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**International Relations.** Politics beyond the nation-state are no longer a matter primarily for interaction between nation-states. International organizations and supranational institutions have taken root as well. Nongovernmental actors participate in political processes, and national publics closely follow developments outside their own countries. The interplay of national and supranational policies, issues surrounding the juridification of international relations, and questions of global governance are examined at the WZB predominantly in the Research Area on International Politics and Law.

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# Potent but Little Esteemed How UN Member States Evaluate the Security Council

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The United Nations Security Council is widely considered one of the most powerful of international institutions. It has the right to define crises and conflicts as threats to international peace and security. The Council can take coercive measures, either in the form of economic sanctions—as against Iran—or by authorizing military intervention, as recently against Libya. Its decisions are legally binding on all UN member states, its remit is almost unlimited, and the measures it takes intervene drastically into the internal affairs of states.

However, like most international institutions, the Council lacks resources of its own for the effective enforcement of its decisions. Whether imposing sanctions, deploying peace missions, or intervening militarily, it has to rely on the help and compliance of UN member states.

The Security Council consequently has to ensure its legitimacy in the sense of legally recognized power. Not only must its power be backed by legitimacy; if it is to be effective in carrying out its tasks, the Council needs legitimation and the concomitant support of the international community. Since Max Weber legitimacy research has shown that legitimate rule is more successful than rule based on coercion or material incentives alone.

But how solid are the foundations on which the Council's legitimacy rest? These issues are the subject of considerable controversy in the scholarly literature. Some authors stress the unique function of the Council to legitimate collective intervention to secure peace. In their view, states wishing to act seek a mandate from the Security Council to lend legitimacy to their action—witness the intensive (if unsuccessful) efforts by the United States to obtain a Council mandate for their intervention in Iraq in 2003. Other observers deny the body almost all legitimacy. Critics underline the unfair and anachronistic right of veto, which allows representatives of the five permanent members to block Council mea-

**Summary:** Being one of the most powerful international organizations, the UN Security Council needs to be perceived as a legitimate institution to function effectively. However, in the eyes of UN member states, the Security Council suffers from a legitimacy deficit. When states publicly appraise the Council, negative evaluations clearly outweigh the positive ones. It is the Council's unfair procedures—rather than transgressions of its mandate and effectiveness shortcomings—that states particularly resent. This is the result of a study in which the authors have analyzed evaluative statements by UN member states in debates in the UN General Assembly.

asures—as Russia and China have currently done in the case of Syria. Furthermore, they stress the Council's opaque decision-making procedures and inadequate accountability and point to the ineffectiveness of its measures.

However, both sides in this debate take a normative perspective on the legitimacy of the Council. They apply external criteria, generally drawn from democracy theory, in evaluating this legitimacy. What researchers have hitherto neglected is an empirical perspective on the issue that seeks to establish how Council legitimacy is perceived by member states. This is the starting point for our study, which systematically examines how legitimate the Council is in the eyes of member states and the sources that feed their perception of its legitimacy. We identify three potential sources of legitimacy. First, the perceived legitimacy of the Council can derive from mandate fulfilment. The decisive question would then be whether the Council acts within boundaries of the formal powers vested in it. Second, perception of the Council as legitimate can be based on the quality of its procedures. The question would then be what role transparency, accountability, and participation play in Council decision making. Third, the perceived legitimacy of the Council can depend on its performance, that is, on whether it can effectively achieving its intended purpose (the maintenance of international security).

To answer these questions, we looked at how UN member states evaluate the legitimacy of the Security Council in public debates in the UN General Assembly. The attribution and denial of legitimacy in public debate are considered important acts of legitimation and delegitimation in international politics. The data set we generated includes over 1,500 evaluative statements made by 117 states in 9 debates in the General Assembly between 1991 and 2009. They were either positive (attributing legitimacy) or negative (denying legitimacy). They also provided information about the sources feeding these evaluations.

Evaluations by states in a diplomatic forum like the UN General Assembly are not necessarily sincere. Other—selfish—interests are likely to lurk behind their statements. An authoritarian state, for instance, that complains about undemocratic decision-making procedures in the Council may well have motives—such as distracting attention from problems of its own—other than furthering the democratization of the Security Council. But for our study this was a secondary consideration. On the one hand, the public statement (whether sincere or not) is an important political act in itself. On the other, such evaluations reveal what sort of legitimation criteria the representatives of states believe will resonate within the international community. If, for example, the representatives of states very often stress the lack of transparency in the Council, seeing this as a threat to the legitimacy of the body, we can draw conclusions about the perceived importance of transparency.

Our study yields two principal findings. First, the Security Council suffers from a considerable legitimacy deficit. In the evaluative statements we collected, negative evaluations of legitimacy predominate. 73 percent of statements (1,123 of 1,531) made by UN member states were negative. This suggests that in the eyes of UN member states the legitimacy of the Security Council is weak. This raises the question as to what extent a body broadly considered illegitimate can perform a collective legitimation function? At the same time, however, our results show that no fewer than 27 per cent (408) of statements collected in the debates under study were positive—and positive statements, it should be noted, came not only from states enjoying the privileges of permanent membership. This suggests that the Security Council is not facing a hopeless crisis in this matter but can draw on a certain measure of legitimacy.

What are the sources of this deficit? The second key finding of our study is that, contrary to assumptions made in research on international organizations, evaluation of the Council's legitimacy is not concerned primarily with its performance. Most negative evaluations of the Security Council address perceived procedural deficiencies. 56 per cent of all negative evaluations address the inadequate transparency of Council decision-making procedures, the unsatisfactory possibilities for non-member state participation, and insufficient accountability



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of the Council towards the General Assembly. The veto right of permanent Council members was also largely criticized. By contrast, critical evaluation of the Council with regard to its performance is less pronounced. Only 24 per cent of negative statements complained of Council ineffectiveness and selectivity in dealing with crises and conflicts, with its inability to effectively contain the great powers or to secure the protection of human rights. Surprisingly few negative evaluations (11 per cent) were concerned with extension of the Security Council mandate, which, now defines not only armed conflicts between states as international security threats but also domestic conflicts, humanitarian crises, massive violations of human rights, and the overthrow of democratic governments. The increasing resort of the Council to military action and coercive economic measures also attracts relatively little criticism.

Our findings have several practical implications. The most important is that the Council needs to improve its procedures, since they are a source of great dissatisfaction among UN member states. Minor reforms in this direction had already been undertaken in the past. The Council now provides better information about its decisions and calls public meetings for all interested member states on certain issues. Moreover, with the so-called Arria-formula meetings, it has established an informal framework in which Security Council members and civil-society actors can exchange views. Analysis of debates shows that member states appreciate these improvements. Nevertheless, the reform of the Council remains half-hearted. Fundamental changes such as the widely called for reform of the veto right have not materialized even after more than 20 years of discussion. In recent years, less far-reaching but more realistic reform proposals have been debated. For example, the idea of "responsibility not to veto" has attracted attention, according to which the five permanent members of the Council would waive their right to veto where resolutions are to be voted on to stop massive violations of human rights. Another proposal is that members of the Council should publicly justify their voting behaviour. So far, however, even these modest proposals have not been approved by the permanent members of the Security Council.

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