THE MULTILATERAL MAZE AND (SOUTH) AFRICA’S QUEST FOR PERMANENT UNITED NATIONS SECURITY COUNCIL REPRESENTATION

Dr Yolanda K Spies
Senior Lecturer: Department of Political Sciences
University of Pretoria

ABSTRACT

The United Nations Security Council is the most powerful global governance forum in the history of humankind. In a rapidly globalising world its constitutive mandate — addressing issues of international peace and security — is expanding and becoming increasingly diffuse as human security concerns transcend political borders. Nowhere is this more evident than in Africa, which dominates the Council's agenda in terms of its sheer number of unresolved conflicts and humanitarian crises.

Africa therefore has a fundamental stake in the deliberations of the Security Council, yet remains of all regional groups the largest without permanent representation on the Council. For these and many other reasons, the latter's anachronistic composition has become the subject of activism within the United Nations community for structural transformation of its executive core. Progress has thus far been elusive, mainly due to competing formulae that mask a host of foreign policy agendas. The dilemma also applies to Africa: notwithstanding the continent's decade old 'Common Position', the issue of Security Council reform has caused deep rifts and a paralysis of strategy.

This article highlights the imperatives of permanent African membership on the Security Council. It, however, argues that the
continent's prospects in this quest are limited by the African Union's obsession with continental consensus. It is therefore incumbent upon the various African middle powers who have expressed ambition in this respect — notably South Africa — to pursue this objective by exploring alternative diplomatic strategies.

1. INTRODUCTION

On 26 June 2005, the United Nations (UN) celebrated its 60th birthday. During September of that year the world's leaders congregated in New York City, with high hopes of witnessing seminal changes in the organisation. The most talked about and lobbied about reform of the UN concerned its anachronistic Security Council (UNSC). After decades of being relegated to the audience, African states imagined themselves at the cusp of a breakthrough in joining this exclusive arena of global authority.

Kofi Annan, himself an African, announced with something akin to reverence: ¹)

The 2005 World Summit is a once-in-a-generation opportunity for the world to come together and take action on grave global threats that require bold global solutions. It is also a chance to revitalise the United Nations itself. It is, in short, an opportunity for all humankind.

It turned out to be a squandered opportunity. Africa's dogged emphasis on a continental 'Common Position' may, ironically, have been the reason that, three years later, it remains the only major region of the world without permanent representation on the Council. South Africa, for many reasons, is widely seen as being eligible for a permanent seat, but at this stage has eliminated itself from the race by its pacing around in a multilateral continental maze. This article argues that South Africa should explore alternative diplomatic strategies, not in betrayal of its broader representation of African interests, but precisely because it has a responsibility to provide leadership in this crucial effort to bring Africa — and the UNSC — into the 21st century.
2. THE QUEST IN CONTEXT

2.1 Raison d’être of the Security Council

In 1945, when the UN Charter was drafted, the world was reeling from the enormity of the Second World War. Europe was still the epicentre of global geopolitics, even if after the war the continent had become introspective in its attempts to suture political and economic haemorrhaging. The creation of the UN was a second effort (after the failure of its predecessor, the League of Nations) to prevent war among the powerful industrialised states by institutionalising multilateralism on a global scale. Henceforth, global policing would be entrusted to one of the three pillars of the new organisation: its Security Council. More specifically, this pivotal responsibility was given to the victor nations of the war, who became the five permanent members (P-5) of the Council: China (at that stage represented by Taiwan), the United Kingdom (UK), France, the United States (US) and the Soviet Union (USSR).

Sixty-three years later the composition of the UNSC is very similar to what the Charter had foreseen: a core group of five permanent members (which have remained unchanged) and the balance of the 15-seat Council made up of revolving, non-permanent members. The latter are elected for two-year terms by the UN General Assembly (UNGA) on the basis of equitable geographic distribution. Votes of the non-permanent members count as much as those of their permanent counterparts — provided, of course, that a matter is not considered 'substantive' in which case P-5 unanimity is required. This 'veto' prerogative is based on the assumption that resolution of global crises requires agreement of the major powers.

Chapter VII of the Charter spells out the mandate of the Council to employ enforcement mechanisms: it may take measures ranging from diplomacy to military operations of any scope deemed necessary, to address dangers to world peace. However, an important caveat is provided by Article 2(7) of the Charter, which prohibits UN intervention in matters "essentially within the domestic jurisdiction of any state". Strydom argues that reliance on the ostensible immunity granted by this article has over the years "locked the international debate into a symbiotic strait-jacket with its own jargon and rhet-
oric". It has, indeed, paralysed the UNSC on many occasions when calls for intervention in humanitarian crises were drowned out by a cacophony of legal semantics.

2.2. Africa vis-à-vis the Security Council

At the end of the Second World War, the vast majority of current UN member states were subjects of colonial or other type of external domination. Presently, the 53 states of Africa comprise more than a quarter of UN membership, in 1945 only four of them — Egypt, Ethiopia, Liberia and South Africa — were members. The inevitable effect of this asymmetrical start, according to Murithi, was that "African countries were effectively preached to rather than consulted as equals", producing a paternalistic relationship between the UN and Africa.

Africa has been challenging this relationship since 1963 when the Organisation of African Unity’s (OAU) very first summit called for UNSC expansion. During the past decade this quest for equity in global governance has taken on renewed vigour, but until now Africa has not succeeded in obtaining permanent membership of the Security Council. Africa’s profile in the UN has, however, changed significantly. Its quantitative presence has rendered it a potent voting bloc in the UNGA, and during the past two decades the continent produced as many Secretaries-General of the UN.

Of specific relevance to the Security Council is the extent to which Africa dominates its agenda: Adebajo and Scanlon point out that almost 70 per cent of the issues considered by the Council are problems in Africa. As a result, most of the UN’s humanitarian efforts are based in Africa, and the continent currently hosts the largest, most numerous UN peacekeeping missions in the world — a staggering 90 per cent of the organisation’s peacekeeping personnel. If Africa then dominates the work of the UNSC, the question arises as to whether a permanent African presence on the Council is not indeed essential, rather than merely desirable.
3. THE DEBATE ABOUT SECURITY COUNCIL REFORM

3.1 Reform imperatives

The end of the Cold War released the world from ideological apartheid and unleashed pent-up pressure for the transformation of global governance structures. This applied also to the issue of Security Council reform — a debate that reached a crescendo within the UN community during the 1990s. While experiencing unprecedented opportunity to act in accordance with its mandate, the UNSC also found its agenda more crowded than ever before. Luck observes that "[q]uestions of equity, representation, transparency and accountability were being raised once again precisely because the Council had become so active, so consequential, and potentially so intrusive in the political and security affairs of the member states. The Council's rediscovery of its Chapter VII enforcement tools gave a renewed urgency to questions of how, why, and by whom its decisions were being made." 13)

There was no contestation of the fact that the UNSC was anachronistic. Changing political realities had long since metamorphosed the profile of global power distribution: multiple new centres of power, both geopolitical and means-centred, had developed since the post-1945 victorious powers pre-selected the UN's exclusive power-wielding core. The question, rather, was how to change this body by broad agreement.

The debate stumbled over an obvious first hurdle — the issue of eligibility criteria. This contentious matter was conveniently ignored by the UN Charter, hence no legal precedent exists for the filling of positions on the Council. Sizeable and reliable contributions to the UN have provided a strong argument for states such as Japan and Germany — respectively the second and third largest funders of the UN14) — to take up permanent seats. Also, the compelling consideration of global leadership has prompted several middle powers to stake their claim. Proponents contend that political and moral influence, especially when accompanied by considerable economic might, are more compelling requirements for a state to be part of the UNSC than the possession of a nuclear arsenal.15) Often these mid-
dle powers are the true honest brokers in matters of international peace and security, precisely because their power lies in the deft application and promotion of the principles of multilateralism.\textsuperscript{16}

According to Strydom the pressure to reform the UNSC reflects global demand for a more democratic, secure and rules based international order.\textsuperscript{17} Most certainly this applies to the developing world (or 'Global South') for whom the very structure of global governance represents cause for a diplomatic 'liberation struggle'. Their mission is reinforced by the sheer numbers they have on their side: UN membership expanded from 51 founding states in 1945 to 192 states in 2006, the vast majority of which are part of the Global South.\textsuperscript{18} The world's economic engine, the powerful G-8, has already acted on the imperatives of new global power patterns by institutionalising relations with a select group of emerging economies,\textsuperscript{19} states such as India, Brazil, Mexico and South Africa who are formidable political leaders not just in their respective regions, but at the global level as well.

A second reform imperative has been the 'promiscuous expansion' of the UNSC mandate, as Le Pere refers to the growing scope and complexity of the issues on its agenda.\textsuperscript{20} In Africa, more than anywhere else, the predominantly intrastate origin of humanitarian crises becomes irrelevant as their devastating effects transcend political borders. States can and do play the 'sovereignty card' to avoid Security Council intervention, but as Strydom puts it, there now exist global norms for "judging of state conduct even in the domestic sphere, a domain which all thought was hidden behind article 2(7) of the UN Charter".\textsuperscript{21} The fast spreading new humanitarian intervention doctrine known as the 'Responsibility to Protect' (R2P)\textsuperscript{22} seeks to guide the UNSC precisely in those cases where traditional definitions and legal constraints inhibit its jurisdiction.

The more holistic interpretation of threats to global peace and security has prompted the UN to consider new threats to human security such as the spread of internal wars, terrorism, crime, environmental degradation, even underdevelopment. Acceptance of a much more comprehensive concept of collective security has moved the UNSC to acknowledge not only the 'hard' security threats it traditionally considered, but also the many new 'soft' threats that are most widely encountered in the developing world. A landmark December 2004 report entitled \textit{A More Secure World: Our Shared Respons-}
ibility in fact named development itself as an indispensable foundation of any new collective security regime, significantly thus merging the security agendas of the Global North and the Global South.\textsuperscript{23}

Stating the "increasingly crucial role of the Security Council in maintaining international peace and security [and] ... the changed international situation and the substantial increase in the membership of the United Nations" the General Assembly in 1992 adopted a resolution that called for a review of the UNSC composition.\textsuperscript{24} The resolution set off a period of feverish competition among member states and coalitions — also invading Africa.

### 3.2 Proliferation of formulae

In December 1992, after the Second World War 'losers', Japan and Germany, declared their ambition to become permanent members of the UNSC, and after the Non-Aligned Movement (NAM) resolved\textsuperscript{25} to agitate for a more representative post-Cold War UNSC, the UNGA launched an Open–ended Working Group on Council Reform.\textsuperscript{26} This working group has been remarkable only in its achievement of no progress: all attempts at reform have been frustrated by the multitude of competing formulae. The various proposals all address one or more of three primary issues: the size of the Council (both in terms of its permanent and non-permanent membership); limitations on the scope and use of the veto right; and changes in the Council's working methods. The latter area has been the least controversial and several changes have already been effected to make the Council's deliberations more inclusive, transparent and infused with technical expertise.

Luck\textsuperscript{27} remarks that the less contentious issue of working methods ironically has more immediate relevance to most UN member states than the issue of enlargement: out of a total\textsuperscript{28} of 192 states very few actually have a realistic chance of becoming permanent UNSC members, even if current membership were to be doubled or even tripled. Notwithstanding this reality, it is the debate over claims to new permanent membership that has caused a furore within the UN community, and subsequent deadlock. Changes in the structure of the Council require amendment of the UN Charter, which can only be approved by a two-thirds majority of the General Assembly. This translates into 128 votes — a majority that has been impos-
sible to obtain until now.

Several major coalitions have evolved around proposals for reform, each hoping to secure the magical 128 votes. Germany and Japan's bids have been joined by Brazil and India (both being regional powers and huge contributors to UN peacekeeping) to form the Group of Four (G-4). Opponents of their bid formed the Uniting for Consensus (UFC) coalition, informally known as the 'Coffee Club'. This much larger coalition of mainly middle powers include inter alia Pakistan, Italy, Canada, Mexico, Turkey, South Korea, the Netherlands, Spain, Argentina and, importantly, one of the UNSC permanent members, namely the People's Republic of China (PRC). The UFC coalition is reluctant to change the permanent core of the UNSC and refuses to accept anything less than consensus on the issue. Even a cursory overview of the members of the UFC reveals the diversity of political agendas within the coalition — and the presence of each of the G-4's regional rivals.

Africa was, and remains, the only continental bloc to endorse a common position on UNSC reform. The African position draws on the 1997 Harare Declaration in which the OAU called for the enlargement of the UNSC, with two permanent seats and five non-permanent seats allocated to Africa.

The escalating and divisive squabbling among member states on the issue of UNSC reform, coupled with the aftermath of the US-led invasion of Iraq, prompted then Secretary-General Kofi Annan to set up, in November 2003, a High-level Panel on Threats, Challenges and Change. Its report (alluded to earlier) was issued during December 2004, and recommended ways in which to strengthen the Security Council's authority, legitimacy and efficacy. The Panel's report was unambiguous in its verdict on possible UNSC enlargement, calling it a 'necessity'. It attempted to take on board the various proposals for UNSC reform, by distilling two models in the hope that either of the two would accommodate the required majority of UNGA members. Both models proposed the enlargement of the UNSC from 15 to 24 members, broadly representative of four global regions (a departure from the current system of six geographical regions). These would comprise of Africa, Asia/Pacific, the Americas and Europe.

An important contribution of the report was its proposals on eligibility for UNSC seats: it sought to "bring into the Council's delib-
erations those who contribute most to the organisation financially, militarily and diplomatically".\textsuperscript{35} This was an implicit reference to the expanding scope of UNSC deliberations on matters of peace and security, and an explicit attempt to broaden eligibility criteria in order to accommodate states that are not necessarily economically or militarily in the same league as the P-5. A more controversial proposal was that the veto-power of the P-5 not be extended to new permanent members. Annan simply explained that it would "render decision-making more difficult".\textsuperscript{36} Instead, the report merely recommended that the P-5 be urged to use the veto sparingly, and to refrain from using it in the case of genocide and large-scale human rights abuses.

Finally, the High Level Panel recommended a review of the (reformed) UNSC composition in 2020. This would include an assessment of the contributions by permanent and non-permanent members from the perspective of the Council's ability and effectiveness to respond to the threats of the 21st century.\textsuperscript{37}

### 3.3 The African Common Position

The African Union (AU) in January 2005 decided to consider the recommendations contained in the Report of the High-Level Panel. A committee of 15 foreign ministers was delegated to elaborate on the existing African Common Position, and a month later they presented their joint proposal, the 'Ezulwini Consensus'.\textsuperscript{38} It basically reiterated the demands set out in the 1997 \textit{Harare Declaration}, but omitted any reference to rotating permanent seats for Africa. The Ezulwini Consensus was formally endorsed by the AU Summit in its July 2005 \textit{Sirte Declaration on the Reform of the United Nations}\textsuperscript{39} and was presented to the UNGA that same month as the official African position.\textsuperscript{40}

In essence, the Ezulwini Consensus rejected\textsuperscript{41} both of the models proposed by the High Level Panel, insisting that Africa has a claim to no fewer than five non-permanent and two permanent seats, and even if offered would take up the permanent seats only if granted exactly the same prerogatives and privileges (including the right of veto) as the P-5 "as a matter of common justice".\textsuperscript{42} Significantly, it avoided formulating any eligibility criteria, stating merely that the AU would be responsible for the selection of Africa's representatives and that "the question of the criteria for the selection of African members
… should be a matter for the AU to determine, taking into consideration the representative nature and capacity of those chosen.\textsuperscript{43}

3.4 A failed attempt at coalition

With the UN's 60-year anniversary in full swing and the Millennium Review Summit looming, the various coalitions were seeking quantitative support for their UNSC reform proposals. The G-4 and AU both realised that their independent bids would not muster the 128 supporting votes needed for a two-thirds UNGA majority, hence an alliance would be the only feasible strategy.\textsuperscript{44} Their proposals were relatively similar already — the six new permanent members called for in the G-4 proposal could potentially accommodate the G-4's individual aspirations as well as the two permanent seats that Africa demanded. The main difference between the two proposals was that the AU insisted on veto rights from the outset, whereas the G-4 proclaimed themselves willing to wait 15 years. A consensus position would see the G-4 supporting Africa's proposal to enlarge the Council to 26 (as opposed to its own preferred 25 seats) while Africa would have to drop its demand for veto rights. This, of course, would require a new African consensus, and amendment of the Sirte Declaration.

During August 2005, a meeting about Security Council reform took place in London between the G-4 and an AU delegation consisting of 18 foreign ministers. The meeting failed, largely as a result of disagreement among the AU states. Curtin explains that what appeared to have happened in London was that some AU countries had provisionally agreed to merge their proposal with the G-4, while others did not.\textsuperscript{45} South Africa and Nigeria (supported by \textit{inter alia} Botswana, Mauritius and Benin) were willing to compromise on veto rights, arguing that Africa should pool its weight with the G-4 countries so as to obtain two permanent seats and postpone the more contentious issue of the veto until such time as it had entrenched its position. However, several other African nations (notably the North African group) rejected this compromise outright.

Following the failed negotiations in London, Nigeria (then president of the AU) requested an emergency AU summit to garner support for modifying the African Common Position. The AU meeting was acrimonious,\textsuperscript{46} exposing deep divisions in the organisation.
Zimbabwe, Egypt, Libya and Algeria led the 'all or nothing' camp and vehemently opposed any gradualist approach.\textsuperscript{47} The hastily convened Extraordinary Summit in Addis Ababa could not reach consensus on amendment of the \textit{Sirte Declaration} and the result was that the official African Common Position remained unchanged. With little hope of actual success, a Committee of Heads of State was nevertheless appointed "to popularise and gain support for the African position" before submitting it to the UNGA for a vote.\textsuperscript{48}

During September of 2005, more than 150 heads of state and/or government attended the UN's World Summit in New York. For the many states who had lobbied tirelessly for change in the Security Council structure, the Summit proved to be bitterly disappointing. The three draft resolutions containing formulae for UNSC reform all expired — not a single one was even put to the vote.

4. (SOUTH) AFRICA'S PROSPECTS

4.1 The African contenders

The main African contenders, that is those states who have officially declared themselves ready, able and willing to take up permanent UNSC seats, are Egypt, Nigeria and South Africa.\textsuperscript{49} Very briefly, their comparative eligibility is as follows:

Nigeria, as the most populous nation in Africa, is also potentially Africa's wealthiest state: apart from its abundance of other resources, it is OPEC's sixth largest oil producing member. Its historical credentials within Africa are impressive: Since its independence in 1960 it has been the continental leader in the decolonisation and anti-\textit{apartheid} struggles. In the field of peacekeeping it has been active since even before its own independence. It is currently Africa's largest troop contributor to peacekeeping efforts, and (during January 2008) ranked fourth largest troop contributor to the UN.\textsuperscript{50} Moreover, within UN context the country has delivered prominent and respected technocrats such as Ibrahim Gambari and Adebayo Adedeji.\textsuperscript{51}

Militarily as well as economically Nigeria is the giant of West Africa, where it has played a key role in the founding and steering of the Economic Community of West African States (ECOWAS) and its regional peacekeeping operations. In this regard, Nigeria boasts
much lauded recent successes in Sierra Leone and Liberia. However, notwithstanding all of the above accomplishments, Nigeria's moral leadership on the continent and the country's international image is tarnished by a long-standing reputation for corruption and political as well as economic instability.

Egypt, the largest and arguably most influential Arab-African country, is the only one of the three main contenders who has produced a UN Secretary-General. It has a good peacekeeping record and a proven history of bridge-building diplomacy in the North African region (most recently in Darfur) and its middle power credentials are specifically evident in the Middle East. It enjoys a strong strategic friendship with the US, which could count in its favour — although Okumu points out that Egypt's US$2 billion annual aid from the US may incline it to yield to a US foreign policy agenda rather than promote Africa's interests.

Despite its diplomatic successes, Egypt's moral stature is diminished by its authoritarian proclivity and protracted disputes with its southern neighbours over the management of Nile River resources. Perhaps most damning, from an African perspective, is its lack of real influence in (some would even say interest in or association with the identity of) Sub-Saharan Africa.

South Africa's diplomatic leadership credentials are not as entrenched as those of Nigeria or Egypt. Nevertheless, since its transition to democracy in the early 1990s, it has assumed superior moral leadership on the continent and in multilateral fora globally. The country's renowned democratic transition, claim to four Nobel peace laureates and the fact that it became the first country ever to disarm its nuclear arsenal unilaterally, inter alia contribute to its global moral stature. As one of Africa's largest economic and military powers, its continental impact has always been guaranteed, but post-apartheid South Africa has also quickly built up a diplomatic track-record of promoting peace on the continent, including mediation in Burundi, the Democratic Republic of the Congo (DRC) and Ivory Coast. In addition, it has spearheaded unprecedented success in building Africa's relations with the developed world, notably the G8 which since its Okinawa Summit in 2000 has institutionalised an annual African outreach programme.

In stark contrast to the apartheid era when it was a fixture on the UNSC agenda, during 2006 an internationally rehabilitated South
Africa was unanimously elected to the Security Council. On 2 January 2007, the country officially took its seat as one of three non-permanent African members of the Council and during March of the same year, it assumed the rotating chairmanship (as it did again during April 2008). Its voting behaviour on the Council is a matter of international scrutiny: just like the other African contenders, South Africa's foreign policy performance is increasingly examined for evidence (or lack of) global leadership.

South Africa, Nigeria and Egypt are all undisputed leaders in their respective sub-regions and their impact on African history has undeniably transcended their own borders and immediate regions. The obvious question arises as to which of the three candidates would be most representative of Africa. This issue has not been put to an AU vote, but the prospective choice has caused intense rivalry among the contenders and their allies. Adebajo quips that their respective adversaries have dismissed Nigeria as too 'anarchic', South Africa as too 'albinocratic' and Egypt as too 'Arab'. The apparent impertinence of this abstract belies the shortcomings — whether real or perceived — of each of the contenders. It also picks up on schismatic tensions in African unity that simmer underneath the (façade of) consensus so exalted by African integrationists.

Okumu notes that Egypt, for example, displayed a very strong pan-Africanist orientation during Nasser's rule but has since prioritised its Middle Eastern role. He says many Africans resent how Egyptians regard themselves as being 'non-Africans'. 'Not-black-enough' African, is also a criticism of South Africa (openly voiced by Nigeria, more discreetly whispered by other African states). For its critics, South Africa's economic dominance of the continent is (predominantly albeit not exclusively) white capital-driven, and demonstrates selfish hegemonic interests at the expense of less-developed African states. Nigeria, on the other hand, is accused of using bullying tactics in multilateral fora and of tarnishing Africa's reputation by the country's sheer yield of internationally active criminals.

### 4.2 The mythical African consensus

The disunity within Africa over permanent UNSC representation begs the question whether the Ezulwini Consensus and its precursor, the Harare Declaration, had at any stage been vetted at any
level other than that of AU foreign ministers and heads of state/government. The dearth of input from African civil society into formulation of the various generations of Africa’s 'Common Position', is but one reason to consider the latter title wishful thinking, if not downright spurious.

Even at the governmental level, there has not been substantive consensus within Africa. Curtin for example points out that only 36 of the 53 AU members actually voted for the Sirte Declaration in July 2005.\(^{61}\) This means that even if the AU had managed to merge its proposal with the G-4, it may not have received the supporting votes of all its members if the proposal had been put to an UNGA vote. On its own, the AU's uncompromising approach to UNSC reform certainly turned the trajectory of its draft proposal into a diplomatic cul-de-sac.\(^{62}\)

Even within their respective sub-regions, the three African contenders have been unable to achieve solidarity. Zimbabwe fiercely opposed South Africa’s attempt to compromise on the veto issue and, among the Arab-Africans, Egypt has found itself unable to secure the support of the two other North African powers, Libya and Algeria — in spite of an earlier decision by the Arab League to support Egypt’s bid.\(^{63}\) In West-Africa, Nigeria’s hegemony has consistently been challenged by its Francophone neighbours.\(^{64}\)

Murithi argues that the UNSC reform debate reveals broader problems in achieving a unified African approach to matters before the Council. He is of the opinion that African states place national interest above the common purpose of their continental body, but adds that "this in-fighting is not unique to Africa but symptomatic of the machiavellianism that permeates and corrupts the relationship between UN Member States in general".\(^{65}\)

### 4.3 Resistance to enlargement of the Security Council

However much the AU's infighting has contributed to the UNSC reform impasse, Africa is not the only culprit. Mutually exclusive political agendas are rife within the UN community. The P-5 members at the centre of the storm, whatever they declare in diplomatically correct statements, no doubt relish their institutionalised monopoly and the divide et impera effect of the ongoing dispute about transformation.\(^{66}\)
Whereas some states simply harbour political reservations about certain other states achieving the status associated with permanent membership, some are justifiably concerned that expansion of the UNSC will have a detrimental effect on its efficacy. They are therefore wary of "expanding the UNSC to include … countries that may become unstable, even someday collapsing, or that cannot contribute either funds or troops to UN missions". 67) African states, for all the unfortunate reasons that the continent dominates the UNSC agenda, fall into this category more readily than most. The availability of sufficient financial and human resources is crucial for permanent members of the UNSC because in terms of global diplomacy they need to be quantitatively and qualitatively well represented. Apart from being strategically visible, they need to be active and productive at the highest level of global governance. 68)

There is also apprehension that an enlarged UNSC may fall into the same trap as the UNGA, that is becoming a huge and noisy, ineffectual 'talk-shop'. As Kofi Annan told the Assembly in no uncertain terms: "consensus has become an end in itself … it prompts the Assembly to retreat into generalities, abandoning any serious effort to take action. Such real debates as there are tend to focus on process rather than substance and many so-called decisions simply reflect the lowest common denominator of widely different opinions". 69) In similar vein Strydom warns that "authority derives also from the capacity to take prompt and realistic decisions and from the will to act on them". A reform process which confuses democracy with effectiveness is therefore "unlikely to strengthen the Council in this vital respect". 70)

Annan's concern indirectly speaks to another problem in harnessing consensus on UNSC reform, namely conceptual ambiguity regarding the Council's raison d'etre. There is agreement that the UNSC reflects an extinct world order, but there is neither consensus about the nature of the world order that has replaced it nor about what form the Council should assume in order to reflect the power nexus of this new order.

Evolving perceptions about the mandate of the UNSC have caused seemingly contradictory attempts by developing world coalitions, notably the NAM, in their approach to Council reform. The NAM has repeatedly expressed its concern about the continuing "encroachment by the [UNSC] on the functions and powers of the
Assembly".\textsuperscript{71} But while NAM agitates for strengthening the oversight role of the UNGA, it accommodates the ambitions of a sizeable number of states who wish to become part of the Council precisely to transform\textsuperscript{72} global governance and participate in the "norm-setting, legal definitions and the progressive development of international law" that the UNSC is accused of doing.\textsuperscript{73} The latter functions, according to the NAM, fall within the authority of the General Assembly "in view of its central role and position as the chief deliberative, policy making and representative organ of the UN in all matters, including those relating to international peace and security".\textsuperscript{74}

Perhaps the most compelling concern about enlargement of the UNSC is that new permanent members may be unwilling to accept the moral responsibility inherent to the position.\textsuperscript{75} Strydom observes that "effective, legally accountable and responsive UN organs are inversely relayed to these principles and values being part of the national political set-up in the individual members of the UN".\textsuperscript{76} In the case of South Africa, the government has unequivocally committed its foreign policy to the legal and moral principles of multilateralism and a rules-based international order.\textsuperscript{77} However, the country made its 2007 debut on the UNSC in a rather inauspicious way when it blocked the inclusion of human rights concerns about Myanmar (Burma), Sudan and Zimbabwe, maintaining that these concerns fell outside the mandate of the UNSC.\textsuperscript{78} This dichotomy between rhetoric and practice, when otherwise international law-abiding developing states excuse gross human rights violations, authoritarian rule and corruption in their Global South peers, is described by Geldenhuys as the "clash between morality and solidarity".\textsuperscript{79} Murithi reminds, for example, that in May 2004 the Africa Group within the UN controversially saw through the election of Sudan to the UN Commission on Human Rights.\textsuperscript{80}

The counter-argument is that the UNSC does not and never has had only stable, liberal democracies as members. Neither was it ever perceived or claimed to be populated by moral leaders. The P-5 have over the past 60 years used various excuses to protect and advance their individual foreign policy agendas, and to veto punitive measures against allies. Strydom says that when it comes to moral displacement, neither the rich industrialised states nor the developing world can claim the moral high ground.\textsuperscript{81} This brings the normative argument for reform full circle. If an expanded UNSC will be
'more of the same', with just a few more states joining an exclusive club acting in pure self-interest, the reform of the Council may be an exercise in futility.

4.4  (South) Africa's crisis of multilateralism: The case for hegemony

South Africa's foreign policy initiatives in general can be regarded as fitting into the profile of middle power behaviour in the developing world. Nel et al.\(^{82}\) observe that middle powers have a "tendency to pursue multilateral solutions to vexing international issues and to embrace compromise positions in international disputes".\(^{83}\) Such powers tend to be significant role players within the UN system, resulting in them aspiring often "to a higher level of representation within that body than is possible at present".\(^{84}\) This explains their prominent advocacy in the quest for Security Council reform.

In keeping with this profile, South Africa's foreign minister, Nkosazana Dlamini Zuma, often reiterates that multilateralism is the most effective and efficient system for addressing global problems.\(^{85}\) This may be true, but the UNSC reform debacle has not reflected well either on Africa's multilateralism or on South Africa's tactical use of this diplomatic method.

At issue is whether South Africa is willing to be a leader within the multilateral (African) context as opposed to a mere 'team player'. The official position of the South African government is that it adheres to multilateralism in both the instrumental and normative senses of the word.\(^\text{86}\) It is in the normative sense that the thorny issue of hegemony comes into play: Nel et al observes that 'true' multilateralism contains a strong counter-hegemonic element, to the extent that it de-legitimises the hegemonic discourse.\(^{87}\) In this regard, Geldenhuys reiterates that "democratic South Africa disavowed all hegemonic ambitions to become the regional power", revealing a "near-obsession to break with the 'old South Africa's' power-driven unilateralism in southern Africa".\(^\text{88}\)

Not all commentators malign the hegemonic discourse. Habib and Selinyane point out that the word hegemony refers merely to state leadership, and that the concept has acquired a gratuitous normative label as politically incorrect foreign policy behaviour.\(^\text{89}\) They contend that responsible middle power behaviour and hegemony are
not mutually exclusive foreign policy options.\textsuperscript{90} In other words, the notions of pivotal responsibilities, partnership, multilateralism and moral leadership can also be evidenced by hegemonic status. According to these authors, leader states (as hegemons) have a much needed "political and socioeconomic vision of their transnational environments and a political willingness to implement such a vision. If that vision is one of security, stability and development, as is often the case, then the hegemon undertakes to underwrite the implementation of these goals".\textsuperscript{91} Seen from this angle, Habib and Selinyane assert that as an economic and military power on the continent, South Africa owes Africa a hegemonic role.

Post-apartheid South Africa has, without admitting as much, displayed ample hegemonic tendencies, particularly as concerns its robust pursuit of comparative advantage in international trade.\textsuperscript{92} It has donned the hegemonic mantle with less consistency in its regional political endeavours: Habib and Selinyane point out that where South Africa has attempted an unambiguous hegemonic intervention (for example in the DRC and Lesotho) it has been decidedly more successful than where it has shunned the hegemonic role (for example in the cases of Zimbabwe and Swaziland).\textsuperscript{93} By comparison, Nigeria has been more decisive in its initiatives in West-Africa precisely because it has not attempted to downplay or deny its obvious regional hegemony.

Geldenhuys says South Africa, as "Africa's pre-eminent norm advocate" has been trying to play the role of a "benevolent hegemon".\textsuperscript{94} Indeed, the South African government has guardedly alluded to this leadership position when it stated in policy documents that Africa expects of it to 'play a role' in ensuring peace and security and an economic renaissance on the continent.\textsuperscript{95}

If multilateralism within the African context denotes a herd mentality rather than diplomatic synergy, it may be time for South Africa to reconsider this approach. Considering alternatives to the African consensus route may be imperative if South Africa seriously intends to take up a permanent seat on the Security Council. Fabricius argues that "to merit that seat [South Africa] needs to prove itself capable of effective action in an adverse multilateral forum" and not restrict its options "out of a misguided deference to multilateralism".\textsuperscript{96} South Africa's ambassador to the UN, Dumisani Kumalo, implies as much when he questions whether "Africa's strategic decision
to bind itself to a regional position is indeed in the best interests of the continent", and albeit principled, whether it is "realistic as a strategy". 97)

The alternatives to an African Common Position do not necessarily exclude multilateralism within the African context — but it may demand smaller and more nuanced alliances among like-minded African states. Other strategic alliances within the Global South are also an option for South Africa. Fabricius proposes pursuit of UNSC reform within the India-Brazil-South Africa trilateral initiative (IBSA).98 He may have a valid point. With the other two IBSA members already being seasoned UNSC reform lobbyists (as members of the G-4) and South Africa having joined them together with Mexico and China as the G-8's 'plus-five' outreach partners, a new UNSC reform alliance may be in the making. After all, all diplomatic alliances are temporary, and functional.

5. CONCLUSION

Many commentators within the UN community — and particularly within Africa — have given up on reform of the Security Council. But the issue cannot be 'dead', as Adebajo contends. Structural transformation of the UNSC is so long overdue that the archaic permanent core will increasingly be seen as an embarrassment to the UN. An enlarged Security Council may not necessarily be more efficient, but it will, in a democratising world, certainly lend more legitimacy to the zenith of global governance.

The UN's 60th birthday in 2005 unfortunately raised unrealistic expectations of imminent reform within the organisation. But the negotiation process was not completed, and the options not exhausted. As any negotiator knows, the process is often gruelling and exasperating. It is not for the fainthearted or the impatient: there are bound to be miscalculations, periods of inertia and set-backs. Success lies in dogged determination, and in constant reinvention of strategy.

The AU has understandably, but ideally and unsuccessfully, tried to foment a Common Position on Security Council reform. The herding of African states into this continental coalition did not, however, create safety in numbers. It merely created a maze in which Africa's serious contenders, including South Africa, got lost. It is now time for a new strategy — not necessarily conceived as an AU pro-
ject, but certainly as an African one, and leadership is required.

The middle powers of the continent should do the right thing, and pursue permanent Security Council membership within feasible coalitions. This may require broader South-South cooperation. South Africa, more than any other African power, has a realistic chance of succeeding in this quest. When (not if) restructuring of the UNSC takes place, the country must be ready, able and willing to take on the challenge — with or without the mythical African consensus. Its success will also be Africa's success.

REFERENCES


2. The other two pillars, or 'councils' of the UN, were the Economic and Social Council (ECOSOC) and the Trusteeship Council (which has since become obsolete). It soon became evident that of the three councils, the UNSC would be the one to wield uncontested power.

3. Structural changes in the UNSC since 1945 are as follows: P-5 members Taiwan and the USSR both ceased to exist as sovereign members of the UN: Taiwan was replaced by the PRC in 1971 and the USSR was succeeded by Russia in 1991. As regards total membership, initially the UNSC comprised of only 11 members. This number was increased in 1965, when under pressure from a growing membership as a result of decolonisation, the UNGA elected four new non-permanent members to the Council.

4. The seats are allocated by regional groupings within the UNGA and are then confirmed by majority vote within the Assembly. Terms start on 1 January of every year, with five states replaced each year. The geographic distribution of non-permanent members are customarily as follows: two from African states; two from Asian states; one from an Arab country (alternately from Africa/Asia); one from Eastern Europe; two from Latin America/Caribbean; two from 'Western Europe and Others'.

5. There are two systems of voting in the UNSC. Procedural matters require the support of any nine members. For substantive matters, the nine affirmative votes required must include those of the P-5.


No 1, May 2007, p 4.
12. The most obvious area where Africa's permanent collaboration is required is with respect to peacekeeping. Various commentators note the imperative of peace and security partnerships between the UN and Africa, amongst others the comment by Department of Foreign Affairs spokesperson, Ronnie Mamoepa, in "SA Committed to Addressing Challenges Facing Humanity", Pretoria News (Pretoria), 7 August 2007. The recent innovation of a hybrid AU-UN peacekeeping force in Darfur (established by UNSC resolution S/RES/1769 of 2007), is a good example of the UN providing capacity and the AU providing legitimacy as well as knowledge of the local situation.
15. One of the compelling considerations in establishing the UN was the advent and proliferation of nuclear weapons.
19. The so-called G8+5 outreach involves annual summit level G-8 deliberations with India, Brazil, South Africa, China and Mexico.
22. The 2001 report "The Responsibility to Protect" was produced by the
Canadian government sponsored International Commission on Intervention and State Sovereignty (ICISS). In essence the report argues that governments have primary responsibility to protect their citizens but if they fail to do so, that responsibility befalls the wider international community – and this may necessitate military intervention.


25. As mentioned by Strydom, H, op cit, p 16.

26. The full name of the Working Group is "Open-Ended Working Group on the Question of Equitable Representation and Increase in the Membership of the Security Council and Other Matters Related to the Security Council".

27. Luck, E C, op cit, p 122.

28. During 2005, when debate about UNSC reform reached its climax, there were 191 UN member states. This increased to 192 in June 2006, when Montenegro was admitted. The two-third UNGA majority calculation remained the same, translating into 128 members.


30. The G-4 resolution calls for the expansion of the UNSC to 25 members: six new permanent members and four additional non-permanent members. The new permanent members would obviously include Brazil, Germany, India and Japan, joined by two states from Africa, and would in terms of the proposal not exercise the right of veto for the first 15 years, until such time as the structural changes to the UNSC had been reviewed.

31. The UFC proposal foresaw extending the UNSC by doubling the number of non-permanent members, thus also enlarging its total membership to 25 members.


34. As contained in the High Level Panel's Report (op cit). Model A pro-
posed the addition of six new permanent members without veto powers, and three new two-year term seats. Model B proposed that no new permanent seats be added, but rather a new category of eight four-year renewable-term seats and one new two-year non-permanent (and non-renewable) seat. According to this model, all the regions would get two four-year renewable-term seats.

35. Annan, K A, *op cit.*
41. Implications for Africa of the High Level report: Model A: Africa would have two non-veto permanent seats and four two-year non-renewable seats. The balance of power would still be in Europe's favour as the UK, France and Russia would retain their veto powers as would the US and China. Africa would still be the only region without veto power. Model B: Although Africa would get the most (four) of the two-year non-permanent seats, Europe and the Americas would gain most, as they would each get two four-year renewable-term seats. Additionally, all regions would have at least one member with veto power — except Africa.
42. In fact, the African position has all along been to call for the elimination of the veto. The Ezulwini Consensus noted, however, that as long as the veto exists, it should be made available to all permanent members of the Security Council.
44. Okumu points out that the G-4 coalition had, at that stage, enlisted the support of about 32 states. Even in coalition with the AU, it would probably still have fallen short of a two-thirds majority – but a G-4-AU deal "could only have brightened prospects of a common resolution getting the 128 votes required to pass muster in the General Assembly". See Okumu, W, "Africa and the UN Security Council Permanent Seats", *Pambazuka*, 28 April 2005. Published online by the Global Policy Forum, http://www.globalpolicy.org/security/reform/cluster1/2005/0428afriseats.htm, accessed 23 September 2007.

46. As noted by Adebajo, A, op cit, p 26.


49. Senegal, Kenya and Libya have also at various times expressed their interest in becoming permanent members of the UNSC. However, at this point in time they are not widely (either on the continent or further abroad) perceived as having a realistic claim to it.


51. Gambari is the current UN Under-Secretary General for Political Affairs and Adedeji was the Executive Secretary of the UN Economic Commission for Africa before he held the position of UN Under-Secretary General from 1978 to 1991.

52. Boutros Boutros-Ghali, UN Secretary-General from 1992 to 1996.


54. During 2007 the G8 African outreach partners invited to the summit in Heiligendamm were South Africa, Nigeria, Egypt, Senegal, Algeria and Ghana.

55. During 2007 the other African members of the UNSC were Ghana and

119
the Republic of the Congo, both of whom completed their two year terms at the end of 2007. They were replaced by Libya and Burkina Faso with effect January 2008.

56. In the UNSC the presidency rotates among all the members and is occupied for one-month terms in the alphabetical order of the members' names in English.


60. As discussed by El-Ghitany, M, op cit.


62. Some commentators have even accused the AU of stalling the drive to expand the UNSC. See for example Peter Fabricius' article "UN Reform: SA Not Doing Enough", Pretoria News (Pretoria), 2 October 2006.

63. El-Ghitany, M, op cit, quoting Ahmed Ibrahim, Africa expert at the Al-Ahram Centre for Political and Strategic Studies in Cairo.

64. Hence the declaration by Senegal of its own ambition to take up a permanent UNSC seat, as earlier mentioned.

65. Murithi, T, op cit, p 5.

66. Luck, E C, op cit, pp120-121, specifically refers to US concerns that an enlarged Council will seek to dilute its superpower status and rein in its unilateral foreign policy tendencies. Washington, he points out, is at pains to state its support for Council enlargement provided the latter's effectiveness is not imperiled. Strict eligibility criteria are therefore imperative.


68. Ibid. Okumu notes that of the three African contenders, South Africa is the only one that has consistently paid its UN dues on time. As concerns UNSC field operations, Luck, E C, op cit, p 83, points out that UN members states in general, that is not just the less developed ones, are hesitant about committing to UNSC intervention that carry financial implications and/or political and material risk.


70. Strydom, H, op cit, p. 19.

72. Transformation of global governance, and in particular the UNSC, has become a popular mantra in Global South fora. As Pahad, A, op cit, says, South Africa's "tenure as a non-permanent seat of the UN Security Council affords us the opportunity to make a direct contribution to the transformation of global governance".

73. According to Strydom, H, op cit, p 14, the NAM accuses the Security Council of attempting to enter into these areas.

74. Non-Aligned Movement, op cit, par 39.3.

75. An essential component of moral responsibility at the level of global governance is the will to implement UNSC decisions. It is one thing to have a seat and veto power, another to be willing to enforce decisions that may hurt and alienate allies. But Africa has in the recent past set itself up for precisely this dilemma: the AU has embraced the R2P regime in its founding constitution of 2002. Its Peace and Security Council, inaugurated in 2004, is thus legally empowered to intervene in situations where a massive threat to or violation of human rights exists. The Ezulwini Consensus of 2005 also explicitly backs the principle of R2P.

76. Strydom, H, op cit, p 29.


78. South Africa's diplomatic faux pas was justified with 'technical' reasons: See for example the explanations offered by Aziz Pahad, South Africa's Deputy Minister of Foreign Affairs, in a speech titled "South Africa in the UN Security Council", delivered to the South African Institute of International Affairs, Western Cape Branch, on 20 February 2007. Strydom, H, op cit, p 1, also notes that South Africa during the same year attempted to block sanctions against Iran for its alleged development of a nuclear weapons programme.


83. Ibid.

84. Ibid, p 47

85. See for example the statement by Minister Dr Nkosazana Dlamini Zuma on South Africa's election to the United Nations Security Council (Non-Permanent Seat), Republic of South Africa, Department of Foreign Affairs, Press Release issued on 16 October 2006.

86. Emphasised inter alia by Pahad, A, op cit.

87. Nel, P et al, op cit, pp 43-44

88. Geldenhuys, D, op cit, p 98.

90. Of interest is here is the observation that "middle powers of the South are reformist (and not transformative) actors also with respect to the procedures and rules of multilateral institutions themselves. They normally do not question the fundamental set of norms and values embodied in these institutions or regimes, but try only to achieve a better deal for themselves (and, on occasion, for the South as a whole) within these values and norms". Nel, P et al, op cit, pp 46-47.


92. Taylor gives the examples of South Africa’s defence of WTO powers and separate agreement with the EU, as issues that have been out of step with its much proclaimed African solidarity. See Taylor, I, "When Rhetoric isn’t Enough: Contradictions in South African Foreign Policy and NEPAD", in Carlsnaes, W and P Nel (eds), op cit, pp 170-171.


94. Geldenhuys, D, op cit, p 106.

95. Ibid, p105.

96. Fabricius, P, op cit.

97. Kumalo, D S, "The UN: A Personal Appreciation", in Le Pere, G and N Samasuwo (eds), op cit, pp 47-49.