

## **OPERATION UNIFIED PROTECTOR: COLLECTIVE SECURITY OR COLLECTIVE DEFENSE**

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**ABSTRACT:** *A fundamental precept of Collective Security is unanimity of decision by the Security Council. This was apparently not the case in Operation Unified Protector because of major abstentions in the passage of Resolution 1973 which was eventually used to declare war on Libya. In the passage of the resolution, five countries namely Brazil, Russia, India, China and Germany abstained. The Arab League and the African Union also expressed great reservations when NATO started its bombardment of Libya. The thrust of this article is that Operation Unified Protector by NATO was apparently a manipulation of Collective Security, to achieve coalition goals inherent in Collective Defense. Collective Security is designed not entangle itself with local politics or regime change but international conflicts that affects two or more sovereign states. The crisis in Libya was more of an internal civil disturbance which a sovereign state should control without undue external interference as was the case in Tunisia, Egypt, Yemen, Qatar and Syria. The article recommends that powerful countries or coalition of countries should refrain from manipulating the good intentions of Collective Security for their own Collective Defense and other ulterior goals at the expense of genuine peace in the international system.*

**KEYWORDS:** Unified Protector, Collective Security, Collective Defense

### **INTRODUCTION**

Under the Collective Security clauses of the United Nations Charter (Chapter VII – Articles 39-51) the Security Council approved Resolution 1973 on March 17, 2011. The resolution authorizes taking any measure by any state or any organization to meet the objective of ensuring no fly zone and protection of civilians. The enforcement of the resolution was eventually hijacked by NATO which is a collective defense organization. Under the guise of Operation Unified Protector NATO attempted to enforce the mandate of the UN Resolution.

Apparently NATO proceeded to use this mandate to accomplish ulterior motives that is completely out of their scope. This contentious accomplishment raises a lot of issues and questions. Is Collective Security the same as Collective Defense? Can a partisan or regional organization protect the interest of a collective organization without prejudice? What is the credibility of Collective Security when a great majority of countries are opposed to the actions they take? These issues would be addressed in proceeding chapters.

### **THE CONCEPT OF COLLECTIVE SECURITY**

Collective Security is a conception whereby the nation-states of the world, under the auspices of an international organization like the United Nations, agree to deter or prevent war and maintain international peace and security by opposing aggression. According to Inis Claude,

Collective Security is “addressed to any state, friend or foe that commits an act of international aggression.” Collective Security is predicated on Chapter VII – Articles 39-51 of the UN Charter. Collective Security is a conception which proposes that an attack, aggression or violent behaviour of a nation state against another nation state would be jointly resisted. The aggressor would be compelled to face the combined force of all other nations. Accordingly Arnold Wolfer declared that: “Collective Security rest ultimately on the deterrent force of the international collectivity” It is based on the premise that “an attack against one is an attack against all.”

Collective security may mean an arrangement by which all member states agree, as a collective, to reverse any threat posed by an outsider state against any of its member states. [Gebresilassie 2012] Nations agree not to attack each other and to defend each other against an armed attack if it does occur. “The presumption in collective security is that any member of the system might at any time behave in such an aberrant manner that corrective measures would be necessary” [Gordenker and Weiss]

The League of Nations was the direct forerunner of the United Nations and adopted the collective security initiative. The concept was adopted with the establishment of the League of Nations in 1919 at the end of World War I. By employing a system of collective security, the UN hopes to dissuade any member state from acting in a manner likely to threaten peace, thereby avoiding any conflict.

The current collective security system is spearheaded by the United Nations Security Council (UNSC). Nevertheless the concept of collective security is not in totality the initiative of the United Nations because it has long history of development with contributions from different individuals and groups. “The treaties of Westphalia signed in 1648 to end the wars among the European states, the League of Nations that was established following the end of the First World War (WWI), and the United Nations that was established following the end of the Second World War (WWII) were basically intended to stop the recurrence of wars that were evident prior to the signing of the treaties.” [Gebresilassie 2012]

You would also recall that it was the Treaty of Westphalia that proposed recognition of states with territorial integrity and bestowed on states the sacrosanct attribute of sovereignty. This was an effort to prevent or curtail the recurrence of wars. “In the 20th century, the treaties that were signed following the end of the two major world wars tried to come up with permanent organs that were mandated to safeguard peace and security. The principle upon which these organs were formed was that of collective security.”[ibid]

The contemporary guise of Collective Security stems from Woodrow Wilson – who sought to maintain international peace after World War I by making all states responsible for the security of each. There are however others scholars who contributed greatly to the realization of this concept. “Deserving of mention is the contribution made by Cardinal Richelieu, who was the chief advisor of the king and the prime minister of France during the reign of Louis XIII, which proposed a scheme for collective security in 1629 which was partially reflected in the peace treaty of Westphalia.”[ibid] Other scholars who enormously contributed to the

growth of Collective Security are William Penn – Towards the present and future peace in Europe (1693), Michael Joseph Savage, Martin Wight and Immanuel Kant.

The contributions of Immanuel Kant to the development of Collective Security doctrine are magnificent. In his famous book titled “Perpetual Peace: A Philosophical Sketch” Immanuel Kant in 1795 discussed the concept of a league of nations that would be a mechanism for the containment, moderation, intervention and termination of hostilities between or within states in the international system. His ideas advocated a peaceful international system that would “control conflict and promote peace between states”

Collective Security is clouded with some fundamental attributes or assumptions. These basic attributes has been clearly delineated by Organski (1960) who listed five basic assumptions underlying the theory of collective security. They are:

- In an armed conflict, member nation-states will be able to agree on which nation is the aggressor.
- All member nation-states are equally committed to contain and constrain the aggression, irrespective of its source or origin.
- All member nation-states have identical freedom of action and ability to join in proceedings against the aggressor.
- The cumulative power of the cooperating members of the alliance for collective security will be adequate and sufficient to overpower the might of the aggressor.
- In the light of the threat posed by the collective might of the nations of a collective security coalition, the aggressor nation will modify its policies, or if unwilling to do so, will be defeated.

Collective Security combines the strategy of diplomatic overtures with coercion for the maintenance of international peace and security hence in extreme cases Collective Security advocates the Use of Force or declaration of war – when all known diplomatic approaches are exhausted. This was the case when the United Nations used force on Korea – 1950 (Uniting for Peace Resolution), Congo – 1960 and Iraq – 1990 (The Gulf War).

The fundamental objective is to lay the foundation for the indivisibility of peace and to advocate its adherence to the governments and peoples of all nation states. Invariably, threats to international security are best countered when people come to the realization that they have to be there brother’s keeper and not just isolate themselves by presuming that the conflicts of a given state is her exclusive prerogative. It is an international translation of the slogan, ‘one for all and all for one’” [Morgenthau]. This is because the nomenclature of society is such that threat to peace anywhere can degenerate to turmoil everywhere as portrayed in the concept of the indivisibility of peace.

For this to be effective all nations are encouraged to reject isolationist tendencies or mentality of localizing wars. It should be remembered that it was for this reason that the Second World War broke out. The aggression of Italy on Ethiopia was as at then treated with levity as the commotion of Ethiopia. Consequently, other states were not concerned about intervening or raising objection. The events that hitherto unfolded shows that when a country commits

aggression unopposed or without deterrence, it gives that aggressive state impetus to commit more acts of aggression on other states.

The implication is that states should discard the ideas, conceptions and convictions that they conventionally hold about their safety in relation to external aggression by not despising the conflicts of other nations as being of no threat to their personal safety. Rather they should conscientiously dedicate themselves to the performance of activities which would balance the equilibrium of their national life. Although the acceptance of this kind of collaborative commitment is a radical departure and infringement to the total control of a state over activities without interference from other states as encapsulated in sovereignty; it is a better panacea for security threats.

A major advantage of maintaining this system is that it carries strong and weak states alike. Radical reforms and changes in the management of international security may not be as effective as the prevalent system. There is thus need to maintain the status co. "The extraordinary changes of the past several years in international politics suggest the possibility that the collective coercion to keep the peace foreseen in the United Nations Charter could at last become practical" [Weiss and Kessler]. This is also subscribed to by Jacobson (1984) who noted that "While military conflicts still abound, so does a much higher degree of centralized decision making and international cooperation than ever before."

The effectiveness of collective security is to a reasonable extent dependent on the principles of "genuine international security" which invariably means "international oneness". [Gebresilassie 2012] This principle prescribes that states should "make decisions on the basis of international good and sacrifice national interests so that the common good is realized. This structure of collective security will therefore require material and human resources so as to ensure its objective." [ibid]

Collective Security is a panacea for international security threats and carries strong and weak states alike. It also forestalls the vulnerabilities of Third World countries inherent in other alternatives in general and the clamour for pre-emptive defense in particular. This is because it calls for the centralization of perception and reason to act, so that each government could be placed under a general obligation to oppose disturbance.

## **THE CONCEPT OF COLLECTIVE DEFENSE**

Collective Defence is a conception whereby a coalition of nations under the auspices of an alliance organization (like NATO, WARSAW etc), agree to mutually defend or protect members of the coalition against outside attack by collectively declaring war on the aggressor. Collective Defense is a pact, generally consolidated with a treaty and an organization, among contributor states that show solidarity and support in defense of a member of the pact if it is attacked by non members of the pact or organization. The coalition of nations agrees to defend its own group against outside attacks.

What is typically the central objective of Collective Defense is as enshrined in Article 5 of NATO's Pact. It reads "The parties agree that an armed attack against one or more of them in

Europe and North America shall be considered an attack against them all.” It is more of defense for ourselves (security of the North Atlantic Area) against other people. It is more like an alliance defense of a given people against other people and so the enemy is already known or predetermined. There is an ‘us’ vs ‘them’ antagonism. According to Miller (199:304) “Some security organs are established to protect their member states from the attack of non-members; which are mostly understood as collective defense organs” (Miller, 1999:304).

Collective Defense is sometimes erroneously equated with Collective Security. Although both of them are similar in the sense that they are fundamentally established for the maintenance of peace and security of nation states they are not identical. The underlining differences between Collective Security and Collective Defense is that Collective Security is global in scope as is the case with the Collective Security doctrine of the United Nations Organisation. On the other hand Collective Defense takes the form of a regional alliance like the North Atlantic Treaty Organization (NATO). Collective Security is not like Collective Defense because it "avoids grouping powers into opposing camps, and refusing to draw dividing lines that would leave anyone out." [Bell 2006] Invariably Collective Security carries everybody along in a united purpose without major divisions or dissenting voices.

Evidently there is better understanding and unanimity of purpose with response to aggression in the Collective Defense Pact than the Collective Security arrangement. This is apparently because of the stringent prerequisites of collective security. Accordingly Morgenthau (1948) “states that three prerequisites must be met for collective security to successfully prevent war” These prerequisites according to him include:

- The ability to assemble military force in strength greatly in excess to that assembled by the aggressor(s) thereby deterring the aggressor(s) from attempting to change the world order defended by the collective security system.
- Those nations, whose combined strength would be used for deterrence as mentioned in the first prerequisite, should have identical beliefs about the security of the world order that the collective is defending.
- Nations must be willing to subordinate their conflicting interests to the common good defined in terms of the common defense of all member-states.

The herculean task of accomplishing these conditions make states depend more and more on Collective Defense arrangements like NATO at the expense of the holistic security arrangement of Collective Security. It is this obvious advantage of NATO (as a collective defense pact) that spurs it up to encroach into some of the responsibilities of the United Nations (a collective security arrangement). According to Rowberry (2012) “NATO has remained a defensive alliance, as was its original purpose when formed in 1949. However, since the mid-1990s, NATO has been characterized, in part, by its out-of-area operations in the former Yugoslavia, Afghanistan, and most recently Libya, thereby adopting an increasingly offensive role.” This was not the original design or arrangement of a collective defense arrangement.

The original vision and mission of the North Atlantic Treaty Organization was to provide protection of the North Atlantic Area in Europe and North America against threats from the



Union of Soviet Socialist Republic (USSR). The question now is why did NATO invade Libya under the guise of responsibility to protect which is the prerogative of the United Nations? Was this arrangement for Collective Defense (as enshrined in the NATO Pact) or for Collective Security (as embedded in the UN Charter).

### **OPERATION UNIFIED PROTECTOR NOT COLLECTIVE SECURITY**

Operation Unified Protector was a NATO operation on Libya that started on 23 March 2011 and led to the destruction of the regime of Muammar Gaddafi. It was the machinery for the implementation of United Nations Security Council Resolution 1973; which was passed on March 17, 2011. The resolution authorizes taking any measure by any state or any organization to meet the objectives of ensuring no fly zone and protection of civilians. NATO took advantage of this resolution to bombard Libya and execute other actions that were not in that resolution. "The civil war in Libya is a perfect case of a situation that does not involve stopping an actual or imminent threat to the nation.... In the end, the biggest casualty of this game of nations will be the legitimacy of the UN, its resolutions and mandates, and international rule of law." [Kucinich 2011]

Although the operation was approved by the United Nations Security Council there are contentions on whether or not it was a Collective Security operation. Apparently the well articulated, highly effective and generally accepted concept of the Collective Security was manipulated to achieve some ulterior goals in Libya. This is because the conflict in Libya was an internal fight between the government and armed opposition groups. It was more of an internal power tussle that was akin to civil disturbance which a sovereign state should control without undue external interference as was the case in Tunisia, Egypt, Yemen, Qatar and Syria.

The Collective Security paradigm is explicit on conditions that warrant the use of force. Self defense of an attack or imminent attack falls under this purview. In the case of Operation Unified Protector neither the US nor any of the NATO countries involved in the operation were attacked or under imminent attack thus making the operation deficient in basic international law tenets. "The United Nations Charter strictly limits Chapter VII military actions to threats to international peace and security, which Libya has never represented, but rules out interference in internal affairs of member states." [Tarpley 2011]

Peace Keeping or Enforcement operations of the United Nations are designed to be neutral and unbiased and should not take sides but protect collective interest. This was not the case with Operation Unified Protector. According to Friedman (2011) "If our goal is simply to minimize civilian suffering, it is not clear that we should take the rebel side, rather than hastening Qaddafi's victory.... Every sentient observer understands, however, that we are taking sides in this war, not simply enforcing peace." This view is supported by Kucinich (2011), who said that the "whole operation was terribly ill-considered from the beginning. While NATO supports the Benghazi-based opposition (situated in the oil-rich north-east), there is little evidence that the opposition has support of the majority of Libyans.

Evidently Collective Security does not entangle itself with local politics or regime change but international conflicts that affects two or more sovereign states. According to Kucinich

(2011) “NATO already is out of control, using a UN mandate allowing for protection of civilians as the flimsy pretext for an unauthorised mission of regime change through massive violence.” Kucinich goes further to state that in “a just world, the NATO commander would be held responsible for any violations of international law.” This is obviously because of the blatant display of partisanship. On a general note the application of collective security principles is undermined by “the increasing resort to unilateral action by powerful nations, the persistent problem of double standards pursued by international political and judicial organizations, and lack of a real sense of oneness of the international community” [Gebresilassie 2012]

A fundamental precept of Collective Security is unanimity of purpose and decision by the Security Council. This was apparently not the case in Operation Unified Protector because of major abstentions in the passage of United Nations Resolution 1973 which was eventually erroneously used to declare war on Libya. In the passage of the resolution, five countries namely Brazil, Russia, India, China and Germany abstained. These countries that opposed the Libyan war are major forces in the international system. Brazil, Russia, India and China constitute the acronym “BRIC’s” and they are universally recognized as the most important emerging great powers in contemporary international politics. Germany also opposed the war and it is a known fact that Germany is the richest and most populous country in Europe.

Evidently there is imbalance in collectivism with respect to the Collective Security initiative of Operation Unified Protector. Those opposed to Operation Enduring Freedom were much more than those in support thereby discrediting the exercise as Collective security. According to Lind (2011) those that “voted for the no-fly zone resolution have a combined population of a little more than 700 million people and a combined GDP, in terms of purchasing power parity, of roughly \$20 trillion. The Security Council countries that showed their disapproval of the Libyan war by abstaining from the vote have a combined population of about 3 billion people and a GDP of around \$21 trillion.” Invariably a greater proportion of the international community where opposed to the war.

This disproportion should take a wider rift if the signatories were aware of the ambiguities and hidden triggers enshrined in their endorsement of Resolution 1973 which generated Operation Unified Protector. They never thought it would be used to declare full blown war on Libya. This was the case with the Arab League and the African Union. “A week after calling on the UN to impose a no-fly zone on Libya, the Arab League reversed its position, once western bombs began to rain down on an Arab country. Explaining the reversal, AmrMussa, the secretary general of the Arab League, said: ‘What has happened in Libya differs from the goal of imposing a no-fly zone and what we want is the protection of civilians and not bombing other civilians.’”[Lind 2011]

The actions taken by NATO were also disputed by the African Union in which Libya is one of the active members. As reported by Gadugah (2011) “The African Union feels completely ignored by World bodies in the quest to restore peace in conflict ridden Libya, the AU commission chairman Jean Ping has said.” A combination of these factors brings to question the credibility of Operation Unified Protector as an authentic Collective Security initiative.

Nevertheless the “ideal way to deal with issues of peace and security is indeed to act as a collectivity. There is no better hope than to see states cooperating and working together to ease the common challenges to peace and security.” [Gebresilassie 2012] Collective Security and not Collective Defense should have decisively restored peace in Libya.

## CONCLUSION AND RECOMMENDATIONS

Collective Security is not the same as Collective Defense. In the case of Collective Security all the sovereign states in the international community as a collective, agree to oppose aggression against any sovereign state. The United Nations as was its predecessor the League of Nations is the epitome or quintessence of collective security because that was the main purpose for their establishment. On the other hand for Collective Defense a coalition of sovereign states agree to mutually defend or protect members of the coalition against outside attack as epitomized by NATO and defunct WARSAW.

It is very doubtful that a coalition of state under a collective defense pact can without bias accomplish assignments that should be under the purview of a Collective Security System. Operation Unified Protector on Libya is a practical case study. Fairness and equal treatment without bias is a known precept in Collective Security theory and practice. This was lacking in Operation Unified Protector because they gave all the support to Gaddafi regime opposition forces. As we speak Libya is still embroiled in conflict because the glaring partisanship in that operation.

A fundamental precept of Collective Security is unanimity of purpose and decision by the Security Council. Part of the impetus that is generating opposition is the deficiency of unanimity of purpose by the international community in Operation Unified Protector. They are apparently aware that it was a Collective Defense intervention under NATO and not the Collective Security arrangement of the United Nations. The opposition may be aware of the numerous dissenting voices against that level bombardment by NATO as portrayed by the Arab League, The African Union, Germany, Russia, Brazil, India and China.

Also Collective Security is designed not to entangle itself with local politics or regime change but international conflicts that affects two or more sovereign states. The crisis in Libya was an internal fight between the government and armed opposition groups. It was more of an internal power tussle that was akin to civil disturbance which a sovereign state should control without undue external interference as was the case in Tunisia, Egypt, Yemen, Qatar and Syria.

The study **recommends** that individual member countries or coalition of countries should refrain from taking any unilateral action without the authorization of other members unless the action relates to the basic right of self defense. Stringent universally acceptable criteria should be put in place for intervention in the internal crisis or turmoil of sovereign states. These criteria should have equal applicability for all state irrespective of size, resources, location or colour. There is frequent manipulation in the passage of United Nations Resolutions by the major powers in a bid to defend and enhance their interests. Major power



are apparently obsessed with their ulterior imperial gains at the expense of genuine peace in the international system – this should be curtailed for the good of the collectivity.

## REFERENCES

- Claude Inis L. (2006). *Collective Security as an Approach to Peace in: Classic Readings and Contemporary Debates in International Relations* ed. Donald M. Goldstein, Phil Williams, & Jay M. Shafritz. Belmont CA: Thomson Wadsworth. pp. 289–302.
- Friedman Benjamin H. (2011) *Foreign Policy and National Security, Libya: War Without Policy*, Cato And Liberty Journal @[http://www. cato-at-liberty. org/libya- war- without- policy/](http://www.cato-at-liberty.org/libya-war-without-policy/)
- Gadugah Nathan (2011, Mar), *AU Totally Ignored by UN on Libya, The Ticklish*, Retrieved from <http://theticklish.blogspot.com/2011/03/au-totally-ignored-by-un-on-libya.html> [date accessed Jan 24, 2013]
- Gebresilassie F. H. (2012) “Collective security at Stake? Challenges of the current collective security system”
- Gordenker Leon and Weiss Thomas G. (1990) *The Collective Security Idea and Changing World Politics* in Weiss Thomas G. ed. *Collective Security in a Changing World*, Lynne Rienner Publishers, London
- Kant, Immanuel. "Perpetual Peace: A Philosophical Sketch". Mount Holyoke College.
- Kucinich Dennis (6 Jul 2011) *The US must end its illegal war in Libya now*, Guardian UK @ [http://www. guardian.co.uk/ commentisfree/ cifamerica/ 2011/jul/ 06/libya-nato1](http://www.guardian.co.uk/commentisfree/cifamerica/2011/jul/06/libya-nato1)
- Lind Michael (2011) *The Libyan war: Unconstitutional and illegitimate* @ [http://www. salon.com /news/politics/ war\\_room/ 2011/03/ 21/lind\\_ libya\\_war](http://www.salon.com/news/politics/war_room/2011/03/21/lind_libya_war)
- Loewenstein Karl (1954) *Sovereignty and International Co-operation*, American Journal of Internal Law, in Phil Williams et al (1994), *Classic Readings of International Relations* (1994) Harcourt Brace College Publishers, New York
- Miller, H. (1999) *The Idea and the reality of collective security*. *Global Governance*, 5(3), pp. 303-332
- Morgenthau Hans J. (1973), *Politics Among Nations: The Struggle for Power and Peace*, 5<sup>th</sup> ed. New York: Knopf
- Organski, A.F.K. (1958). *World Politics*. Borzoi books on International Politics New York
- Rowberry, Ariana N. (2012) *The Evolution of NATO: A Collective Defense or Collective Security Organization?* PONI Conference, Los Alamos, New Mexico, United States
- Tarpley Webster (2011) *Obama’s Bay of Pigs in Libya: Imperialist Aggression Shreds UN Charter* in William Bowles (23 March 2011) *Libya’s Operation Odyssey Dawn: Kosovo Revisited*, Global Research
- Toynbee Arnold J. in Wern Levi (1990), *Fundamentals of World Organization*, Mineapolis: University of Minnosota Press
- Weiss Thomas G and Kessler Meryl A. (1991) *Third World Security in the Post-Cold War Era*, Boulder: Lynne Rienner
- Wolfer Arnold (1979) *Alliance Policy in the Cold War*, Baltimore: Johns Hopkins University Press