

## United Nations Organisation: A Collective Security System?

منظمة الأمم المتحدة: نظام أمن جماعي ؟

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**Abstract** :Unlike security through the balance of power which marked the international system in the 19th century, collective security is based on the "imbalance of forces", those brought together by all the Member States against any aggressor. United Nations Organisation has always been portrayed by both politicians and political scientists as the concretisation of the collective security concept, and is often qualified as a collective security system. To verify the accuracy of this statement, we will first define the main features of collective security, before searching whether these characteristics apply to United Nations Organisation or not. We will conclude that considering the UN as a collective security mechanism is nothing but a myth, and that this organisation has rather been conceived as a balance of power system and that it has always been intended to function as such.

**Key words** : balance of power, collective security, multilateralism,UNO.

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## Introduction

For many, the United Nations Organisation embodies the culmination of an old dream, that of replacing a dubious – and ultimately dangerous – system of balance of power by a lasting regime of “collective security” capable of bringing peace. The concept of collective security is in a way a “social contract” between States, while the equilibrium system is a mechanism which, by itself with a certain “laissez-faire”, is supposed to prevent the rise of a State likely to overturn the status quo. The objective of collective security is stability and peace, whereas that of balance of power is the maintenance of the status quo (especially that of great powers), if need be by resorting to war – limited in its objectives – to maintain the geopolitical balance. According to these definitions, is United Nations Organisation a real collective security system, as commonly portrayed, or is it merely a system of balance of power?

### I-From the League of Nations to UNO:

The bellicoseardour that tore Europe apart until the middle of the 20th century reflected then Clausewitz's thesis :“War isthe mere continuation of political activity by other means”. The First World War and the horrors it broughtmarked, however, a turning point,leading the winners of the Great War to conclude a new kind of "social contract". The pact of the League of Nations, an integral part of the Treaty of Versailles, signed on June 28, 1919 by thirty twoStates, was to open up new perspectives, by adopting the quasi-revolutionary postulate that war should be excluded as a means of national politics. If the alliance was the keystone of previous security systems, the League of Nations operates, however, a qualitative change by laying the first stone of an edifice to be built: collective security.<sup>1</sup> It was therefore considered that it was now necessary to establish security with – and not against – the potential adversary, by including it in the diplomatic system.<sup>2</sup> Article 10 of the Covenant empowered the League's Council to advise Member States on the measures to be taken in case of aggression or threat of aggression. Article 11 declared that any war or threat of war, whether or not immediately affecting any Member, was a matter of concern to the whole League, which had to take action as required to safeguard peace among nations.<sup>3</sup>

Succeeding to the League of Nations, the United Nations Organisation (UN) was created by the United Nations Charter, signed at the San Francisco conference on June 26, 1945 and which entered into force on October 24, 1945. Without returning to the functioning of the League, it is necessary to recall the filial link between these two organisations whose objectives, functions and structures share a lot in common. The drafters of the United Nations Charter corrected, therefore, the weaknesses of the previous experience, in particular by strengthening the powers of the Security Council and by removing the rule of unanimity which paralysed the functioning of the League of Nations.<sup>4</sup> Any “use of force” – war or any other form of military intervention is– as a matter of principle- prohibited. The Security Council is responsible of resolving disputes and can, to this end, adopt coercive, economic and also military measures.<sup>5</sup>

More than by the creation of the UN, the change in the nature of the international order was therefore marked by the establishment of the League of Nations in 1920, the first universal international organisation whose vocation was to regulate the use of force by States. The UN has come to complete this evolution of international law by building a structure that is certainly stronger but not revolutionary.<sup>6</sup>

## **II-Assessing UN security system:**

The world order established post-World War II had been built around a vision of an international community standing united to deter, prevent, or stop acts of aggression by individual States or alliances. However, soon after and frequently since, this ideal has failed to meet its promise.<sup>7</sup> The role of the UN has been seriously challenged in recent years. First, because of the security council's inaction in cases of genocide or other humanitarian disasters, due to the lack of political will on the part of the Member States. Secondly, the UN's central role has been undermined by unilateral use of force by State<sup>8</sup> and the return to unilateralism after the end of the cold war.

### **1- United Nations' responses to world-peace expectations:**

Great powers continue to pursue their narrow national interests, at the expense of less powerful States and of the moral imperative to protect vulnerable civilian populations from wars and mass violence. At the UN Security Council (UNSC), the veto power entitlement has become, instead of an instrument of checks and balances, a tool for advancing self-interests and protecting allies.<sup>9</sup> The interlocking political and economic interests of the five great powers make it inconceivable that any action taken by the Council would directly or indirectly affect their interests. Ultimately, when the Security Council accepts to pass a resolution, it usually ends up formulated as follows:

- Refraining from taking the action required to end the conflict, and merely appointing an envoy to manage it. The best example of this are the resolutions on Palestine.

- Imposing sanctions that often harm innocent people without contributing to the conflict resolution.

- Using distorted ineffective verbal formulations such as the repeated condemnations and denunciations in Council's resolutions that do not call for any action that would change the tragic situation in question.

The net result is that the Council is being confined, in too many cases, to managing conflicts, not ending them.<sup>10</sup> Indeed, if the permanent members agree on a course of action, as they did following Iraq's invasion of Kuwait, the Council can take effective measures to resist aggression or enforce international law. If, however, the interests of the permanent members diverge, such as during the Cold War, the Syrian conflict, or the ongoing Ukrainian crisis, or if the Permanent Members are disinterested, such as during the 1994 Rwandan Genocide, the Security Council will be inactive.<sup>11</sup> The Council has frequently been unable to intervene to prevent crises, resist acts of aggression, or enforce international law .

## **2-Unilateral use of force:**

UN's central role in maintaining peace has been undermined by unilateral use of force by States. Indeed, if the UN charter authorises the use of force when it occurs in the context of self-defence or when it is authorised by the Security Council, we have however seen, in recent years, a multitude of use of force cases in international relations without either of these two conditions being met. Today, violations of international law are on the increase. This drift is all the more worrying as it is essentially the work of the main world power. The war of good against evil leads to a reminiscence of the old messianic conception of the just war.<sup>12</sup> In various recent cases, States have availed themselves of this right to justify the use of force. If they had indeed been the object of an attack, the fact remains that their behaviour was not totally lawful, or at least was it only by an extensive interpretation of the criteria surrounding the exercise of self-defence. In other cases, on the contrary, the States have resorted to force even though they have not been the object of any armed attack. However, in such a case, the use of force can be legal only on the sole condition that the Security Council has previously authorised it, which was not the case. In these situations, the States have dispensed with any authorisation to use force from the Security Council and have indisputably violated the UN charter principles.<sup>13</sup>

This desire to use force is nevertheless likely to be partly explained by the flaws in the current system, and the overbroad interpretations given to the principle of self-defence, which constitutes the exception to the essential principle of the prohibition of individual recourse to armed force. Indeed, new forms of self-defence arise with the promotion of new concepts such as those of "preventive" self-defence and "pre-emptive" self-defence. These two concepts tend to revolutionise the very notion of self-defence, because if, pursuant to Article 51 of the United Nations Charter, a State can only invoke self-defence after having been the subject of an armed aggression, the objective of preventive self-defence is to allow a State to act in anticipation rather than to react after an attack.<sup>14</sup> However, this conception can be very dangerous, as it introduces a breach in international law which can prove very difficult to close.

All in all, the UN has been disappointing since it proves to be powerless to prevent conflicts and lacks the means and the will to enforce the rights of peoples: it has no own armed forces, States do not respect their commitments, and sanctions are very selective. Great powers claim to defend the interests of Humanity but are above all concerned about their own. Thus, according to A. Hasbi, the UN is an instrument of the foreign policy of States: "The UN is a forum that is used by States in different ways, depending on the objective sought by each other". On the one hand, powerful States seek political advantage by making it an instrument to legitimise their actions; on the other hand, developing countries expect it to establish a more balanced and fairer international order. In the same vein, Olivier Russbach puts the States on trial because according to him, "it is the policy of the States - and precisely their confiscation of the UN - which prevents the Organisation from giving, somehow, what it could give, to fulfil the mission for which it was created in 1945". The Security Council is discredited by its practice of "double standards" in conflict

resolution; When its five permanent members, which hold the right of veto, are okay, it's the right of the strongest; when they are not, it is paralysis.<sup>15</sup>

The multiplication of international crises and the rise of unilateralism are fuelling the crisis of the United Nations system.

### **III-Is UNO really a collective security system?**

United Nations Organisation has always been portrayed by politicians and political scientists as the incarnation of the collective security ideal. To verify the accuracy of this statement, we have first to understand what is collective security and what are its features, before searching whether these characteristics apply to United Nations Organisation and its functioning or not.

#### **1-What is collective security?**

As an idea, collective security is rather old<sup>16</sup>. In the 18th century, the perpetual peace projects of the Abbé de Saint-Pierre (1713) and Kant (1795) laid the conceptual foundations of collective security. However, their implementation came much later.<sup>17</sup> It was under the impetus of a head of State-philosopher (he was a Princeton professor of political philosophy), Woodrow Wilson, that the concept became a reality, with the creation of the League of Nations.<sup>18</sup> Collective security postulates the institutionalisation of the lawful use of force within the international community. What is required is a multilateral treaty, whereby contracting parties create an international agency vested with the power to employ force against aggressors (and perhaps other law-breakers).<sup>19</sup> It is therefore a system where peace is ensured by all States for the benefit of all. The actors evolve within a collective framework, which is multilateralism, according to the rules of law.<sup>20</sup> Multilateralism is not only a matter of numbers: it is not sufficient to be more than two States or actors (as opposed to unilateralism and bilateralism) to qualify the system as multilateral. Multilateralism is coupled with a qualitative and normative dimension : it aims to “establish a cooperative international order that governs international interdependencies”. It therefore implies a political project based on the principles of equality, inclusion, indivisibility and reciprocity. This specific vision of international order contrasts with the balance of power or the European concert, dominant during the previous centuries, which was based on power, balanced or concerted, and functioned thanks to hierarchy, marginalisation of small States and non-reciprocity.<sup>21</sup>

On the contrary, all collective security mechanisms share a set of common features. The first one is that collective security is based on the ancient adage: “*unus pro omnibus, omnes pro uno*” which means one for all, and all for one. This principle implies that the members of a collective security organisation agree that “a war against one state is, ipso facto, considered as a war against all”.<sup>22</sup> The all-for-one and one-for-all idea of collective security asserts that peace among international community can be maintained through a binding, predetermined agreement which dictates collective actions to be undertaken in order to preserve it. It says that any illegal threat or use of force by any sovereign member of the international community against any other—that is aggression, potential or real—should trigger the combined force of all the rest.<sup>23</sup> The concept of collective security associates a number of States

to ensure a security that is no longer only national but also regional, international and even global. Any nation within the regional or international system that commits aggression or imperils the peace, violates the norms of that collective security system and is subject to enforcement action. No nation is excluded from the responsibility of maintaining peace and security regardless of where, within the collective security system, the threat originates.<sup>24</sup> Collective security is based on the perception of the indivisibility and peace solidarity between States. Everyone should be concerned about everyone's security issues. International peace and security of States being intimately linked. This implies a mechanism of international guarantees, in the common interest, to maintain and, if necessary, to restore peace between States.<sup>25</sup>

Another important characteristic of collective security is that it is non-discriminatory. All the member-States are engaged to aid each other against any and all aggressors. The guarantee of protection is unequivocal and is not limited to a specific enemy. Nor do collective security mechanisms distinguish the victims on the basis of their identity. All the members of the system, whether large or small, strong or weak, are afforded an identical guarantee of protection. In short, collective security guarantees that all aggressors will be equally opposed and that all victims will be equally defended.<sup>26</sup>

## **2-What about United Nations ?**

The security system generated by the U.N. Charter, the core of which is the Security Council, shares none of the previous features of a collective security mechanism. Rather, the Security Council was conceived and continues to function as a system of balance of power.<sup>27</sup> The main characteristic of a collective security mechanism is that it guarantees to its members protection against aggression. Nowhere, however, does the U.N. Charter provide the Member States with such a guarantee. Nor does the Charter give any assurance of collective action to protect the political independence, territorial integrity, or security of the organisation's Member States. In other words, conspicuously absent from the Charter is any language similar to that of Article Five of the North Atlantic Treaty pursuant to which the NATO members make the commitment to consider that an attack against one is an attack against all. Rather, the Charter simply instructs States to "settle their international disputes by peaceful means" and commands them to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State." Apart from recognising to States the right to recourse to force to defend themselves against armed attacks, the Charter accords no guarantee of collective responses against threats or use of force or acts of aggression.<sup>28</sup>

Moreover, to convince the Great Powers to both join the United Nations and remain within the organisation, they were offered a great privilege which is permanent membership of the Security Council, in addition to the right to veto any proposed Security Council action or decision that would be considered as a threat to their security or interests.<sup>29</sup> These privileges accorded to the five great powers were due to the experience of the interwar period that dramatically showed that power successfully resisted any attempt of institutional containment. A State which opts for

unlimited power can impose its will on others without encountering any real obstacles; it can emancipate itself from any conventional order and easily ignore any constraint of common power. It was partly this harsh statement that led to a revision of the previous formula in 1945. The UN system took a completely different direction and attempted another equation: instead of cancelling power, the new multilateralism proposed to associate it. The San Francisco charter distinguished an oligarchy in the hard core of the Security Council and endowed it with a right of veto. This privilege allowed the most powerful States not only to protect their power, but also to put it at the service of their national interests. For the first time in the history of law, the UN thus legalised power by recognising a derogatory jurisdiction for five of the fifty-one founding States.<sup>30</sup>

In reality, the right of veto, which is an unrestrained power, is in total contradiction with the foundations of collective security which are essentially based on the principles of equality and indivisibility between Member States. We therefore come back to the conception of certain realist theoreticians who deny the possibility of lasting multilateral cooperation: in their vision, international institutions do not represent the emergence of a new form of collective action, but merely constitute a reflection of the power ratios. The privileges granted to certain members, and in particular the right of veto, contribute, to a certain extent, to the reproduction of the international hierarchy within the United Nations Organisation itself.<sup>31</sup>

The reality of the Security Council must be objectively assessed. It is not an enforcer of international law nor is it a collective security mechanism that provides a legally guaranteed assurance of aid and protection in the case of aggression. Rather, the Security Council is designed to operate like a Great Power Concert, not different from the Concert of Europe that was established by the leading European powers of the nineteenth century to oversee and manage European affairs. Like a Great Power Concert, the principal purpose of the Security Council is to contribute to the maintenance of peaceful relations between the most powerful States and to provide a forum through which they could coordinate their policies and jointly manage the international system.<sup>32</sup> The Council's frequent inability to intervene to prevent crises, resist acts of aggression, or enforce international law is, therefore, not a "failure" at all. Rather, in its many instances of inaction and non-intervention, the Security Council is functioning exactly as it was intended to operate.<sup>33</sup>

#### **IV-Prospects for UN security system**

From there, we can imagine the future of international security in several ways. If we are optimistic, we will aspire to the expansion and universalisation of a model of structural peace that will really materialise collective security. If one is pessimistic, one will fear that the future belongs, according to a fashionable theme echoed by some analysts, to chaos caused by the deconstruction of all the institutional mechanisms established since 1945, a creative destruction from which an international order of a hegemonic type would emerge, to the benefit of the United States or another super-power. If, on the other hand, we are realistic, we will return to the United Nations, the only existing multilateral and universal framework of

international security, because it is not sustainable in the long run that a single State, however powerful it may be, can control international society, or even disorganise it. This leads us naturally to the theme of UN reform, which aspires to redress the flaws of the current UN system that led to the failures we have witnessed so far.

On this subject, we hear two types of voices, which are deployed in two directions that are more opposite than complementary: a normative approach on the one hand and an institutional approach on the other.

**1- The normative approach:** It aspires to update the founding texts, by defining a new concept of security, starting from an analysis of contemporary threats and risks. It also wishes to better regulate the use of armed force, whether by international bodies or by States in situation of self-defence. However, this approach, although useful, could prove to be ineffective in the long term, because what is needed is not to lock oneself in doctrines which only reflect the current situation and must in turn be permanently adjusted, it is rather to have an international body that is both powerful and flexible in order to be able to adjust pragmatically to new situations and respond effectively to the requirements of international security.

**2- The institutional approach:** It is about improving the functioning of the Security Council, in terms of both its effectiveness and its legitimacy, or in other words its means and its composition. The question of means, in particular providing the UN with an armed force, is the simplest, because it is not conditioned by a modification of the Charter. The question of enlarging the composition of the Council is the most difficult, since any reform presupposes a formal modification of the Charter. Enlargement seems necessary in order to better take into account the major changes that international society has experienced since the Second World War. Just as it does not reflect the international order in terms of demographics, the current composition of the Security Council does not reflect it in terms of power.<sup>34</sup> Since the founding of the UN, the world has deeply changed. The process of decolonisation resulted in the strengthening of the international community through the accession of new members. New regional powers have also emerged on all continents. It is natural that many voices have been raised in recent years to call for the strengthening of the Security Council by the accession of new permanent members more or less representative of the different regions of the world, such as Germany, Japan, India, Brazil and Nigeria or South Africa... Without giving absolute guarantees, such an enlargement of the Security Council would have the certain effect of rebalancing the balance of power, and thus reinforcing world peace.<sup>35</sup> We are currently witnessing a significant shift in the configuration of world power. The American hegemony is no longer relevant, China is now considered as the main competitor of the United States, Russia defies the established order and imposes its will, Germany and Japan are claiming permanent seats in an expanded Security Council reflecting their financial heft and political clout, Britain and France are regressing on the world stage, while India, Brazil, and other pivotal States are growing in wealth and influence. An important characteristic of this ongoing global power shift is that many of the rising powers do not share the ideological orientation and normative commitments of the

Western powers that conceived the current international system<sup>36</sup>. We are no longer living in the age of hyper globalisation. The liberal dream of uniting humanity around universal rights and values has tarnished. The idealist utopia of living in a global village has experienced a major setback with the failure of international community in responding to the COVID-19 outbreak.<sup>37</sup> Consequently, the global political landscape is becoming increasingly pluralistic. States with varying—if not conflicting—interests have become sufficiently powerful to legitimately claim a greater role in conceiving global governance and in reformulating the rules of international law. This changing reality of international politics and the shifting distribution of power will inevitably have an effect on the doctrinal foundation and institutional infrastructure of international law. As Quincy Wright recognised decades ago, “if a new political structure of the world is imminent, important modifications in the principles of international law are to be anticipated.”<sup>38</sup> A better representativeness of the Security Council should make it possible to strengthen its legitimacy and thereby enable it to release the collective will of the international community.

Urgent as Security Council reform is, it is unlikely to happen in the near future. Indeed, it presupposes an amendment of the United Nations Charter which itself presupposes ratification by two-thirds of the members of the United Nations, including the five permanent members, to enter into force. In other words, the reform of the Security Council is a bit of a holy grail, the one that is announced but which never comes.<sup>39</sup>

Another preferred option would be to strengthen the role of regional organisations in international peace and security affairs. They should be more involved in these matters through a process of decentralisation, delegation or cooperation with the United Nations. In so doing, they would contribute to spreading a sense of participation, consensus and democratisation of international affairs. Regionalism today seems to be the ideal way to break with the established order. Indeed, regional grouping is considered both as a means of solving development problems but also problems of regional security.<sup>40</sup> One could imagine that a successful regional integration reproduced in all the regional groups following the example of the European Union, would lead to the creation of economic and political poles capable of renegotiating the conditions of international balance. The UN would therefore become the organisation that would encompass all regionalisms and translate their collective will.

### **Conclusion**

Hans Morgenthau had stated that “the balance of power and the policies aiming at its preservation are not only inevitable but are an essential stabilising factor in a society of sovereign nations.” We therefore come back to the conception of certain realist theoreticians who deny the possibility of lasting global collective security: in their vision, international institutions do not represent the emergence of a new form of collective action, but merely constitute a reflection of the power ratios. The privileges granted to certain members contribute, to a certain extent, to the reproduction of the international hierarchy within these institutions themselves.

The League of Nations constituted the first world experience of global collective security, based on the principles of multilateralism, equality between States and indivisibility. However, the experience of the interwar period dramatically showed the limits of collective security and proved that power successfully resisted any attempt of institutional containment. It was the reason why the UN system took a completely different direction. The Charter of San Francisco attempted another equation: instead of cancelling power, it proposed to associate it. The charter distinguished an oligarchy in the hard core of the Security Council and endowed it with a privilege : the right of veto which allowed the most powerful States not only to protect their power, but also to put it at the service of their national interests. The reality of the United Nations must be objectively assessed. Qualifying it as a collective security system is nothing but a myth. UN Organisation is not an enforcer of international law nor is it a collective security mechanism that provides a legally guaranteed assurance of aid and protection in case of aggression. Rather, the Security Council is designed to operate like a Great Power Concert, and like any balance of power system, the principal purpose of the Security Council is to provide a forum through which the Great Powers of the post-World War II era could coordinate their policies and jointly manage the international system. The Council's frequent inability to intervene to prevent crises, resist acts of aggression, or enforce international law is, therefore, not a "failure" at all. Rather, in its many instances of inaction and non-intervention, the Security Council is functioning exactly as it was intended to operate.

Today's international environment is changing in many different dimensions. China and Russia are increasing their military cooperation as well as coordinating their foreign policies on multiple institutional platforms. The transition from soft to hard balancing has finally really occurred, with the Ukrainian war, consecrating the irreversible erosion of American primacy. The reconfiguration of the strategic balance foreshadows a continued weakening of the UN system, in its current form, to the point that it can be considered ineffective.

Maintaining the balance of power will require the Great Powers, especially United States, China, and Russia, to reformulate common basic understandings of the normative principles that should guide the world order and conclude compromises to refrain from challenging their respective vital interests and respective spheres of influence. Unfortunately, accommodating the interests of Great Powers may even generate injustices and iniquities, especially for third States. It is why it would be desirable to strengthen the role of regional organisations in international peace and security affairs. They should be more involved in these matters through a process of decentralisation, delegation or cooperation with the United Nations. In so doing, they would contribute to spreading a sense of participation, consensus and democratisation of international affairs. Regionalism today seems to be the ideal way to break with the established order. One could imagine that a successful regional integration reproduced in all the regional groups would lead to the creation of economic and political poles capable of renegotiating the conditions of international balance. The

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<sup>36</sup> HELAL, op.cit, p1096.

<sup>37</sup>Tarek OĞUZLU, Balance of power politics are now more visible than ever, <https://www.dailysabah.com/opinion/op-ed/balance-of-power-politics-are-now-more-visible-than-ever>, accessed March 28, 2023.

<sup>38</sup> HELAL, op.cit, 1096

<sup>39</sup> LE FLOCH, op.cit.

<sup>40</sup> Michel LIEGEOIS, *Le rôle des organisations régionales dans le maintien de la paix et de la sécurité internationales .Éléments pour une approche comparative*, Presses Universitaires de Louvain, 2013, <https://books.openedition.org/pucl/3220?lang=fr>, page consultée le 25 février 2023.