

## THE UN SECURITY COUNCIL AND THE MAINTENANCE OF PEACE IN A CHANGING WORLD

How can the UN Security Council contribute to the maintenance of international peace and security in times of heightened tensions, global polarisation, and contestation about the principles underlying the international legal and political order? In this Trialogue, experts with diverse geographic, socio-legal, and ideational backgrounds present their perspectives on the Security Council's historic development, its present functions and deficits, and its defining tensions and future trajectories. Three approaches engage with each other: a power-focused approach emphasising the role of China as an emerging actor; an institutionalist perspective exploring how less powerful states – particularly the elected members of the Security Council – exert influence and may strengthen rule-of-law standards; and a regionalist perspective investigating how the Security Council, as the central actor, can cooperate with regional organisations towards maintaining international peace and security. This title is also available as Open Access on Cambridge Core.

Congyan Cai is a professor of international law at Fudan University, China. He engages with international legal theory, foreign relations law, and Chinese international legal policies and practice. Professor Cai's recent books include *The Rise of China and International Law* (2019) and *The Cambridge Handbook of China and International Law* (Cambridge, 2024, co-editor).

Larissa van den Herik is a full professor at the Grotius Centre for International Legal Studies of Leiden University. She served as vice dean of Leiden Law School and previously chaired the ILA Study Group on UN Sanctions and International Law. Professor Van den Herik is general editor of the *Cambridge Studies in International and Comparative Law* and of the *Leiden Journal of International Law*. She is a member of the Permanent Court of Arbitration and the Netherlands National Group.

Tiyanjana Maluwa is the H. Laddie Montague Chair in Law and a professor of law and international affairs at Pennsylvania State University School of Law, as well as a member of the Institut de Droit International. Professor Maluwa's recent publications include *The Pursuit of a Brave New World in International Law: Essays in Honour of John Dugard* (2017, co-editor), and *Dugard's International Law: A South African Perspective* (5th edn, 2018).

Anne Peters is a director at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, a professor at Heidelberg, FU Berlin, and

Basel, and L. Bates Lea Global Law Professor at the University of Michigan. She is a member of the Permanent Court of Arbitration and an associate member of the Institut de Droit International.

Christian Marxsen is a professor of international law at Humboldt-University of Berlin and a research group leader at the Max Planck Institute for Comparative Public Law and International Law, Heidelberg.

## MAX PLANCK TRIALOGUES ON THE LAW OF PEACE AND WAR

In a *Max Planck Dialogue*, three authors discuss one topic within the international law surrounding armed conflict. Each trio is composed so as to engage different modes of legal thinking, intellectual paradigms, regional backgrounds, and professional specialisation. By bringing the pluralism of premises and methods to the fore, the *Dialogues* facilitate the emergence and global refinement of common legal understandings.

### Series Editors

Professor Anne Peters

*Max Planck Institute for Comparative Public Law and International Law*

Professor Christian Marxsen

*Humboldt-University of Berlin*

A list of books in the series can be found at the end of this volume.



# The UN Security Council and the Maintenance of Peace in a Changing World

CONGYAN CAI

Fudan University, Shanghai

LARISSA VAN DEN HERIK

Universiteit Leiden

TIYANJANA MALUWA

Pennsylvania State University

Series Editors

*Anne Peters*

Max Planck Institute for Comparative Public Law and Public International Law

*Christian Marxsen*

Humboldt-University of Berlin





**CAMBRIDGE**  
UNIVERSITY PRESS

Shaftesbury Road, Cambridge CB2 8EA, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,  
New Delhi – 110025, India

103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment,  
a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of  
education, learning and research at the highest international levels of excellence.

[www.cambridge.org](http://www.cambridge.org)

Information on this title: [www.cambridge.org/9781009423472](http://www.cambridge.org/9781009423472)

DOI: [10.1017/9781009423458](https://doi.org/10.1017/9781009423458)

© Congyan Cai, Larissa van den Herik, Tiyanjana Maluwa, Anne Peters and Christian  
Marxsen 2024

This work is in copyright. It is subject to statutory exceptions and to the provisions  
of relevant licensing agreements; with the exception of the Creative Commons version  
the link for which is provided below, no reproduction of any part of this work may take  
place without the written permission of Cambridge University Press.

An online version of this work is published at [doi.org/10.1017/9781009423458](https://doi.org/10.1017/9781009423458) under  
a Creative Commons Open Access license CC-BY-NC-ND 4.0 which permits re-use,  
distribution and reproduction in any medium for non-commercial purposes providing  
appropriate credit to the original work is given. You may not distribute derivative works  
without permission. To view a copy of this license, visit [https://creativecommons.org/  
licenses/by-nc-nd/4.0](https://creativecommons.org/licenses/by-nc-nd/4.0)

All versions of this work may contain content reproduced under license from third parties.

Permission to reproduce this third-party content must be obtained from these third parties  
directly.

When citing this work, please include a reference to the DOI [10.1017/9781009423458](https://doi.org/10.1017/9781009423458)

First published 2024

*A catalogue record for this publication is available from the British Library*

*A Cataloging-in-Publication data record for this book is available from the Library of  
Congress*

ISBN 978-1-009-42347-2 Hardback

ISBN 978-1-009-42344-1 Paperback

Cambridge University Press & Assessment has no responsibility for the persistence  
or accuracy of URLs for external or third-party internet websites referred to in this  
publication and does not guarantee that any content on such websites is, or will remain,  
accurate or appropriate.