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CONSTRUCTIVIST ASPECTS OF THE UN SECURITY COUNCIL'S PERMANENT MEMBERS' CONDUCT: THE CASE OF THE USA

INTRODUCTION

The UN Security Council is an institution that is in the spotlight of world's attention every time there is an armed conflict. The focus on the Security Council is due to the position it holds in the global security architecture, established with the UN Charter. Namely, as one of the six main organs of the UN, the Council is the primary organ responsible for maintaining international peace and security (Article 24), the one that assesses whether there is a threat, breach of the peace, or an act of aggression, and the one that decides whether and what kind of measures (with or without the use of force) should be taken in case of

¹ I would like to thank Lazar Pop Ivanov, Julija Brsakoska Bazerkoska, as well as two anonymous readers, for their useful contributions to this paper.

such occurrences. Moreover, all member states of the UN agree to respect and implement its decisions (Article 25).²

Regarding its composition, the Security Council consists of 15 member states, five of which are permanent members (P5) – the USA, Great Britain, France, Russia, and China – and ten are elected. The non-permanent, i.e. the elected member states of the Council have a 2-year mandate without the possibility to be re-elected.³ These states are elected by the General Assembly with a two-thirds majority of the members present and voting⁴, and the formal criterion for their election is their contribution to the maintenance of the international peace and security, as well as the equitable geographical distribution of the seats.⁵

The voting in the Security Council is regulated in Article 27 of the Charter, which was agreed upon at the second meeting during the establishing of the UN in Yalta, Crimea, in February 1945 (which is where the phrase “Yalta Formula” derives from). According to this formula, all member states of the Council are entitled to only one vote (paragraph 1), and the decisions will be made by 9 affirmative votes (or 7 affirmative votes prior to the amendments of the Charter in 1965) of the member states. Regarding the ‘procedural matters’, 9 votes from any member state of the Council (permanent or elected) are required, while for ‘all other matters’ or the ‘substantive matters’, as they are referred to today⁶, a qualified majority is required, i.e. the affirmative votes of minimum 9 member-states, including the concurring votes of the five permanent members (paragraph 2 and paragraph 3). This means that any of the P5 states can block the decision-making process in the Council, i.e. they have the right to a veto (although the ‘veto’ is not explicitly mentioned in the Charter itself).⁷ Therefore, the conduct of the five permanent member states in the Security Council has a great impact on the functioning of the Council as an institution.

Nevertheless, even though the five permanent members have veto power (including other privileges deriving from the permanent membership at the Council),⁸ this does not imply that all of them act identically (or in a similar manner) within and towards the Security Council. To the contrary. There are major differences among them, and (sometimes) in the behavior of a single member state throughout the years. For instance, after the end of the Cold War, the United Kingdom and France – unlike the other three permanent member states – have not used their right to veto at all. On the other hand, Russia, which just like the United Kingdom and France, has had a decrease in its power

2 UN Charter.

3 *Ibid*, Article 23.

4 *Ibid*, Article 18.

5 *Ibid*, Article 23.

6 Loraine Sievers, Sam Daws, *The Procedure of the UN Security Council* (Oxford: Oxford University Press, 4th ed., 2014), 295.

7 *UN Charter*, Article 27.

8 Loraine Sievers, Sam Daws, *The Procedure of the UN Security Council* (Oxford: Oxford University Press, 4th ed., 2014), 126, 127.

after the collapse of the Soviet Union, is the permanent member that has used the veto most frequently since the Cold War. In the case of the USA, there is a significant decrease in the use of veto after the end of the Cold War, although their military (and until recently, their economic) power has been stable and unsurpassable in the near future.

There are similar differences among the P5 with regards to, for example, the limitation of the veto in situations of mass atrocities – an initiative known as the 'Responsibility not to veto'. Thus, USA, Russia, and China are not willing to limit the use of veto even in these situations, the United Kingdom is open to the idea and is ready to accept it under certain circumstances, while France is the promoter of this idea and has pledged that it will never use the veto in such situations.⁹

In order to understand these differences, besides the material factors and the power relations, equally important are the non-material factors, i.e. the ideas, values, and identities of these states. The reason for this, following the constructivist approach in international relations (IR) theory, is that the material resources are not an independent factor, but gain importance 'only through the structure of shared knowledge in which they are embedded'.¹⁰ Furthermore, actors' ideas and identities affect the shaping of their interests, which, in turn, affect their specific policies. Along this line, the institutions where the states are members do not only reflect their power but also their ideas, perspectives and perceptions about themselves, about the institutions that they are part of, and about how these entities, and international politics in general, (ought to) function. Therefore, it is necessary to take into consideration the non-material factors regarding the Security Council, i.e. the 'constructivist aspects' of the conduct – the ideas, the values, the identities, the language – of the actors that consist this body. Of course, the constructivist aspects of all actors involved are of relevance, and should be taken into consideration, but they are not equally relevant. In relation to the functioning of a single institution, the perspectives of those actors that are in position to have a greater impact on the work of that body, as well as to spread and develop their constructivist aspects, are more important. In the case of the Security Council, the five permanent member states are without doubt the most important actors, due to the systemic design and the long-term practice – and, of course, due to the greater material power – that they have in relation to the majority of elected member states.

In this paper I analyze the constructivist aspects of the conduct of one permanent member of the UN Security Council – the United States. The USA supports and sometimes works through the Security Council, but not by all

9 For this initiative, see more at Ljupcho Stojkovski, "The Importance of the Responsibility not to Veto Debate", in Vasilka Sancin, ed., "Are we Manifestly Failing" R2P", 2017, Faculty of Law, University of Ljubljana, Litteralis Ltd, pp. 87-110, as well as the literature referenced there.

10 Alexander Wendt, "Constructing International Politics", *International Security*, vol.20, no.1 (Summer, 1995), pp.71-81, 73.

means – if this body is an obstacle to its plans, it may also bypass it. This attitude of the USA towards and within the Security Council, from material perspective, is closely related to the enormous military and economic power it has globally. The non-material factors that explain this behavior include the roles of creator-reformer and custodian of the international order played by the USA, their self-perception of exceptionality, as well as their national political considerations.

The paper consists of three parts. The first part provides a short overview of constructivism as an IR theory, in order to show the theoretical background and the importance of the non-material factors in understanding the behavior of international actors. The second part points out to the material and non-material factors that give an explanation for the behavior of the USA in international politics. USA's relation to the UN and to the Security Council, more specifically, are further elaborated in the third part of the paper.

CONSTRUCTIVISM AS AN IR THEORY

Realism, as a dominant IR theory, explains international politics as a battle for power between states – primarily between the great powers – where they act egoistically and are governed by their national interests. The primary and minimum motivation for action, i.e. the interest of each state in international politics is the desire to survive, and the maximum motivation is universal domination.¹¹ Therefore, each state should continually focus not only on the absolute benefits for itself – in order to gain the maximum of what it holds relevant – but also on maintaining a relative advantage, meaning to gain more in relation to the other states. In order to achieve this, the state is constantly looking for ways to increase its power, primarily its material, physical power. That, on the other hand, continuously creates doubts and mistrust among the other states – the security dilemma – which is why they react in the same manner.

The context that contributes towards this kind of behavior among states is the anarchic structure in which they operate. Knowing that in the international community there is not a sovereign ruler that would compel the states to behave in a particular way, the anarchic structure “constrains them from taking certain actions, while propelling them towards others”.¹² Therefore, existing in Hobbes' natural state, “the strong do what they can, and the weak suffer what they must”.¹³

11 Kenneth N. Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979), 118.

12 Kenneth N. Waltz, “Realist Thought and Neo-Realist Theory”, in Robert L. Rothstein (ed.), *The Evolution of Theory in International Relations: Essays in Honor of William T. R. Fox* (Columbia: University of South Carolina Press 1992), 29.

13 Thucydides, *History of Peloponnesian War* (New York: Penguin Books, 1972), 406.

All of this applies to international institutions as well. For realists, international institutions “are basically a reflection of the distribution of power in the world” and are based on and function according to the interests and calculations of the great powers.¹⁴

For the constructivist theory, the concepts of ‘power’, ‘interest’ or ‘anarchy’ have no independent meaning on their own. They completely depend on the content assigned to them by the very actors that create and use them, i.e. the ideas, the beliefs and the attitudes towards these concepts, which the states have created through the use of language and their mutual interaction.¹⁵ The intersubjective understanding of these concepts by states are not determined once and for all, but represent a social construct, which, as any other idea, can be altered. On the other hand, this does not imply that “ideas are more important than power or interest, or that they are autonomous from power and interest. Power and interest are just as important and determining as before. The claim is rather that power and interest have the effects they do in virtue of the ideas that make them up. Power and the interest explanations *presuppose* [some] ideas” about their meaning, “and to that extent are not rivals to ideational explanations at all”.¹⁶ The materialistic factors are in a dialectical relation with their underlying ideas, which is why the “discursive circumstances that enable their functioning” should always be examined.¹⁷

Constructivists agree with the realists that there is an anarchic structure in the international relations, but do not consider that the very structure *a priori* imposes a certain type of behavior on states. This is because no structure can exist independently from the process through which it is created, and from the collective meaning that will be assigned to it by the actors that make it up.¹⁸

By participating in this collective process, according to Wendt, states create identities – “relatively stable, role-specific, understandings and expectations about self”.¹⁹ Other proponents from this camp think that the key factors in the formation of identities are the norms and the interaction of states with them, rather than the interstate interaction²⁰, while others focus on the internal factors and the domestic actors within a certain state.²¹ In any case, regardless whether the international or domestic factors and interactions are more important when

14 John J. Mearsheimer, “The False Promise of International Institutions”, *International Security*, Vol. 19, No. 3 (Winter, 1994-1995), pp. 5-49, 7, 13.

15 Alexander Wendt, “Constructing International Politics”, *International Security*, vol.20, no.1 (Summer, 1995), pp.71-81, 73.

16 Alexander Wendt, *Social Theory of International Politics* (New York: Cambridge University Press, 1999), 135.

17 Ibid.

18 Or in the words of one of the main representatives of the constructivist school, Alexander Wendt, “Anarchy is what states make of it”. See Alexander Wendt “Anarchy is what states make of it: the social construction of power politics”, *International Organization*, vol.46, no.2, Spring, 1992, 391-425.

19 Ibid, 397.

20 See for example, Martha Finnemore, *National Interests and International Society* (Ithaca, NY: Cornell University Press, 1996).

21 See for example, Peter J. Katzenstein, *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996).

forming identities, or whether all of these aspects should be observed as a connected whole,²² all constructivists agree that identities affect the making and the defining of the interests of the states, which, in turn, affect the creation of their specific policies.²³

Constructivists apply the significance of ideas, identities, and states' interactions in their explanations of the functioning of international institutions as well. In their view, "institutions are fundamentally cognitive entities that do not exist apart from actors' ideas about how the world works", and are not separated from their identities, but are "mutually constitutive".²⁴

Thus, in order to understand the functioning of the Security Council, besides the 'objective', structural setting of the institution – for instance, that there are permanent and non-permanent member states among which there are systemically designed differences in favor of the permanent five – it is necessary to also take into consideration the perspectives of the states that make up this body.

MATERIAL AND NON-MATERIAL FACTORS OF USA'S CONDUCT IN INTERNATIONAL AFFAIRS

The material factors that explain USA's conduct in international politics are its vast military and economic capacities. The USA convincingly tops the global rankings when it comes to military expenditures, having spent 649 billion US dollars in 2018, which is 36% of the total world expenditure.²⁵ The USA is a country with the strongest economy as well, and although the discrepancy with China is rapidly decreasing (and according to some estimations China is already a leader), it has had the pedestal since 1871.²⁶ These two factors should be supplemented by the outcome of the Cold War, where, according to many authors, the USA was the winner, and as a result, instead of the bipolar structure, today we have a unipolar world where the USA is the only superpower. Having in mind the fact that a standing army from the armies of its member states has never been established within the UN, and that the financing of UN's military activities completely depends on the willingness of states, it is quite clear why the USA is often referred to as "the permanent one" (P1) – without its military,

22 See for example, John G. Ruggie, "Continuity and Transformation in the World Polity: Toward a Neorealist Synthesis", in Robert. O. Keohane (ed.), *Neorealism and Its Critics* (New York: Columbia University Press, 1986); or Rey Koslowski, Friedrich V. Kratochwil, F. "Understanding Change in International Politics: The Soviet Empire's Demise and the International System", in Richard Ned Lebow and Thomas Risse-Kappen (eds), *International Relations Theory after the Cold War* (New York: Columbia University Press, 1995).

23 Christian Reus-Smit, "Constructivism", kaj Scott Burchill, Andrew Linklater, Richard Devetak, Jack Donnelly, Matthew Paterson, Christian Reus-Smit, Jacqui True (eds.), *Theories of International Relations*, (New York: Palgrave Macmillan, 3rd ed., 2005), 197.

24 Alexander Wendt, "Anarchy is what states make of it: the social construction of power politics", *International Organization*, vol.46, no.2, Spring, 1992, 391-425, 399.

25 Nan Tian, Aude Fleurant, Alexandra Kuimova, Pieter D. Wezeman, Siemon T. Wezeman, "Trends in Military Expenditure, 2018," *SIPRI Fact Sheet*, April 2019, available at https://www.sipri.org/sites/default/files/2019-04/fs_1904_milex_2018_0.pdf

26 Prableen Bajpa, *The World's Top 20 Economies*, Investopedia, available at <https://www.investopedia.com/insights/worlds-top-economies/>

financial and political support, the Security Council (and the UN) would not function as they have so far.²⁷

The non-material factors of USA's conduct in international politics are related to the roles of creator-reformer and custodian of the international order played by the USA, as well as the self-perception of its (supposed) exceptionality. The role of creator-reformer implies "a desire to engage in major international and social engineering, expecting that, if properly done, initiatives involving the design and creation of new [international] institutions would transform the essential nature and the procedures of those [international] politics".²⁸ In the previous century, the USA played a key role in the establishment of the League of Nations (although it never became a member) and of course, the UN, as well as many other international organizations and arrangements. Therefore, as Reisman claims, when the USA are criticizing these institutions, they are threatening to withdraw from them, or they freeze their financing, this should not be seen as a signal for an American isolation from international politics. To the contrary, with this behavior the USA is acting correctively, as a reformer to the international institutions, with the intention to incite them to modify their procedures and/or attitudes to suit USA's interests as a precondition for USA's engagement with them.²⁹

This role is supplemented by the identity of a custodian of the international order, which the USA demonstrates in the international realm. Having in mind the material power it has, as well as the indispensable role it plays in the functioning of the international institutions where it is a member, the USA perceives itself as the ultimate guarantor for the goals that these institutions, and the international order per se, aim(s) to achieve. Sometimes, this role involves the usurpation or circumvention of the procedures of these institutions, because "it is the custodian who ultimate decides when, why and how to act" in the international system.³⁰

These two roles of the USA are interconnected,³¹ and, in a way, derive from the self-perception of the American exceptionality. The exceptionality can be explained through cultural ("our", "American" values), institutional (the

27 David Bosco, "Commentary: The Permanent One's Search for Maximum Flexibility", kaj Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte, *The UN Security Council in the 21st Century* (London: Lynne Rienner Publishers, 2016).

28 W. Michael Reisman, "The United States and International Institutions", *Survival: Global Politics and Strategy* 41-4, Winter 1999-2000, pp. 62-80, 65.

29 Ibid, p.66. Or in Trump's words, in the National Security Strategy from 2017: "If the United States is asked to provide a disproportionate level of support for an institution, we will expect a commensurate degree of influence over the direction and efforts of that institution." The White House "National Security Strategy". *White House Office*, 2017, 40.

30 Accordingly, one can understand Bill Clinton's famous statement: "multilateral when we can, unilateral when we must", in this context. W. Michael Reisman, "The United States and International Institutions", *Survival: Global Politics and Strategy* 41-4, Winter 1999-2000, pp. 62-80, 63, 64, 72, 73.

31 Besides these two roles, Reisman mentions two more roles played by the USA – an infra-organizational role (according to which the USA, sometimes, but not as often as its power allows, act as any other state in the international organizations where it is a member) and a reactive role under domestic pressure (according to which the foreign policy of the USA is vastly influenced by domestic (governmental and non-governmental) actors, who can sometimes prioritize micro matters or marginal matters). Ibid.

American constitutional and political arrangements) and other factors that take into consideration the power that the USA has (primarily the military, but also the economic power).³² According to Luck, the American self-perceived exceptionality in the context of international organizations can be seen in the following four matters:

“1) a willingness to go it alone on a variety of issues, along with apparent immunity accompanied to the pressures and the criticism of others; 2) an assumption that its national values and practices are universally valid and its policy positions are moral and proper, not just expedient; 3) a strong tendency to look inwards, to domestic political considerations and processes, when determining how to act in international forums, in some cases coupled with a willingness to adopt national legislation that contradicts the rules and responsibilities imposed by the international arrangements; 4) a belief by national policy-makers and legislators that they have other options for pursuing their nation’s interests, and that acting through multilateral institutions is only an option, and not an obligation.”³³

Foot concludes that such “perceptions of specialness encourage US administrations, when deemed necessary, to exempt themselves from the rules that the others are expected to follow. In addition, they frequently encourage a militarized response to any attack on US interests.”³⁴

From the perspective of values, the self-perception of exceptionality also encompasses USA’s identity of protector and promoter of human rights, democracy and liberal values.³⁵ Nonetheless, exactly as a result of the exceptionality self-perception, although the USA portrays itself as a leader for these values, it often undermines them in practice.³⁶ Finally, it should be highlighted that besides the general continuity in their foreign policy, the priorities, the alignments, and even the identities represented by the USA can

³² Rosemary Foot, “Exceptionalism Again: The Bush Administration, the “Global War on Terror” and Human Rights”, *Law and History Review*, Fall 2008, vol.26, no.3, 708, 709.

³³ Edward C. Luck, “American Exceptionalism and International Organization: Lessons from the 1990s”, Rosemary Foot, S. Neil MacFarlane, and Michael Mastanduno (eds.), *US Hegemony and International Organizations*, (Oxford: Oxford University Press, 2003), 27.

³⁴ Rosemary Foot, “Exceptionalism Again: The Bush Administration, the “Global War on Terror” and Human Rights”, *Law and History Review*, Fall 2008, vol.26, no.3, 709.

³⁵ See for instance, Rosemary Foot, *Human Rights and Counter-terrorism in America’s Asia Policy*, (Oxford: Oxford University Press, 2004), (particularly pp. 15-24).

³⁶ For example, with the behavior in Guantanamo. Rosemary Foot, “Exceptionalism Again: The Bush Administration, the “Global War on Terror” and Human Rights”, *Law and History Review*, Fall 2008, vol.26, no.3, 707, 708, 712.

alter (sometimes even radically, as it is the case currently under the presidency of Trump)³⁷ depending on the administration in power.³⁸

THE USA AND THE UN

Taking into consideration all these material and non-material factors, it is much easier to provide an explanation for the 'uneasy', 'ambiguous' relationship between the USA and the UN.³⁹ Malone lists four factors for this 'ambiguous' relationship. First of all, the problematic relationship (from USA's perspective) began in the 1960s, when under the wave of decolonization the UN significantly increased its membership. Many of these new states became part of the Non-aligned movement or inclined towards the USSR, which meant that the USA were losing a great portion of their influence in the UN, particularly in the General Assembly. The second factor for USA's tension with the UN lies in the Palestinian-Israeli issue. A great majority of the UN member states, through the General Assembly and other bodies and specialized organizations of the UN, support Palestine, while the USA, almost unconditionally backs Israel⁴⁰ (and often accuses the UN of anti-Zionism⁴¹). The third reason for the uneasy relationship between the USA and the UN lies in the national political factors. Namely, US domestic politicians (most often the Republicans) frequently highlight that the UN are a threat to American sovereignty, particularly to its military power and the way the USA uses it. Finally, Malone highlights the "familiar difficulties in trying to relate means to ends, values to the interests, and order to justice", as a fourth factor that explains the uneasy relations between the USA and the UN (the Security Council in particular).⁴² One can add the 'Somalia syndrome', i.e. the unreadiness of the USA to "sustain military casualties in distant lands in the pursuit of fundamentally humanitarian objectives"⁴³, as the fifth factor for USA's ambivalence towards the UN, having in mind the experience from Somalia in 1993, when 18 American soldiers were killed in an intervention

37 Wright, for instance, claims that USA's foreign policy under Trump is not unpredictable, as it is often perceived, but it is consistent with Trump's worldview, and it includes "narrow, transactional relationship with the other nations, a preference for authoritarian governments over other democracies, a mercantilist approach to international economic policy, general disregard for human rights and the rule of law, and the promotion of nationalism and unilateralism at the expense of multilateralism". Thomas Wright, "Trump's Foreign Policy Is No Longer Unpredictable", *Foreign Affairs* 13 January 2019, available at <https://www.foreignaffairs.com/articles/world/2019-01-18/trumps-foreign-policy-no-longer-unpredictable>

38 According to Patman and Southgate, the understanding and behavior of (the administration of) Obama, for instance, towards the American exceptionalism was quite different from the "usual" one, and it included (more) multilateralism and leading by example. Robert G. Patman, Laura Southgate, "Globalization, the Obama administration and the refashioning of US exceptionalism", *International Politics*, vol.53, 2, 220-238, 2016, particularly pp. 228-235.

39 David M. Malone, "US-UN Relations in the UN Security Council in the Post-Cold War Era", kaj Rosemary Foot, S. Neil MacFarlane, and Michael Mastanduno (eds.), *US Hegemony and International Organizations*, (Oxford: Oxford University Press, 2003), 83.

40 For a short summary overview of the reasons behind the close relationship between the USA and Israel, see Stephen Zunes, "Why the U.S. Supports Israel", *Institute for Policy Studies*, 1 Maj 2002 година, available at https://ips-dc.org/why_the_us_supports_israel/

41 This, for example, was the reason that led the Trump administration to withdraw from the UN Human Rights Council. See Gardiner Harris, "Trump Administration Withdraws U.S. From U.N. Human Rights Council", *New York Times*, 19 June 2018, available at <https://www.nytimes.com/2018/06/19/us/politics/trump-israel-palestinians-human-rights.html>

42 David M. Malone, "US-UN Relations in the UN Security Council in the Post-Cold War Era", in Rosemary Foot, S. Neil MacFarlane, and Michael Mastanduno (eds.), *US Hegemony and International Organizations*, (Oxford: Oxford University Press, 2003), 83-88.

43 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, International Development Research Centre, 2001, 97.

under the auspices of the UN, in a case where the USA were widely perceived not to have any vital interests at stake. As a consequence of this episode, the USA introduced the Presidential Decision Directive 25 (May 1994), according to which the USA would participate in UN peace missions only if that would be in its national interest.⁴⁴ This explains why the USA is the biggest financial donor of UN peacekeeping missions,⁴⁵ and why, at the same time, it participates with a total number of only 34 troops in these missions – which is the fewest from the P5⁴⁶ – and why it prefers coercive measures from distance (sanctions and bombing).⁴⁷

When it comes to USA's relationship with the Security Council more specifically, the first thing that needs to be highlighted is that, when creating its foreign policy, the USA does not take the Security Council into consideration as much as it is thought (or as much as it would be expected) it would. Namely, out of 251,287 classified US cables from the period between 1966 and 2010, published by Wikileaks, the Security Council is discussed in only 6,532 of them, or merely 2.6%.⁴⁸ In comparison, during the same period, human rights are discussed in 49,044 documents (19.5%), while terrorism is discussed in 28,801 documents (11.4%).⁴⁹

Nevertheless, in those rare instances when the USA decides to use the Security Council, its policy towards the Council is "opportunistic and instrumental".⁵⁰ The USA wants maximum diplomatic flexibility when interacting with the Council. It wants a proactive and robust Council – a Council that says 'yes' to the use of sanctions and force. However, keeping in mind its role as a custodian of the international order, the USA reserves the right to interpret what that 'yes' means, and if the Security Council says 'no' to the measures that it is proposing, it may bypass the Council and continue with its intentions unilaterally, outside of it.⁵¹

This kind of behavior towards the Security Council explains the use of veto by the USA. There are three stages that can be distinguished here. The first stage covers

44 Robert G. Patman, Laura Southgate, "Globalization, the Obama administration and the refashioning of US exceptionalism", *International Politics*, vol.53, 2, 220-238, 2016, 226, 227.

45 The USA are convincingly the leader with 28.5% of the total donations, before China with 10.3%. See United Nations Peacekeeping, *How are we Funded*, available at <https://peacekeeping.un.org/en/how-we-are-funded>

46 At the top of the list of countries that provide their troops/police forces to the UN missions, according to the ranking from 30 April 2019, is Ethiopia with 7,499 persons, and from the permanent members of the Security Council it is China with 2497 persons. United Nations Peacekeeping, *Troop and Police Contributors*, available at <https://peacekeeping.un.org/en/troop-and-police-contributors>

47 David M. Malone, "US-UN Relations in the UN Security Council in the Post-Cold War Era", and Rosemary Foot, S. Neil MacFarlane, and Michael Mastanduno (eds.), *US Hegemony and International Organizations*, (Oxford: Oxford University Press, 2003), 80, 81.

48 Even if we consider the more accurate information that out of the 251,287 documents, 145,451 were related to foreign policy, which then implies that 4.5% (and not 2.6%) were about the Security Council, the impression remains that the consideration of the Security Council is still very low. Stephen John Stedman, "United States in the Security Council", kaj Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte, *The UN Security Council in the 21st Century* (London: Lynne Rinner Publishers, 2016), p. 59.

49 Ibid.

50 David Bosco, "Commentary: The Permanent One's Search for Maximum Flexibility", also with Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte, *The UN Security Council in the 21st Century* (London: Lynne Rinner Publishers, 2016), 75.

51 Stephen John Stedman, "United States in the Security Council", kaj Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte, *The UN Security Council in the 21st Century*, (London: Lynne Rinner Publishers, 2016), 58. As it was the case, for example, with the war in Iraq, in 2003.

the period from the establishment of the UN until 1965, a period in which the USA had never used its veto. Yet, from 1966 until the end of the Cold War, when the UN membership and the anti-Israeli sentiment grew larger, the USA used its veto as many as 69 times.⁵² After the end of the Cold War and the growing desire for a 'new world order' where the Council would function as it was envisioned, the use of veto by the USA has been reduced, and out of the 16 occasions in which it used its veto, 15 were related to the Palestinian-Israeli question.⁵³ This, though, should not imply that the USA supports the limitation of this privilege, nor any kind of (substantial) reform of the Security Council.⁵⁴ Publicly, the USA is pro reforms, and it is probably the permanent member that will suffer the least if the Security Council undergoes reforms, since its participation in any major operation in the sphere of the maintenance of international peace and security is *a conditio sine qua non*.⁵⁵ However, in practice, it protects its privileges in every possible way. In July 2005, for instance, the USA, together with China, took a range of joint and separate measures to make sure that the proposal of the G4 group of states on the enlargement of the Security Council's membership would fail.⁵⁶ Even more radical measures were taken by the P5, under USA's leadership, in March 2006, in order to undermine the initiative of the M5 group of states to reform the working methods of the Security Council, an initiative which was widely supported and was very close to succeed.⁵⁷ The USA behaves in a similar way in relation to the "Responsibility not to veto", i.e. the idea to limit the use of veto in situations of mass atrocities. Publicly, the USA criticizes the use of veto by Russia and China regarding the situation in Syria, for instance, but privately, it expresses reservations regarding the limitation to the use of veto in situations of mass atrocities.⁵⁸

CONCLUSION

In this paper I discussed the constructivist aspects of the conduct of one permanent member of the UN Security Council – the USA. A common trait of all five permanent member states of the Security Council is their permanent membership, and consequently, their right to veto. All five states want to maintain their position in the privileged club, but how they understand the

⁵² Ibid, 60.

⁵³ See the record of all the blocked resolutions at Dag Hammarskjöld Library, *Security Council - Veto List*, available at <https://research.un.org/en/docs/sc/quick>

⁵⁴ Stephen John Stedman, *United States in the Security Council*, kaj Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte, *The UN Security Council in the 21st Century*, 68, 69; David Bosco, *Commentary: The Permanent One's Search for Maximum Flexibility*, also with Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte, *The UN Security Council in the 21st Century*, 78.

⁵⁵ Thomas G. Weiss, "Overcoming the Security Council Reform Impasse: The Implausible versus the Plausible", *Friedrich Ebert Stiftung*, no.14, January 2005, 19, 20.

⁵⁶ Jonas von Freiesleben, "Reform of the Security Council", also with Center for UN Reform Education, *Governing and Managing Change at the United Nations: Reform of the Security Council from 1945 to September 2013*, 8.

⁵⁷ Christian Wenaweser, "Working Methods: The Ugly Ducking of Security Council Reform", also with Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte, *The UN Security Council in the 21st Century*, (London: Lynne Rinner Publishers 2016), 186, 187.

⁵⁸ Security Council Report, *The Veto: Reseach Report*, No.3, p.6, 19 October 2015, available at http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/research_report_3_the_veto_2015.pdf

permanent membership and the veto, as well as how the Security Council as an institution should function, differs. The different level of power that each state has, on its own, is not sufficient to explain the differences among them, or the changes in the conduct of one member state that has had a relatively stable material power over the years. Therefore, it is necessary to include the constructivist perspectives of their conduct, i.e. to scrutinize their ideas, values and identities, which sit at the background in the management of the material factors.

For the USA, the Security Council is an institution that they might take into consideration during the creation of a specific foreign security policy, if they think it will serve them a need. They do not feel obliged by the Security Council, and for them the Council is neither the first nor the last instance when it comes to the use of force. The unilateral view on the international affairs, the self-perceived American exceptionalism, the identities of creator and custodian of the international order, the immense military and economic power they have in relation to the other states, as well as the dependence of the UN enforcement system on the will and contribution of the USA, are the main explanations for the USA's conduct. As Weiss points out, as long as UN's coercive capacity is on loan – primarily from the USA – the power of the UN and the Security Council, while it should be based on authority, will also be modelled by the one with power, which at the time being is (predominantly) the USA.⁵⁹ For Fassbender, the Security Council is a Concert of great powers in which the USA is a central player. The USA “cannot force the other players into performing, but when *it* does not appear on stage, the concert must be called off.”⁶⁰ Therefore, one of the major future challenges for UN and Security Council supporters is “to determine when the Security Council will act as a multiplier of U.S. power” and how to get the USA to comply with and be involved in the UN, i.e. to persuade the United States that “acting multilaterally will be in its interest”.⁶¹

59 Thomas G. Weiss, “Overcoming the Security Council Reform Impasse: The Implausible versus the Plausible”, *Friedrich Ebert Stiftung*, no.14, January 2005, 19, 20.

60 Bardo Fassbender, “The Security Council: Progress is Possible but Unlikely”, also with Antonio Cassese (ed.), *Realizing Utopia: The Future of International Law*, (Oxford: Oxford University Press, 2012), 56.

61 Thomas G. Weiss, “The Illusion of UN Security Council Reform”, *The Washington Quarterly*, vol.26, iss.4, 2003, pp. 147-161, 153.

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UN Charter

Short Biography



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