Africa's Quest for Reform of the United Nations Security Council: A Just Cause Curbed by Unrealistic Proposals

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Abstract

The debate around viable global governance has become increasingly topical, particularly from the perspective of countries in the Global South. Concerning Africa, despite the continent's quest to reform the United Nations Security Council (UNSC), existing research has failed to comprehensively address the topic. Consequently, this article explores the arguments and challenges surrounding Africa's drive to secure a permanent voice in the UNSC. It argues that despite the enduring legacies of colonialism, neocolonial interventions, and being the primary concern of the UNSC agenda, Africa's claim for fair representation in the Council remains. The article attempts to address the research gap and contribute to the existing debate by examining why Africa has failed to be represented in the UNSC. Africa's collective initiative towards reforming the UN system is instrumental in ensuring inclusive and

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sustainable global governance. Nonetheless, Africa's insistence on immediate and full veto power for new entrants and its demand for representation merely through numbers inside the UN are unfeasible.

Keywords: Decolonisation, Security Council, African Union, Ezulwini Consensus, Veto, Representation

1. Introduction

The United Nations Security Council (UNSC) is the most potent body in charge of ensuring global peace and security. It is endowed with the power to pass binding resolutions on member states. In spite of this, its credibility has been steadily eroding. This is due to its composition being perceived as unrepresentative, as it is a constellation of the victors of World War II and lacks being an inclusive and participatory model. Also, it has an increasing ineffectiveness in achieving its institutional objectives (Kugel, 2009:2 and Thakur, 2006:302-03).

Another area of contention is related to the veto power. This has been criticised since the beginning by United Nations (UN) members other than the Permanent Five (P5), namely China, France, Russia, the United Kingdom (UK), and the United States (US). The opposition against veto power has arisen due to its contradiction of the sovereign equality of states. The latter is one of the guiding principles of the UN as stated under Article 2 (1) of the UN Charter. Moreover, in practice, there has been growing discontent that the P5 are using veto power for promoting self-interest. This is the case both with regard to: (1) the actual vetoing of a resolution and; (2) as a threat of the use of the veto, thereby dissuading supporters of a resolution from bringing it to a vote (Gasimova, 2012:276).

The call for reform is driven by certain issues. These include institutional constraints and flaws in the Security Council's (SC's) working methods as a result of UN members' exclusion in its decisions and a lack of transparency in Council meetings (Fitzgerald, 2000). This signifies that the call for reforming the SC is justified by the need for greater legitimacy, representation, effectiveness, and enhanced capacity and willingness to act in defence of common peace (Thakur, 2017:340).

Africa has been a proponent of SC reform for a long time. African leaders have emphasised this in numerous forums, most notably at a series of annual summits of the UN General Assembly. This was demonstrated at the 77th session of the General Assembly in 2022. President Macky Sall of the Republic of Senegal, who was also chairman of the African Union (AU), led the charge for the SC's reform (African Union, 20 December 2022).

This article examines the major premises for Africa's quest to reform the SC, as well as the viability of the demands based on the Ezulwini Consensus. The latter is presented as the common African position. The article argues that that the continent's quest is legitimate though bridled by impractical demands. The issue of Africa's quest is not addressed as a standalone matter. It is therefore significantly overlooked and usually relegated to a discussion which include other SC reform proposals. There are a handful of publications about African states' (Nigeria, South Africa and Egypt) positions on the SC reform. They are written from the perspective of defending the bidding nation and berating potential contenders[1] or providing a commentary[2]. With its comprehensive analysis and strong theoretical perspectives, this manuscript fills a void in this regard. The article begins by laying the theoretical groundwork for the major debates with regard to the research problem, which is then integrated into the context of the ongoing SC reform debates. The next section contains the analysis and findings, which are followed by the conclusion. This article is based on AU declarations, statements by leaders, UN resolutions, topical scholarly articles, and books.

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1   See S. Akpotor and P. E. Agbebaku, 'The United Nations Reforms and Nigeria's Quest for a Permanent Seat', J Soc Sci, 24(1) (2010): 51–55, Abolade Adeniji, 'Power and Representation at the United Nations: A Critique of Nigeria's Bid for Permanent Seat in the Security Council', *India Quarterly Journal*, 61(2) (2005): 1–12, and Peter Kagwanja, 'Cry Sovereignty: South Africa in the UN Security Council, 2007–2008', in, *State of the Nation: South Africa 2008 eds*. Peter Kagwanja and Kwandiwe Kondolo, (Cape Town: Human Sciences Research Council, 2009), 275–302.

2   See Albert Venter, 'Reform of the United Nations Security Council: A Comment on the South African Position', *International Journal on World Peace*, 20 (4) (2003), 29–47.

2. Debates and Historical Context

Because the article intends to investigate Africa's quest for UNSC reform and the feasibility of its demands, various theories are employed. The decolonisation argument is the most compelling explanation for Africa's claim to fair representation in the SC. At the same time, the rationalistic approach of liberal institutionalism and realism are appropriated to analyse the major barriers to Africa's ongoing claim in the Council.

The conflict over the UN began even before it was established. The great powers' interests dominated UN planning. As a result, the UN Charter strongly reflected those interests, most notably in the structure of the UNSC and the P5 veto (Sinclair, 2019:257). The SC origins are deeply colonial; in 1945 and subsequent years, the P5 were either colonial states or used colonial issues as a bargaining chip (Ryder et al., 2020 and Falcon, 2016:32). As a result, the decolonisation perspective is used to explain Africa's just causes for seeking representation in the SC. The decolonisation perspective is based on the fact that most international organisations have their origins in colonial ideas, categories and practices. Also, they continued as facilitators of a neocolonial project (Chimni, 2016:123–124). By the time the UN was established, almost all African[3] countries were under colonial rule; only four African states[4] attended the founding conference. In the UN, African countries were confronted with the fact that the UN Charter had established institutional hierarchies that favoured the great powers through their status in the SC (Bernstorff and Dann, 2019:29). During the Cold War, the decolonisation of African countries, and its subsequent admission to the UN led to a major rise in UN membership. There were also major power shifts as Britain and France, for example, lost relative power while others gained it, most notably Germany (particularly after unification) and Japan. The end of the Cold War prompted significant international developments, most notably the breakup of the Union of Soviet Socialist

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3   During the discussions about the trusteeship system, colonialism in Africa was entirely neglected. The focus was on the islands in the Pacific (Falcon, 2016:43).

4   See <https://www.un.org/africarenewal/magazine/october-2020/africa-countries-founding-un-san-francisco-1945>, accessed on December 27, 2022.

Republic (USSR). This severely weakened its capacities, particularly its economic and political capacities, casting doubt on its international influence. Furthermore, the disintegration of the USSR and Yugoslavia resulted in the formation of new states, expanding UN membership even further (Bourantonis, 2005 and Morris, 2000:266).

The African group now has 54 members but no seat on the SC permanent membership. As a result, Africa's exclusion from the SC has become a notable anomaly (Zifcak, 2009:20). Reforming the Council in accordance with the maxim of fair and permanent representation for Africans has become increasingly important in the decolonisation debate.

In a similar vein, while the UN played a role in the decolonisation process, the responses of the Big Powers in the SC have not always been supportive. Most African states gained independence during the Cold War. However, the account of SC politics on decolonisation makes it abundantly clear that the Big Powers only supported the concept when it served their own interests. On the one hand, the US position on decolonization has been contradictory. This is because it appears to have created a psychological conflict between its loyalty to NATO allies and its ostensible commitment to freedom and self-determination. Also, the former USSR has not been much help. It has been more interested in using decolonisation as a tool for propagandistic vituperation against the West, than using it for the rapid liberation of African peoples (Ojo, 1981:88, O'Sullivan, 2005 and Welz, 2021). The decolonisation argument emphasises Africa's claim for a permanent seat on the SC as a form of restorative justice. This is a response to the above Big Powers' tacit approval of the resumption of colonial rule in Africa. However, there are practical implications of expanding the continent's sphere of influence with regard to international peace and security. It must be noted that the decolonisation initiative is an imperative to heal Africans from the enduring psychological and diplomatic harms they have been through during the colonial era.

Furthermore, colonialism had profound political consequences and African states faced significant challenges after independence. One of the long-lasting repercussions is the colonial redistribution of Africa by drawing borders in accordance with the mandate of partitioning the

continent according to colonial powers' interests. Because the boundaries were established without the participation of the African people, tensions frequently arose within or between African states. It leads to irredentism, as seen in the Greater Somalia vision, and efforts to achieve autonomy, or even secession, as seen in Nigeria (Welz, 2021:56). Violent interstate conflicts between or among many African states continue to pose serious challenges to international peace and security as a result of erroneous colonial boundaries. Such African issues remain on the UNSC's agenda. As a result of their vested interests in such continental issues, African countries deserve to be permanently represented in the UNSC to ensure international peace and security.

The UNSC failed Africa as epitomised by the run up to the Rwandan Genocide. Although the US and France were aware of the potential for genocide, they made no attempt to convene a meeting of the UNSC to investigate the warnings (Wheeler, 2000:216 and Scheffer, 2004). Major-General Roméo Dallaire of Canada, force commander of the UN Assistance Mission in Rwanda (UNAMIR), made a famous statement in this regard. He alleged that he could have prevented the slaughter of hundreds of thousands of Rwandans with 5 000 properly equipped and duly authorised troops. Ten years[5] later, the Major-General still held this opinion. Instead, the Council enacted Resolution 912, which decreased UNAMIR's strength from 2 558 to 270, in a move that will live in eternal and surreal infamy. The first troops landed in Rwanda three months after Resolution 918 on May 17, 1994 authorised a force size of 5 500 for UNAMIR-II. The New Zealand ambassador and Council president at the time, Colin Keating, has written about his futile attempts to have the UNSC declare what was taking place to be "genocide". The US would have none of it. They feared that the word would increase domestic and international political-legal pressure to intervene in order to end the carnage in accordance with the Genocide Convention. China also vehemently opposed any mention of human rights violations in the SC in private and construed the Genocide Convention accordingly. Nigeria made every effort, but the non-aligned caucus also failed to produce

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5   This statement refers to 2004 when Thakur, the reference cited in the paragraph, had a conversation with the Major-General.

results (Thakur, 2017:332). If Africa had been a permanent member, this tragedy could have been avoided.

The issues of mandate, time, and being case-tailored tarnished many UN peacekeeping missions in Africa. Examples are the UN's hesitant responses to the carnage in the DRC, its inability to successfully end the conflict in Sierra Leone, and its belated response to the conflict in Liberia. These all point to a lingering UNSC resistance against a more assertive UN involvement in peace missions in Africa (Bariagaber, 2006:13).

Despite being the Council's primary concern, Africa is largely excluded from its deliberations (Zifcak, 2009:21 and Adebajo, 2006:25). The UNSC has spent the last several decades focusing on Africa. Interactions between Africa and the UN's main decision-making body are crucial for addressing and resolving conflicts on the continent (Silva, 2015). Nonetheless, the Council's dominance by Western countries and its lack of permanent African members give it dwindling authority to issue binding international decisions. This is particularly the case in Africa, where most UN peacekeeping operations take place[6]. The absence of Global South perspectives reinforces perceptions of the Council as a neocolonial club deciding on war and peace issues for the poor without their input (McDonald and Patrick, 2010:7). Similarly, the majority of UNSC resolutions deal with African issues[7]. "It [is] unfair that the continent is not sitting at the top table, especially when so many decisions have a direct impact on the peoples of Africa", Adekeye Adebajo pronounces (Nordic Africa Institute, 2022). This is an unusual situation that necessitates correction, thereby justifying Africa's call for reform.

The SC is becoming a case of historic injustice for Africa in two ways. First, the Council was founded without the participation of African states, as the majority of them were under direct colonial administration. Second, following the end of direct colonial rule, former colonial

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6   Six of the twelve current peacekeeping operations led by the Department of Peace Operations are in Africa. See <https://peacekeeping.un.org/en/where-we-operate>, accessed on December 23, 2022.

7   See <https://www.un.org/securitycouncil/content/resolutions>, accessed on December 23, 2022.

powers have made decisions on behalf of Africans. According to these explanations, the Council played a role in maintaining Western colonial and neocolonial dominance. To address this, Africa's call for reform of the Council has grown into a compelling imperative for decolonising or deconstructing the Council's existing unilateralism in its decision-making scheme.

With a reformed Council, Africa would have an enhanced presence at the top table of global diplomacy. This will in turn ensure viable representation for the continent in the global governance architecture. As a result, the continent's key international security concerns will be addressed in a deliberative, fair and democratic decision-making process. Furthermore, this mitigates the frustrations of getting the assistance of the SC in the many conflicts of Africa and it will ultimately contribute to the sustainable peace and security on the continent (Adebajo, 2006).

Regardless of the preceding explanations, which justify Africa's permanent representation in the UNSC, the pressing question is how to materialise this legitimate demand in light of the challenges. The article analyses the feasibility of African demands in the Council, using the rationalistic approach of international institutions. The rationalistic approach's underlying claim is based on the premise that institutions do emerge and survive because they perform important functions for members, thereby necessitating sacrifices. According to this viewpoint, international institutions should surface whenever the costs of communication, monitoring, and enforcement are low in comparison to the benefits of political exchange (Keohane, 1988:387 and 1984).

Similarly, the rationalistic approach holds that institutions should exist only as long as their members have incentives to maintain them. However, these institutions' effects will not be politically neutral. As a result, institutions can be expected to benefit those to whom their rules grant access and a share of political power. Furthermore, because the transaction costs of reaching agreements outside of an established institution are high, governments that are disadvantaged within an institution will be disadvantaged overall. More broadly, any institution's rules will reflect the relative power positions of its actual and potential

members, which will constrain the feasible bargaining space and affect transaction costs (Keohane, 1988:387).

Based on the preceding assumptions, it is reasonable to argue that international institutions are primarily self-interested arrangements. They are components of systems in which sovereignty remains a constitutive principle. Also, the institutions will be largely shaped by their most powerful members, while these members pursue their own interests. This assumption of the rationalistic theory clarifies the drawbacks of certain calls to reform the Council. What incentives, if any, would exist for the P5 to agree to give up/limit their veto power, their obvious trump card, or to allow other aspirants to be granted veto? This is the central question that this study looks into.

In the process of reforming the Council, a trade-off must be made between having a motion that has the support of the P5 and having a two-third majority in the General Assembly. So far this has not been considered by aspirants. There is a fundamental need for balance between the interests of the P5 and aspirants. This claim is also supported by the rationalistic assumption that,

> Once the structure of the game is specified, that is, identifying the set of players, the likelihoods of each player's pattern of preferences[8], each player's information at every choice point, and how they see their moves as related to the possible outcomes, an equilibrium is required. An equilibrium is a strategy assignment to the players in such a way that each player's strategy maximizes his or her expected utility, assuming the others use their assigned strategies. As a result, an equilibrium is a strategy from which a rational actor has no incentive to deviate unilaterally" (Walt 1999:10–11).

The article also employs realism to explain the squabble within the African group, as states present their case based on their own self-interest. This is consistent with the assumption of realism that when

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8   This is also best explained Riker (1990:173–174) as substantive rationality or posited preference (in which particular goals are stipulated in advance).

states operate through institutions, rules reflect state calculations of self-interest based primarily on the international distribution of power. The system's most powerful states create and shape institutions in order to maintain or even increase their share of global power (Mearsheimer 1994-1995:13). As a result, states' self-interest, which is a central tenet of realism and rational choice theories, played a role in derailing UNSC reform efforts.

The quest to reform the UNSC structure and mode of operation has become a perennial source of debate in academic and policy circles (McDonald and Patrick, 2010:11). For nearly three decades, what has been proposed and debated has not been a call for a revolutionary arrangement of the UN, but rather a call for improved legitimacy and effectiveness. Despite this, the process has been hampered by competing national (and, to a lesser extent, regional) self-interest and egotism (Fassbender, 2020:15–16).

The 1990s' Open-ended Working Group was rendered ineffective, and the much-anticipated 2005 World Summit ended with no agreement on reforming the Council. Three major negotiating blocs emerged in response to the 2005 Reform Proposal contained in *In Larger Freedom: Towards Development, Security, and Human Rights for All* (United Nations, 2005a). These are the Group of Four (or G4; composed of Brazil, Germany, India, and Japan), the Uniting for Consensus (UfC) coalition, and the AU. The impasse in the General Assembly plenary's intergovernmental negotiations persists with the major camps, where the African Group is one of them, repeating their positions on well-known issues. This has resulted in contentious, repetitive, and slow deliberations (Security Council Report, 2022; Swart, 2013; McDonald and Patrick, 2010). There has been no breakthrough, and the Council's reform issue remains unresolved. "The current situation is analogous to a group of doctors who all agree on the patient's illness but cannot agree on the remedy; and then for those who agree, the prescription is not available" (Weiss et al., 2017:141).

3. The Ezulwini Consensus: Genesis, Vitalities and Pitfalls

Despite the fact that a 1963 amendment[9] to the UN Charter granted Africa three non-permanent seats on the Council, Africa was denied permanent membership. The African group, which has 54 members in the General Assembly, is a significant voting bloc. Therefore, Africa's exclusion from the Council is a glaring anomaly that justifies the African group's desire for the Council to be reformed (Zifcak, 2009:20).

The Organization of African Unity (OAU)[10] issued the Harare Declaration on 2–4 June 1997, during its 33rd Ordinary Session in Harare, Zimbabwe. It asked for two permanent seats in an expanded 26-member Council, each with the same rights and authority as the P5, as well as five non-permanent seats. Although it had no effect, the declaration was based on the SC's equitable geographical representation.

The AU decided in January 2005 to consider the recommendations contained in the High-Level Panel Report[11]. A committee of 15 foreign ministers was tasked with developing the African common position, and they presented their joint proposal, known as the Ezulwini Consensus, a month later (Spies, 2008: 104). At its 7th extraordinary session on 7–8 March 2005, the AU Executive Council endorsed the Ezulwini Consensus (African Union, 2005a). The Ezulwini Consensus was formally endorsed by the AU summit in July 2005 as the Sirte Declaration on UN Reform (African Union, 2005b). It was presented to the General Assembly that same month as the official African position (United Nations, 2005c).

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9   It was approved by an overwhelming majority on 17 December 1963 as Resolution 1991 A (XVIII) with France and the former Soviet Union voting against it, the UK and the US abstaining, and China (Taiwan) voting in favour. The amendment became effective in 1965 after being ratified by two-thirds of UN members and all permanent members of the Council, as required by Article 108 of the UN Charter (Bourantonis 2005:22).

10 It seems to be a follow-up of the establishment of the Open-ended Working Group to discuss the "Question of equitable representation on and increase in the membership of the Security Council and related matters" in 1993.

11 Three of the sixteen members of the group were from African countries: Mary Chinery-Hesse from Ghana, Amre Moussa from Egypt, as well as Salim Ahmed Salim from Tanzania.

The Ezulwini Consensus remains the AU's official document nearly two decades after its publication. In his speech on behalf of the AU, President Macky Sall of the Republic of Senegal and then chairman of the AU, stated that "it is time to do justice to Africa's just and legitimate demand for Security Council reform, as reflected in the Ezulwini Consensus" at the 77th GA annual summit in 2022 (African Union, 2022).

The primary tenet of the African common position is that the majority of Africa was not represented when the UN was founded. Also, Africa did not have strong representation in 1963. As a result, the Ezulwini Consensus demands that Africa be given two permanent seats with all the rights and privileges of permanent membership, including the veto, as well as five non-permanent seats (African Union, 2005b). The Ezulwini Consensus also correlates the veto with justice, stating that "…even though Africa is opposed in principle to the veto, it is of the view that so long as it exists, and as a matter of common justice, it should be made available to all permanent members of the SC" (African Union, 2005b).

Africa's call to reform the SC is highlighted in the Secretary-General's 10 September 2021 report titled, *Our Common Agenda.* The report, on Article 127, takes note of the calls for reform of the Council stating that, "the majority of Member States now acknowledge that the Security Council could be made more representative of the twenty-first century, such as through enlargement, including better representation for Africa, as well as more systematic arrangements for more voices at the table" (United Nations, 2021). This was also echoed by the P5[12] at the 77th summit in 2022 in that the Russian Foreign Minister, Sergey Lavrov, called for representation which included Africa (Security Council Report, 13 December 2022). Likewise, US President Joe Biden confirmed the support of the US for increasing the number of both permanent and non-permanent representatives of the Council including permanent seats for countries in Africa (White House, 21 September 2022). At the

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12 The problem is such general statements by the P5 are part of the pattern of promise for enticing African leaders with regard to their strategic interests. It is not genuine in that the statements are not accompanied by practical details. They have many strings attached. It has been part of too much talk but too little action in the saga of reforming the SC during the last three decades. However, the statements themselves can be a sign of optimism.

17 November General Assembly plenary session, the ambassador of China, Zhang Jun, underscored the need to redress the overrepresentation of developed countries. The solution would be to have small and medium-sized countries from underrepresented regions such as Africa serve on the Council (Security Council Report, 13 December 2022).

Nonetheless, Africa's case for increased representation in both permanent and non-permanent categories faced significant political challenges. The African common position contains elements that cannot be implemented in practice (Zifcak, 2009:21). The AU position is impractical in two ways: the veto requirement and the admission criterion.

4. The insistence on veto power

The veto power is one of the most difficult obstacles to overcome in reforming the SC. There was no other major proposal as radical as the AU's on veto at a time when the Council was under pressure to reform, namely in the run-up to the 2005 World Summit.

The High-Level Panel's report states that there should be no veto expansion. Rather, it requests that the P5 pledge not to use the veto in their individual capacities in cases of genocide and widespread human rights violations. Keeping the anachronistic nature of veto in mind, the panel urges that its use be limited to matters involving truly vital interests, and it proposes indicative voting to reduce veto use (United Nations, 2004). New permanent members should have the same responsibilities and obligations as existing permanent members, according to paragraph 5 of the G4 proposal. However, the right to veto is postponed for at least fifteen years after their admission to the Council (United Nations, 2005b). According to the AU's proposal, the new permanent members will have the same rights and privileges as the current permanent members, including veto power, so long as it exists (United Nations, 2005c).

The AU's call for immediate veto acquisition sparked international opposition. This was because expecting the P5 to agree on providing veto rights to the new permanent members or accepting any limitations on the veto was unrealistic (Welz, 2013:428 and Wouters and Ruys, 2005:22).

Article 108 states that the amendment of the UN Charter requires the support of all P5 members. The African perspective is impractical in this regard. This is because it does not consider the strict requirements with regard to the modification of the UN Charter in order to achieve any change in the Council's membership and veto. Any of the P5 would be able to veto any attempt to limit or constrain their veto power (Luck, 2006:15). As a result, most current proposals appear to be doomed to failure from the start, as it appears clear that the permanent members are unlikely to dilute their own veto power (Trahan, 2020: 48).

Furthermore, it causes schisms among UN member states, making a two-thirds majority of UN members required to amend the UN Charter, as stated in the aforementioned article, unlikely. Charges of impracticality and inflexibility came from the G4, where Germany and Japan are frequently among the four largest donors to the UN budget (Zifcak, 2009; United Nations, 2019).

Some African countries were calling for a compromise. For example, President Olusegun Obasanjo, who was Nigeria's president at the time, argued during an extraordinary session of the AU Assembly in early August 2005 that "it is obvious that Africa with its [54] members in the UN is a sizeable group, but so is Asia-[Pacific] with its 54 members. We Africans cannot impose our wishes on the [193] members of the [UN General Assembly] in isolation; we must negotiate with other groups unless our goal is to prevent any decision from being made. If that happens, let us be under no illusion Africa stands to lose more than any other region" (Welz 2013: 429).

Some African states, most notably Nigeria and South Africa (major contenders to represent Africa), recognised that SC reform would require new permanent members not to have veto rights; that is, if the AU agreed to the G4 and UN's Model A, even though they eventually accepted the common African position (Welz, 2013:429 and Adebajo, 2006:26). Though Nigeria and South Africa had disagreements, they resolved them in May 2005. They attempted to persuade the AU to consider flexibility in its approach to the issue of the right to veto. However, they failed. The conviction informed the position that accepting the G4 proposal was the

most realistic way for Africa to secure permanent seats (without veto) on the Council (Maseng and Lekaba, 2014:397 and Adebajo, 2006:26).

Furthermore, the African position is unrealistic because the trade-offs provide no incentive for the P5 to accept the proposal to grant the veto to new entrants. Membership in international organisations necessitates a variety of sacrifices. The sacrifice of the SC involves raw coercive power. The Council has become the global focal point for legitimising forceful foreign policies, either symbolically or by conveying credible information (Vreeland and Dreher, 2014). The Council is influential enough to sway P5 domestic public opinion. The SC resolutions have aided US presidents in gaining public support for tough foreign policies. As a result, the US, the largest donor to the UN budget, is unlikely to provide support to new entrants or relinquish its power through the mere claim of representation, as discussed further below (Chapman, 2011). The same is true for the other permanent members. After all, organisations should not be judged by utopian standards, but rather by other realistic equilibria, such as the option of having no international organisations at all (Vreeland and Dreher, 2014:221).

5. The criterion of representation for new admissions

Non-permanent members of the SC have been appointed in accordance with UN Charter Article 23, which states:

> … the General Assembly shall elect ten members of the UN to be non-permanent members of the Security Council, due regard being paid, in the first instance to the contribution of the maintenance of international peace and security and to the other purposes of the organization, and also to equitable geographical distribution.

Despite the fact that there is a significant difference between the two, equitable distribution and equitable representation are frequently confused. To different people, the evaluative phrase 'equitable' means different things. It could be argued that the UN's founders did not envision equal opportunity for all states. They rather envisioned a fair or reasonable opportunity for UN member states to participate in the

management of UN institutions. For the vast majority of members, the term 'equitable' simply refers to the right and opportunity to directly participate in the UN's decision-making process through elections. Except for the African Group, which uses a fair and equitable rotational approach, no other regional groups provide their members with a fair and equitable opportunity to participate in UN decision-making. For example, the genuine aspirations of the Asian Group's smaller members have not been adequately realised (Agam, 1999:41; Daws, 1999). Equitable representation is inextricably linked to the important principle of sovereign equality of states, which is enshrined in Article 2 of the UN Charter. It serves as the foundation for state membership in the organisation. The concept of equitable representation has more to do with member nations' rights and benefits than with their ability to contribute. It is a major motivator in the race for positions in the UN system (Agam, 1999:41).

Article 23 of the UN Charter prioritises member states' potential contributions to the UN, so it is a matter of geographical distribution rather than representation. As a result, regional powers such as Japan[13] and Brazil[14] serve more frequently than less powerful states such as Laos[15] or Paraguay[16]. It can be argued that by broadening equity in the UN context, more attention will be paid to member states' rights, benefits, responsibilities and commitments. Indeed, most member states

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13 Japan served as non-permanent member of the SC twelve times including during the term which terminates in 2024, available at <https://www.un.org/securitycouncil/content/countries-elected-members>, accessed on February 20, 2023.

14 Brazil served in the SC eleven times including its present seat till the end of 2023, available at <https://www.un.org/securitycouncil/content/countries-elected-members>, accessed on February 20, 2023.

15 Laos, being in the same regional group (Asia) with Japan, was never to become non-permanent member of the Council.

16 Paraguay is in the regional group of the Latin America and the Caribbean states to which Brazil also belongs. However, it was non-permanent member of the Council only once, from 1968-1969, available at <https://www.un.org/securitycouncil/content/countries-elected-members>, accessed on February 20, 2023.

are unlikely to be persuaded of the importance of fair and equitable representation in the UN system (Lia and Lefler, 2009).

In contrast to the 2005 reform proposal, the G4, and the UfC coalition, the AU proposal prioritises representation over distribution. However, a claim for a permanent SC seat based on the representation criterion is unlikely to succeed. Permanent members of the Council were never chosen on the basis of representation or parity. Also, non-permanent members are only elected on the basis of 'equitable geographic distribution' as a secondary consideration.

Permanent membership of the SC has both rights and obligations attached to it. However, certain privileges garner the majority of attention. These include privileges such as: (1) the right to veto and; (2) 'unwritten' privileges, commonly referred to as the 'cascade effect of permanent membership,'[17] to win seats on other principal organs and specialised agencies of the UN. As a result, less emphasis is placed on the commitment that comes with permanent membership (Lee, 2011:415).

Although not often publicly expressed, there were reservations in some quarters about the entire concept of African permanent membership. This was based on the argument advanced most forcefully in the Western European and Other States Group, but the sentiment was also shared elsewhere. With the possible exception of South Africa, the claim was simply that no African state was yet sufficiently stable. Nor did they have sufficient political and military influence and capacity to be considered for a permanent position (Zifcak, 2009:21). This demonstrates that the claim of permanent membership based on representation is precarious.

Other than asserting representation, the African group is unable to determine the precise criteria for selecting the two candidates. No agreement on which of its 54 members is qualified for permanent seats has been reached, demonstrating the group's lack of cohesion (Lättilä and Ylönen 2019:170; Welz 2021:270; Adebajo 2006:26). The Ezulwini

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17 See the *'Cascade Effect' of Permanent Membership* A/AC.247/5 (a) available at <https://archive.globalpolicy.org/security-council/security-council-reform/regional-representation/49942-the-qcascade-effectq-of-permanent-membership.html>, accessed on 14 April, 2023.

Consensus (Ext/EX.CL/2 (VII):10) simply states that the right to choose its representatives, as well as the criteria for selecting African members of the SC, should be determined by the AU. This statement is impeding Africa's efforts to reform the UNSC. The inability to name candidates creates a void for the P5, which prefers to assess aspirant countries individually. The US is an example. It has stated that it will only accept new permanent SC members after considering their ability and willingness to contribute to the maintenance of international peace and security. New permanent SC members will also have to demonstrate their commitment to other UN goals (Lättilä and Ylönen, 2019:171; McDonald and Patrick, 2010). Furthermore, Nigeria's accusation of South Africa as "not really [being] a black country, that South Africa isn't black enough" (Welz 2013: 429–30) reflects the fuzziness of representation[18] and rivalry among leading contenders. Beyond this disagreement among the potential candidates, there is scepticism about them. There is a criticism that Nigeria is too 'anarchic', Egypt is too 'Arab' and South Africa is too 'albinocratic'. This indicates the fracture within the African group as to which country should represent the continent (Adebajo, 2006:26).

In summary, the unrealistic nature of the AU's position is succinctly put by *Business Monitor International* (October 2005:4) as "morally defensible […] but politically futile" (cited in Welz 2013:431).

6. Conclusion

The UNSC, which is at the heart of the global collective security system, is becoming increasingly anachronistic, reflecting 1945 world realities. Its membership fails to reflect current realities, casting serious doubt on its representativeness. The P5 are using the veto power to advance their own interests or protect their allies, limiting the Council's effectiveness. As a result, there are persistent calls for reforming the Council, despite the fact that reforming the Council has proven to be impossible since the last restructuring in the mid-1960s. The numerous attempts to do so recall Sisyphus' fate, who was condemned to watch his boulder roll down every time he pushed it to the top of the hill (Thakur, 2017: 339).

18　For more on the nebulous nature representation see Thakur, 2017: 342–343.

There was hardly a sovereign African nation at the San Francisco UN founding conference; only four countries participated. By contrast, the African group is currently a major voting bloc at the UN, consisting of 54 members. Besides, the majority of UN resolutions are on African issues, and the majority of UN peacekeeping is in Africa. Despite this, Africa does not have a permanent member on the SC. Furthermore, the SC is remembered for its inaction in preventing the Rwandan genocide. From two perspectives, these confirm that the Council is the epitome of historical injustice with regard to Africa. First, it has a colonial legacy, as it was founded without the participation of African states, the majority of which were directly colonised. Second, following the end of direct colonial rule, former colonial powers have made decisions on behalf of Africans, a practice known as neocolonialism.

As a result, Africans have been calling for the Council's reform for decades. In the run-up to the 2005 World Summit, the AU adopted the Ezulwini Consensus as the African common position. However, due to the fact that Africa lacks a single permanent member, the continent's position on the Council remains unchanged.

The proposal is compelling because Africa's exclusion is obvious. Nonetheless, impractical demands obstruct legitimate demands in two ways. The first is the insistence on veto power. The P5 are unlikely to accept a proposal that requires new entrants to immediately provide a veto. The P5 are also unlikely to accept a proposal which limits veto's use at the list level without a clear indication of the incentives to do so. Furthermore, Africa's insistence on veto power is problematic. It makes reaching an agreement with others, in order to obtain the two-thirds majority, which is required for an amendment to the UN Charter to materialise the Council's restructuring, difficult. The second point is that calling for Council reform by claiming representation is impractical. Representation is not even mentioned as a criterion for non-permanent member election; rather, geographic distribution is a secondary consideration. Furthermore, the African group is unable to name candidates, indicating a lack of unity.

For Africa's call to gain traction, there is a need for a *Pax Africana*, a peace "protected and maintained by Africa herself" (Mazrui, 1967:203),

combined with unity in the spirit of Pan-Africanism. For this to happen, Africa's leaders must act decisively in both the political and economic spheres; also a decolonisation of power (Ndlovu-Gatsheni, 2020) is required. Africa must demonstrate that it is a force to be reckoned with, thereby highlighting its significance and, as a result, changing the continent's image. This will enable Africa to get or increase its voice in global institutions, the SC in this case, which is also spelled out in the AU Agenda 2063 (Aspiration 7). It will also address the contention on representation. Furthermore, in order to achieve its goal of reforming the Council, the African group needs to be flexible and pragmatic. An evolutionary change to the veto should be sought in this regard.

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