Book Review

Jan Øberg, *The UN and the Keeping of the Peace: A Conflict-Resolution Perspective*. Transna-

Jan Øberg's booklet is a highly interesting and bold attempt at a critical appraisal of the
United Nations' entire effort in the maintenance of international peace and security over the
last fifty years. Given that the UN was founded with this fundamental aim in view in the first
place (Article 1, paragraph 1 of the Charter of the United Nations), such an analysis, both of
the letter of the UN Charter and of the organization's rich practice in ensuring international
peace and security, no doubt represents a very useful aid in taking stock of the problems the
organization has encountered so far and of dilemmas it may face in the future.

The booklet consists of six chapters: 1. UN peacekeeping overview; 2. UN organs relevant
for peacekeeping; 3. What we want to see and what we need to see; 4. Handling conflicts and
creating peace; 5. Peacekeeping operations as conflict management; 6. It must be possible to
do better in the future!

In the first chapter, the author presents a very systematic and useful survey of UN peace
operations to date. The data on the number of military and civilian personnel involved and
the cost of peacekeeping operations reflect the UN's greatly expanded role in this domain
over the past few years. At the very beginning, the author draws conclusions which in his
opinion characterize the peacekeeping operations, namely that, among other things, these
operations have been directed towards the world's periphery and wars in the third world, that
their emphasis has been on curing rather than preventing conflicts, that the peace concept has
been narrow, that these operations have focused on "direct" rather than "structural violence",
etc. One feels that conclusions of this kind belong to the end of the booklet, all the more so
as the author himself makes references to later pages when dealing with terms such as "direct
and structural violence" (p. 11).

In the second chapter, the author introduces us to the relevant UN peacekeeping organs.
In analyzing the structure of the UN Charter, he observes quite correctly that its Chapter VI
and VII are crucial with regard to the pacific settlement of disputes and the maintenance and
enforcement of peace, but that their implementation has given birth to something which is
often referred to in literature as "Chapter VI 1/2", since terms such as "peace forces", "blue
helmets", etc., which have arisen in the course of dealing with conflicts across the world, are
nowhere explicitly mentioned in the Charter.

However, the given interpretation of some provisions of Chapter VII is too narrow. The
author namely claims that such an interpretation is compatible with the UN charter, i.e., that
these provisions were adopted with a view to collective defence, repulsion of an aggressor and
deterrence of a potential aggressor. The author also says that he is sceptical as to the legitimacy
of military attack, counter-aggression, selective bombardment (especially of military targets)
and punitive action. He not only omits to corroborate his claims (that in its peace maintenance or
enforcement operations the UN has deliberately bombed civilian targets), he also overlooks the
spirit and letter of Article 39 of the Charter which stipulates that if the Security Council should
determine "the existence of any threat to the peace, breach of the peace, or act of aggression" it
can decide "what measures shall be taken in accordance with Articles 41 and 42, to maintain or
restore international peace and security." As is known, these measures can be of an economic, political (Article 41) or military nature (Article 42), but, contrary to what the author claims (p. 15), the Charter does not lay down their sequence or priority. One cannot interpret Article 42 of the Charter, especially the words, "Should the Security Council consider that measures provided for in Article 41 would be inadequate...", to mean that military measures must be the last resort of the Security Council in the maintenance of international peace. Quite on the contrary. The Security Council has the discretionary right, should it determine the existence of a breach of the peace and security, i.e. that an act of aggression has been committed, to apply immediately military measures as well if it deems them essential. This is quite logical, for often a callous aggressor cannot be brought to his senses by, for instance, the severance of diplomatic relations or other measures provided for in Article 41 of the Charter.

In this chapter one notes the author's concurrence with T. Franck and G. Nolte with regard to amending the position and role of the UN Secretary-General. In the history of the UN, particularly during certain actions by its peace as well as military forces (Congo), the Secretary-General is known to have overstepped his powers under the Charter. On the other hand, it is quite right that the Secretary-General should not become a "humble servant" (p. 21) of the UN political organs. The author says that at any time the Secretary-General must display the triple attribute of integrity, independence and initiative".

The third and fourth chapters represent an attempt by the author - a peace researcher and an "idealist" as he portrays himself - to point up the brutality of the modern world and to express his hope that the present state of affairs can be changed by amending and altering the role of the UN. He obviously disagrees with the so-called "realists" who see in the UN a utopian vision of the world, something that holds out merely false hope. The author also offers a very interesting, though perhaps rather too broad and idealistic, definition of peace "as the absence of system or structural violence" (p. 25). It seems that if one were to look upon peace in this way, implying under "structural violence" also all the economic woes of the modern world as well as human suffering caused by lack of food and educational and health services, then any UN role in maintaining and restoring peace would become superfluous. True, these problems have been the cause of many wars, but the system of collective security established by the UN Charter reflects a desire to create an efficient and expeditious mechanism for the suppression of any aggression and war. Furthermore, the Charter establishes other organs as well, notably ECOSOC, that should and do concern themselves with the problems pointed out by the author.

The fifth chapter is the central and most extensive part of the booklet. The very titles of some of the sections of this chapter, e.g. "From cease-fire keeping to world policemen" (5.1), "Selective peace" (5.3) and "The Security Council is a problem" (5.5), reflect the author's standpoints on the present UN role in the maintenance of peace. These standpoints are markedly critical.

Thus, for instance, he asserts that in recent years the Security Council has undertaken many complex operations "with many more aims and flirtation with military enforcement... (which) is something for which the UN is simply not suited". If the Security Council and the UN are not suited for such operations of maintaining and even enforcing peace, one wonders who is. It is true that since Iraq's aggression against Kuwait (1990) the international role of the Security Council has dramatically increased, but one tends to forget that this is a result of the collapse of the communist east bloc and the bipolar division of the world. For the first time since the days of cold-war tensions, the UN is in a position to act according to the letter of its Charter. With regard to international peace and security, a consensus of the permanent members of the Security Council is much more easily achieved in the present international climate. For this reason it is now possible to undertake far more extensive action in this regard.

The author's criticism of the Security Council for reacting to the crises in Somalia, Iraq and Yugoslavia without taking account of historical and other factors appears groundless, particularly in regard to Iraq which committed a classic aggression against Kuwait.

The case of the former Yugoslavia is actually much more complex. In this case there is no classic aggression to speak of, and there is no mention of one in any of the relevant Security Council resolutions so far. The state of affairs is described as a "threat to peace", which has