [1977]: 13). The root of the present system of international order is, in Bulls view, that the European state system has spread all over the globe, so that there came to be one all encompassing global state system (Bull 2002 [1977]: 20).

In the English school account, international order is upheld by certain fundamental institutions. As many have pointed out (Bull 2002 [1977]; Buzan 2004; Holsti 2004), the institutions of international society are not of the same kind as those that scholars of international regimes would study, namely multilateral institutions such as the UN. Primary institutions, 'the institutions talked about by the

English school [,] are constitutive of both states and international society in that they define the basic character and purpose of any such society. For second-order societies (where the members are themselves collective actors), such institutions define the units that compose the society' (Buzan 2004: 166-167). Buzan usefully classifies institutions in three kinds (where the two first kinds are of paramount interest to the English school): **primary** institutions, separated into master institutions, for instance *diplomacy*, and derivative institutions springing from the master institutions, for instance *multilateralism*; and **secondary** institutions, for instance the UN, created to safeguard and 'institutionalize' the primary (master and derivative) institutions (Buzan 2004: 187).

In Bull's classical account, there are five primary institutions: the function of *international law* is, first and foremost, to identify the organizing principle of international society (Bull 2002 [1977]: 135). Once that is done, it can also establish the rules of coexistence between states, and affect compliance with those rules, at least on the margin. *Diplomacy*, in turn, fulfils the requirement of communication between the states, information collection, minimizing the friction between states, and provides a powerful symbol of the society of states (Bull 2002 [1977]: 163-166). *War* is both a symptom of disorder in world politics and a means to enforcing the international law and preserving the balance of power (Bull 2002 [1977]: 182). *Great powers* have special rights and duties with regards to international society, so that they can make decisions without consulting lesser states, but need to protect the existence of society as a whole in their dealings with each other (Bull 2002 [1977]: 200). The *balance of power*, finally, makes possible the application of the other institutions of international order by providing for the continuing existence of the society of states (Bull 2002 [1977]: 102).

Pluralism and Solidarism

The 'anarchical society' is usually seen in one of two ways, traditionally denoted 'pluralist' and 'solidarist'. The pluralist view entails a minimal definition of international cooperation, while the solidarist view envisages more far-reaching cooperation towards substantive common goals. Tim Dunne remarks that Bull saw 'the pluralist conception of international society as one in which states are capable of agreement only for certain minimum purposes, the most crucial being reciprocal recognition of sovereignty and the norm of non-intervention' (Dunne 1998: 100). Solidarism tends to be less well defined, partly because Bull expresses a quite pronounced pluralist view in his most famous book (*The Anarchical Society*, 1977), and partly because its limits are fuzzier. James Mayall defines solidarism as the view that 'humanity is one, and that the task of diplomacy is to translate this latent or immanent solidarity of interests and values into reality' (Mayall 2000:14). This distinction, whatever difficulties it may carry, has been hugely influential during the history of the English school, pitting writers of a normatively solidarist conviction against more pessimist pluralist ones. Over time,

it has become a little unclear in the literature whether the solidarist/pluralist divide is a question of diverging views of the foundations of international society or rather a question of how to understand the world in a normative sense. In the next section, we'll look into its classical foundations, before moving on to situating pluralism in the modern world.

'The Grotian Conception of International Society'

In the classical cannon, Bull explains the distinction between solidarism and pluralism by references to Grotius and Oppenheim, respectively; the former as a solidarist and the latter as a pluralist. His bid on why solidarism is hard to define is that it does not outright reject the domestic analogy (that is, the idea that international politics are essentially of the same kind as national politics; in Bull's view the underlying idea of both realism and liberalism), instead trying to establish some kind of equilibrium between the images of domestic society and international society. Pluralism, on the other hand, clearly distinguishes between domestic and the international realms as different in nature (Bull 1966: 52, 65).

Bull states three implications of this difference between the 'Grotian conception' and Oppenheim's. First, it is about their conception of war. For the pluralists, war is a regular feature of international life, and the main issue concerns how to fight war in a just manner. Solidarism, on the other hand, juggles judgements regarding when war is just with ideas on how to fight war in a just manner (Bull 1966: 65-68). This, as Bull points out, is a more complex stance: because if all wars are equally (il-) legitimate, all parties are morally equal, and establishing rules for behaviour during war is relatively straight-forward; whereas if a war can be fought for a just cause, the question arises whether the rightful party should be required to adhere to the same rules as the opponent or whether the rightful party shouldn't be allowed to do whatever it takes to win a just war. Obviously, this view is further complicated by the fact that there is rarely empirical agreement on what party is the rightful one, at least while the war is on-going.

Second, the distinction is also about the position of individuals in international society. They have essentially no place in the pluralist conception, whereas they are the ultimate members of international society on the solidarist view (Bull 1966: 68). This difference somewhat explains the place of pride of the pluralist/solidarist divide in the modern English school literature, and also points to why human rights have come to be such a major concern for scholars in this tradition. Bull assesses that Grotius sought to unite peoples and their rulers 'to fill the vacuum left by the declining force of divine or ecclesiastical law and the rudimentary character of existing voluntary or positive law' (a thread which has later been taken up by James Mayall who analysed nationalism as a replacement for the dynastic principle as the foundation of the nation-state, Mayall, 1990). 'At the same time, the conception of a

universal community of mankind is potentially destructive of the society of sovereign states, for it may be employed not only to support the rules of international society but also to assert others that undermine it' (Bull 1966: 68).

Finally, Bull also distinguishes between Oppenheim's and Grotius' views of the sources of international law (Bull 1966: 66-68). Pluralists only accept what comes from custom and treaty, 'the law judged to be binding in international society may be gauged empirically by ascertaining the rules to which the states members of that society have given their express or their tacit consent. The prescriptions of international law in the positivist view display a certain broad conformity with the movement of historical events' (Bull 1966: 67). For solidarists, natural law holds a central position (as do also divine law and voluntary law) so that 'ascertaining of the law is not merely a matter of empirical observation … [and] international law need not be in conformity with the movement of events but may utter a protest against them. Thus Grotius may prescribe rules for an international society united by an area of agreement much wider than any to which it has given its consent; and he may take international society to be universal in scope' (Bull 1966:67). This means that while the pluralist can take, for instance, formal international agreements as the measuring stick for what constitutes morally acceptable behaviour, the solidarist can argue that even behaviour that is in conformity with that same agreement is immoral and inacceptable. This allows solidarism of higher standards, but also deprives it of the possibility of establishing 'objective' scales for assessing international affairs.

Interestingly, Bull provides criteria for assessing whether it is pluralists or solidarist that are right (Bull 1966: 70):

> The central assumption of the Grotians, as was mentioned at the outset of our inquiry, is that there exists solidarity in international society with regard to the enforcement of the law. If in fact a consensus may be reached as to the nature of the distinction between just and unjust causes of war; if the international community can be brought to agree in a particular case as to which side is engaging in police action and which in crime; if the claims of the former to represent international society as a whole are in fact given credence by the active or passive support of a preponderance of states, then it may well be that it is upon Grotian principles that the international order should be shaped. But if, on the other hand, no solidarity on these matters obtains; if international society finds itself unable to agree as to the criterion on just war; if the outbreak of war typically finds international society at large, as well as the belligerents themselves, divided as to which side embodies the just cause, then our conclusion must be a different one.

These criteria either point to an inconsistency in Bull, or mean that he has indeed chosen the pluralist conviction himself; because he has already pointed out that the Grotian conception is not directly

measurable empirically. Modern writers have taken up the challenge of clarifying Bull's statements on these matters, and we'll review some of them very briefly in the next section.

Pluralism and Solidarism in Recent Scholarship

In Bull's world, pluralism and solidarism may seem to be mutually exclusive, and this is also the most widespread modern apprehension. Buzan has tried to nuance this stand-off, writing that 'the view that pluralism and solidarism are mutually exclusive rests on an argument over whether primacy of right is to be allocated to individuals or to states' (Buzan 2004: 48). He suggests that they instead be seen as opposite ends of a spectrum, where pluralism represents the 'thin' end of international society, where common norms are few and weak, and solidarism is the 'thick' end, where more norms are shared and collective enforcement of norms is possible (Buzan 2004: 49). In Buzan's sense, a pluralist society can be as moral or immoral as a solidarist society, because the pluralist/solidarist distinction only relates to the 'thickness' of the shared values, not their nature. I interpret this as an image of a basic, pluralist level of shared understanding between states, which can then be supplemented by an additional solidarist shared understanding, added on top of the basic pluralist one.

Ian Clark conceives of international society as a convergence on the legitimacy of certain principles. 'Its core principles of legitimacy *constitute international society…* We can think of international society as a set of historically changing principles of legitimacy' (Clark 2005: 6-7, emphasis in original). This agrees, as Clark shows, with Bull's classical definition of international society as existing where 'a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions' (Bull 2002 [1977]: 13). As such, it is not a deviation from the traditional English School view of international society, or even a redefinition, but rather a specification. States must agree on some sort of standard, in order to be able to form an international society. Clark's contribution is to pinpoint that it is a common legitimacy that constitute this kind of society. However, that standard may be very different if it is a pluralist society or a solidarist society that we intend. That is why I focus solely on the pluralist version of international society in the present case study.

The UN can, crucially, best be conceived of as a basically pluralist organization. It has a universal membership with few and basic shared values, and it is under strain to accommodate some states' higher ambitions as to similarity and like-mindedness. Arguably, the UN reform process is dominated by a 'pluralist backlash' where the majority defends the traditional pluralist consensus and protects it

against pressures in a solidarist direction. At any rate, it seems clear that the extent of shared values is thin in the UN, and that is why I have chosen the 'constitutional' issue of UN reform (that is, how to organize international interaction within that association) to be the object of my pluralist case study; the object of which is to trace the pluralist shared values, or 'underlying principles' present in that process.

How to Recognize the Institutions of International Society

Most scholars working in the English school tradition today seem to consider that Bull's set of five primary institutions is out-dated. For instance, it has been argued that Bull left out something essential when he chose not to include trade or the market in his list of institutions, and that the body of 'common interests and common values' which Bull writes that states share, would be considerably thicker if the economic order was included as well (this is a common point of criticism against Bull, see for instance Buzan 2004: 19-20). It has also been questioned whether the great powers and their special responsibilities of managing the international society can really be an institution, and other institutions to include in the list have been suggested (for instance by Holsti 2004: 25-27). Bull never clearly states why he chooses to include some candidates in his list and not others. Holsti aims to remedy this gap, by suggesting three criteria by which we can recognize an international institution, relevant to the society of states:

- Patterned *practices,* or practices that are routinized, typical, and recurrent;

- Institutions are based, usually, on coherent sets of *ideas and/or beliefs* that describe the needs for the common practices and point out how certain social goals can be achieved through them;

- Institutions reflect *norms*, and they include rules and etiquette (Holsti 2004: 21-22).

I do not entirely agree with Holsti here, to which I will come back in the next section. Bull defines institutions as follow: 'By an institution we do not necessarily imply an organisation or administrative machinery, but rather a set of habits and practices shaped towards the realisation of common goals. … These institutions serve to symbolise the existence of an international society that is more than the sum of its members, to give substance and permanence to their collaboration in carrying out the political functions of international society, and to moderate their tendency to lose sight of common interests' (Bull 2002 [1977]: 71). Holsti turns against 'the teleological aspects' of Bull's definition because in his view, changes in institutions are not necessarily accounted for by design or common purposes (Holsti 2004:21).

Faced with the principled disagreement on what defines a primary institution, Buzan pulls together a list of candidates that different scholars working within the English school have advanced. It makes quite a thorough list of candidates for an up-to-date list of primary institutions (master institutions in italics):

Sovereignty; non-intervention, international law

Territoriality; boundaries

Diplomacy; bilateralism, multilateralism

Great power management; alliances, war, balance of power

Equality of people; human rights, humanitarian intervention

Market; trade liberalization, financial liberalization, hegemonic stability

Nationalism; self-determination, popular sovereignty, democracy

Environmental stewardship; species survival, climate stability (Buzan 2004: ch 6, especially pp 174, 184, 187).

Buzan's list is more or less where the English school stands today. The list is not meant to be exhaustive – to the contrary, Buzan quite humbly writes: 'I offer this interpretation as a way of opening a discussion that the English school, and others interested in international institutions, need to have' (Buzan 2004: 186). Moreover, he draws attention to the research agenda that it opens when he notes that the 'classics of the English school that subordinate the exploration of tensions among primary institutions to the concern for order, block one of the most interesting insights to be gained from the study of primary institutions: that tensions among them are a key driving force in the evolution of [international] society' (Buzan 2004: 186).

Institutions as Existent Underlying Principles

The treatment that the primary institutions have received has varied in the English school literature. To Bull, the institutions seem to be what keeps international society in place, and Buzan has taken that point seriously. Others, however, hardly mention them (see for instance Vincent 1986; Keene 2002; Clark 2005). Holsti suggests that the institutions are the markers of change, and that it is only if the institutions change that we can trace change in international society (Holsti 2004: 18-27). My general sense is that Holsti, as well as Buzan in the quote above, approach the question of change and institutions from the wrong angle; instead of selecting a set of institutions and then tracing how they

have developed throughout the last few centuries as Holsti does, I would prefer to study international society at the current time first, and settle on what institutions are paramount only afterwards. This also agrees better with Bull's functional idea of what an institution actually is: it is a practice and a habit, which contributes to keeping international society in place. If we then preconceive of some approximation of the pluralist version of international society (I have settled on the UN in this paper), it makes sense to see what institutions can be traced in that 'echo chamber' rather than to decide on the institutions first and then look for where they can be found.

In that light, we need a modification of Holsti's criteria of how to recognize a primary institution. In Holsti's framework, for instance the international arms trade would be an institution, as it is routinized and recurrent, builds on the belief that armed defence is the best way to achieve security, and is governed by the norm that states should trade arms primarily with states that they perceive to be friends and allies. (Note, however, that the same criticism is not valid towards Bull's take on institutions, where the function of arms trade for upholding international society is unclear.) In my empirical analysis, I look for basic institutions in the form of **underlying principles.** [1] These should have a widespread support, or at least be internalized to the extent that *representatives of states feel a need to motivate the choice to not adhere to the principle.* This means that there are two possibilities for an institution to manifest itself in the empirical part of this study: either states behave in accordance with the principle *or* states argue against the principle. I also keep an eye open for clashes between principles, as Buzan suggests they may be the most important drivers in processes of change, such as the calls for reform of the UN.

In Buzan's list, some institutions are clearly not relevant to the UN reform project: *territoriality* is not implicated in the 'meta'-question of how to organize the United Nations; the *market* is also only peripherally related to this process, even though confrontations between rich and poor states play a role from time to time, especially in budgetary issues; *nationalism* is present only in the shape of the derivate distinction between democracies and non-democracies; and *environmental stewardship* seems to be rather a pious hope of Buzan's than a heavy-weight international institution at this time. When organizing the empirical study, therefore, I expect to find the following institutions:

- Diplomacy;

- Great power management;

- Sovereignty;

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[1] I even use the expressions 'principle' and 'primary institution' synonymously throughout the empirical part of this paper.

- Equality of people;

- Any other principle generally adhered to or argued against that may qualify as a basic institution in the English school framework.

Reform at the United Nations

'The United Nations have not lived up to the ideal envisioned at its origin: its role in the maintenance of peace is minor and its influence on the solution of global economic and social problems very limited. However, while skepticism may prevail as to the effectiveness of the institution, there is growing interest in considering the possibility of its revitalization. Its financial crisis, in large part the result of an anti-UN mood in the American Congress, has encouraged the acceptance of the need for reform.'

The above lines nicely summarize one of the arguments for UN reform in the contemporary debate. However, the quotation above is not contemporary, but written by French high-level UN expert Maurice Bertrand some 25 years ago (Bertrand 1988: 193). As the age of this argument may suggest, then, the debate on UN reform is old - some even suggest it is as old as the organization itself (Roberts and Kingsbury 1988: 13). In the early days, lasting up to the mid-1960s, reform initiatives came mainly from the Secretaries-General; since then the reform process has been driven mainly by Member States (Bertrand 1988: 195-196). However, this assessment may have changed since the end of the Cold War, when a window for reform was perceived and reform efforts from various camps were intensified. It was also in this context that the former Secretary-General Kofi Annan wrote an influential report on UN reform, entitled *In Larger Freedom*. However, as Edward Luck states, pointedly, the UN 'adopts formal reforms with great reluctance and glacier-like speed' (Luck 2005: 412).

In the contemporary discourse on UN reform, there are two kinds of complaints of the organization that are advanced most frequently: the (realist) argument that the UN does not acutely mirror the current distribution of power in the international system and therefore needs to be reformed, and the (liberal) argument that the UN is illegitimate and/or ineffective and therefore need to be improved. I will argue that these two arguments build on a simplification of the nature of the UN, and that English school theory is a better tool for understanding what is really at stake in the reform project. In the realist framework, the UN is not really necessary at all but it is rather a tool for the powerful; whereas in the liberal framework, it has a potential function as a guarantor of peace and cooperation, but it is obstructing and resisting efforts to achieve its moral destiny. In the English school framework, however, the UN is an institutionalization (albeit far from the only one possible) of a more basic

international society within which both *realpolitik* and moral aspirations have a certain room for manoeuver. This frame allows a more thorough understanding of the process to reform the UN, uncoupled from the various normative goals of that very reform process.

The United Nations has obviously attracted quite a lot of academic interest over the years. The project of UN reform specifically has also been studied, and especially since the end of the Cold War has the research fauna on this topic thrived. A recent example of the realist approach to UN reform is Thomas G.Weiss, whose paper is, quite typically, named 'The Illusion of UN Security Council Reform'. He assesses that 'absolutely no consensus exists about the exact shape of the Security Council or the elimination of the veto. True, the council does not reflect the actual distribution of twenty-first-century power, yet reform proposals emanating from diplomats and analysts have never addressed the true imbalance between seats at the table and actual military capacity outside the Security Council chamber' (Weiss 2003: 149). His argument revolves around effectiveness and power, downplaying concerns for equity. At the other end of the scale, the liberal approach sees UN reform as an opportunity to achieve (normatively) better results, such as a more effective protection of individuals against states. Anne-Marie Slaughter claims, in a paper equally fittingly entitled 'Security, Solidarity and Sovereignty: the Grand Themes of UN Reform', that 'membership in the United Nations is no longer a validation of sovereign status and a shield against unwanted meddling in a state's domestic jurisdiction. It is rather the right and capacity to participate in the United Nations itself, working in concert with other nations to sit in judgment of and take action against threats to human security whenever and wherever they arise' (Slaughter 2005:6120).

Most of the recent literature on UN reform put the reform of the Security Council at the centre of attention, and according to Hans-Martin Jaeger, fail to put the question of UN reform in a broader context. 'Realists reduce the operation of power to the resources and influence of states; liberals assume that the authority of the UN is necessarily a function of UN legitimacy or performance. Both miss more varied, decentralized, and technical mechanisms of power not inherently tied to either resources possessed by states or the perceived legitimacy or efficiency of the UN, and whose dynamics reach well beyond the UN Security Council' (Jaeger 2010: 71). Certainly Kofi Annan's proposal that states should work to reform the Security Council first has been partly responsible for this upsurge in Security Council reform literature. There is also a literature which has analysed the reform of the Commission on Human Rights, a reform which is not only under debate but which has actually taken place (for instance Scheipers 2007).

The UN has attracted some interest from English schoolers, too. It is sometimes used as a backdrop for other studies; for instance, Dunne & Wheeler place their discussion of security from a solidarist English school viewpoint in the context of the UN (Dunne and Wheeler 2004), likewise in Wheeler's

recent analysis of the 'responsibility to protect' (Wheeler 2005). There is also a study of the older ancestors of the current reform project: the 1988 volume edited by Adam Roberts and Benedict Kingsbury in which several of the contributions approach the UN from an English school angle (Roberts and Kingsbury 1988), but there is no literature investigating what the UN reform actually means from an English school perspective.

The UN as an Approximation of the International Society

As we know, the UN was created after the end of the Second World War in 1945. It was conceived against the backdrop of the war, and since the general idea was that its predecessor, the inter-war period League of Nations, failed because of its overly idealistic setup, the UN was designed by the war's winners, with an emphasis on hierarchic power built into its design. The UN Charter was agreed on by the Second World War Allied powers in advance and only formally finalized at the San Francisco summit of 1945 (Luard 1988: 209). Moreover, even the name 'the United Nations' referred, during the war, to a group of twenty-six Allied countries uniting against Germany, Italy, and Japan; and the world organization was instead, at its inception, called 'the United Nations Organization' (Roberts and Kingsbury 1988: 9). Note should be taken that the formal shorthand for the UN in French is still ONU, 'Organisation des Nations Unies'.

The organizational design in the early days was built to safeguard the interests of its protectors. The 51 co-founder states were all granted one vote in the General Assembly, whereas the Security Council was reserved for those that *really* mattered. Michael Howard writes that the 'executive power was firmly entrusted to those with the capacity to use it. The Security Council was basically a condominium of the victorious major Allies, who would jointly keep the rest in order' (Howard 1988: 33). 1945-1965, the Security Council consisted of eleven states: the five permanent members with the right to veto ('the P5' in UN jargon: the USA, the UK, France, the USSR and China), plus six non-permanent members to be elected on a two-year term. In 1965, the Security Council membership was expanded to ten non-permanent members, 15 in total. Time, however, very soon overtook the unity of the wartime Allies, and within months after the creation of the organization, the gulf between the US and the Soviet Union started to widen. This led some of the organization's Charter provisions never to be implemented, for instance the military force which Member States were supposed to put at the disposition of the Security Council (Luard 1988: 209-210).

At the outset, the UN was an attempt to freeze world politics. In Howard's words, 'a general and equal interest was assumed in the preservation of the *status quo post bellum*. Change would be possible, but only by general consent. The post-war world was conceived, in fact, in somewhat static terms'

(Howard 1988: 32-33, emphasis in original). It turned out, however, that the post-war world was not constant, and the membership of the UN grew quickly. From the original 51, it experienced a steady influx of members during the decolonization process, to attain 159 members by the mid-1980s, and 193 today (the newest member is South Sudan, member since July 2011). Politically, this gradual enlargement meant that the Western powers, and especially the United States, which had at the start been able to count on a majority support from the organization, increasingly found itself on the minority side of the General Assembly (Luard 1988: 2011). Meanwhile, the Security Council was locked by vetoes, and a number of important security issues were never even taken up on its agenda, because nobody proposed that they should be.

In the mid-1980s when Adam Roberts and Benedict Kingsbury organized a series of lectures by very distinguished experts on the United Nations, and then edited a volume containing their contributions, the attitude of these experts towards the UN was generally rather negative (Roberts and Kingsbury 1988). Many of them seemed to view the UN as doomed and out-dated. But again, the world turned out to change, and with the end of the Cold War, UN enthusiasts breathed fresh air. The bulk of the ensuing excitement for reform seems to relate to the sluggishness of the formal UN organization relative to the surrounding world. The United Nations was created to be hard to change, and became even harder to change during the stand-off between two great powers, but the world around it was less constant and a possibility to bring the two into harmony was being discerned at the end of the Cold War.

The UN has two potential functions in international society: firstly, it is a secondary institution in Buzan's scheme, and it derives from several of his primary institutions, for instance *sovereignty*, *diplomacy*, *great power management* and *equality of people* (Buzan 2004: 187); but secondly, it is also a sort of umbrella association and a possible incarnation of international society as a whole. I will leave Buzan's interpretation aside for now with the sole justification that this is not a study of secondary institutions. As for the second interpretation, Hedley Bull explicitly cautioned against it; he wrote that the kind of world order that he studied was not dependent on the United Nations and its agencies or on other international organizations. He claimed instead to look at 'institutions of the international society that arose before these international organizations were established, and that would continue to operate (albeit in a different mode) even if these organizations did not exist' (Bull 2002 [1977]: xxxiv-xxxv). He stated that international organizations should not be understood in terms of their own official goals, or even as the wishes on which they were built, but 'in terms of the contribution they make to the working of more basic institutions' (ibid). I wholeheartedly agree with him here, and by no means view international society as dependent on the UN; rather, I assume that the UN is dependent on international society. Consequently, it is in this spirit that I study the UN: it is a partial approximation of an underlying international society, some institutions of which can be traced

throughout the UN system. My project is, then, that of pinpointing those primary institutions of international society manifest in the design of the UN, and through the debate on how to reform it.

Obviously, the world has changed since 1945. So, some would argue, has international society; but the United Nations have, at least formally, changed very little. There is a long-lasting debate about the need to reform the United Nations, and to some extent, in the present framework that is merely a sign of its good health. It goes without saying that a central purpose of an institutionalization of international society should be to house – and contain – the permanent squabble over power and resources among the members. It is hardly surprising, in this light, that a part of the squabble should concern 'meta issues' of the constitutional order of the organization itself, by reform of which members strive to get a better negotiation position. Edward C. Luck remarks, somewhat sourly, that 'there are six steps to a cycle of UN reform' (Luck 2005: 407-409). These include complaints from the Secretary-General or a group of Member States, the set-up of a commission, the translation of the commission's conclusions into policy recommendations, consideration of the recommendations in, and negotiation among, the Member States, a high-level meeting – and then an anti-climax in the shape of very modest change.

If we can see the UN as evolving slowly during the Cold War period, because the globally delicate balance of power between the two greatest powers dominated the agenda while smaller states grouped in their shadows, it seems to have speeded up since the early 1990's. The reform project gained momentum, and some reforms have even been implemented. Luck assesses that the current reform process 'has tested the member states' commitment to the organization and found it to be fundamentally sound, if as shallow and self-serving as ever' (Luck 2005: 412). This is what we expect of an incarnation of international society, at least if we are of a pluralist conviction. With the end of the Cold War, there seems to be not only a general squabble over positions but also a sense of a genuine underlying change, which needs to be reflected.[2] During the reminder of the paper, we will study suggested or implemented reforms in the Security Council, the Commission on Human Rights and the General Assembly to trace the underlying principles.

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[2] It needs perhaps to be pointed out here that unlike Holsti, who is interested in 'objective' change and use primary institutions as markers of change, I am (like Bull) interested in the functional aspect of change so that a general 'sense' among the relevant actors that change has happened is enough for me to assess that change has occurred.

Security Council Reform

The Security Council is traditionally the hardest reform nut to crack, and consequently, no reform has as of yet been agreed to or implemented. There has, however, been no lack of debate on reforming it. In English School terms, the Security Council is most obviously about *great power management*. The original difference between the League of Nations and the United Nations was exactly that the smaller states should not be able to move ahead with decisions which any of the big powers was unprepared to accept. Therefore, the right to veto, conveniently placed in the phrase 'including the concurring votes of the permanent members',[3] was built into the Charter as a breaking block safe-guarding the international society from too hasty developments. Obviously, the P5 are not interested in letting go of their permanent seats, nor of their right to veto. Interestingly, however, the debate also discloses another principle underlying the calls for Security Council reform, namely an updated form of the *balance of power*. I have structured the presentation of the reform debate after these two principles: *great power management* first, and *balance of power* in the next section.

Great Power Management

Expressed in terms of great power management, the problem of reforming the Security Council has two dimensions: Firstly, there is a discussion surrounding the very principle of great power management, which concerns both the special rights of the great powers and the relationship between the Security Council and the General Assembly. This view is actualized when some states to call for abolishment of the right to veto and/or the permanent seats (von Freiesleben 2008:5-6), thereby challenging the principle *per se*. It also leads to the question of whether the special privileges of the great powers are accurately balanced by the special responsibilities that they have to take on. This balance (emphasized in the English school by Bull, 1977: 200) is expressed in the UN Charter in relation to the non-permanent members, but not to the P5.[4] It has also led some states ('the Small Five', S5 in UN jargon: Switzerland, Singapore, Lichtenstein, Costa Rica and Jordan) to call for a more accountable and transparent Security Council; a suggestion which was strongly disapproved both by the P5 and the would-be permanent members (von Freiesleben 2008: 8). In English school terms, the S5 proposal was perceived as threatening because it challenged the relationship between the

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[3] Article 27.3 of the UN Charter.

[4] Article 23.1 states that 'due regard [should be] specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution'. This has been interpreted to mean contributions to peacekeeping operations, and to the UN budget.

Security Council and the General Assembly, thereby favoring the principle of equal sovereignty at the expense of that of great power management.

Secondly, there is disagreement on what states are to be counted as great powers today; while the US and, increasingly, China, are evident great powers, the special status of France, the UK and Russia is being questioned. The Second World War losers – Japan, Germany, and to a lesser extent Italy – have since the end of the Cold War advocated for permanent seats on the Security Council for themselves (von Freiesleben 2008: 2). This is especially interesting from an English school perspective, because it suggests a traditional concert approach where the state that looses the war is not to be left out in the cold for long, but is free to come back into the international society once it again abides by its rules. The former losers' calls for permanent seats on the Security Council then not only amount to support for the principle of great power management, but is also a sign of how the world is interpreted as essentially constant since before the war, where same powers are still the relevant players. Germany and Japan and were powers during the war, and now seek to win back that status. They are also able to back their claim to great power status by being sizable contributors, second and third, to the UN budget.

Time, however, rolls on, and new powers claim to have arisen. Other candidates for an expanded Security Council are Brazil, Egypt, India, Nigeria and South Africa, which can claim uneven geographical representation in their favour, as well as regional great power status (von Freiesleben 2008: 2). This may be a sign of a new principle, namely that of regional representation. This principle is manifest, albeit in a quite shallow manner, in the regional groups through which most UN negotiations and elections to UN organs are conducted. It is also manifest in the African group's demand to have two new permanent seats, with veto, allotted to Africa (von Freiesleben 2008: 6-7).

If the Security Council is expanded to house more permanent members, it means that the distribution of power in the world is changing, but not necessarily that the principle of great power management is declining. If there is a change in the relation between the General Assembly and the Security Council, so that the former gets more control over the latter, it means that the principle of great power management is ceding ground to the principle of sovereign equality. Finally, if the Security Council should agree to let go of the vetoes, that would be a sign that the principle of great power management is becoming obsolete. None of these changes have, however, come about, which leads me to conclude this section with the statement that the principle of great power management is still valid, however increasingly questioned since the end of the Cold War.

Balance of Power

The Security Council from the outset, and especially during the Cold War, held a considerable element of balance of power, notably of course between the US and the Soviet Union, but now sometimes rather on a North/South axis, with Russia in a quite unstable position. Bull distinguished between global and regional balances of power, and so should we: Balance of power in the reform debate seems to be particularly important in the regional version, both between regions and between states within regions.

The reform debate spurs regional rivalry so that Japan asks to be included because China is, Germany argues to be included because France is, and Pakistan and Mexico revolts against including India and Brazil, respectively. Interestingly, this mirrors both the more internalized perception of regional representation, according to which any UN body must house proportional[5] representation from all regions; and a fear of regional complications where it is apparently perceived as safer to be managed by the traditional inner circle than to have one's neighbour becoming more powerful by acquiring a permanent seat.

Moreover, the quest for representation at the Security Council has also given rise to new partnerships. While the US was positive to both German and Japanese membership to start with, its position towards Germany changed after Germany opposed the Iraq war in 2003. The UK and France, initially sceptical, came to favour Germany's inclusion because that 'would be the only way to legitimize their own seats […and] to ease the pressure from both inside and outside the European Union to relinquish their own seats in favour of common EU seats' (von Freiesleben 2008: 2). Italy gave up on its own ambition to instead seek to thwart Germany's candidacy (which it feared would threaten the Italian position in Europe by creating a new centre of power), and along with Spain, Argentina, Mexico, Canada, South Korea and Pakistan formed the Coffee Club (later renamed Uniting for Consensus) which argued for more non-permanent seats while resisting new permanent seats. The African group has been calling for two permanent seats with vetoes, but have been unable to decide on who should get those permanent seats; Egypt, South Africa, Nigeria, Ethiopia, Senegal, Algeria and Tanzania have all been candidates (von Freiesleben 2008:3).

This whole debate on who should be entitled to a permanent seat on the Security Council suggests we need to bring the balance of power back into our list of primary institutions, but that we simultaneously need to update it. It is no longer only an issue of balance of power between states, but

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[5] Proportional here, interestingly, refers to the number of states from each region, and not to population, budgetary contributions or any other possible criteria.

also of a balance of power between regions. I will re-label it *regional representation,* which then can imply both the quest for balance between and within regions.

The Commission on Human Rights

The Commission on Human Rights was a subsidiary organ to the Economic and Social Council, one of the UN's five principal organs. In the post-Cold War reform project, it is one of the few mechanisms that has actually been reformed: it was abolished in 2006 and replaced with a marginally smaller Human Rights Council, organizationally subsidiary to the General Assembly.

The main argument for abolishing the Commission was its increasing politization. It was constantly accused of 'double standards'[6], meaning that it let the West 'off the hook' while criticizing developing states. Examples of this line of argument are presented by Sibylle Scheipers who quotes the Cuban ambassador emphasizing this point during the reform debate 'We, the peoples of the South, besides continuing to *be the target of unjust condemnatory resolutions…*' (quoted in Scheipers 2007: 232, emphasis added), and the Pakistani ambassador claiming that 'The Commission was discredited, we believe, not so much by the worst violators, but by the readiness of some States to condemn each other rather than help each other' (quoted in Scheipers 2007:233). From the reverse perspective, states that had a very bad human rights record had no difficulties of being elected to the Commission, and Libya chaired it in 2003, much to the frustration of the Western states. Secretary-General Kofi Annan motivated the need to reform by assessing that 'the Commissions capacity to perform its tasks has been increasingly undermined by its declining credibility and professionalism. […] States have sought membership of the Commission not to strengthen human rights but to protect themselves against criticism or to criticize others' (quoted in Terlingen 2007: 169).

The Commission was replaced by a Human Rights Council in March 2006, by a resolution adopted by the General Assembly (Scheipers 2007: 227). The resolution was a broad compromise where 170 states voted in favour, four against (the US, Israel, Palau and the Marshall Islands) and three abstained (Belarus, Iran and Venezuela). This distribution of votes is quite significant for how the UN works, because it illustrates how the negotiated 'median position' was acceptable to most states, both of the

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[6] Interestingly, in older UN texts, the expression 'double standards' usually refer to how the UN was seen as being harsher on the Western block than on the Soviet block, Luard, E. (1988). Conclusion: The Contemporary Role of the United Nations. United Nations, Divided World. The UN's Roes in International Relations. A. Roberts and B. Kingsbury. Oxford, Clarendon Press: 209-230.

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G77 and the Western factions[7] whereas the states on the most extreme positions in both camps were unable to go along with it. Interestingly, the US and its foreign policy allies chose to vote no because they would have preferred a smaller council with formal negative membership criteria (that is, states with bad human rights records should be excluded, Scheipers 2007: 228-230), while the G77 extremes instead chose to abstain in protest against the decision to make the Council non-universal, and the continued use of the Commission's 'special procedures' (that is, its out-of-session mechanisms to address country-specific situations or thematic situations, such as special rapporteurs, Yeboah 2008: 82-83, note 4, p 95). The most relevant principle for this reform ought to be *equality of people*, and I have structured to presentation so to discuss it first, followed by *sovereign equality* and *diplomacy* in turn.

Equality of People

Equality of people is Buzan's way of phrasing the idea that individuals count equally in a world of states. This is a very important, and complex, notion for the English school, and it is often studied in the context of human rights exactly because that setting pinpoints the problem of how states, often in state-centric theory but even more in diplomatic practice, are assumed to take care of their populations – but don't necessarily do. As humans, we are conscious that states are not persons and wouldn't even exist if is wasn't for our shared perception of them, but yet, if we analyse international relations at the systemic level, states are the only or principal thing that we see. Human rights are then a way of correcting this theory-practice imbalance; and underlying Buzan's label is the basic principle of human rights: that it shouldn't matter for an individual in what state he or she is born, but the individual should enjoy his or her most fundamental rights anyhow, and in that sense be equal to all other human beings. This is also the principle of all the UN human rights legal documents (there is a Declaration, two Covenants and a host of Conventions and protocols) – but it is far from the application.

In reality, however, UN human rights work is about reacting, in an ineffective and extremely long-term manner, to only the most outrageous violations; and in the various mechanisms overseeing the implementation of the agreements, demands are directed to states according to their (assumed or

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[7] What to call these groups is a perpetual headache, since the G77 are rather 130 than 77, and 'the West' may include both the regional UN 'Western Europe and Other states group' (WEOG) – the 'Other states' are the US, Canada, Australia, New Zealand and Japan – and large parts of the Eastern group, namely all the Eastern European EU members and candidate states. Scheipers calls these two groups the 'South' and the 'North', respectively, which is common in UN analysis, but quite misleading since it has more to do with history and distribution of wealth and power than with geography. It is also hard to fit the Group of Latin American and Caribbean states (GRULAC) into this scheme, as they are geographically south but many of them tend to vote with the North.

previously demonstrated) level of capacity, not following a universal standard.[8] States don't seem to advance the equality of people, neither in the practice of UN reform nor in their rhetoric. My assumption here is therefore that the most interesting principle concerning the Human Rights Council is *not* that of equality of people, but rather that human rights issues are 'hard cases' for another principle: that of *sovereignty equality*, which is the principle underlying the practice that each state count as much as the next, and that states therefore should refrain from intervening in each other's domestic affairs. Additionally, *diplomacy* is an important issue in this debate, as it human rights issues challenge the usual diplomatic procedure of overlooking differences for the sake of furthering wider objectives. I will discuss both these institutions in turn.

Sovereign Equality

During the debate on the reform of the Commission on Human Rights, there was little attention to the issue of equality of people. Instead, the focus was on how to balance upholding a minimum standard of human rights (that is, reacting to the most outrageous violations) with respecting each state's sovereignty. That balancing act initially turned out to put greater emphasis on sovereignty and non-intervention than expected, possibly due to a miscalculation during the negotiation phase. 'What many diplomats did not realize until late in the negotiations was that any new UN body would have to be created along customary UN lines of equitable geographical distribution', writes Amnesty's Yvonne Terlingen, and explains how this fundamentally changed the majority structure in the Council from that of the Commission, where the WEOG (Western group), the Eastern European group and the GRULAC (Latin American and Caribbean group) often had the power to win a vote whenever they managed to agree: 'The African and Asian members now have a comfortable majority (at least twenty-six out of forty-seven votes) in the UN's main political human rights body; and they are definitely using it to set the agenda [including resisting] to act on country situations apart from Israel. […] The changed political dynamics point to the need for European and Latin American countries to adopt a cross-regional approach to address human rights issues of common concern' (Terlingen 2007: 171).[9]

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[8] I will not go into these mechanisms in the present text – although reforming the so called Treaty Monitoring Bodies is also under debate, this is, for now at least, a less political and more administrative issue; for a study of how states handle the requirement to report to the TMBs, I refer to Friedner Parrat, C. (2010). 'The Politics of Reporting: A study of States' Strategies for Reporting to the UN Committee on the Rights of the Child.' Political Studies **58**(3): 472-496.

[9] Understanding this observation requires some backround knowledge on human rights voting patterns: The WEOG often votes as a block, with the support of the Eastern European EU member states and candidate states, and of GRULAC, with some exceptions, primarily Cuba and Venezuela. African and Asian states also tend

Here, again, we see an expression of the principle of regional representation. Creating a new body which would not take regional representation into account was apparently inconceivable for a majority of states.

Sibylle Scheipers has analysed the outcome of the Commission reform process as a paradigmatic struggle between *toleration*, represented by 'the South'; that is, African and Asian states along with parts of Eastern Europe and GRULAC, and *civilization*, represented by 'the North'; that is, the WEOG and the majorities of the Eastern European group and GRULAC (Scheipers 2007: 237). In my view, and notwithstanding the merit of Scheipers' analysis, labelling the 'Southern' position toleration is a shallow way of putting the issues at hand. Even the states that argued for the classical sovereignty line ('the South' in Scheipers' scheme) did not phrase their resistance to exclusivity and special procedures as a question of toleration: after all, if the issue at hand it to protect human rights, what is there to tolerate in a poor human rights record?

Instead, the states which Scheipers identify as proponents of toleration in fact framed their objections as pertaining to incapacity, emphasizing such keywords as cooperation and mutual assistance; or to objectivity, emphasizing how country-specific resolutions politicized the Commission. For instance, the ambassador of St. Vincent and the Grenadines, speaking on behalf of the Caribbean Community CARICOM, illustrated the incapacity approach, arguing for an inclusive Council 'which would function as a cooperative mechanism for the promotion of human rights, serving as a vehicle for the promotion of *genuine cooperation for capacity-building and for mutual assistance*' (quoted in Yeboah 2008: 82, emphasis added). Viet Nam chose the objectivity approach when its ambassador stated that 'Viet Nam has been hoping for a human rights council less likely to become politicized when it has to deal with the issue of suspension of membership rights and with country-specific situations' (quoted in Scheipers 2007: 232). Similar formulations came, for instance, from Pakistan and China (see Yeboah 2008: 80-83). In my view, this argumentation is nothing less than defence of a traditional approach to sovereignty: 'don't go meddling in our business and we will leave yours alone'.

At the other side of the gulf between 'the North' and 'the South', the Austrian ambassador speaking for the EU as well as for candidate states (at that time Bulgaria, Romania, Croatia, Turkey and Macedonia) and potential candidate states (Albania, Bosnia and Herzegovina, Serbia and Montenegro,

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to block vote, which means that the Commission usually housed two camps of roughly equal strength, so that what members of the GRULAC and the Eastern European group were elected could decide the majority situation in the Commission.

Ukraine and Moldova),[10] argued for either negative membership criteria so that a state against which the Security Council had adopted measures should not be eligible to election to the Human Rights Council should; or for positive procedural criteria so that a good human rights record would be necessary for a state to seek election to the Council (Scheipers 2007: 228-229). I agree with Scheipers that this line of argument implies a civilizing mission for the Council, but it also actualizes a deeper question of rightful membership in the international society. If some members consider themselves to count more than others, they are of course not happy with an arrangement in which they will form a minority. They will then fight for their idea of membership, both to defend their own status and to defend their principle of civilization; the US – as we have seen – to the extent that it finally voted no to the resolution establishing the Council. This group, then, rejected both versions of the traditional sovereignty argument: incapacity was not seen as an excuse for a poor human rights record, and confrontational measures were perceived as necessary to safe-guard a minimal standard.

Since the Council's creation, however, there has been country-specific action taken. Meanings are divided over whether this has been just, reasonable or balanced; for instance, Peggy Hicks from Human Rights Watch deplored that the Council during its first year 'failed to take action regarding countries facing human rights crises such as Darfur, Burma, Colombia, Somalia, Turkmenistan, and Zimbabwe; ended the mandates of human rights experts on Belarus and Cuba, and rolled back its consideration of the deteriorating situations in Iran and Uzbekistan. At the same time, it focused disproportionately on Israel's human rights record and worse still, did so in a manner doomed to be ineffective because it failed to look comprehensively at the situation, including the responsibilities and roles of Palestinian authorities and armed groups' (quoted in Yeboah 2008: 88). Later, the Council has also taken action on Darfur; a resolution which was adopted unanimously and co-sponsored by thirty-three members, including seven from Africa (Terlingen 2007: 174). This points to a view of the African-Asian Council majority that sovereignty is not actually that sacred; and that it is more a question of *whose* sovereignty. My interpretation, therefore, is that the civilizing mission of the Council is more established than what is visible at the surface. Arguments take the minimum standard into account, even if it is only to pay it lip service or even in order to deplore those who want to uphold it; and interference in the sovereignty of those that are on the minority side takes place. This may, as pointed out in the quote above, mean that some of the worst offenders are let off easily – but it has not yet meant that states with good human rights records have been targeted by resolutions even though they are in a minority position.

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[10] The attentive reader will notice that this amounts to the large majority of the WEOG and Eastern European Groups, especially when given the additional information that the US, Japan, Iceland and New Zealand on behalf of also Canada and Australia argued for the same line.

In English school terms, the remarkable feature of the reform of the Commission on Human Rights is not that so much debate came to revolve around sovereignty versus civilization (as seem to be the opinion of some observers, including much of the – Western – media coverage), but rather that so many states *did* favour a minimum standard approach to human rights. In this section, then, we can count three underlying principles: *sovereignty*, *civilization* and *regional representation*.

Diplomacy

During the debate on how to structure the Council, a major point of disagreement was the membership size and criteria. A traditional understanding of diplomacy, including multilateral ditto, is to *talk to everybody*, smoothing over differences in order to keep the channels of communication open. There have been some signs, in relation to the creation of the Council, that this understanding of diplomacy is questioned: primarily, it is about the role of the United States which refused to seek election to the Council in its first two years. In 2009, however, after the replacement of the G.W. Bush administration by the more multilateralism-minded Obama administration, the US sought Council membership, and was elected. Its term expires in 2012.

Furthermore, the 'special procedures' – including Special Rapporteurs, complaints procedures and country-specific resolutions – that are accused by some of being confrontational and creating politization, also represent a partial breach of traditional diplomacy, since the very act of talking about these things means that they are *not* being smoothed over. This development has been going on since the 1960s, and now seems to be rather established. A proof of this is the preservation of the special procedures, despite the protests from some states, when the Commission was replaced with the Council. Moreover, the tendency to apply country-specific measures selectively further testifies to the assessment that it is no longer the special procedures themselves that are controversial – but against whom they are directed. The principle of diplomacy seems, then, to be still standing but perhaps undergoing adaptations in a more outspoken direction.

General Assembly 'Revitalization'

Lastly, and least substantially, the debate on reforming the General Assembly is focused around the idea of 'revitalization'. An interesting stand-off between two principles is discernible in this project: the principle of *great power management* is called into question in an effort to transfer power from the exclusive Security Council to the inclusive General Assembly; and this, in turn, emphasizes the principle of *sovereign equality* according to which all states should have an equal say.

Great Power Management versus Sovereign Equality

The essentials of the 'revitalization' efforts have already been described in relation to the Security Council reform debate: those who wish to challenge the special rights of the great powers try to obtain more control over the Security Council by the General Assembly. Those who wish to safe-guard the principle of great power management resist any efforts to readjust the balance, including the mostly harmless 'S5' proposal for more transparent Security Council working methods (von Freiesleben 2008: 8). Nonetheless, there is a General Assembly resolution from 1950, which allows the General Assembly to take up issues on which the Security Council is unable to act (Swart 2008: 24). This provision was seen by many as a Cold War relic, but it should be noted that the General Assembly adopted two resolutions on the situation in Syria in early 2012, while the Security Council's power to handle the same issue was paralyzed by Russian and Chinese vetoes.

In general, however, the idea of allowing the General Assembly a more substantive say in security issues encounters several hurdles: first, the fragile balance with the Security Council could be harmed; second, the resolutions of the General Assembly are non-binding and therefore have a relatively much smaller impact that Security Council ditto; and third, the possibilities that the General Assembly manages to agree on an issue which is stuck in the Security Council are slim. As Lydia Swart puts it: 'the divisions that keep the Security Council from reaching an agreement are unlikely to dissolve by consensus in the General Assembly. Resorting to a vote in the General Assembly on such highly politicized issues would likely risk the alienation, and possibly the disengagement, of certain Member States' (Swart 2008: 24). This, obviously, in English school terms amounts to no less than threatening the existence of this partial incarnation of the international society in its present form. If some heavy-weight state (read: the US), was so strongly pressured by the G77 General Assembly majority that it chose to leave the UN rather than to abide by its rules, that could menace the whole UN enterprise, and the international society would possibly have to be recreated in another, and probably less inclusive manner. A split in several rival international organizations could also be a possible outcome. However, an interesting implication of this possibility is that the General Assembly has never driven the Security Council that far, and that this probably means that they are solicitous about protecting the UN incarnation of the international society.

There is also an absolute relevance aspect of the 'revitalization' project, which is not relative to Security Council relevance: the issue that General Assembly resolutions are non binding, and that so few of them are implemented, points to a place in the shadows for the principle of sovereign equality as represented by the Assembly. Additionally, the General Assembly has very limited possibilities of assessing whether its recommendations are adhered to, a primarily budget-related problem. The

General Assembly has taken some steps to improving its working methods, including reworking its agenda, reducing its amount of documentation and disciplining its meetings (Swart 2008: 25, 32-33). These improvements serve primarily to reduce the Assembly's reputation as a never-ending talking shop, but it is uncertain if they can provide much help towards raising its absolute relevance. By way of conclusion here, the 'revitalization' debate seems to actualize, again, the principles of sovereign equality and great power management.

Conclusions

At the outset of this analysis, I specified that I would look specifically for principles of diplomacy, great power management, sovereignty, equality of people, and any other principle generally adhered to or argued against that may qualify as a basic institution in the English school framework. Out of those, *great power management* seems to be firmly in place, as shown in the description of the inability to reform the Security Council and its venerable list of eager candidates for permanent seats, albeit increasingly questioned in the proposals to abolish the veto and to recalibrate the relationship between the Security Council and the General Assembly. Entirely in Bull's vein, this principle seems, moreover, to have a key role to play in keeping this particular version of international society together.

Meanwhile, the principles of *diplomacy* and *sovereignty* seem to be holding out but loosing ground. Diplomacy is threatened in the sense that problems that used to be smoothed increasingly surface, while sovereignty plays a bigger role in counter-balancing the great power management, and a smaller role in actual application of human rights principles. Both of these principles seem to be instrumental in upholding international society as well.

As evident from the debate on who should be entitled to a permanent seat on the Security Council, the balance of power should be included our list of primary institutions, but it needs some modernization, so that it is no longer only an issue of balance of power between states, but of a balance of power between regions. I named this principle *regional representation*. As pointed out, this principle is already manifest in the system of regional UN groups, and it appears to be functional in keeping the UN structure together. However, it relates to the principle of great power management primarily in challenging who should qualify as a great power, to sovereign equality in the sense that it is proportional in relation to the number of states in each region, and it is also in some ways difficult to reconcile with civilization, when regional group cohesion may have a stronger appeal in some quarters than minimum standards.

As for the *equality of people*, there were no signs that it had any influence on the reform project, but in its place there seemed to be an almost universally accepted principle of upholding some kind of

minimum standard, or *civilization*. This institution also somehow relates to democracy and popular sovereignty, both because some of the rights included in the minimal standard are preconditions for democracy and because old English school wisdom suggests that shared minimal standards lead towards a solidarist understanding of international society. Scrutinizing these possible links is an important task for future research.

Buzan suggested that conflicting primary institutions may be important drivers of change in international society. To the extent that we can see the UN and the debate on UN reform as project of change representative of the whole, or a large part, of international society, we have found several clashes here that are worth studying further. Regional representation, great power management, sovereign equality, diplomacy and civilization all have potential to reinforce or upset each other.

Finally, if we were instead to look at a different case, to capture the underlying principles of a solidarist international society where shared values are thicker, the findings would probably be quite different. Principles such as economic cooperation, sovereign equality, civilization and popular sovereignty would be expected to be present, and this difference would help provide a standard of measurement for where pluralism and solidarism begin and end.

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