

A Libertarian Perspective on Peace Enforcement by the United Nations

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Abstract:

Most analysts view the United Nations as a positive stabilising force in international affairs. In this paper, I critically assess this opinion of the UN's peace enforcement actions using the case studies of the Korean War and the Gulf War while relying on the non-aggression axiom of libertarian philosophy. In the process, I shed light on some of the moral considerations at play when deciding on UN-sanctioned military intervention.

Keywords: international relations, United Nations, peacekeeping, enforcement, libertarianism.

The direct use of force is such a poor solution to [any] problem, it is generally employed only by small children and large nations.
David Friedman [10, p. 4]

1. Introduction

The United Nations Charter reads like the constitution of a powerful body, almost a world government, charged with policing the world. According to Article 1.1 of the Charter, member states are bound to maintain “international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace”. These sweeping words suggest the UN is to have responsibility for dealing with aggressors, and Article 42 says that the organisation “may take such action by air, sea, or land forces as may be necessary”. Furthermore, Article 43 indicates that the Security Council shall have what amounts to a standing army at its disposal. “When the Council is united,” explains David Bosco [4, p. 3] “its members can wage war, impose blockades, unseat governments, and levy sanctions, all in the name of the international community”.

The Charter, though far-reaching, has rarely been invoked to its fullest extent. Its strongest provisions have only been summoned thrice: during the Korean War (1950-1953), the Persian Gulf War (1990-1991), and in Afghanistan (2001-present). In most other situations, the UN has played a

limited peacekeeping role by observing and collecting data, mediating settlements or patrolling borders where there is already a pre-existing will to peace.

But there is a danger that the UN's coercive power could be abused in future. This is because the orthodox view in the literature maintains that peace enforcement is a desirable tool to prevent the outbreak of another World War. Although advocates of enforcement concede that attempts to resolve disputes peacefully should be tried first, they also think that when negotiations fail the Security Council should step in and enforce the peace.

When it comes to the UN's role, mainstream commentators distinguish between 'peace enforcement' and 'peacekeeping'. Enforcement is authorised under Chapter 7 of the Charter, while peacekeeping falls in the half-way house – or 'Chapter 6 ½' – between pacific settlement of disputes and full-scale collective security. Peacekeeping is a small and focused activity that operates with the consent of all concerned, whereas peace enforcement imposes the will of the Security Council upon the parties. Enforcement is accompanied by rules of engagement that permit UN forces to act offensively on the battlefield. Peacekeeping, on the other hand, is usually restricted to patrolling ceasefire zones and acting in self-defence.

Supporters of peace enforcement emphasise its utility in separating combatants and creating a cease-fire that might not otherwise exist. By forcefully repelling aggression, enforcement aims to protect 'victims' unable to defend themselves. Enforcement is also said to act as a deterrent to aggressors intent on flouting international law. As proof of this effect, proponents argue that there has been a decline in the number of inter-state wars, genocides and human rights abuses since the Cold War, and posit that the UN is partly responsible for this trend. Remarkably, intra-state conflict now accounts for 95 percent of all wars [8].

Initially, most "UN missions were small, innocuous, painstakingly impartial, and unambitious by military standards" [12, p. 111]. Cold War era missions were composed of troops from neutral countries such as Fiji, Austria, Ireland, Canada, Chile and Ghana. Occasionally, "if the political environment was conducive to their use, UN peacekeeping missions even worked" [*Ibid.*]. In 1990, the UN controlled about 10,000 troops and spent \$400 million on eight small missions. Then in 1993, the budget exploded to \$3.6 billion financing 80,000 troops and 18 operations around the globe. The year 2010 was a turning point, when the peacekeeping budget came in at \$7.8 billion – double the regular budget.

The purpose of this paper is to critique the dominant line of thinking from a libertarian perspective. While there are many scholars who are not libertarians that have criticised the notion of UN enforcement, this paper hopes to show that libertarianism provides a useful and logically consistent framework with which to evaluate the organisation's actions. Part 2 explains the libertarian philosophy, with reference to the notion of collective security. The remainder of the paper in parts 3, 4 and 5 is focused on assessing enforcement and examining case studies. Part 6 concludes by noting that UN enforcement is fundamentally problematic.

2. The Libertarian Approach

What, exactly, is libertarianism? The Stanford Encyclopedia of Philosophy defines it as a "family of views in political philosophy" that is "closely related to... the classical liberal tradition, as embodied by John Locke, David Hume, Adam Smith, and Immanuel Kant". Libertarians prefer to practice methodological individualism. As Vossen [1] explains:

[Libertarianism] affirms a strong distinction between the public and the private spheres of life; insists on the status of individuals as morally free and equal, something it interprets as implying a strong requirement of individuals sovereignty; and believes that a respect for this status requires treating people as right-holders, including as holders of rights in property.

As a general statement of what libertarianism is, this definition encompasses a range of thinkers, from moderates like Milton Friedman to radical anarchists like Murray Rothbard. However, there are degrees of support for the full libertarian program. While it is fine to say that private property should be respected, precisely how much interference is too much? Would a 20 percent income tax be too much interference in individual property rights? What about a 10 percent tax? Or should all taxes be abolished? For the sake of analytical clarity, therefore, it is most profitable to adopt the description provided by Rothbard [19, p. 27]:

The libertarian creed rests upon one central axiom: that no man or group of men may aggress against the person or property of anyone else. This may be called the “nonaggression axiom.” “Aggression” is defined as the initiation of the use or threat of physical violence against the person or property of anyone else. Aggression is therefore synonymous with invasion.

This understanding provides instant moral clarity about what radical libertarians believe. First, libertarians assert that individuals own themselves (“the person”) and the fruits of their labour (“property”). Second, libertarians abhor aggression (“the non-aggression axiom”), whether constituting words threatening violence or actual acts of violence (“threat of physical violence”). It is important to note that this understanding leaves open the possibility of self-defence being justified, since only “the initiation” of violence is precluded.

The basic rule of thumb of non-aggression is typically accepted by mainstream commentators in the domain of interpersonal relations. Yet these non-libertarians generally neglect to apply the principle when dealing with groups of individuals who coercively exercise power over others in a particular territorial area (that is, what are known nowadays as ‘governments’). A variety of libertarian authors have, however, applied their theory to nation-states. Rothbard has, for instance, criticised the philosophical assumptions underlying the concept of collective security as a foreign policy strategy. “The fatal flaw in this seductive concept”, he suggests, ‘is that it treats nation-states by an analogy with individual aggressors, with the world community in the guise of a cop-on-the-corner’ [18, p. 81]. As he explains:

The cop, for example, sees A aggressing against, or stealing the property of, B; the cop naturally rushes to defend B’s private property, in his person or possessions. In the same way, wars between two nations or states are assumed to have a similar aspect: State A invades, or aggresses against, State B; State A is promptly designated the aggressor by the international policeman or his presumptive surrogate, be it the League of Nations, the United Nations, the U.S. President or Secretary of State, or the editorial writer of the *August New York Times*. Then the world police force, whatever it may be, is supposed to swing promptly into action to stop the principle of aggression, or to prevent the aggressor, be it Saddam Hussein or the Serbian guerrillas in Bosnia, from fulfilling their presumed goals of swimming across the Atlantic and murdering every resident of New York or Washington, D.C.

A crucial flaw in this popular line of argument goes deeper than the usual discussion of whether or not American air power or troops can really eradicate Iraqis or Serbs without too much difficulty. The crucial flaw is the implicit assumption of the entire analysis: that every nation-state *owns* its entire geographical area in the same just and proper way that every individual property owner owns his person and the property that he has inherited, worked for, or gained in voluntary exchange. Is the boundary of the typical nation-state really as just or as beyond cavil as your or my house, estate, or factory!

It seems to me that not only the classical liberal or the libertarian, but anyone of good sense who thinks about this problem, must answer a resounding “No.” It is absurd to designate every nation-state, with its self-proclaimed boundary as it exists at any one

time, as somehow right and sacrosanct, each with its "territorial integrity" to remain as spotless and unbreached as your or my bodily person or private property. Invariably, of course, these boundaries have been acquired by force and violence, or by interstate agreement above and beyond the heads of the inhabitants on the spot, and invariably these boundaries shift a great deal over time in ways that make proclamations of territorial integrity truly ludicrous.

Rothbard thus distinguishes between applying the principle of non-aggression at the interpersonal level and misapplying it in a collectivist sense on the vastly scaled up world of international affairs. When groups of people claim that they have been aggressed against, the actions of *each* person in that group counts when assessing the validity of their claim. And since governments are composed of many different individuals, the actions of each must be considered when evaluating the government's moral standing vis-à-vis other nations.

Alex Bellamy and Paul Williams [3, p. 214] have observed that "[t]he issue of peace enforcement has raised several important questions about the UN's role in maintaining international peace and security, not least whether the organisation is capable of using force to preserve its values and, perhaps more fundamentally, whether it should". From a libertarian standpoint the answer to the question posed by Bellamy and Williams is clear: no individual or group should initiate aggression against anyone else in any context or at any place. Only genuine self-defence against an aggressor is permissible. And since the UN and its member-states subsist on coercively acquired revenue from millions of taxpayers, they are from the beginning in violation of the libertarian precept against harmful violent actions. In this way, libertarianism provides a normative ideal against which to interpret events.

3. Drawbacks of Waging War as a Peace Strategy

There are some practical illustrations of the foregoing philosophical discussion. A weakness of collective security lies in distinguishing between the good guys and the bad guys. The UN Security Council is routinely called upon to decide between 'right' and 'wrong', 'good' and 'bad' and 'aggressor' and 'victim'. But collective conflicts are more complex than these categories. Sometimes, the history of a quarrel reveals that members of the Council have a conflict of interest in one or both sides or that the dispute has been the product of resentment over artificial boundaries carved up by a colonial power. Currently, any attempt by a nation to disrupt the prevailing order is classified as 'aggression'; boundaries that exist are often defended without much critical reflection. However, as Carpenter [5, p. 16] observes:

Many regions are still dealing with the legacy of the imperial age in which colonies or client states were established without reference to long-standing linguistic, cultural, and economic patterns. It is not surprising that those imposed artificial political settlements are now being challenged. Iraq's attempted annexation of Kuwait; the turmoil in the former Yugoslavia; the unravelling of Zaire; the Kurdish rebellion (in both Iraq and Turkey); the massive bloodshed in Somalia, Burundi, Rwanda, and Afghanistan; and the disintegration of the last multinational empire, the Soviet Union (which led to subsequent conflicts in Tajikistan, Georgia, and Nagorno-Karabakh) are all examples.

A tendency to eschew deviations from the status quo may be hard to justify considering legitimate historical grievances. The shifting borders that have characterised much of history leads Carpenter to exclaim,

[T]here is nothing sacred – or even fair – about stability, and...policymakers make a serious error when they sign on to a global collective security agenda designed to

protect the status quo. There are many instances in which radical change might produce a result measurably better than the current situation [*Ibid.*, p. 21].

Morally, often the interveners themselves are imperfect. All of the permanent members of the Security Council continue to violate human rights and disregard international law while at the same time demanding other countries respect those norms. America, which invaded Iraq in 2003 without Security Council authorisation, has a worldwide network of secret prisons and torture chambers run by the CIA [15]. The Russians are known for their repressive political system and suppression of free speech, the French have their incidents of police brutality, the Chinese government kills or kidnaps internal dissidents and there are many documented cases of British soldiers engaging in abuses in Iraq and Afghanistan [9].

Second, conflicts are rarely resolved permanently through military intervention, and so interventions are inefficacious from a utilitarian standpoint too. Even if external actors have for the time being separated the combatants, tensions may continue to simmer. Greg Mills and Terence McNamee find that “the abatement of armed conflict within states or between them is a process – uneven, complex, and nearly always reversible” [16, p. 58]. Half of all post-conflict states slide back to warfare within a decade of a settlement [7]. In this regard, Carpenter opines that,

[T]he best policy may be to let a conflict run its course and not attempt to suppress it or orchestrate elaborate political settlements...sometimes when a conflict ends with a definitive victory for one faction, it produces greater stability in the long run than would be the case were a battlefield verdict thwarted by outside parties [5, p. 20].

The main reason why intervention might not work in bringing about the desired objective is that neutrality is a necessary condition for the success of enforcement missions. Achieving this goal is difficult. As Pugh [17, p. 373] explains, “Local leaders manipulate the limitations of peacekeepers in order to get a forceful intervention that will act on their side”. Though large-scale enforcement action is most effective with the support of the permanent members of the Council, their input can politicise a mission. Sometimes enforcement actions are a pretext for imperial objectives: ruling elites formulate their interests and decide on where and how to intervene in order to further those interests. “It is no coincidence,” writes Pugh, “that the targets of enforcement are overwhelmingly from poorer parts of the world” [*Ibid.*, p. 370]. Coercive measures are rarely directed towards allies or client-states of the Great Powers, regardless of how culpable they may be, and instead tend to be aimed at a handful of pariah states that stand in the way of the Great Powers’ geopolitical ambitions.

4. Flashpoint in the Korean Peninsula

Libertarianism provides a normative standard by which to judge whether to intervene. A useful case study in this regard is the UN’s first ever enforcement mission. During June of 1950, the North Korean government invaded the sovereignty of South Korea. American President Harry Truman denounced the assault as “unprovoked aggression” and organised a coalition to repel the territorial ambitions of North Korean leader Kim Il-Sung [11, p. 35.]. To help facilitate such a coalition, the Security Council (minus the Soviet Union, which was boycotting the UN) authorised the use of force to defend against North Korean incursions.

Whether the UN ought to have intervened is a question that has been debated for decades. Some analysts have hypothesised that a Northern victory would have resulted in misery. Carpenter and Bandow [6, p. 1] speculate that “nearly 70 million Koreans today would be living in an impoverished tyranny” had the communists taken over the peninsula.

Though most scholars see North Korea’s attack as a “classic case of aggression as envisioned in the Charter” [13, p. 55], this assertion leaves much to be desired. Libertarianism requires that he who seeks equity must do equity, ergo, those seeking to impose justice must be blame-free from the

perspective of the non-aggression axiom. Yet this factor was ignored in deciding to intervene. Had it been considered then extenuating circumstances would have been taken into account when evaluating North Korea's actions. Consider the fact that the division of Korea into two countries by the Great Powers at the conclusion of World War II proved to be the principal cause of war. Even though most Koreans wanted a united nation, the Americans and Soviets ignored their desires to pursue their Cold War. The resentment thereby created set the scene for events to come [20]. Besides, South Korea was also at fault: its President Rhee had provoked the North by calling for a war even before the invasion, sought coercive reunification even after the US decided to limit its war aims, obstructed peace negotiations and refused to sign the armistice [6]. Moreover, raids (i.e. acts of aggression) across the 38th parallel were carried out by both sides in the lead-up to June 1950 [2]. It is obvious, therefore, that there was no innocent party, and so a libertarian would have weighed this toward favouring non-intervention in the conflict.

This is not to suggest that North Korea was justified in invading South Korea; despite legitimate grievances, modern state-managed wars are a violation of the non-aggression axiom because they cause the deaths of innocent civilians. Rather, my point is that when deciding whether the international community should intervene, the moral calculus should have accounted for the reality that the Great Powers were to blame for the socio-economic factors that led to war and that both sides had engaged in aggression prior to the invasion.

In any case, there are utilitarian arguments against intervening which align with the libertarian position. The assumption underlying the Korean intervention was that the use of force is necessary to fight the ideology of communism. Yet the experience with Vietnam suggests otherwise. After America departed Vietnam in 1975, the country gradually became a democracy and major trading partner. North Korea could likewise be on its way toward economic and political reform if the UN had done nothing, partly because Korean leaders would be unable to shore up support by blaming foreigners for domestic failings. In fact, the ongoing American occupation has angered even many South Koreans. "Many South Koreans," Carpenter [6, p. 20] writes, "have come to view the United States as a spoiler of the inter-Korean reconciliation process". This is because Americans insist on taking a hard-line approach to the North whereas South Koreans are more willing to compromise for peace.

5. Confrontation in the Middle East

The Persian Gulf War (Operation Desert Storm) was the next major UN enforcement action. On August 2, 1990, the Middle Eastern state of Iraq began its invasion of Kuwait by bombing Kuwait City. Just as in the Korean War where artificial boundaries drawn by the Great Powers precipitated a war over reunification, the attempted seizure of Kuwait stemmed partly from Saddam Hussein's belief that Kuwait had originally been part of Iraq before the United Kingdom separated the two entities. Immediately after Iraq's invasion, UN Resolution 660 was passed which demanded that Hussein withdraw his troops. A few months later, UN Resolution 678 authorised member-states to repel Hussein's armies and protect Kuwait.

A libertarian analysis shows that the intervenors were in no position to appoint themselves the judge, jury and executioner of Iraq's government. First, they were hypocrites since the United States had been coercing money from its citizens to arm Iraq throughout the 1980s. As such, many of the weapons used by Hussein against the Kuwaitis were sourced from America [14]. For the US to then extract more money from its citizens to intervene against its former ally whose military build-up it had encouraged seems inconsistent, to say the least. A second point is that since only voluntarily financed conflicts are consistent with the non-aggression axiom, a libertarian should strive to only sanction interventions that command unanimous (or as close to unanimous as is possible given the imperfect world we live in) public support. When compared to international opinion favouring repelling North Korea during the 1950s, the degree of agreement was far less during the Gulf War. Although the enforcement action was cloaked in a multilateral veneer, the cooperative command structure envisioned in Article 47 of the Charter was ignored. Instead,

American commanders made all the important decisions. It was American hegemonic interests that were served by intervening, and the US was able to bribe or bully other members into supporting it [17].

A utilitarian might retort, in spite of these libertarian contentions, that the intervention was successful because it repelled Iraq and deterred it from invading Kuwait again. But an accurate utilitarian accounting of the long-term costs of intervention shows that it has led to increased burdens on UN member-states' citizens that continue to the present day. "[T]he principal result of the 'UN victory' in the gulf war has been to make the entire Persian Gulf War region a US military protectorate," posits Carpenter [5, p. 22]. This regional entrenchment subsequently encouraged the US to invade Iraq in 2003, with that conflict effectively a continuation of the earlier Gulf War. The Iraq war, of course, is infamous as one of mankind's costliest mistakes – in both lives and treasure – in our 200,000-year history.

6. Concluding Thoughts

Peace enforcement has remained part of the UN's apparatus since the organisation's inception. Its two major peace enforcement operations, the Korean War and the Gulf War, resulted in about 2.5 million and 60,000 deaths respectively. In each case, the UN attempted to forcibly separate the parties and enforce a ceasefire. However, since the use of force tends to be a blunt instrument with the potential to inflict civilian casualties – and therefore violate the non-aggression axiom – it is advisable to undertake a comprehensive moral analysis of the stakeholders involved and their respective rights. A moderate libertarian would weigh up the violations of the non-aggression axiom required to finance the war along with investigating the history of the conflict (including whether the intervenors were imperfect in the situation) and compare this to the expected benefits to the cause of peace. In most cases the benefits are speculative and hard to quantify, so a libertarian would be cautious about intervening.

John Hillen [12, p. 122] is persuasive when he says that "By going 'back to basics' in its military ambitions, the UN would restore its credibility and its role as an honest broker in international affairs". What the UN is good at is diplomacy. Large-scale peace enforcement along the lines of Korea or the Persian Gulf War often creates more problems than it solves.

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