

In the large majority of cases, it will continue to be unclear and legitimately debatable as to whether outright aggression has occurred, and where the responsibility lies. In such instances, the international response will have to be more in the traditional form of seeking cease-fires, offering good offices, mediation or, less probably, arbitration, truce supervision and peacekeeping.

There is a fundamental question as to whether some conflicts may also prove simply too big or volatile to be amenable to Security Council enforcement action. For example, the possibility of a major military conflict in South Asia, which has seemed imminent a number of times in the recent past, particularly between India and Pakistan, would be an extraordinarily difficult situation in which to try to apply Chapter 7 measures.⁶

More pointedly still, we must now define future approaches to the use of the permanent members' veto and perhaps question its continued existence. If the accusation of double-standards by the UN is to be disproved in the future, and international order strengthened rather than morally undermined, the veto can never again be exercised with the moral ease that prevailed in the past. If the veto or the threat of veto is to have any continuing legitimate purpose, it cannot be simply to deflect any political embarrassment to a permanent member, its friends or its clients, or to mask blatant transgressions on their part. Nor can its exercise be provoked for purely propaganda purposes, as has too often been the case in the past.

The veto was originally accepted in the Charter for two basic reasons. One was the frankly hierarchical assumption that the major powers would retain special prerogatives and special responsibilities in the operation of international systems. There was and is debate about whether such an assumption is legitimate and/or inescapable, and also about whether the permanent members' exercise of special responsibility has been commensurate with their special prerogatives. Further, there is a serious debate, even if the legitimacy of a hierarchical structure is accepted, as to which powers should now be accorded such special status and by what criteria. Originally there was a vague mixture of power (mainly military power), prestige, and a measure of geographical representation, based on the realities of the world of 1945. Certainly the world of 1990 would suggest a somewhat different list and the only possible justification for maintaining the present one is the fear that re-opening such a Pandora's box might produce chaos.