

However, the price which has been paid for the Council's activity in this regard is the loss of its Cold War role of forum for states to debate international law and the broader legality of specific UN actions, such as intervention in internal conflicts. While reference is often made to the erosion of state sovereignty or the changing nature of external intervention, such post-Cold War issues have never been tested or recognised by the forum capacity of the Security Council. What do such statements mean in a context where the Council has not actually determined this? The phenomenon of recent cooperation on specific issues has ended, at least for the time being, open discussions on international law by the Security Council, signalling perhaps a new phase in the life of the international community in which Council members will be unable to agree politically on the determination of certain conflicts, giving rise to the question: what *is* the law? Do we have new conceptions of sovereignty or of intervention to replace those of the Cold War? During the Cold War, for example, the principle of self-determination was applied in order to justify the position that external states should not intervene in internal conflicts. That these assumptions have changed is certain, but what has replaced them less so. Member states do not currently discuss these issues in abstract legal terms, but they will come up the moment the Security Council is unable to reach a political consensus.

The longer-term *normative* implications of recent Security Council actions to promote settlements for internal conflicts have been significant. In so doing the Council has sought to promote or modify a number of existing or emerging norms of international law, but in most cases the Council's dominant concern has been to induce the warring parties to accept a negotiated resolution to the conflict. The focus on the need for negotiated settlements, and the means the Council sometimes employs to achieve them, have certain normative consequences that are not always consistent or indeed fully appreciated. While the end of the Cold War has widened the scope for international intervention in such conflicts, the Council generally still adheres to the non-intervention norm, i.e. that the parties to the dispute have the primary responsibility to determine its outcome.

At the same time, however, the Council has sought to further de-legitimise the use of force for the reordering of political relations within states. More than ever before, the Security Council urges, and sometimes demands, that parties to a conflict engage in internationally-mediated negotiations. In such cases the Security Council typically attempts to remain neutral regarding the parties' underlying dispute, in keeping with the norm referred to above. But neutrality does not mean the Council lacks substantive goals. Instead, it has partially redefined legitimate internal authority. Rather than recognising and aiding one party as the exclusive representative of the state, the Council now treats all principal factions as jointly representing the state. In pressing for a negotiated resolution, the Security Council tries to encourage an inclusive settlement that strikes a balance between competing interests, thereby giving the conflict actors an ongoing role in the future of the state. Occasionally, the Council will back these demands for a negotiated settlement with coercive measures, as in Somalia and Bosnia.

In considering the normative consequences of the Security Council's current approach to internal conflicts, two different types of conflict may be distinguished. The first is conflict over *ideology* or *control of state resources*. Such conflicts tend to be more amenable to external intervention in support of a settlement. Mozambique, Cambodia, El Salvador, and Nicaragua are examples. In such conflicts,