



THE LEGITIMACY DEFICIT: STRUCTURAL AND NON-STRUCTURAL PATHWAYS TO UNITED NATIONS REFORMS

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Abstract

The United Nations was established in 1945 to promote and maintain international peace and security. The Organization is allegedly undemocratic, unrepresentative and it does not reflect the current geopolitical realities. The UN faces persistent calls for structural and non-structural reforms as the global power distribution, norms and challenges have transformed. The UN reforms is fundamentally a contest over ideas about what the institution would represent in the 21st century. The structural reforms involves the changes in the UN composition and voting procedures of the Security Council, the expansion of membership in the UN organs and the amendment to the UN Charter. While the non-structural reforms involved changes to the working methods and management practices. The demand for the UN reforms are driven by the need for greater representation, legitimacy and equity, especially from the emerging powers and the Global South, who argue that the UN configuration no longer reflects today's geopolitical realities. This study examines both tracks of reform and their interaction. It analyzes qualitative secondary data from UN documents, state position papers and NGO reports to trace how arguments about legitimacy, sovereignty and responsibility evolved. By applying content and discourse analysis, it seeks to explain why structural reforms remains blocked while non-structural reform continue to advance and what this pattern shows about power and norm change in the United Nations system. The structural reforms remains stalled because of the veto power of the permanent 5 unlike the non-structural reforms which is more feasible politically as it does not require permanent 5 consent and also without altering the Charter.

Keywords: United Nations, Security Council, Reform. Legitimacy and representation

1.0 Introduction

The United Nations was established in 1945 to promote global peace and security. The United Nation Security Council (UNSC) is the highest ruling body of the organization, comprising of fifteen members; five permanent and ten non-permanent members. The five veto members are United States, Britain, France, Russia and China. They decide on which country of the world need peace keeping force, relief materials or

which government is not consistence with internationally acceptable mandate. The power of the Security Council is almost unlimited. The Security Council is dominated by five permanent members, whose decision stands unchallenged by the World Court and its resolutions unlike that of the General Assembly are binding on all member states. They enjoy veto power and define what acceptable conduct is and what is not in the international arena. For decades



this arrangement functioned within the context of the Cold War and its aftermath. However, by the 1990s there was shift in economic weight, demographic growth and the end to colonialism had altered the global landscape. States from Africa, Asia and Latin America began to argue that the UNSC composition no longer match the realities of the 21st century international relation. This mismatch has driven the long-running debate over structural reforms. Structural reforms refers to changes in the UN Charter itself, particularly the size and composition of the UNSC and the use of the veto. Proposals ranges from adding new permanent members with or without veto power, to abolishing the veto, to creating new categories of semi-permanent seats. Despite broad agreement that reform is needed, no consensus has emerged because any Charter amendment requires approval by two-third of the General Assembly and all five permanent members. In parallel with the structural reform debate, a send track of change has emerged around non-structural reform. Non-structural reform does not require Charter amendment, it focuses on the Council's working methods, transparency, and accountability and with relationship with the broader membership. The distinction between structural and non-structural reform reflects different theories of how international institutions change. Realist accounts emphasize the self-interest of the permanent members, who are unlikely to surrender privileges that protect their core security concerns. While constructivist accounts highlight the role of norms, legitimacy, and identity, arguing that the Council's authority depends on being seen as representative and fair. Constructivist claims that P5 only represent selfish interest and not general interest of the world. The Organization is allegedly undemocratic and

particularly, unrepresentative as well as does not reflect the current geopolitical realities. The UN faces persistent calls for reforms as the global power distribution, norms and challenges have transformed.

In response, perhaps, to pressure for broadening the membership of the council, there was a move by the former United Nations (UN) Secretary General, Kofi Annan, to undertake a comprehensive reform of the Organization, with a view to making it more responsive to the challenges of the 21-century.(Nasir,2004:9). A panel was set up by Kofi Annan. The panel did not specifically name any new country to join the elite Security Council, but proposed that its membership be expanded from 15 to 24. Annan commented on the panel's report that:

I wholly endorse its core argument for a more comprehensive system of collective security, one that tackles both new and old threats and addresses the security concerns of all states-rich and poor, weak and strong. The report offers the United Nations a unique opportunity to refashion and renew our institution and will be sent to the General Assembly for consideration and action ...” (1998:7)

Literature Review

The review of past studies shows that scholarship on UN reforms has long been divided between those who view the Security Council's structure as the central obstacle to legitimacy and those who argue that the reform can occur through changes in practice without amending the UN Charter. The structural reform literature focusses on composition and veto, while the non-



structural literature examines working methods, accountability and normative evaluation. Together, these strands shows why reform is both urgent and persistently incomplete.

To begin with, the Structural reforms debate originates in the end of the Cold War, when the surge in peace keeping and humanitarian intervention exposed the gap between the 1945 power configuration and the current geopolitics. Studies conducted by Wouters and Ruys (2025) Vandem (2003) Farley (2002) Ismsa'il (2004); Raymond (2008) Peak and Jarvis (2025); Winkelmann, (2024); Mehmedovic and Salifoska, (2026); Cox (2009); Muller, J. (2016); Arowolo,(2008). Bala,(2002) and Arowolo, (2008) .argue that the council is deeply-flawed instrument for promoting peace and collective Security, and they called for far-reaching changes in the council membership and veto power, they maintained that the Council composition reflects the power structure of 1945 not the current geopolitical realities. They argued that the council must become more democratic, consistent, accountable, and that it must function less as a geo-political instrument of few major powers. They raised serious questions about the current council's capacity to be credible or legitimate source of international peace and security and the Security Council was undemocratic, unrepresentative, unreflective to the contemporary reality, as well the equality of states are not guarantee. However today's reality dictates that developing countries has the rights be represented. They called for renewed efforts at restructuring the United Nations and its agencies as the panacea for permanent peace in the world.

In addition, Ismsa'il (2004) further called for democratization of the United Nations and its agencies to what he termed "One

Man-One Vote" status and advocating for the review of United Nations Charter. In support of Isma'il (2004) for the abolition of veto power and restructuring United Nations. Peak and Jarvis (2025) and Winkelmann, (2024) Stressed that veto power is a form of slavery against humanity. Therefore, they called for the total decolonization of United Nations and its agencies for worldwide peace. Similarly, Vandem (2003) Farley (2002) argued that it is time to reject collectively the idea of an elite group of states deciding in critical question of peace and Security. They maintained that an Agenda for peace cannot be implemented with a Security Council which does not enjoy the confidence of the majority of United Nations member states and which does not adequately reflect the composition of the United Nations. (Vandem, 2003; Farley 2002).

Furthermore, the structured reform scholarship believed that a reformed Security Council is one of the most important tasks and that the composition, size and working-method of the Council need to reflect today's realities in order to be perceived as relevant and legitimate. They stressed that after the charter was adopted 1945, a number of countries, including Africa, Asia and Latin America has emerged as independent, these countries should be given a role in the work of the council, reflecting their importance and contribution to the United Nations. The exclusion of Africa, Asia, Latin America and rising powers like Brazil and India weakens the Council's legitimacy and its ability to mobilize broad support for enforcement action. Similarly, Peak and Jarvis (2025) holds that reform is necessary for the Council to remain relevant but they are skeptical whether the P5 will voluntarily cede privilege.



On the contrary, the literature on non-structural reforms emerged Wouters and Ruys (2025); Panggabean (2025); Gould and Reblen (2017); Chesterman, (2008) and Schrijver, (2007); Liden, (2003) Kassongor, (2008) John, (2003) as it became clear that the charter amendment was unlikely. These scholars focus largely on administrative or other inconsequential reforms and rejecting any meaningful reforms of the world body. Wouters and Ruys (2025) and Panggabean (2025) claimed that the Security Council was never designed to represent the United Nations membership geographically, but was intended to be a concert of great powers, who has the power to make major decision by virtue of the fact that they held economic and military powers. This was supported by Chesterman, (2008) findings that the council was built on the assumption that the great powers would unite any time, they see a threat to international peace and Security and was not meant to be truly representatives, but it was meant to compose of countries with the ability to maintain international order. Panggabean (2025) examines how the UN adapts through changes in the working methods, management and accountability. Wouters and Ruys (2025) documented reforms such as public Security Council debate, increase interaction with troops contributing countries and the creation of Human Right Council. These changes did not require Charter amendment but altered how the UN operates. The key issue is that efficiency and accountability reforms can build trust and partially address legitimacy concerns.

Theoretical Framework

This study is situated within the constructivist theory of international relations founded by Alexander Wendt, Nicholas Onuf and Friedrich Kratochwil.

The theory posits that the international system exists when states are conscious of certain common interests, conceive themselves to be bound by a common set of values in their relations with one another, and share in the working of common institutions. The constructivist theory assumed that change is possible through interaction and learning, because the system is socially constructed, it can be reconstructed, norms can change, identity can evolve and international relations can transform through dialogue and practice. The theory also assumes that states create international structures but these structures then shape how states act. Constructivists argue that international institutions don't have fixed functions but their role is built by state ideas and norms. The UN Charter in 1945 reflected a post Second World War norm that was "great power consensus + sovereignty = peace". That was why the Security Council gave veto power to the P5. But a UN reform push now reflects new norms; "legitimacy = representativeness + inclusivity". That is 193 member states are saying the Security Council cannot claim to speak for the world if Africa has zero permanent seats and India, Brazil, Germany and Japan are out. Therefore, according to the constructivist states are not just fighting over seats, they are fighting over what the UN should mean and to reflect the current geopolitical reality. The P5 reform resistance are not protecting material veto power but protecting an identity as "special custodians of international peace". Giving up the veto or adding new P5s threatens that self-image.

Similarly, the theory assumed that interests are shaped by identity not just power. Constructivists argued that P5 members block reform not to protect material power but because their identity as privileged



victors of 1945 is tied to the veto. African states' demand for 2 permanent seats is not only about representation but correcting a historical identity norm that excluded the Global South. Similarly, Germany, Japan, Brazil and India push for permanent seats not just for power but their identity as major power is not reflected in the institution. The theory is relevant in this study, because the theory assumed that norms reshape institution and drive institutional changes over time. UN reforms is drive by new norms, human rights norms led to the creation of the Human Rights Council in 2006, gender norm push for more women in senior UN post and anti-colonial norm and decolonization in the 1960s tripled UN membership and change voting blocs. Therefore, the calls to limit veto, democratize and expand the Security Council come from a norm that legitimacy requires representation.

Methodology

This study adopts qualitative secondary data as it captures positions and arguments over time (Creswell, 2007). The structural reforms debate go back to 1993 and the study would not interview every diplomat involved. UN meetings records, draft resolutions, IGN reports and veto explanation helps to trace who proposed what, who blocked it, and on what ground. Without these documents the study will lose the historical records. In addition, qualitative secondary data reduces the reliance on memory and bias because the diplomats or respondents may give polished answers in interviews, but official documents, countries' position papers and voting records are on the record and dated. The design also make the study feasible and comprehensive as the UN Digital Library, Yearbook of the UN, Security Council and General Assembly reports, UN Reforms reports and NGO archives provide decades

of materials, these helps covered the full span of the reform attempts without field access. Since this study is working with document not people, so the analysis is about interpreting text, tracking changes over time and comparing position, therefore, content and discourse analysis is applied.

Findings and Discussion

The findings shows a clear divergence between structural and non-structural reform of the UN Security Council. The structural reforms remains stalled because competing constructions of sovereignty has produce normative stalemate, while non-structural reform has continue to advance.

Structural Reforms

The structural reform is stalled because member states cannot agree on the shared social meaning of sovereignty and legitimacy. The UNSC do not just reflect material power, they are built and maintained by shared ideas about what is normal, legitimate and appropriate in world politics. Reform is blocked because three competing construction are clashing, and the UN Charter cannot be amended until one of them becomes dominant. First, the P5 construct sovereignty in Westphalian terms. Great power status and veto power are part of their identity as custodians of international peace and security. To them the veto is not just a tool but it is a symbol of their recognized role in the system, to give it up or share it equally would mean abandoning a core part of how they define themselves as sovereign states. The Charter requires P5 consent to amend, but their identity-based attachment to the veto creates a hard barrier. Second, the G4 (India, Brazil, Japan and Germany) construct sovereignty as juridical equality plus recognition as rising powers. They argue that the social definition of "great power" must change to



include them. Third, African Group and some states construct sovereignty in democratic terms. For them legitimacy comes from the 193 member state, not from 1945 victory. A single state blocking 193 states violates the current norm of sovereign equality and rule of law. Therefore, UN cannot be restructured until states agree on what sovereignty and legitimacy means in the current realities.

The structural reforms required amendment of the UN Charter. Chapter 3 and article 7 of the UN Charter established Security Council (UNSC) and is the most important organ of the United Nations. It is responsible for the maintenance of international peace and security. The UNSC is the only UN organ that has the authority to issue binding resolutions to member states. Like the United Nations as a whole, the Security Council was created following the Second World War to address the failings of the League of Nations in maintenance of world peace and security. It accepts the entry of new members to the United Nations and also approves any changes to the UN Charter. Its powers and functions include the establishment of peace-keeping operations, the establishment of international sanctions, and the authorization of military action through the Security Council resolutions. The UNSC accepts the entry of new members to the United Nations and also approves any changes to the UN Charter. The UN Charter in its Chapter-5 and Article-23 explains the composition and structure of the UNSC. Article-23(1) provides that the Security Council shall consist of fifteen Members of the United Nations. Out of 15 members, five countries – China, France, Russia, the United Kingdom and the United States of America – shall be permanent members of the Security Council. Ten other non-permanent

members of the UNSC are elected by the General Assembly. While electing the non-permanent members of the UNSC, due regard is paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution. The non-permanent members of the Security Council are elected for a term of two years. A retiring member is not eligible for immediate re-election. Each member of the Security Council shall have one representative. Chapter 5 Article 23 (1) of the charter set up a council dominated by the great powers. This very article has revealed the un-democratic nature of UNSC as well contravene Article 2 of same Charter that stated the organization is based on principle of the sovereign equality of all members. Therefore, Article 23 (1) revealed elite nations with the victorious power as custodians of peace. Even though the Article was written when, most of today's countries were still colonies.

The continuing expansion of the UN Security Council's role makes its reforms desirable. It is being emphasized that this supreme organ of the UN must be democratized both in its structure and functioning. It should be redesigned to reflect the realities of today's world. The existing pattern of representation in the Security Council has become extremely lopsided in view of the radical political changes and the coming together of the East and West of Europe. Besides, the general membership of the UN stands at 197 today and therefore increase in the membership of the Security Council should be considered in order to enhance its representative character. Japan and Germany who are now among the top four contributors to the UN budget,



would like to find a place among the permanent members of the Security Council. India, Brazil and Nigeria seek entry into the 'inclusive club', as representatives of the Third World and as largest countries of their respective regions.

Article 27 of the Charter exposed the injustice and inequalities that exist within the Security Council because it enjoyed only 5 permanent members with veto power. The five permanent member sit continuously on the council and they wield a veto, which allow them to block action on all substantive issues, as against the majority of the member states. Collective Security required genuine representation and with democratization, the Council become transparent and accountable to the members as whole. Veto Power is undemocratic and irrelevant to the modern age. Today's reality dictates the true application of article 2 of the Charter which call for sovereign equality of all member states. The continued existence of veto power and the domination of permanent members in the Security Council would never make peace a reality (Rasali, 2002) The democratization of the United Nations and its agencies to what is "One man-One Vote" status and advocating for the review of United Nations Charter. In line with this view India and Malaysia supported for the abolition of veto power and restructuring United Nations. Stressing that veto power is a form of slavery against humanity. Therefore, there is need for the total decolonization of United Nations and its agencies for worldwide peace.

The reform discussion always come back to the issue of democracy in which the reformers are unhappy about the permanent membership and especially the veto. They re-affirmed their opposition saying veto "Guarantees an exclusive and dominant role to the Permanent Members of the Council

and is contrary to the aim of democratizing the United Nations. Bala,(2002) referred the permanent five as "*lifetime members*" implying comparisons with countries where undemocratic rulers declare themselves "*lifetime President.*" Liden,(2003) called permanent membership "*obsolete*" John, (2003) described permanent membership and the veto "*relies of a bygone era*" while Muller (2016) said "*it is Ironic that those who assiduously resist the democratization of relations among nations, Britain, France and United States are the most vocal in insisting on democratic governance within nations*". Therefore, the unrepresentative nature of the UNSC with permanent members able to veto any Council decision, the system has been criticized for being undemocratic and ineffective and the structure of the Security Council is unreflective to the current realities (Muller, 2016). When the Organization was established 1945 most of today's majority of the member states were under colonial rule, and with decolonization and independence of developing countries, they now constitute more than two-third of the United Nations membership but are grossly underrepresented in the Security Council, with few powerful members in favor of industrialized North. This is nothing but dictatorship of few against many.

The make-up of the Security Council has been controversial and there have been proposals to expand its membership to take into account the increased UN membership resulting from the post-Second World War decolonization. It can no longer reflect the conditions of the period when it was formed. It must become more democratic and more effective, and must belong to all inhabitants of the globe. In other words, it must not simply be a club of powerful in which one state, through its Security Council veto, can



override the will of the rest of the world. The findings supported the theoretical assumption of constructivist that tries to reconstruct UN around a new norm, legitimacy comes from inclusivity and rule of law not from power. It frame veto as colonial relic incompatible with current identity of UN as the world parliament.

Chapter 10 of the Charter deals with the United Nations Economic and Social Council (ECOSOC) assigns to the council the role for global macro-economic policy and strategy formulation and implementation. However, as Kassongor, (2008) rightly points, the UN has played a marginal role in global economic management as the rich industrialized countries have preferred the Bretton Woods institutions as key economic decision-making centres, for they enjoy weighted voting in these institutions and hold them accountable to themselves and not to the ECOSOC or General Assembly, which are representative and democratic bodies. It is being argued that economic governance must be centred in the United Nations as globalization has accentuated the problems of poverty, inequality and instability. The proposal is to revitalize the ECOSOC by way of being Economic Security Council highlighting the importance of economic security in the post-Cold War world. In order to have more democratic and development friendly economic governance, it is proposed that ECOSOC should coordinate global economic policies, deal with the development issues, facilitate cooperation between socialized Agencies and NGOs, involve the private sector to fight poverty, and convene emergency sessions to respond to urgent economic and social problems.

Non-Structural Reforms

The findings reveals that Non-structural reform keeps moving because it changes practice and norms without forcing states to give up core parts of their identity. Constructivist argue that institutions are shaped by what states sees as legitimate and appropriate. Thus, non-structural reform works within the existing norm of great-power privilege rather than attacking it directly. Reforms of this nature can be brought easily and immediately without making any amendments to the Charter and the P5 can accept them because their identity as permanent members is not threaten. They can frame transparency and efficiency as part of responsible leadership.

UN runs on the financial pledges made by the member states and over a period data indicates that at any point of time more than 60 per cent of the member are need to pay their arrears. As a result, the UN often encounters severe financial problems. It is often said that such crisis goes in favor of the member states as the UN's hands are tied citing the financial crisis. It is up to the member states to give it money, and often the rich countries, like the United States (US) in use their contribution for leverage. As Chatterjee puts it, in fact the US has abetted the financial crisis of the UN. The Reagan administration (1981-89) was the most anti-UN administration in the US history. It withdrew from the UNESCO, slashed its contributions to other specialized agencies, and was lethargic in paying its dues to the central UN budget. Soviet Union during the Gorbachev era paid back its accumulated arrears but at present, Russia is in arrears once again due to its own financial problems. The US and former Soviet Union, the giants of the Cold War period, have set a very poor example of not clearing UN contributions on time. If they could get away with paying their subscriptions late, others



thought that they too had the same option. In the absence of member commitments, the UN resorted to cuts in staffing and budget in the new millennium. In December 2013, the General Assembly approved the UN's core budget for 2014-2015, cutting spending from the UN's previous two-year budget, following the budget reduction trend seen in the previous two-year span. The new budget also included a two percent staffing cut, translating to approximately 221 posts, and a one-year freeze in UN staff compensation.

One tenable proposal is to appoint the Secretary-General for only one, seven year term (Urquhart and Childers, 1990). The present arrangement is for two five-year terms. It encourages the temptation to use the end of the first term as an election campaign to get reappointed. One single term in office would remove that temptation and make the officeholder more independent and responsive. The staff of the Secretariat should be minimized, and the Secretariat must be made a truly international civil service. Recruitment should be on merit, and not on the whims of the national governments who use the UN as a charitable ground to distribute favours to retired politicians or relatives of the ruling elite. Recruitment should be preferably made at the lower levels. More women should be inducted into the UN Secretariat. The Staff must be made faithful to the promise they make at the time of joining the Secretariat, to avoid taking instructions from their national governments. The neutrality of the UN bureaucracy is absolutely necessary to make it a truly responsive international civil service.

The ICJ is the main legal body of the world but attendance at the ICJ is not mandatory for the member-states of the UN. Moreover, only about one-third of the UN's members accept its jurisdiction. The obvious reforms

would be that attendance at the ICJ must be made compulsory, all members must accept its jurisdiction, and make greater use of it in the settlement of their disputes.

Conclusion

This study has shown that the challenges over UN reform is not a product of great power politics, but a deeper contest over the UN's identity, legitimacy, representativeness and the purpose in the 21st century. The structural reform remains stalled because member states lack consensus on what a legitimate council should look like. The P5 defend a 1945 conception of stability while the Global South demand representation that reflects contemporary power and sovereignty. In contrast, non-structural reforms seems to be easy to advance because they operate within norms of efficiency and accountability without threatening the veto. The implication is clear veto restraint, management overhaul and General Assembly oversight can restore credibility and trust. But without structural adjustment of Security Council's composition and veto rules, the UN risks a growing legitimacy deficit that will undermine its authority on peace, security and global governance. Therefore, the reform is a test of whether the UN can construct itself to reflect the international society it claims to serve.

Recommendations

The current structure and the function of the United Nations Security Council is undemocratic and the Council's membership and working methods reflect a bygone era. Council's membership is not consistent with current geopolitical realities. Today's reality dictates the need to restructure the UN so that developing countries are represented in compliance with the principle of sovereign equality of all member states. Collective Security required genuine representation and



with UN democratization, the Council would become more transparent and accountable to the members as whole. Therefore, urgent collective action is required to meet the Organization's collective aspirations, and redouble efforts to address the imbalance that characterized the UN. The study recommends the followings:

1. Promote Democratic legitimacy as the current geopolitical reality shows that UN legitimacy should be derived from the states not from 1945 great power consensus victory. The new norm is no one is above the law and a single state blocking 193 states contradict that norm.
2. Grant General Assembly override Power for Vetoed Resolution, this would restore balance between Security Council and General Assembly and increases accountability.
3. Introduce Double Veto to block action that is to amend article 27 so that a draft resolution needs 2 permanent members not 1 to prevent single state veto.
4. Expand permanent seats, this would address legitimacy deficit and representation gaps.

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