

The United Nations Permanent Security Members: A Case for Replacement or Expansion.

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I. INTRODUCTION

The United Nations Security Council (UNSC), as an organ of the United Nations has come a long way in maintaining international peace and security. Over the years, it has been criticized on issues such as its legitimacy and efficiency. Some critics believe that there are some structures which have become ineffective because of the evolving trends of global security and the emergence of newer and stronger threats to deal with. Other critics believe that the supposed ineffectiveness of the United Nations Security Council comes from the reluctance of the permanent five members to compromise on certain key decisions relating to security.

The United Nations Security Council has been a legitimate and effective organ over the years. However, the contemporary dynamics of security keeps questioning its legitimacy and effectiveness. Therefore, there is the need for certain adjustments to be made in the structure, regulation, representations and operations of the whole organ. Such adjustments could only be done when the five permanent members could come to a compromise on the security challenges posed by emerging security threats. The question of representations revolves around either increasing (expansion) the scope of membership or replacing old members with new ones (replacement).

The thesis however examines the cases of expansion because most of the proposals for reforms were in line with the need for expansions rather than replacement. This examination was done by accessing the positions of each of the permanent members on expansion of the UNSC permanent membership. The implications of expansion of the P5 were also examined in this thesis. The discussions of this thesis confirmed that the position of Russia on expansion is quite clear and positive. Russia supports expansion but it is only willing to work with members who would respect the global ambitions of Russia which includes their national interest but Russia has failed to show support for any candidate yet. Finally the thesis also reviews the positions of the five permanent members on both expansion and replacement.

1.1. Historical Background of the UNSC

The UN Charter specifies in Article 24 section 1 that the primary responsibility of the UNSC, which is to maintain international peace and security, is conferred by its members and so all the members understand that every action taken by the UNSC in relation to security is on behalf of the members themselves. The UNSC has a tremendous array of powers and responsibilities, all confined under its umbrella but the primary objective of the Council is to maintain international peace and security. The UNSC also has the power to take decisions that bind all the members of the UN because, issues relating to security affects all the members of the UN. Article 23 of the United Nations Charter stipulates that the Security Council would consist of fifteen non-permanent and five permanent members.

International institutions mostly reflect the opposite of what great powers want to achieve, so great powers would forever have the perception that international institutions exist to prevent them from achieving their interests. This is why, most of the times some greater powers end up lobbying with these international organizations and end up controlling the affairs and operations of the institution at the expense of other powers. A clear example is the UNSC, Russia, China and the United States(USDD, 2005).

Examining this from an international relations perspective, idealists and constructivists do not support the thoughts of the great powers. Idealists especially believe that international organizations are necessary for the prevalence and projection of justice, fairness and transparency (Chimni, 2004). It must however be noted that the perceptions about international organizations and great powers contain some level of truth but the fact still remains that cooperation among the two would always be effective than them working individually.

The calls for expansion, of course, come with various oppositions. Critics painted a very positive picture of the UNSC and its operations by comparing it with other previous international organizations such as the League of Nations. According to these critics, the UNSC has been far more effective than the League of Nations and so there is no need for any expansion or replacement whatsoever.

Most policy makers and scholars who argue against expansion are Americans who believe that any expansion process, whether expansion or replacement would reduce the influence or control of the United States, empower antagonistic leaders and increase gridlock. In other words, most critics believe that American hegemony would be seriously threatened by any amendments in the Council structure. Therefore, critics believe that US must not lead a reform that would threaten its own influence or jeopardize its interest.

Would the expansion end the demands for regional representation? Those who are not in support of expansion also argued that any expansion procedure would open the way for other regions to ask for representation but virtually, not every region in the world could be represented. As stated earlier on in the previous chapter, candidates from unrepresented regions do not even receive support from the fellow regional states and examples of China not supporting Japan's permanent candidacy, Pakistan not supporting India's candidacy has been explained in the previous chapter. According to critics of expansion, the regional representation problem cannot be solved permanently with the admission of regional representatives but rather it would create ill feelings among two or more powers in a particular region and it would be too late for any kind of replacement to be done. For example, if Latin America does not support Brazil enough to be granted permanent membership, does that mean the UNSC should accept Venezuela in place of Brazil?

The last but not the least argument of the critics of expansion was that, candidates must be assessed or supported based on their ability to combat international threats to stabilize the peaceful and secured atmosphere rather than them bring regional leaders.

During the period when the UNSC was established, international and global security were only threatened by wars which usually begin with internal conflicts. Therefore, the capabilities of the permanent members were evaluated by their military capacities.

1.2. Reform Proposals for expansion of UNSC

The Security Council has seen a lot of calls by members for different reforms in different areas of the Council and its operations. Those calling for reforms also believe that it is one of the most prominent ways of enhancing the legitimacy of the Council. United States has always supported the idea that Japan and India must be added to the permanent membership of the UNSC. United Kingdom and France on the other hand, supported the accession of Germany and Brazil into permanent membership but unfortunately it has not materialized. As stated earlier on, China has always defended the idea of introducing developing countries into the permanent membership but since China is the only supporter of developing or third world countries, the four members always find a way to block such suggestions with their veto powers.

Russia is also in support of India being admitted as a permanent member but this kind of support is based on the fact that Russia and India are allies. It has been two decades since reforms have been requested by both permanent and non-permanent members. The reason why expansion is so needed is that the global political scene is changing rapidly and constantly. India's position reforms in UNSC is directly in line with the ideas of both Russia and the United States.

India believed that the UNSC has expanded over the years and if the UNSC must succeed for a longer period, the reforms must be able to attract political support from the international community. Despite the support India is getting from some Great powers or allies in the UNSC, India in turn advocates for other developing countries to be included. Note that there is a difference between developing countries and third world countries. Third world countries simply mean non-Western countries but they could also be developing countries in some circumstances. Third world and developing countries feel that the UNSC is not considering their own grievances and contributions when making decisions. Currently, the UNSC has failed to yield to its representation function (Okumu, 2005).

Despite the radical nature of Russia, it still recognizes the need for reforms but Russia would only veto when it finds out that the reforms would not favor them or any other ally country of theirs. Because of the radical ideas of Russia, they strongly advocate that any reform in the UNSC must be done rationally. Simultaneously, the UNSC must uphold the principles of multilateralism and integrity upon which the UN Charter was established. Expansion of the UNSC would increase the efficiency of its operations.

Portugal did not only call for an enlargement in the permanent membership of the council but also the non-permanent membership. In a speech made by the Portuguese Prime Minister, Jose Socrates in 2010, he explained that it is very necessary for the 15-member Security Council to be enlarged so that more members would be included. He believed that when more members are added it would enhance the transparency and efficiency of the UNSC (UNDP, 1994). Portugal also believes that Brazil and India are both economically sound and deserve to be added as new permanent members.

Most of the reform calls are related towards the reviewing of both permanent and non-permanent memberships while other reform calls are related to the scope of the Veto power. In 2005, there was a major attempt at reforms in these two areas as against the two previous attempts in 1963 and 1993 but all these three reforms failed woefully. Despite their failure, they highlighted some weaknesses in the Council and that was why there was a need for another reform to take place.

The 1963 attempt resulted in a change in the number of non-permanent members while the 1993 attempt changed the negotiation process of the Council but the overall objectives were not achieved. This was because the major objective was not to change the number of non-permanent members but rather to include more developing country representatives (Zacker, 2004 pp 214,215). Negotiation processes changed dramatically in 1993 and this was greatly influenced by the end of the Cold War. The changes that occurred in negotiation processes included the fact that NGOs and non-state members are now allowed to participate in Council meeting and there are more major consultations between the current P5 and other major powers such as Germany and Japan.

Apart from these two positive changes, the UNSC also allows the international media access to the minutes of any Council meeting. After reviewing most of the reform proposals from different countries, the UN Secretary General at that time Kofi Annan presented two major options for UNSC member states in 2005. The two options all had the objective of increasing the UNSC membership from fifteen to twenty-four but none of the options stipulated a change in the number of Veto exercising states

The first option proposed that there should be six permanent members where one would be chosen from Europe, one from the Americas, two from Africa and two from Asia. In addition, there would be three new Non-permanent Members on a non-renewable two-year term. The second proposal presented by the UN Secretary General was that there would be no permanent seats at all but rather eight Semi-permanent Members elected on a regional basis for a renewable four-year term; and one new Non-permanent Member on a nonrenewable two-year term.

The second proposal option was not welcomed by many states at all, and most of these states had been lobbying the UNSC for permanent seats for a long time. Therefore, that option was practically not acceptable in their own perspective. Two states that presented strong opposition against the second option were Germany and Japan. Due to the numerous oppositions against the second option, the first option was also affected and in the end, the UN could not enforce both options.

1.3. Use of Veto for allies of great powers

The purpose of the UN Security Council Reform in 2000 was to enhance three qualities of the council which were representation, effectiveness and legitimate so that the world would increase their confidence in the institution. All these three qualities represented expansion or enlargement of the council. However, the enlargement process was highly influenced by the 'veto' of the great powers.

As long as the 'veto' power exists, it would be very difficult for one of those permanent UNSC members to be replaced whatever the case might be except the replacing state is an ally of two or more top members. This kind of special status enjoyed by the 5 permanent members makes it very difficult for certain decisions to be taken because if those decisions do not favor them, it would never be a successful decision. The United Nations cannot undertake any decision that is opposed by the United States. On a normal day, if the US offers its support to any UN proposal, such support should be highly considered, with or without veto.

The permanent membership of the UNSC is continentally inappropriate because two out of five of the members are European countries while Asia is represented by only China. A US-Europe tie is tighter and stronger than a US-China tie to an extent. Inevitably, third world countries are also represented by China, which means that there is a limit to which third world countries could look up to the United Nations, especially when it comes to security issues.

The hope of third world countries in the UNSC depends on China and this was confirmed when Robert Mugabe, the Zimbabwean President implored China to step in and prevent Harare from being discussed on the UNSC agenda by Britain. Mugabe believed that bringing Harare to the UNSC agenda was an unnecessary move and he did not want that. John Sigler highlighted on the great connection between the US and its allies. According to him, the United States would use its veto power to prevent any sanction of the UNSC against its allies especially Israel, even if it is just a resolution.

The case between Syria and Israel in 2003 was a perfect example. US vetoed a resolution proposed by Syria aimed at denouncing Israel's threat to remove then Palestinian Leader Yasser Arafat. A report from Washington declared the resolution as 'flawed' because it failed to address the terrorism acts going on Palestine at the time. Another instance where the United States stood in for Israel was when US blocked a resolution which criticized the killings by Israeli Forces and the destruction of a World Food Programmed warehouse in West bank.

The fact has been established that Veto power undermines many positive activities within the UNSC. However, one positive thing about the UNSC permanent members is the multilateralism factor displayed (The Southern Times, 2005). Whenever the five permanent members reach consensus, it becomes an effective and sharp tool which facilitates international peace and security. From an institutional perspective, the insertion of veto into the Charter made the United Nations persist longer than the League of Nations.

Without the concept of veto power, some of the Great Powers would not have been members of the UNSC as of this time because they would have deserted along with the League of Nations. The concept of Veto in the UNSC could be compared to a fuse. When it is burning, it would be wise to have the fuse blown rather than have the whole house burn down in flames.

The world has seen a very reasonable period of power balance between the states with the highest security details but not much has changed about the UN Security Council. The United Nations almost came to a point of failure because most of its sections could not adjust toward the current trends of politics over the years. There have been many calls to amend the structures in the UNSC because many countries are of the opinion that the level of fairness involved is far less. At least there should be a member in the permanent 5 who would represent other countries except the ones in the permanent group.

The President of Sri Lanka, Chandrika Kumaratunga believes that the UNSC needs to take more responsibility concerning its membership acceptance criteria. His speech was supported by the Zambian President Levy Mwanawasa, who believed that it was not right for the 'holly' members of the council to undertake all strategic actions and decisions among themselves (Mboka, 2005).

There should be some form decentralization that would make the views and ideas of other countries count too. Even the Secretary General knew that it was time for some changes to be made in the UNSC but the problem was that those changes could not be made without all the veto-wielding members coming to a compromise because that is the requirement of Article 108 of the U.N. Charter.

Can there be any situation where Article 108 of the Charter could be amended? The chances of this action are actually very slim because the so-called Great powers are very contented with the way power is shared among them.

Many states are satisfied with power sharing rather than striving to maximize it. Other members have downplayed their unilateral powers in the name of friendly relations with other countries. Reduction of or contention with power is a strategy used by the Great powers to obtain national interests without making the less superior countries feel inferior. With such strategy, it has been proven that less becomes more in the end. Such strategy does not use military force but rather a set of diplomatic tactics, which have been branded to look like cooperation.

The best veto-power could do is to foster cooperation but prevent the actual implementation or action from taking place. In most cases, the veto-wielding countries use their power for their own national interest, if the decision would favor their country. When the decision would favor one country in the veto and become a detriment to the other, there would surely not be any consensus at all. Most of the issues where consensus is not achieved revolved around serious global political discussions such as security, conflicts, climate, hunger, elections, war and many more.

In the past, the United States and Britain could not agree with the other seven veto members concerning the imposing of economic sanctions on South Africa in the 1980s. France and Britain have also been recorded to have prevented certain actions concerning the Suez Canal in 1956 (Verbeek, 2003 p.255) while the United States alone also refused action on Vietnam in 1960 (Summers, 1999).

The consideration of the interests of the permanent members has now increased over time, therefore any country that comes up against the five permanent members knows that there is a very slim chance of winning against them in any world issue. Currently, Russia and China are ready to veto any decision to punish Iran because of the drive to take charge of their nuclear cycle.

Permanent Members' Position on Expansion or Replacement

United States also supports the idea of expansion but it changes its support from one candidate to the other depending on the administration in power. Bush advocated for Japan during his administration while Obama advocated for India during his administration as well. However, it must be noted that the candidates that are supported by US always fall within the scope of their allies or economic beneficiaries. This is because United States considers its national interest above any other interest in the world. United States had been showing greater interest the establishment of a post war organization since the era of Winston Churchill but they never wanted the organization to have only three members therefore they were pushing for China to become a member of any post war organization that would be formed. In other words, the United States had been playing the role of leadership right from the end of the war until the day the United Nations was formed.

China, which is described as the most loyal permanent member of the UNSC also supports the idea of expansion because it believes that there is no geographical balance in the current permanent membership of the

UNSC. In as much as China makes the case of a balance in the geographical representation of permanent members, it maintains a special interest in the security of Africa because China has the largest economic benefit in Africa than all the members. Part of its national interest is to protect its businesses and citizens from criminal activities that endanger their lives. China also debunks the idea of choosing two representatives from the same region so it never supported the candidacy of Japan (Shambourg, 2007 p.29).

Russia has also supported the idea of a G20 rather than a G7 but its intentions are quite clearly related to an increase in representation and has less to do with its rivalry with the West. So far, there have been progressive actions by the SCO and the BRICS towards the aim of challenging Western policies. First of all the SCO has added India and Pakistan as new members while the BRICS is trying to establish its own financial system, which would be independent of the Bretton Wood System. Russia supports the expansion reform programmes of the UNSC and moreover, Russia does not really care about any candidate that comes up. However, Russia does not want the expansion to jeopardize or cause a limitation in its Veto rights. Russia does not also want any new member who has conflicts with any of its allies in the past. In other words, Russia does not directly support expansion but it is not against it at the same time. Russia is more concerned about its authority as a permanent UNSC member so any reform that would affect its authority would not work because Russia would Veto.

As stated in earlier chapters, the position of these two countries also represents that position of the European Union. Britain and France support expansion reform of the UNSC but their interest is regional domination therefore they do not want any candidate from Europe at all because this would reduce their own representative powers. For example, Britain and France do not support the candidacy of Germany at all. Rather, they support any candidate from the other three members in the G4 which include Brazil, Japan and India. Italy and Spain do not also support Germany as well. Germany on the other hand does not support any state from the UfC which is spearheaded by Italy and Spain. Rather, Germany has put itself as candidate in most of the proposals that submits to the UNSC. Some other countries in the EU have different positions which oppose that of France and United Kingdom. That is to say, Britain and France perceive Germany or any other European candidate as a threat if they should join the permanent members.

II. CONCLUSION

The fact has been established that the UNSC needs serious reforms to maintain or improve its legitimacy and efficiency. The most probable and preferable reform ideas would be expansion of both the permanent and non-permanent membership. From the above discussions, many states wish to be given preferential treatment in relation to membership at the UNSC. Some members even go to the extent of proposing themselves as candidates such as Germany. Others have recommended some other countries such as India, Brazil and Japan as potential candidates. Every particular candidate is associated with different forms of criticisms and implications for the permanent and non-permanent members. The evaluation of a member must purely be based on its security capabilities. If such an idea could be implemented, then the most ideal candidate that could be chosen would be either Brazil or Japan.

Accepting Germany would only compound the problem of regional representation because France and Britain would always oppose such a decision. EU is engulfed in too much internal inconsistencies to the extent that the whole Union does not have a common stand when it comes to membership at the UNSC. Until today, the membership of EU at UN is highly fragmented with different activities and cliques. Germany is opposed by Italy and Spain while France and Britain also take different sides on EU representation.

Russia does not have a problem with any type of reforms because it has declared its intentions to work with any state on condition that the state would respect its global ambitions. One of the global ambitions of Russia is to be supreme in military and economic aspects. That is to say, Russia is poised to taking over the position of the United States and it would do anything to achieve that feat. Therefore any country or state that tries to prevent Russia from this achievement would get personal problems with Russia. Some scholars sees Russia as a threat to the international community because Russia has a history of violating international laws at will.

China's idea of expansion also looks very effective to an extent because bringing on board an African country would be a very good advantage for China and Africa because China has economic interest in Africa and Africa also contains most of the issues that the UNSC discusses from time to time. In the nutshell, the best form of UNSC reform is expansion because it holds more advantages than a replacement. An expansion is also simple than a replacement and involves less risks.

The discussion above has explained how the establishment of the United Nations Security Council came about according to Article 21 section 1 of the United Nations Charter. The responsibilities conferred on the UNSC include a major assignment of maintaining international peace and security. There are other minor responsibilities that come along with this major responsibility but at the end of the day, global peace and security remains the ultimate goals of the UNSC. However, this responsibility of maintaining international

peace has not been easy because most of the great powers involved have had major difficulties of compromising with each other's security decisions.

That is to say, national security objectives often do not correspond with the ideas of global security. Most theories do not support the decisions of some great powers while other theories do render full support of the others. Some of the theories that often challenge the decisions of great powers include idealists and constructivists theories. However, the realist theories support the decisions of great powers because of one basic ideology such as national interest. According to realism, every nation seeks the maximum benefit for its citizens and therefore any decision that compromises such maximum benefit (national interest) would lead to disagreements between the countries in question. This whole perspective of national interest could be related to a particular dimension of international relations.

In as much as great powers try to protect or fight for their national interests, they might as well disagree with international institutions or organizations according to the laws by which these institutions or organizations operate by. The responsibility of maintaining international peace and security gives the UNSC the power to choose the particular nations that could be part of the decision making process of the organ. This task of choosing the right nations has become a major dilemma over the past years. This thesis reviewed the criteria under which a nation could be chosen to represent the particular region in which it dwells. Once a nation is classified as member of the UNSC, all security operations and sanctions connected with that country are guided by the United Nations Security Council Resolutions.

Conflict has always existed between different states, societies or territories. Therefore it is necessary for the relationship between countries to be regulated. After the Second World War, these conflicts were only regulated by international treaties but some treaties were often breached by certain countries. This subsequently led to the establishment of international organizations such as the UN and World Trade Organization (WTO) to regulate the actions of different states. United Nations was restricted to security while WTO focused on trade relations.

The United Nations represented a continuation and improvement of many failures of the League of Nations but the UN began with four countries namely United States, United Kingdom, China and the USSR. After a while, France gained permanent membership thereby increasing the representation of Europe to two nations.

Members such as China have complained about the unfair representation of Asia and also the non-representation of Africa. However, China also disagrees with the idea of bringing Japan on board because they consider themselves as the economic giants of Asia so Japan would be a threat to China's representation. China has also continually advocated or suggested a representation for Africa because of the huge economic interests China has on the African continent. The two European representatives, France and Britain are also in keen support of bring another member on board but they have arguably disagreed for a membership slot for Germany.

Russia on the other hand strictly opposes the idea of expansion and they also oppose any review of the Veto power concept. The reason for this is best known to Russia alone. Some scholars speculate that Russia simply wants to oppose anything the United States supports and therefore there is no apparent reason.

The structure of the UNSC is not a worry for just the permanent members but also the non-permanent ones, especially developing countries. However, developing countries rather worry about the legitimacy and effectiveness of the organization as a whole. In other words, non-permanent members worry about other issues apart from the issue of representation. Even though they worry about the unequal geographic distribution of permanent membership, they also worry about the fact that UNSC policies and operations do not correspond with the contemporary security challenges.

Expansion has a lot of critics and one major reason given by these critics was that, the assessment of a candidate must not be based on any other reason than military capability. If that should be the case then countries such as China and the United Kingdom would have to be replaced. Replacing China almost seems impossible because of their huge economic status but replacing United Kingdom could be possible because the military capability of United Kingdom has declined over the past three years or so.

The issue of reviewing the Veto power has also come under criticisms. One of the major arguments against Veto review is that the concept of Veto acts as a unification factor among the permanent members. This is because Veto is the only authority that is available in equality for all the permanent members.

Many states have also submitted reports on different kinds of reforms which they deem fit for the UNSC. All the proposals that have been submitted in the past were practically achievable but most of them were turned down by the UNSC. Among some of the key areas in these submitted reforms were the ideas of expansion. China, United States and Russia have strongly supported the idea that India deserves to be a permanent member. All these three countries supporting India have clear interests in both India as a country and as an economy. Out of the numerous reform proposals, only three came close to being applied but all the three ultimately failed for two reasons. First, the permanent five members do not want a sixth member to share the Veto privilege with them. Secondly, regional dynamics also contributed towards these failures.

The role of international laws cannot be underestimated when it comes to maintaining international peace and security. International laws define the boundaries which national interest must not cross because the national interest of one country might be the security problem of the other. However, there is one weakness when it comes to the application of international laws. The weakness is that there is no one global institution that oversees the implementation of these laws. Nevertheless, national laws have been synchronized with regional laws which have subsequently been synchronized with international laws so it is very easy to abide by international laws. The European Union and African Union have played major roles in regional laws over the years. In as much as it is easy to abide by international laws, it is easier to breach them. This is the dilemma that states or nations confront every day.

As explained throughout this thesis, each of the permanent members uses their powers to fight for national interests and that includes China. China is ready to Veto any decision to include an African country in the permanent membership because of its enormous interest in the continent. The interest of China is not only economic but also includes security. The number of Chinese citizens present in Africa as of 2012 was estimated to be approximately 1 million. The dynamics of politics in Africa presents a very dangerous environment for Chinese citizens or any other country's citizens to live or survive in because of the security risks involved at the top and bottom level.

In the nutshell, expansion seems very realistic and quite a fair decision to be taken by the UNSC. At least it would ease the operations of the UNSC by encouraging regional fairness. However, as long as members such as Russia exist, that decision would take a long time to be taken because Russia does not support the idea of expansion in anyway.

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