

**A Critique of the United Nations Security Council and Promotion of Peace under
International Law**

**Donald Okoroafor KANU
LCU/PG/000409**

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Certification

This is to certify that this dissertation was carried out by **Donald Kanu** with matriculation number **LCU/PG/000409**, student in the Department of Politics and International Relations, Faculty Management and Social Sciences, Lead City University, Nigeria and has not been previously submitted.

Dr. Tunde Oseni

Supervisor

Date

Akeem Amodu, PhD

Head of Department

Date

Dedication

This research work is dedicated to God Almighty.

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Abstract

The study examines the influence of the United Nations Security Council and the role it plays in Promotion of Peace under International Law. Specifically, the study critiqued the impact of the United Nations Security Council in maintaining international peace globally and assisting the navigation of difficult path from conflict to peace, the impact of the United Nations Security Council cooperation on social, economic and cultural developments of member nations and ultimate influence on global peace, dimensions of the asymmetric relationship between the permanent members and non-permanent members of the United Nations Security Council in attaining global peace and the activities of United Nations Security Council and how it affects the development of friendly relations among nations on principles of equal rights and self determination to achieve global peace under international law, were all examined by the study. Participants of the study were made up of five (5) respondents from each of the five permanent member countries, this gives a total of Twenty (20) respondents. Descriptive research design which allowed for analysis of content was used in this research work because data were gathered through interviews and this was intended to better understand the subject matter and provide valid data. From the research findings, the respondents revealed that the United Nations Security Council has succeeded in maintaining world peace to a greater extent. The result revealed the extent to which the United Nations security council has maintained international peace in assisting the navigation of the difficult path from conflict to peace. Finally, the study recommends that United Nations Security Council's roles are to prevent nuclear proliferation, clear landmines, and promote disarmament and also that the United Nations Security Council maintains peace and security by constituting peacekeeping and special political missions.

Keywords: Conflict, Global peace, Peacekeeping, Security

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List of Acronyms

Abbreviation	Meaning
AIL	Administrative International Law
ANO	Abu Nidal Organisation
ANYOLP	Arab National Youth Organisation for the Liberation of Palestine
ARC	Arab Revolutionary Council
CCM	Collective conflict management
CCW	Convention on Chemical Weapons
CIL	Customary International Law
FBI	Federal Bureau Investigation
FRC	Fatah Revolutionary Council
ICC	International Criminal Court
ICJ	International Court of Justice
ICJ	International Court of Justice
IHL	International Humanitarian Law
ILO	International Labour Organisation
IRG	Iranian Revolutionary Guards
NAFTA	North America Free Trade Agreement
NATO	North Atlantic Treaty Organisation
NGOs	Non-Governmental Organisations
NYC	New York City
ONUMOZ	United Nations Operation in Mozambique
PP	Perpetual Peace
R2P	Responsibility to Protect
RAF	Red Army Faction

SCR	Security Council Resolutions
UDHR	Universal Declaration of Human Rights
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNEF	United Nations Emergency Force
UNESCO	United Nations Educations, Scientific & Cultural Organisation
UNGA	United Nations General Assembly
UNITA	National Union for the Total Independence of Angola
UNSC	United Nations Security Council
UNSC	United Nations Security Council's
UNTAG	United Nations Transition Assistance Group
UPEACE	Nations established the University for Peace
USA	United States of America
USSR	Union of Soviet Socialist Republic
WCRP	World Conference of Religions for Peacel
WEC	World Exchange Community
WSP	War Saw Pact
WWI	World War One
WWII	World War Two
WWW	World Wide Web

Chapter One

Introduction

1.1 Background to the Study

The United Nations commonly referred to as the U.N, is an international non-profit organization established on October 24, 1945. The United Nations (UN) was the second multipurpose international organization established in the 20th century that was worldwide in scope and membership¹. Its predecessor, the League of Nations, was created by the Treaty of Versailles in 1919 and disbanded in 1946. Headquartered in New York City, the UN also has regional offices in Geneva, Vienna, and Nairobi. Its official languages are Arabic, Chinese, English, French, Russian, and Spanish^{1,2}. In addition to maintaining peace and security, other important objectives include developing friendly relations among countries based on respect for the principles of equal rights and self-determination of peoples; achieving worldwide cooperation to solve international economic, social, cultural, and humanitarian problems; respecting and promoting human rights; and serving as a centre where countries can coordinate their actions and activities toward these various ends^{1,3,4}.

The UN formed a continuum with the League of Nations in general purpose, structure, and functions; many of the UN's principal organs and related agencies were adopted from similar structures established earlier in the century⁵. In some respects, however, the UN constituted a very different organization, especially with regard to its objective of maintaining international peace and security and its commitment to economic and social development. Changes in the nature of international relations resulted in modifications in the responsibilities of the UN and its decision-making apparatus. Cold War tensions between the United States and the Soviet Union deeply affected the UN's security functions during its first 45 years⁶. Extensive post-

World War II decolonization in Africa, Asia, and the Middle East increased the volume and nature of political, economic, and social issues that confronted the organization. The Cold War's end in 1991 brought renewed attention and appeals to the UN^{5,6}. Amid an increasingly volatile geopolitical climate, there were new challenges to established practices and functions, especially in the areas of conflict resolution and humanitarian assistance. At the beginning of the 21st century, the UN and its programs and affiliated agencies struggled to address humanitarian crises and civil wars, unprecedented refugee flows, the devastation caused by the spread of AIDS, global financial disruptions, international terrorism, and the disparities in wealth between the world's richest and poorest peoples^{5,6,7,8}.

Despite the problems encountered by the League of Nations in arbitrating conflict and ensuring international peace and security prior to World War II, the major Allied powers agreed during the war to establish a new global organization to help manage international affairs. This agreement was first articulated when U.S. President Franklin D. Roosevelt and British Prime Minister Winston Churchill signed the Atlantic Charter in August 1941⁹. The name United Nations was originally used to denote the countries allied against Germany, Italy, and Japan. On January 1, 1942, 26 countries signed the Declaration by United Nations, which set forth the war aims of the Allied powers⁹. The United States, the United Kingdom, and the Soviet Union took the lead in designing the new organization and determining its decision-making structure and functions. Initially, the "Big Three" states and their respective leaders (Roosevelt, Churchill, and Soviet premier Joseph Stalin) were hindered by disagreements on issues that foreshadowed the Cold War. The Soviet Union demanded individual membership and voting rights for its constituent republics, and Britain wanted assurances that its colonies would not be placed under UN control. There also was disagreement over the voting system to be adopted in the Security Council, an issue that became famous as the "veto problem"⁹.

The first major step toward the formation of the United Nations was taken August 21–October 7, 1944, at the Dumbarton Oaks Conference, a meeting of the diplomatic experts of the Big Three powers plus China (a group often designated the “Big Four”) held at Dumbarton Oaks, an estate in Washington, D.C.¹⁰. Although the four countries agreed on the general purpose, structure, and function of a new world organization, the conference ended amid continuing disagreement over membership and voting. At the Yalta Conference, a meeting of the Big Three in a Crimean resort city in February 1945, Roosevelt, Churchill, and Stalin laid the basis for charter provisions delimiting the authority of the Security Council⁸. Moreover, they reached a tentative accord on the number of Soviet republics to be granted independent memberships in the UN. Finally, the three leaders agreed that the new organization would include a trusteeship system to succeed the League of Nations mandate system.

The Security Council has primary responsibility for the maintenance of international peace and security. It has 15 Members, and each Member has one vote. Under the Charter of the United Nations, all Member States are obligated to comply with Council decisions^{8,9}. The Security Council takes the lead in determining the existence of a threat to the peace or act of aggression. It calls upon the parties to a dispute to settle it by peaceful means and recommends methods of adjustment or terms of settlement. In some cases, the Security Council can resort to imposing sanctions or even authorize the use of force to maintain or restore international peace and security. The use of mandatory sanctions is intended to apply pressure on a State or entity to comply with the objectives set by the Security Council without resorting to the use of force. Sanctions thus offer the Security Council an important instrument to enforce its decisions¹⁰.

All existing committees and working groups are comprised of the fifteen members of the Council. While standing committees are chaired by the President of the Council, rotating on a

monthly basis, other committees and working groups are chaired or co-chaired by designated members of the Council who are announced on an annual basis by a Note of the President of the Security Council^{10,11}. It was as a result of the determination of the peoples of the United Nations to:

- i. save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and
- ii. reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- iii. establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
- iv. promote social progress and better standards of life in larger freedom.

The UN Charter mandates the UN and its member states to maintain international peace and security, uphold international law, achieve "higher standards of living" for their citizens, address "economic, social, health, and related problems", and promote "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion"^{11,12,13}. As a charter and constituent treaty, its rules and obligations are binding on all members and supersede those of other treaties¹².

During the Second World War, the Allies formally known as the United Nations agreed to establish a new postwar international organization. Pursuant to this goal, the UN Charter was discussed, prepared, and drafted during the San Francisco Conference that began 25 April 1945, which involved most of the world's sovereign nations^{14,15}. Following two-thirds approval of each part, the final text was unanimously adopted by delegates and opened for signature on 26 June 1945, it was signed in San Francisco, United States, by 50 of the 51 original member countries¹⁸. The Charter entered into force on 24 October 1945, following

ratification by the five permanent members of the United Nations Security Council China, France, the Soviet Union, the United Kingdom, and the United States and a majority of the other signatories; this is considered the official starting date of the United Nations, with the first session of the General Assembly, representing all 51 initial members, opening in London the following January¹⁹. The General Assembly formally recognized 24 October as United Nations Day in 1947, and declared it an official international holiday in 1971. With 193 parties, most countries have now ratified the Charter^{20,21}.

The global peace became an issue for concern because, there seems to be no adherence to rule of law, no sincerity of purpose where justice is concerned especially in government, politics and the larger society^{22,23}. There are conflicts, economic woes, political and social instability in almost every facet of life. Hence, the global concern and global synergy to ensure global peace which necessitated the need for United Nations Security Council became inevitable to ensure it works towards the attainment of global peace²³. World peace, or peace on Earth, is the concept of an ideal state of happiness, freedom, and peace within and among all people and nations on Planet Earth²⁴. Within this idea of the world, nonviolence is one motivation for people and nations to willingly cooperate, either voluntarily or by virtue of a system of governance that has this objective. Different cultures, religions, philosophies, and organizations have varying concepts on how such a state would come about^{25,26}. A nuclear disarmament symbol, commonly called the "peace symbol" Various religious and secular organizations have the stated aim of achieving world peace through addressing human rights, technology, education, engineering, medicine, or diplomacy used as an end to all forms of fighting^{26,27}. Since 1945, the United Nations and the five permanent members of its Security Council (China, France, Russia, the United Kingdom, and the United States) have operated under the aim to resolve conflicts without war or declarations of war. Nonetheless, nations have entered numerous military conflicts since then^{28,29,30,31}.

1.2 Statement of the Problem

The global threats from poverty, diseases and environmental breakdown of peace and security are major concern to the United Nations hence the need for maintaining it becomes an issue for concern. Also, the threats to human peace and security identified in the Millennium Development Goals which stands as clog in the wheel of global peace as a result of threats from conflicts between states, threats from violence and massive human rights violations within states, countries and continents. The work interrogates the mechanisms the UN Security Council has adopted and implemented in a bid to ensure peace across the globe due to threats to peace.

Furthermore, threats from terrorism, organized crimes, and proliferation of weapons of war continue to pose as hindrances to the attainment of global peace. Hence, the global concern and global synergy to ensure global peace which necessitated the need for United Nations Security Council became inevitable to ensure it works towards the attainment of global peace. With a number of institutional problems evident in the UN system, including the perceived unrepresentative structure of the security council, the questionable, cumbrous and dysfunctional character of much of the economic and social machinery and the limited role and impact of the general assembly.

Succinctly, the range of the threats facing the whole world are so urgent and widespread that lack of standards and criteria towards countries with dubious human right records stood as a gigantic problem that needs to be attended to. All the aforementioned issues needed a more comprehensive collective security system attention in order to promote global peace under International law. It is on this basis that this study sets out to critique the United Nations Council in promoting global peace under international law.

1.3 Aim and Objectives of the Study

The general objective is to investigate the extent to which the United Nations Security Council has been able to promote global peace under International law. However, the specific objectives are to:

- i. examine the extent to which the United Nations Security Council has maintained international peace in assisting the navigation of difficult path from conflict to peace
- ii. identify the impact of United Nations Security Council cooperation on social, economic and cultural developments of member nations
- iii. ascertain the dimensions of the asymmetric relationship between the permanent members and non-permanent members of the United Nations Security Council attain global peace under international law
- iv. determine the activities of United Nations Security Council on the development of friendly relations among nations on principles of equal rights and self determination

1.4 Research Questions

- i. To what extent has the United Nations Security Council maintained international peace globally and assisting the navigation of difficult path from conflict to peace?
- ii. In what ways would impact of United Nations Security Council cooperation on social, economic and cultural developments of member nations influence global peace under international law?
- iii. How could dimensions of the asymmetric relationship between the permanent members and non-permanent members of the United Nations Security Council attain global peace under international law?

- iv. To what extent would the activities of United Nations Security Council affect the development of friendly relations among nations on principles of equal rights and self determination to achieve global peace under international law?

1.5 Significance of the Study

This study is relevant and highly significant for a plethora of reasons in which it would first ascertain the extent to which the United Nations Security Council has been able to promote global peace under International law. The study is very important as it dwells on utilizing its Security Council organization to assist in ensuring world peace while investigating its working mechanisms and suggesting reforms that could enhance her workings and lead to a more virile security council. The United Nations Security Council being the world's only truly universal global organization has become the foremost forum to address issues that transcend national boundaries and cannot be resolved by any country acting alone.

The study is also important in that Peacekeepers monitor and observe peace processes in post-conflict areas and assist ex-combatants in implementing the peace agreements they may have signed. Such assistance comes in many forms, including confidence-building measures, power-sharing arrangements, electoral support, strengthening the rule of law, and economic and social development. Accordingly, UN peacekeepers (often referred to as Blue Berets or Blue Helmets because of their light blue berets or helmets) can include soldiers, police officers, and civilian personnel.

This study will be very useful to political scientists, international relations experts, economist, diplomatic historians and other critical stakeholders who will want to research the workings of the United Nations Security Council vis-à-vis its peace and security mandate¹⁰. Members of the diplomatic community such as ambassadors, high commissioners, charge d'Affairs,

libraries, archives and many others who will find this work of immense benefit. On a final analysis, the study will serve as a referral material to future researchers.

1.6 Scope of the Study

This research critically appraises the role of the UN Security Council in preventing violence and maintaining peace and security in the globe under international law. The five permanent members of its Security Council who are (China, France, Russia, the United Kingdom, and the United States) will be the population for the study. The sample size will be drawn from these five permanent members of the Security Council based on available respondents' on-net through In-Depth-Interview (IDI) with five (5) respondents from each of the five permanent member countries. This will give a total of Twenty (20) respondents in all. The reason for the limited number of respondents was because of the nature of the study which is quantitative (content analysis).

1.7 Limitations to the Study

The major limitation of this study bothered on data collection. The study adopted interview as methods of collecting primary data. Its drawbacks which range from difficult in access to the respondents, low response rate and respondents having to over-think an interview question before responding really posed as clog in the wheel of a smooth research work. Also, the nature of the study which was purely quantitative and affects international body caused for us to be selective with our respondents.

1.8 Operational Definitions of Key Terms

The underlisted terms were operationally defined according to their usage in the study. This is to guide against misuse of syntax, avoid ambiguity and for clarity of purpose.

Global Peace: This stands as the working together for a better world, building cooperation, tolerance and shared values. It also means the building of inclusive economies world-wide, protecting and sustaining our environment, and sharing knowledge for human progress.

International Law: These are rules and principles governing the relations and dealings of nations with each other as well as the relations between states and individuals, and relations between international organizations.

International Peace: This is defined as the state of harmony and absence of rancor or violence in and among states. It is dedicated to peace especially the absence of war and violence, and can be celebrated by a temporary ceasefire in a combat zone. Thus, the International Day of Peace was established in 1981 by the United Nations General Assembly.

Peace: Peace in this study depicts dignity, well-being for all, not just absence of war as concerted efforts are being made by United Nations officials today to stress the achievement of the common vision of a life of dignity and well-being for all.

United Nations Security Council: This is an organ of the United Nations. The Security Council initially consisted of 11 members, five permanent and six non-permanent. The permanent members were the USA, the UK, France, China and the USSR. With the last named two seats transferred to the people's republic of China and the Russian federation in 1971 and 1991 respectively.¹⁹ The Security Council apart from being a regulator of the international system, it can be referred to as a world legislature. The United Nations Security Council has been charged with this very important responsibility of ensuring peace and security in the international system.

United Nations: The United Nations is an intergovernmental organization that came into existence aiming to maintain international peace and security, develop friendly relations

among nations, achieve international cooperation, and be a centre for harmonizing the actions of nations. United Nations functions as an international organization of independent states with its headquarters in New York City that was formed in 1945 to promote peace and international cooperation and security. The United Nations is a unique organization of independent countries that have come together to work for world peace and social progress.

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Chapter Two

Literature Review

The chapter will be reviewing some existing literatures relevant to Critique of the United Nations Security Council in promoting global peace under international law. Some theories and empirical studies that are germane and relevant to the explanation of the variables under study will be investigated in the research work. This will enable us authenticate our findings and submissions on the proposed study. Specifically, some of the topics to be covered are:

2.1 Conceptual Review

2.1.1 Concept of United Nations

Any discussion on the set of experiences and beginnings of the UN would be deficient without first momentarily examining the First and Second Universal Conflicts (WWI and WWII) as well as the antecedent to the Assembled Countries, the Class of Countries. These all assumed a pivotal part in prompting the arrangement of a worldwide association addressing country states through first, the Class of Countries and at last, the UN.

World War One (WWI)

The overall agreement among antiquarians is that fault for the quick reason for occasions that prompted the episode of WWI lies with Germany and Austria-Hungary¹. The previous concluded the last option should give a final proposal to Serbia in July 1914, following the June 28, 1914 death of Archduke Franz Ferdinand, successor to the Austrian-Hungarian privileged position. Ferdinand, nephew to Sovereign Franz Joseph, and his better half - Sophie, Duchess of Hohenberg - were visiting Sarajevo, the Bosnian capital, when they were shot dead. The arranged visit was for the Austrian government and impacted by the realm's settler journey to set up a military to attack Serbia². The researcher further noticed that

disregarding the normal danger to somewhere safe and potential for aggravations and showings brought about by the state visit, no exceptional plans were made for the security of the guests².

A specific gathering needed to assist with getting Bosnia from under Austria's impact and join it into a more prominent Serbia, a teen individual from the favorable to Serbian association, the Dark Hand, completed the task. Following a bombed bomb assault before during the visit by one more individual from the Dark Hand (where an individual from the authority visitors had been harmed), Princip had the option to effectively kill Ferdinand and his significant other as they passed through the roads in an outdoors vehicle. The aftereffect of this death was Austria-Hungary's affirmation of battle on Serbia. In any case, this by itself might not have been adequate to prompt a universal conflict including a large portion of Europe and a few nations on the planet. Various different events, laid out beneath, went before the death consequently working with a more fantastic size of events³.

Defence Alliances Formed

As laid out by in a study by a scholar, long stretches of contention in Europe, colonialism, and the mission for patriotism had brought about safeguard collusions being shaped by European nations with one another, and some of the time, with non-European countries⁴. In particular, following series of emergencies and rebellions in Europe, a brought together Germany (which included two previous French areas of Alsace and Lorraine) and Austria-Hungary shaped a coalition to separate France's impact in Europe and power participation (of Austria) with Russia⁵.

Over the long haul, in 1882, a Triple Arrangement was outlined between Germany, Austria-Hungary and Italy France, having lost a portion of its region in Europe, and confronting disengagement on the landmass, was empowered by Germany on its journey to colonize

Africa⁶. France in the long run went into concurrences with England in regards to areas of impact in North Africa. Russia, currently aligned with France as well as Serbia, had lost the Russo-Japanese conflict and was additionally urged to ultimately go into the Old English Russian Understanding in 1907. Together, England, France and Russia framed the Triple Understanding. Italy later left its previous partners and united with the Understanding in 1915. It should be noticed that different individuals from this association were Japan, Serbia and Greece. Too, England was likewise in a different coalition with France and Belgium.

The arrangement of a few partnerships gives more noteworthy understanding with respect to how WWI developed following the death of Duke Ferdinand in 1914, and Austria-Hungary's revelation of battle on Serbia. Russia, as a partner of Serbia, started to plan for battle against Austria-Hungary on the previous' behalf⁷. Germany, Austria-Hungary's partner, thusly announced battle on Russia. France rose to Russia's guard, inferable from its union with the country. This was trailed by Germany assaulting France by going through Belgium. England, as a Belgian partner, was likewise brought into the conflict. Along these lines various players in the creating war expanded as collusions were tried. The conflict spread to include the domains of the various members, as well as different supporters across the world.

From the perspective of history, clearly the conflict was advocated on the one side by what came to be known as the Partnered Countries - England, France, Belgium, Italy, Russia, the (US) as well as their extended organizations of united partners - and on the opposite side by what was known as the Focal Powers - Germany, Austria-Hungary, the Hassock Realm, and Bulgaria with their unified networks⁸. Besides, notes that bleeding edge nations each experienced a few many thousands or even large number of losses - the complete number of passing from the conflict arrived at roughly 8.5 million, with 21 million injured. As the conflict proceeded, a few states run administrations (for example the Unified Realm (UK), the US, and so forth) started thinking about how to lead serene global relations. The point

was to keep away from such contentions in future, and absolutely, stay away from the various officer and regular citizen lives lost and injured, as well as property and tremendous locales destroyed⁸.

Fourteen Points for Peace

The US didn't at first join the conflict as it was embracing the standards of nonintervention, that is to say, a more noteworthy spotlight on its own undertakings rather than global issues, however it later centered on engagement¹⁰. Be that as it may, when it did ultimately join, its Leader Woodrow Wilson portrayed it as an epic conflict and one to make the world safe for democracy¹¹. Despite this assertion, Wilson actually put stock in compromise and invited the possibility of a local area of countries or an association, made to stay away from future conflicts. With the help of his consultant, Colonel Edward M. House, he introduced fourteen focuses for harmony to the US Congress in January 1918. A scholar summed up the quintessence of these places¹¹:

- i. Reliance on open democracy rather than secret agreements;
- ii. Freedom of the seas
- iii. Free trade
- iv. Disarmament
- v. Adjudication of colonial claims with respect for the sovereignty of the colonial peoples
- vi. Assistance to Russia
- vii. Respect for the integrity of Belgium
- viii. Restoration of French territories
- ix. Adjustment of the border of Italy based on ethnicity
- x. Autonomy for the peoples of Austria-Hungary

- xi. Guarantees for the independence of the various Balkan states
- xii. Self-determination for the peoples of the Ottoman empire and free passage through the Dardanelles
- xiii. Independence for Poland
- xiv. The formation of a League of Nations to guarantee independence for all countries, large and small.

It required a couple of more months before it became clear to German powers that they couldn't win the war¹². When that acknowledgment set in, they prescribed the United Countries be approached to stop fire and the focuses for harmony be acknowledged¹³. Accordingly, President Wilson demanded Germany's acquiescence and not simply harmony, venturing to request the abandonment of Germany's Kaiser (Head) Wilhelm II and the total neutralization of Germany's powers. Germany at first recoiled from these solicitations; in any case, they were confronted with rising abandonment inside their powers and crestfallenness among the soldiers¹⁴. This demand was to a great extent because of Partners seeing Germany specifically as answerable for the conflict and its consequences¹⁴. To add to the strain for give up, upset broke out across Germany, notwithstanding a declaration that the Kaiser had to be sure relinquished. With mounting pressure, Germany at last acknowledged the provisions of a cease-fire with its negative circumstances in November 1918¹⁴.

The Treaty of Versailles

In 1919, the "Huge Three," England (addressed by lawmaker, David Lloyd George), France (addressed by Georges Clemenceau) and the US (addressed by President Woodrow Wilson), met up at the Paris Harmony Gathering to arrange a settlement that would handle harmony and recognize results to Germany which they saw as fundamentally liable for the conflict and its following savagery and misfortune. Every one of these men, addressing their separate

countries, maintained various points of view on how Germany ought to be dealt with. For political reasons, Lloyd George accepted and freely upheld the thought that Germany should pay the consequences for the conflict and misfortune; understanding that he would be removed from office assuming he showed up delicate on this issue¹⁵. In private in any case, he was stressed over the ascent of Socialism in the USSR and accepted that Germany ought not be disabled to the degree that it couldn't fill in as a boundary to Russia¹⁶.

France, having experienced the absolute most prominent misfortunes from the conflict with 1.4 million officers killed, 2.5 million injured and its upper east area obliterated was in total agreement as the UK - cripple Germany by restricting its powers and impact - and guarantee the nation could always be unable to begin another conflict. There was maybe no question to its residents that Germany needed to pay for this¹⁷.

Also, non-interference was creating and filling in the US and the nation accepted it ought not be too associated with Europe and that the nation didn't have adequate interests in the contention¹⁸. The three men pondered over the three varying but then, comparative perspectives; showing up at what was to become known as the Deal of Versailles. Its Contract or Pledge expressed in addition to other things that a Class of Countries would be set up to keep up with world harmony (Agreement of the Class of Countries). A half year of dealings prompted the Arrangement's inevitable marking on June 28, 1919. Despite the fact that Germany had been guaranteed counsel by the partners on the arrangement, this didn't happen. Furthermore, they had accepted the Arrangement would be founded on the Fourteen Focuses for Harmony and once more, this was not really. Eventually, Germany had to sign the Arrangement in fight¹⁹.

Territorial: The deal specified that Germany should surrender a portion of its territory to Belgium, Denmark, Czechoslovakia, France and Poland. Likewise, a Class of Countries

would keep up with control of some other German land, and the nation would return land taken from Russia and Poland.

Military: The settlement directed Germany's military be diminished to 100,000 men, prohibited tanks, an aviation based armed forces, submarines and six maritime boats. A portion of its area was made into a neutral ground to be involved by an associated armed force for a long time

Financial: Germany would pay repayments to recognized nations which experienced the most in the conflict (Belgium and France specifically), and was told not to rejoin with Austria.

General: The arrangement's Conflict Culpability Proviso expressed Germany ought to acknowledge liability regarding The Second Great War, and obligation regarding its ensuing harm.

As can be anticipated, the arrangement left a harsh desire for the mouth of the German individuals who felt double-crossed by their chiefs. Those administration chiefs who marked the peace negotiation and in the long run the deal became known as the November Crooks.

The League of Nations

With a marked arrangement and a finish to the conflict, the possibility of a Class of Countries was gladly received. Its motivation of keeping up with world harmony was viewed as certain, and the worldwide association exemplified standards that its part nations embraced in principle. The Association was before long settled, with a pledge which permitted it three choices in managing worldwide questions:

- i. Act as peaceful mediator between two disputing states.
- ii. Impose economic sanctions, should the states refuse the League's recommendations/advice.

- iii. Impose physical sanctions should the economic sanctions fail or be insufficient. This would allow for the League to use military force to impose its decisions.

Despite its initial welcome and noble ideals, the League suffered some weaknesses, which perhaps contributed to its ineffectiveness and eventual replacement by the United Nations.

World War Two (WWII)

With time, countries across the world marked another deal - the Kellogg-Briand Settlement of 1928 - consenting to never involve battle as a way to resolve questions. This was a positive advance for world harmony, a significant reason for the Association. Continuously, the fighting nations put down their weapons of war and started to act serenely with each other. Economies thrived, even in Germany, and world security seemed to have gotten to the next level. France in the long run upheld Germany's joining the Association in 1926 and the nation marked the Kellogg-Briand Pact¹⁸. Nonetheless, with no tactical power, it to a great extent worked by speaking to every country's great soul and couldn't force its beliefs should a wayward part will not regard its admonitions. To be sure, deviant countries did reject and the Association was insufficient in resolving debates in Teschen in 1919, halting a conflict among Russia and Poland from 1920 to 1921, among others²⁰.

In this period, the Germans had not so before long failed to remember the Deal of Versailles, its patriots actually felt their chiefs (a few of whom were Jewish) who had marked that deal had deceived the country²¹. Besides, the decrease in the economy coming about because of the Economic crisis of the early 20s in the last part of the 1930's was enough for the German government to lose the residents' certainty further, ultimately prompting their expulsion and an adjustment of administration. In this way, it was that in 1933, the Nazi Party - an exceptionally patriot party headed by Adolf Hitler - rose to drive.

Hitler and the Nazi Party utilized intentional, developed correspondence, intended to proliferate patriot messages²². These messages were scattered expressing Germany had not really lost the conflict and Germans would never be failures yet had been sold out by regular citizens. Messages were additionally created, disparaging the Weimar Republic - the party in administration that really had been compelled to sign the Versailles Arrangement. Moreover, Hitler clarified that he would break the provisions of the Versailles Deal and that he planned to re-join all Germans and yet again arm the country. He provided requests to the country's military to develop their powers and increment. This was done clandestinely, and in 1935, it was uncovered that Nazi Germany had abused the details of the Deal of Versailles by expanding its military to 300,000 and building 2500 conflict planes. Keen on satisfying his guarantee, Hitler started to test worldwide response, especially from inside Europe. At specific places, he faced challenges and remilitarized the Rhineland that was being managed by France - with no repercussion. France was confronting its own inside emergency and didn't have the assets to give to this intrusion.

Furthermore, notwithstanding the Settlement's directs about Germany's maritime armada, the nation marked an Old English German Maritime Understanding permitting it increment its naval force (the Kriegsmarine) to 33% the size of England's maritime armada and submarines. England consented to this arrangement with the expectation that it would assuage Germany, and with the conviction that it would essentially assist the previous with understanding the size of the German fleet²³. This hence persuaded Hitler that he could go further and attack other eastern European areas without a penalty²⁴. It is on records that on September 1, 1939, supported by their triumphs, Germany attacked Poland as a feature of its strategy²⁵. The German powers attempted a quick activity, assaulting Poland from its north and south locales and taking the nation and its military unsuspecting. With prevalent weapons, Germany before long oversaw Poland.

England and France had guaranteed help to Poland assuming that it was attacked, and following unnoticed and ineffective alerts to Germany to pull out from the country, English Top state leader, Neville Chamberlain, pronounced battle on Germany on September 3, 1939²⁶. This denoted the authority start to The Second Great War.

Generally, the choice to pronounce war exhibited the powerlessness of the Class of Countries to keep up with world harmony through discretionary cycles.

The Declaration at St. James's Palace

The conflict went on as a large portion of Europe tumbled to Germany and the craving for a world with enduring harmony was overflowing with a mission to track down enduring answers for the reasons for war²⁷. On June 12, 1941, agents of England, Canada, Australia, New Zealand, the Association of South Africa and nine different legislatures banished to England due to the conflict met up to sign a presentation at St. James' Castle in the Unified Realm. In addition to other things, the assertion expressed the accompanying, which as the Unified Countries portrays in its written history of the Contract, "...still fill in as the watchwords for harmony"

The only true basis of enduring peace is the willing cooperation of free peoples in a world in which, relieved of the menace of aggression, all may enjoy economic and social security. It is our intention to work together, and with other free peoples, both in war and peace, to this end.

The above declaration was a public affirmation by these nations to achieve peaceful interactions among nations.

The Atlantic Charter

In August 1941, two months after the above announcement was marked, US President, F.D. Roosevelt and English State leader, Winston Churchill held a mystery meeting on the Atlantic, off the bank of Newfoundland. The two chiefs talked about the world's future, post WWII. The two chiefs' conversations prompted the giving of a joint revelation named the Atlantic Sanction - their yearnings for the world after the conflict, and an assertion, as the report pronounced, "... of specific normal standards in the public approaches of their individual nations on which they based their expectations for a superior future for the world"²⁸.

The *Charter* contained the following eight points:

- i. Their countries seek no aggrandizement, territorial or other.
- ii. They desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned.
- iii. They respect the right of all peoples to choose the form of Government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them.
- iv. They will endeavour with due respect for their existing obligations, to further enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity.
- v. They desire to bring about the fullest collaboration between all nations in the economic field, with the object of securing for all improved labour standards, economic advancement, and social security.
- vi. After the final destruction of Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries,

and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want.

vii. Such a peace should enable all men to traverse the high seas and oceans without hindrance.

viii. They trust every one of the countries of the world, for sensible too profound reasons, should come to the deserting of the utilization of power. Since no future harmony can be kept up with if land, ocean, or air deadly implements keep on being utilized by countries which undermine, or may compromise hostility outside of their outskirts, they accept, forthcoming the foundation of a more extensive and super durable arrangement of general security, that the demilitarization of such countries is fundamental. They will moreover help and support any remaining practicable measures which will ease up for harmony cherishing people groups the pulverizing weight of armament²⁸.

The two chiefs wanted to make "more extensive and long-lasting arrangement of general security". The Contract shaped a huge establishment for the foundation of the Assembled Countries, a term proposed by Roosevelt and later embraced by different nations in the 1942 Affirmation by Joined Countries²⁹.

The Declaration by United Nations

On January 1 and 2, 1942, China, France, the Union of Soviet Socialist Republics (USSR), the UK and the US (known as the Big Five) as well as 22 other nations signed the United Nations Declaration, committing to forming an alliance, based on the Atlantic Charter's eight points listed above, and to working together to end the war³⁰.

The San Francisco Conference

While the conflict was in its last stages, legislators addressing the 50 part states who had proclaimed battle against Germany and Japan met in San Francisco to ponder upon, and sign the Unified Countries Sanction that would direct their exercises and the exercises of their countries for generations³¹. The proposition from Dumbarton Oaks were completely examined, discussed and investigated, as the new association's limiting Sanction would rise out of them. 6,000 individuals were available at this gathering - 3500 representatives, guides and staff and 2500 press people and eyewitnesses. The Assembled Countries depicts it as prone to be the biggest global assembling at any point held up until that time.

The entire meeting required two months and, in that time, all aspects of the draft contract was casted a ballot upon and must be passed by a 66% greater part. A directing council, whole meetings, a leader panel and commissions were good to go up to guarantee each region was prudently and meticulously covered successfully²⁸.

The Unified Countries records that on June 25, 1945, the last draft of the Contract was put to a vote and everybody present - delegates, staff, press, and so forth - rose to show their consistent endorsement of the archive. The next day, all representatives marked the new Contract. A few part nations expected to have it endorsed inside by their states and solely after China, France, Russia, the UK, the US and greater part of different nations had approved it and given such notification was the Sanction executed. This became viable October 24, 1945, and hence, the Assembled Countries was conceived. As verified by a scholar, the remainder of 1945 saw the associated countries overpowering Germany and the Pivot Powers; ultimately acquiring triumph in Europe and Japan. Hitler ended his own life, the German armed force gave up genuinely and Japan gave up also - after two nuclear bombs were dropped on its urban communities. The conflict really finished and the world could now zero in on remaking itself through the Unified Countries, and on setting up measures to guarantee history never rehashed the same thing, taking everything into account³⁰.

The United Nations Charter - An Overview

British Prime Minister, Winston Churchill and US President F. D. Roosevelt made the establishment in the Atlantic Sanction, from which the UN Contract advanced and was created. This occurred north of four years, through the Dumbarton Oaks Gathering in 1944 and in the end the San Francisco Meeting - where part states attached their marks to their last draft of the Contract on June 26, 1945. The UN Sanction is the worldwide association's settlement that all part nations (193 to date) are bound to and have resolved to comply with. It guides relations between states, associations and different entertainers and overrides any remaining arrangements to which the individuals might be bound. As a record, the Sanction opens with the accompanying three section preface that sums up its pith and the quintessence of the UN²⁸:

We the Peoples of the United Nations determined

- i. to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and
- ii. to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- iii. to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
- iv. to promote social progress and better standards of life in larger freedom,

And for these ends:

- i. to practice tolerance and live together in peace with one another as good neighbours, and
- ii. to unite our strength to maintain international peace and security, and
- iii. to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and
- iv. to employ international machinery for the promotion of the economic and social advancement of all peoples.

Appropriately, our individual State run administrations, through delegates collected in the city of San Francisco, who have displayed their full abilities viewed as in great and due structure, have consented to the current Contract of the Assembled Countries and do thus lay out a worldwide association to be known as the Unified Nations²⁸.

The principal body of the Contract comprises of 111 distinct articles segmented into 19 parts that address its motivation, enrollment, its six organs, and its requirement powers. Coming up next is an outline of these sections.

Through the Charter's 19 chapters, it highlights the purposes of the international organization that is contained in its first chapter and summarized below:

- i. To maintain international peace and security. This will be done by taking effective measures to prevent and remove threats to peace.
- ii. To develop friendly relations among states and strengthen universal peace.
- iii. To achieve international cooperation in solving international problems, encourage respect for human rights and fundamental freedoms.
- iv. To act as the centre to guide nations in achieving its identified purposes.

In the rest of its chapters, the Charter discusses several issues, including:

- i. Membership: UN membership is open to every nation state on conditions they be peace loving, accepting of the Charter's provisions and approved by the UN's General Assembly (on recommendation from the Security Council).
- ii. The six organs of the UN: These include the General Assembly, the Security Council (discussed in more detail later in this chapter), the Economic and Social Council, the Trusteeship Council, the International Court of Justice and the Secretariat). This chapter discusses the chapters on the UNSC in more detail later.
- iii. The various UN institutions and their powers, and how these powers may be enforced on member states - to maintain peace and security.
- iv. The order of precedence in the event of a conflict between the Charter itself and other international treaties which member states may be party to.

Essentially, this order places the UN Charter above any other treaty the member state may be party to, before or after it joined the UN.

Processes for its amendments or ratification: Amendments to the Charter require a two-thirds majority vote by the General Assembly, including all permanent members of the UNSC.

Chapter I: Purposes and Principles

This chapter contains two articles relating the UN's purposes and the principles which shall guide its actions in pursuit of its purposes. The purposes can be summarized as below:

- i. To maintain international peace and security. This will be done by taking effective measures to prevent and remove threats to peace.
- ii. To develop friendly relations among states and strengthen universal peace.

- iii. To achieve international cooperation in solving international problems, encourage respect for human rights and fundamental freedoms.
- iv. To act as the centre to guide nations in achieving its identified purposes.

Summarily, the UN's Standards basically express that the association depends on the sovereign uniformity of every one of its individuals, thus, no state should be viewed as better than others and each state is in good place to resolve its interior debates, the same length as it does as such calmly. Also, worldwide relations between states will be directed calmly.

Chapter II: Membership

Articles inside this section address the UN's participation, leaving it open to each country state, relying on the prerequisite that they be harmony adoring, tolerating of the Sanction's arrangements and endorsed by the UN's Overall Gathering (on suggestion from the Security Committee). A part who continues defying the Contract's norms would be available to ejection.

Chapter III: Organs

This chapter lists the six different organs of the UN:

- i. The General Assembly
- ii. The Security Council
- iii. The Economic and Social Council
- iv. The Trusteeship Council
- v. The International Court of Justice
- vi. The Secretariat. (UN Charter, art 1, par 1)

2.1.2 Concept of United Nations Security Council

In light of the Unified Nations Establishment record, the victors who had put much in guaranteeing a finish to The Second Great War and a foundation of world harmony were - China, France, the USSR, the Assembled Realm and the Assembled States³². These nations, known as the Incomparable Victors or Extraordinary Powers, were viewed as liable for containing an excessively aggressive Germany as its continued looking for global control. More than some other nations on the planet, this gathering had contributed the most as far as military strength, monetary help and tact - to finishing the conflict.

With the initiative of the Incomparable Powers and the help and understanding of the conflict partners, this new request was conceived and the flopping and insufficient Class of Countries gave way to a new and promising UN, with the accompanying reason (UN Sanction, craftsmanship):

- i. To keep up with worldwide harmony and security, and with that in mind: to go to powerful aggregate lengths for the anticipation and expulsion of dangers to the harmony, and for the concealment of demonstrations of hostility or different breaks of the harmony, and to achieve by tranquil means, and in congruity with the standards of equity and global regulation, change or settlement of global debates or circumstances which could prompt a break of the harmony;
- ii. To foster cordial relations among countries in light of regard for the rule of equivalent freedoms and self-assurance of people groups, and to go to other suitable lengths to reinforce widespread harmony;
- iii. To accomplish worldwide co-activity in taking care of global issues of a monetary, social, social, or compassionate person, and in advancing and empowering regard

for common liberties and for basic opportunities for all without differentiation as to race, sex, language, or religion; and

- iv. To be a middle for blending the activities of countries in the achievement of these normal finishes.

Six head organs were made to execute the UN capacities, in particular: the Overall Gathering, the Security Board, the Monetary and Social Chamber, the Trusteeship Committee, the Worldwide Official courtroom and the Secretariat²⁸.

The Security Council is the world body's ultimate conclusion producer on issues relating to global harmony and security. However, one of the more modest organs of the UN, it employs the most power and impact. Dissimilar to the wide range of various UN organs that can make suggestions to UN part expresses, the Security Council is the main organ that can compel restricting commitments on individuals. These, whenever spurned, can be punished by sanctions.

To conciliate the individuals who had contributed a lot to suppress Adolf Hitler, Nazi Germany and Japan's goals, it was concurred the Incomparable Powers would keep up with extremely durable status on the UNSC³³. Without a doubt, at that point, this seemed to appear to be legit. These five were the most remarkable countries at that point. They had the military may, strategies and profound monetary pockets and they had contributed a lot to guarantee worldwide harmony and security. With their super durable part status on the Board, the Incomparable Powers came to be known as the P5.

The UNSC consequently started with 11 part states - the P5 and six non-super durable individuals, each holding long term terms. Throughout the long term in any case, with changing world elements and as more nations acquired UN participation, there were (and keep on being) calls for change to the UNSC, some of which will be inspected in more detail

in this proposition. However, the vast majority of these change proposition have not been taken on, the non-super durable enrollment of the UNSC was expanded from six to 10 of every 1965. With this change, the Board's enrollment expanded from 11 to 15, as at present exists. The UNSC meets in broad daylight and in private, with private meetings being in private.

2.1.2.1 The Role of the UNSC

Chapters V, VI, VII and VIII of the UN Charter describe the purpose, functions, operations and procedures of the UNSC³⁴. Together with the General Assembly, the Council is responsible for electing judges to the International Court of Justice. In addition, as designated in the UN Charter, the UNSC has primary responsibility for the maintenance of international peace and security has the authority to intervene in, and settle disputes without prejudice between member states or non-member states that choose to bring their matters before the organ. The Council is made up of 15 members who take monthly turns to preside over the affairs of the organ³⁴.

Peacekeeping is a significant piece of the Board's liability, as ordered in Section V of the UN Contract. In the event that it decides a danger to harmony or a demonstration of animosity, it has the abilities to forestall such circumstances by prescribing measures to address the dangers or debates including intercession, financial and military endorse (the utilization of power). The last option means can use local courses of action for example NATO (North Atlantic Settlement Association), ECO-MOG (Financial People group of West African States Checking Gathering), and so forth, to uphold military activity (UN Sanction, craftsmanship). All UN part states will undoubtedly acknowledge the choices of the UNSC (UN Sanction, workmanship)²⁵. The UNSC treats every emergency independently, considering issues and

conditions, prior to settling on a choice with regards to how best to answer to dangers to harmony.

The Board has a few choices accessible to it, and arrives at a choice subsequent to thinking about a scope of issues, including the presence of a truce, the wellbeing and security of UN staff, to make reference to a couple. Moreover, the Chamber should take on a Security Board goal before a peacekeeping activity can be laid out. It screens such activities and may change commands around these orders as it considers necessary³⁵.

Notwithstanding the abovementioned, Part VII of the UN Contract likewise gives the UNSC the position to force different measures in a bid to keep up with harmony and security; this incorporates financial and military approvals³⁶.

2.1.2.2 The United Nations Security Council: 1945 to Present

The UNSC non-super durable participation structure is set up to address different geological areas of the world. These various areas are liable for giving 10 individuals to make up the two-year brief participation of the Board, as follows:

- i. The African Gathering - supplies three individuals
- ii. The Asian Gathering - supplies two individuals
- iii. The Eastern European Gathering - supplies one part
- iv. Latin American and Caribbean Gathering - supplies two individuals
- v. The Western European and Others Gathering - supplies two individuals

Ten delegates from the five gatherings above serve staggered two-year terms, with five finishing their terms consistently. What's more, all individuals take month to month goes to manage the Gathering, turning in sequential request of their names. The UNSC is forever occupant in the UN central command in New York and its part nations should have agents

present consistently, should the need emerge for earnest or crisis gatherings or reactions to world occasions.

2.1.2.3 UN Security Council Voting

The UNSC arrives at choices through casting a ballot. On this, Article 27 of the UN Sanction records that:

- i. Every individual from the Security Committee will have one vote.
- ii. Choices of the Security Board on procedural issues will be made by a certifiable vote of nine individuals.
- iii. Choices of the Security Gathering on any remaining issues will be made by a confirmed vote of nine individuals including the agreeing votes of the long-lasting individuals; gave that, in choices under Section VI, and under passage 3 of Article 52, involved with a question will go without voting²⁸.

As should be visible from the abovementioned, the whole Chamber can arrive at choices on procedural issues by a larger part of votes, for this situation, nine out of 15. Any remaining issues, or meaningful issues, should likewise have a larger part of nine votes; in any case, every one of the P5 should likewise project a positive or 'yes' vote in favor of that goal to be conveyed. There is no obvious definition on what comprises procedural matters, and deciding this is itself viewed as a meaningful matter, requiring full P5 arrangement. A researcher additionally records that the Contract was intentionally created this method for empowering the P5, especially the US and the USSR (later Russia), to stay on the planet body, for it was thought of "better to have the bigger countries inside the UN framework rather than outwardly". For sure, as prior referenced, one of the shortcomings of the Class of Countries was that it needed participation of a few in number powers³⁶.

However handily composed, the language in Article 27(3) enables every one of the P5 to stop choices or goals they are in conflict with, by making a 'no' choice or blackball on such choices. As per study, it was the USSR which at first pushed for the P5 to have an intemperate right to reject goals of the Gathering. The Soviet Association had been ousted from the Class of Countries in 1939 after its assault on Finland, and logical needed to guarantee a meaningful choice couldn't be taken against it in this new world body. While a few nations went against this, the P5 clarified that the UN couldn't exist without their having this blackball power, as they were the most reasonable to ensure future worldwide harmony and security³⁵. The solicitation was eventually supported and with their status, the P5 acquired the option to forbid any goal from the UN that it so wanted - in light of a legitimate concern for world harmony.

In this way, the heads of the associated countries which had met up to support the conflict against the Pivot Powers changed their collusion into an extremely durable organization which they basically kept up with initiative of.

As stated by a researcher:

...any single one of the Permanent Five, were its national government determined upon it, can paralyze Security Council action; moreover, it would be fully within its charter rights to do so... One of them simply had to threaten that the veto might be wielded, and the others were forced to compromise.

All through a very long time from UN formation till date, history is loaded with various choices refused through every one of the P5's utilization of the denial. This has likewise implied that the UN and some of the time, the remainder of the Committee, have needed to search out substitute measures to address matters brought before the strong organ. The UN's

true record of the Committee's denials 36 records 194 (public) matters that have been prohibited by at least one individual from the P5, from February 16, 1946 to October 8, 2016. There have been 2313 UNSC goals, from December 10, 1946 to October 13, 2016²⁸. The rundown shows that a few individuals from the P5 have been more careful in the utilization of the denial. Specifically, the USSR (later recorded as the Russian Alliance) has made a no choice somewhere multiple times or around 53% of the time and the US, multiple times or around 41%.

The USSR was to a great extent answerable for the utilization of the denial the initial twenty years, and in December 1955, broadly cast a no decision on 16 unique matters. An enormous number of its denials were denying participations to the UN. The US didn't practice their entitlement to reject matters they could have been worried about in the initial 25 years of the UNSC's presence. In any case, he proposes the probability that this is a consequence of most matters going in support of its³³. Somewhere in the range of 1985 and 1990 however, the US cast a "no" vote multiple times²⁸.

2.1.2.4 An Overview of UNSC Actions from 1946 to Date

With a UN Charter mandate to keep up with harmony and security, suggest the confirmation of new individuals and a secretary-general, authorize military activity against aggressors as the need should arise and set up auxiliary organs to do its work, it is straightforward why the UNSC is the world body's most impressive organ³⁷. The force of the denial further gives elatedness to the Board overall and the P5 specifically, guaranteeing that the UN General Gathering has, and would keep on requiring the Committee (P5's) positive choice on considerable issues to continue. The Virus War, which started towards the finish of WWII and gone on for quite a long time, a while later saw the USSR blackball a few goals that it felt were not to its greatest advantage.

The main utilization of the rejection was in February 1946 when the USSR Envoy, Andrei Vishinsky, cast a no vote in a circumstance including Lebanon and Syria. England and France were pulling out their powers from these two nations and the USSR thought about that the language in the connected goal was not sufficient and the replacements would be "western colonialist flunkies". However, the utilization of the denial in this occurrence was astounding for some, the US response was similarly astonishing, emphatically recognizing that "the framework worked" and not having a problem with the rejection ³⁰. Thus, the USSR's activity that was permitted started a trend to be trailed by different individuals from the P5 in future.

In 1956, military emergencies arose including English, French and Israeli intrusion into Egypt, and the USSR's assaults in Hungary. As to records, goals against the bigger aggressors were raised by the Overall Gathering to no end, as England and France rejected such. The USSR thusly rejected goals against its exercises in Hungary. Notwithstanding, with strain from the US, England and France in the end withdrew, not having any desire to take autonomous stands against the US. With the virus war nonetheless, US pressure had no impact on the USSR, and it kept up with its hold on Hungary. The US had atomic weapons that it had utilized scarcely 10 years sooner, and the USSR had one of the biggest military powers, and neither one of the nations was ready to enter a risky conflict that could wind up having extensive unfortunate results on the world and on itself.

Every individual from the P5 had interests in different areas of the planet that it promoted as purposes behind rejecting goals that would influence them. Thusly, there were various cases of gridlock, where the world body apparently was inadequate in managing emergencies and matters of harmony and security. However, Russia started as the most regular client of the rejection, the US assumed control over that position later in the twentieth century, a pattern that has kept on dating. All through the virus war, the US and Russia kept on refusing choices that they felt undermined their inclinations here and there. The US specifically, rejected any

goals censuring Israel. Sporadically, England and France collaborated with the US in its position. Notwithstanding, it appeared to individuals from the world body that the US and not entirely set in stone to pull the UN in every one of their headings or possibly deaden it to guarantee it didn't head down inverse paths to what either country needed. As a researcher distinguishes - sooner or later, the remainder of the Gathering and the UN understood the US and the USSR intrigues decided war and harmony issues, with every other person truly having no critical impact³³.

This whole stalemate was trying for the workplace of the Secretary-General who was alluded to as the Boss Authoritative Official of the UN. This job included adjusting the requirements and assumptions for individuals from the world body with the interests of the UNSC, especially the P5. This was what was going on, and a previous Secretary-General, Trygve Falsehood, wound up in dis-favor with the USSR for advancing enemy of North Korean goals against its inclinations. Ultimately, since the Committee has the last say in the selection of secretaries-general, it was nothing unexpected Falsehood's residency was not reestablished once it finished. On the other hand, the following Secretary-General, Dag Hammarskjold, was fruitful in adjusting the interests of all gatherings as he showed incredible discretion and was known for working in the background to finish things. The Overall Get together started to view him as a difficulty shooter, and he had shown incredible abilities and politeness in improving clash circumstances like those including Suez (Egypt) and Hungary, and an emergency in Congo. Hammarskjold passed on in a plane accident during the execution of the Congo mission. All things considered, at this point more nations started to view the Secretary-General job as one without legislative issues and assuming a significant part in question goal³⁹.

At last, the virus war reached a conclusion with changes to the Soviet Association inescapable and its chief, Mikhail Gorbachev, contacting the US and the remainder of the

Board in propitiatory moves. Reluctant from the beginning, the Board answered decidedly at the appropriate time, and therefore, the UNSC started to work in understanding, looking for answers for world issues, setting up peacekeeping missions in light of struggles, and then some.

African issues were likewise noticeable on the worldwide stage during the 1990s, including the fall of politically-sanctioned racial segregation South Africa, the Rwandan destruction and the contentions on the landmass. Also, in 1990, Iraq attacked Kuwait in an unmistakable demonstration of animosity. The UNSC acted quickly to denounce the intrusion and all individuals from the P5 were in arrangement about punishing Iraq. England and France favored the US, Gorbachev was amidst changing the USSR and looked for favor with the west, and China too cared very little about contradicting punishments against Iraq for this situation. Driven by the US, the Committee passed financial and military authorizations against Iraq and followed these with military activity, north of 11 months. These tasks were fruitful, and were a positive for the UNSC and its actions to keep up with global harmony and security.

After the Kuwait-Iraq emergency was effectively taken care of, there followed various different conflicts and clashes in various districts of the world - Haiti, Congo, Yugoslavia, Liberia, Cambodia, Sierra Leone, Rwanda and Burundi. These were debilitating to the world body with restricted assets to deal with. In addition, as there was no established UN military, it implied the Secretary-General needed to move toward various nations each time, to demand support through help and contributor troops to clashed districts.

At this point, a few nations were extended and there had effectively started to exist a hatred of the state of affairs as more individuals were offering more to UN peacekeeping and authorizing missions and started to address why they didn't have a similar impact as the P5.

Models are Japan and Germany which were the most elevated supporters of the UN after the US, however which unquestionably didn't have a similar P5 honors. Across the world, there emerged calls for change to the construction of the UNSC, especially the P5 and its utilization of the rejection. Notwithstanding all the above requiring the UN's consideration, another US moderate government chose in late 1994 started to scrutinize the country's contributory offer (28%) to the UN yearly spending plan. With the UN extended for assets, and with various emergencies across the world requiring reactions (at one point 18 conflicts and clashes running simultaneously) changes didn't get a very remarkable need from the world body, and absolutely, from the UNSC. Also, with many contentions seeing sluggish reactions from the UN (for example Rwanda and Sierra Leone), there were many disappointed part countries of the world body.

Offense with the UNSC slow reaction to world emergencies went on for quite a while, basically, up until the 2001 Al-Qaeda assault at the World Exchange Community the US³⁹. Following this fear based oppressor assault, the nations of the world were joined with the UN and each other, as they decided that the danger of dread was not restricted to the US alone, however could include them. Because of solicitations from the US, knowledge offices worked cooperatively, national banks across the world coordinated to freeze resources connected with psychological oppressor associations, and security frameworks cooperated to recognize fear mongers. It was clear to all that the conflict against illegal intimidation was being driven by the US, including its endeavor into Iraq and Afghanistan that many disagreed with. When the US chose to cut down Saddam Hussein's administration, it was for all intents and purposes going it single-handedly, without power from the UNSC. France was vocal in its resistance to the US' measures; be that as it may, this accomplished nearly nothing, save the advancement of cold relations between the two nations. Now, assuming it was hazy previously, clearly the US, as the most grounded individual from the UN, planned to apply its

command over the world body for its own advantages, and was ready to go it single-handedly, on the off chance that need be. It prevailed with regards to pulling coalitions (England, Canada, and so on) to join its tedious, long missions in the Center East. However, these missions have to some degree finished, the US has started a perilous trend by deciding to dismiss resistance from a framework intended to really take a look at overabundances and apply some proportion of control. Calls for change to the UNSC have proceeded, without much of any result. Aside from the reasonable dissatisfaction from the P5 of change measures, there likewise is no particular recommendation that has acquired the endorsement of the different gatherings, districts and legislatures calling for change. To this date, the design of the UNSC continues as before. What's more however not in a similar way, as the UN denoted its 70th year in 2015, this last ten years has seen the normal, worn out occasions of P5 individuals practicing their entitlement to reject any issues where their inclinations are in question, even to the detriment of general agreement. For instance, somewhere in the range of 2011 and 2014, China and Russia have kept on rejecting UN goals against, and censuring Syria - following the uprising and common conflict inside its boundaries.

2.1.2.5 Strengths and Weaknesses of the United Nations Security Council (UNSC)

Strengths

As recently depicted, the UNSC is the littlest yet most compelling organ of the UN. There are various solid focuses in support of its. The UN legitimizes global activity⁴⁰, by this, it gives assurance to joined choices to intercede in worldwide struggles as it tries to keep up with global harmony and security among its part states. Too, the UNSC has last say in issues of worldwide harmony and security. All things considered, where neither part nation of the UNSC is engaged with a debate, they can intervene dispassionately in issues of contentions, and pass proposals. Whenever this occurs, it is positive, as the questioning groups are bound

to be well arranged to an impartial choice, in light of the reality/objectivity of the conditions. At long last, keeping the gigantic position to force monetary and military authorizations on states inside only a couple of hands poses a compelling viewpoint to support insight (especially with every one of the P5 having more than 300 years of consolidated experience managing questions through estimated/powerful reactions).

Weaknesses

Similarly, as there are solid focuses for the UNSC, there are likewise recognized shortcomings. Utilization of the UNSC blackball power can really incapacitate activities of the UN on an issue important to only one individual from the P5⁴¹. An illustration of this is with the common struggle in Syria, where China and Russia's proceeded with resistance to UN sanctions against Syria starting around 2012 has made the UNSC unfit to force General Gathering upheld punishments against the fighting country. The denial power actually gives any of the P5 the consent to safeguard itself from UN sanctions, execute acts in struggle with the Contract without punishment, and safeguard partners might be acting in negligence to the UN Charter⁴².

Notwithstanding the abovementioned, there are contentions that the UNSC isn't illustrative of the UN's most noteworthy givers or international real factors⁴³. Nations like Japan, which gives the biggest monetary commitments to the UN's peacekeeping tasks (outside of the super durable individuals from the UNSC and second just to the US in sum), have contended for extremely durable part status of the UN. Brazil, which has probably the biggest populace on the planet, as well as the biggest in South America (which isn't addressed in the super durable participation of the UNSC), has additionally looked for extremely durable enrollment status on the Chamber. This move has been upheld by the UK in 2010 and the US in 1945⁴³.

2.1.2.6 Resolution 688: Iraq-Kurdish Case

The main experiment for the UNSC on the issue of compassionate mediation came following the merciless constraint of the Kurdish and Shiite uprisings by Iraqi powers that made a huge number of regular folks escape into the mountains close to the boundary with Turkey and Iran while hundreds more passed on from hypothermia, weariness, and disease⁴⁴. The mounting philanthropic emergency incited France and Turkey (which dreaded a mass migration of displaced people across its boundary) to bring what is happening before the UNSC contending that the predicament of the Kurds should prompt the acknowledgment by UN Part Conditions of a 'obligation of intercession' in occasions of gigantic common liberties infringement. Other UNSC individuals didn't uphold the 'obligation of mediation' contention progressed by France since they expected that such a standard would subvert the Sanction's non-intervention rule in article 2(7). Turkey and Iran had likewise contended that a progression of displaced people across borders in huge numbers compromised the security of the locale thus bringing the issue inside the UNSC's powers⁴⁵. While this contention was a long way from persuading to some UNSC individuals, the end that trans-limit results of the circumstance was a danger to 'worldwide harmony and security' was to the point of mollifying those UNSC individuals who were worried about the authenticity of UNSC action⁴⁶. This prompted the reception of goal 688, which seemed to draw a connection between genuine common liberties infringement inside a state and dangers to worldwide harmony and security. Regardless of discovering that the extraterritorial results of the restraint of the Iraqi regular citizens undermined global harmony and security in goal 688, the UNSC 'didn't explicitly or verifiably, approved any state to manage what is happening utilizing force. Nonetheless, this didn't stop the UK, the US and France to send troops to Iraq under Activity Give Solace to make philanthropic passages for uprooted Kurds in Northern Iraq with the goal that compassionate associations could work uninhibitedly. While the case

of 'inferred approval' was as far as anyone knows the underlying reason for Activity Give Solace, the UK, the US and France 'offered little via legitimate avocation. The part of the way advocated their activities of giving helpful help and upholding restricted air spaces in light of the fact that such moves were made on the side of the execution of goal. Nonetheless, while goal engaged all Part States and to all helpful associations to add to these compassionate aid ventures;' goal 688 was not taken on under Section VII, the main premise by which the UNSC can approve the utilization of power, in this manner, the UNSC didn't approve the US, UK and France to involve force in Iraq⁴⁷.

The exceptional compassionate mediation coming about that followed the reception of goal 688 (however not approved by the goal) without the assent of the state concerned re-lighted the sway philanthropic intercession debate⁴⁷. The 'precedential worth' of goal 688 ended up being disputable among a few worldwide lawful researchers. David Forsythe and Kelly Pease, for instance, hailed goal 688 in light of the fact that 'the [UNSC] without precedent for its set of experiences expressed an unmistakable and unequivocal linkage between common freedoms infringement substantially inside a state and a danger to worldwide security' and reasoned that 'the [UNSC] has the lawful power to approve such activity. Nonetheless, researchers like Peter Malanczuk have contended that 'the goal can't be referred to as point of reference for the suggestion that the UNSC sees a huge, however absolutely inner basic freedoms infringement all things considered, without trans-limit impacts, as an immediate danger to worldwide harmony and security. Malanczuk's assertion is by all accounts a more exact impression of goal 688 than that of Harmony and Forsythe in light of the fact that the connection between inward basic liberties infringement and a danger to worldwide harmony and security was just inferred in goal 688. That is, it was the trans-limit impacts of the basic liberties infringement in Iraq that comprised a danger to worldwide harmony and security. While the UNSC has the legitimate power to approve the utilization of power, it didn't do as

such in goal 688. Notwithstanding contentions from researchers like Malanczuk, goal 688 was 'momentous' in that it was whenever the UNSC first respected inner common freedoms infringement, though on account of their trans-limit impacts, just like a danger to worldwide harmony and security and this established the framework for compassionate mediation (regardless of UNSC approval) and the inevitable improvement of POC⁴⁹.

2.1.3 Concept of Terrorism

The concept of terrorism is definitely not another peculiarity in mankind's set of experiences. It is an idea that is mind boggling, multi-layered and emotive. It is mind boggling on the grounds that it joins such countless various parts of human encounters, including legislative issues, brain research, theory, military procedure, religion and history. Illegal intimidation is emotive both on the grounds that encounters of psychological militant demonstrations stir huge sentiments and on the grounds that the individuals who see fear based oppressors as advocated regularly have overwhelming inclinations concerning the rightness of the utilization of brutality in tackling contrasts among humanity. The term psychological warfare from the etymological idea had its starting point from the French word 'illegal intimidation' which thusly gets from the Latin word, 'terreo' which means to frighten⁵⁰.

As a rule fear based oppressors globally decide to assault blameless focuses, to set their political or strict expectations from the public authority or individuals with which they are in struggle, abusing homegrown and worldwide regulations. The peculiarity of illegal intimidation has been generally inspected in the surviving writing, yet, there is no all-around acknowledged definition. This is on the grounds that act that conveys psychological warfare impressions are frequently seen from various perspectives⁵¹.

In comparative view, a researcher portrayed illegal intimidation as the utilization of danger or utilization of uneasiness incited additional ordinary brutality for political reason by any

individual or gathering whether representing or in a situation to laid out legislative power when such activity is expected to impact the perspectives and conduct of a biggest gathering more extensive than the quick casualties and through the identity or unfamiliar ties and its culprits⁵². A scholar further sees psychological warfare as "acts by non-state entertainers including the undermined or real utilization of illicit power or viciousness to achieve a political, financial, strict, or social objective through dread, compulsion, or terrorizing" As seen in Nigeria during the delinquent system of General Sanni Abacha, when bombs were utilized as a fear weapon against Nigerians. In a world saw as quiet, a demonstration of political brutality might be considered as homegrown illegal intimidation, while a similar demonstration of viciousness can be thought of as defended by other people who see the world to be at war⁵³. Another researcher depicted psychological warfare as an instrument used to accomplish a particular result by utilizing power or viciousness on one section of society with the essential objective of making dread in the bigger society make change in that society⁵⁴. As per study, a few researchers have contended that psychological oppression is a type of vicious struggle, in that view, it is a type of eccentric fighting. Psychological oppression most times is utilized while endeavoring to drive socio-political change by persuading an administration or populace to consent to requests to stay away from future damage or apprehension about hurt, destabilization of existing government, spurring an unhappy populace to join a rebellion, heightening a contention in the expectation of disturbing the norm, communicating an unfairness, or causing to notice a reason. Illegal intimidation is portrayed by a few normal strings: political, mental, coercive, dynamic and intentional⁵⁵.

This definition depends on the way that, practically totally realized fear monger acts are made by human shamefulfulness or man's brutality man, minimization, double-dealing, covetousness, hardship, neediness, debasement, mistreatment, and constraint. The US Administrative

Department of Examination (FBI) depicts psychological warfare as the unlawful utilization of power or brutality against people or property to threaten or force an administration, the non-military personnel populace or any section thereof, in promotion of political or social goal⁵⁵. Be that as it may, illegal intimidation can be portrayed as a demonstration of mental fighting driven by dread or frenzy, terrorizing, power or dangers of viciousness on the individual(s) or the overall population with the perspective on convincing an administration, an establishment or association or individual to act in manners, commonly such an individual or association could not have possibly acted to guarantee security of lives and property or equity, value and reasonableness.

It has been contended that the people in question or objects of a fear monger assault have minimal inherent worth to the psychological militant however address a bigger human crowd whose response the psychological oppressors look for⁵⁶. The frenzy dread effect produces and the feeling of uncertainty illegal intimidation makes on the populace sound good to the fear monger than genuine survivors of a psychological militant episode. Psychological oppression incorporates a scope of social and political issues whose conduct degree is unlimited and incorporates conduct that seems, by all accounts, to be strange⁵⁷.

Illegal intimidation is regularly described by the utilization of viciousness against regular people, with the communicated want of causing fear or frenzy in the populace. Psychological warfare isn't novel to the 21st century, indeed it existed in the eighteenth, nineteenth and twentieth hundreds of years. Today, fear based oppressor movement can be found in Israel, Indonesia, the Unified Realm, Sri Lanka, Colombia, France, Spain, Germany, Nigeria, the US and practically in all nations of the world. The most well-known psychological militant assault is the September 11 self-destruction assaults against the World Exchange Community and the Pentagon and the endeavored assault that brought about the plane accident in Pennsylvania.

The fear based oppressors in Nigeria have found as a procedure the assaults on common populace and government establishments, for example, the police, military and other security offices combined with enormous obliteration of public offices and common properties including oil establishments, police headquarters, jails, holy places, mosques, and shops. As of late, the examination of nation level illegal intimidation information has expanded significantly alongside the expanding accessibility of overall psychological oppression occasion information⁵⁸. Also, different researchers have connected psychological warfare to the large scale monetary and political setting of a country⁵⁹. Likewise, as highlights; expounding on psychological warfare has been questionable on account of its broad view as well as of the jumble of contentions created by it". In the strict aspect Muslims and Christians the same strictly take on their view⁵⁷.

From the abovementioned, one might say that psychological warfare includes coordinated vicious assault on an objective determined to sabotage a legitimately established power and to cause dread among the general population in encouragement of some socio-political goals. Basically, it is a coercive or planned act or danger of viciousness or the utilization of savagery determined to impart dread in the objective, for example, to adjust its conduct in the longing of the perpetrators⁶⁰.

Causes of Terrorism

A few authors have announced various reasons for terrorism. Terrorism in Nigeria in whichever aspect is regularly invigorated by financial contemplations. For example, the Niger Delta tumults were extraordinarily supported by the offered of what a researcher recognize strict, political and the psychological militant schools as normal reasons for illegal intimidation. The strict school contends that Boko Haram insurrection is an excellent plan to force the religion of Islam on Nigeria. Arising out of the various schools, researchers have

ordered inspirations for illegal intimidation into mental, philosophical, and vital points of view⁶¹.

Mental Point of View: This viewpoint contends that the individuals who participate in illegal intimidation might do as such for absolutely private reasons, in light of their own mental perspective. Their inspiration might be just disdain or the craving for power.

Philosophical Viewpoint: Philosophy is characterized as the convictions, values, and additionally standards by which a gathering recognizes its specific points and objectives. Philosophy might incorporate religion or political ways of thinking and projects.

Key Point of view: Psychological oppression is once in a while considered to be a sensible augmentation of the disappointment of legislative issues. Whenever individuals look for review of their complaints through government, yet neglect to win government's thoughtfulness regarding their predicament, they might fall back on brutality. From this perspective, illegal intimidation is the aftereffect of an intelligent examination of the objectives and goals of a gathering, and their gauge of the probability of acquiring triumph. On the off chance that triumph appears to be impossible utilizing more customary method for resistance, one could ascertain that illegal intimidation is a superior choice

2.1.4 Concept of Global Security

Terrorism originates from the Latin word, *terrere*. It is described by the longing to accomplish its objectives by startling those it accepts remains on its way⁶². Anyway, there are little agreement with respect to the underlying drivers of illegal intimidation, whether they bear political, financial or social. As far as political psychological warfare, a researcher characterized it as the danger and/or utilization of additional ordinary type of political savagery, in fluctuating degrees, with the goal of accomplishing specific political objectives

or targets⁶³. This is to impact the conduct and mentality of specific gatherings. It has essentially political thought processes. Notwithstanding this characterized illegal intimidation as a conscious work of brutality or the utilization of viciousness by sovereign states as well as a few public gatherings, helped by sovereign states to achieve key and political goals through the infringement of regulation⁶⁴. A researcher distinguished three wide kinds of psychological warfare⁶⁵.

They are progressive psychological oppression, focused on political upheaval, sub-progressive illegal intimidation which has political thought processes other than upset and harsh illegal intimidation pointed toward controlling specific gatherings, people or types of conduct considered to be unfortunate. Another researcher distinguished global, transnational, homegrown and state psychological warfare as various kinds of political illegal intimidation⁶¹. A scholar recognized the wide sorts as the non-state psychological oppression, state supported illegal intimidation and the state coordinated psychological oppression or foundation psychological oppression. Nonetheless, our advantage is on the homegrown illegal intimidation which is an activity started by an individual or gathering of nationals inside its own boundaries⁶². A researcher underscored that the dangers of psychological oppressor assaults are not really from native limit left developments however from self-assurance battles and battles against treacheries which now and then matches with or are given moral legitimization using religion. Illegal intimidation is a demonstration that is a criminal infringement whenever carried out inside the ward of any state⁶³. The demonstrations give off an impression of being expected to scare or pressure a regular citizen populace, impact the strategy of an administration by terrorizing or compulsion, or influence the direct of an administration by death or abducting. The demonstration of psychological warfare rises above public limits as far as the method for which they are achieved, the people they seem expected to pressure or scare, or the area wherein the propagation work or look for refuge.

Before, what we watched and read were the more newsworthy occasions that have filled the media. In these current days, psychological oppressors have been approaching their lethal business supported by the advancement in innovation driving the creation of new weapons of mass obliteration expanding their damaging capacity constantly expanding the danger of illegal intimidation. Psychological oppression is undermining the feasibility of a country state, achieving financial emergency, precariousness, a danger to the travel industry, energy-area, common flying, sea, transportation and common transportation. The issue of illegal intimidation has would not disappear all things being equal; it has kept individuals in interminable dread, denying individuals of opportunity and security. In this way the world all in all is voicing worries over the threat of illegal intimidation, fanaticism and radicalism. No nation goes unaffected by worldwide illegal intimidation; hence the worldwide local area can never again choose to disregard on terrorism⁶⁴. The world currently lives in dread. We fear everything. We fear flying, terrified of specific nations, scared of hairy Asian men, scared of shoes aircraft traveler's wear; of letter and packages, of white powder. The nations purportedly holding onto fear-based oppressors, their kin, honest or in any case, are apprehensive as well. They fear battle, of being killed and mangled by bombs being dropped on them, by rockets from many miles away by concealed powers. They are apprehensive in light of the fact that they have become securities to be killed in light of the fact that they impede the obliteration of their nations⁶⁵. The above assertion brings exposed the encounters and changes the world is encountering that are affecting on people, yet additionally influencing nations both emphatically and contrarily. One of the significant highlights of the current guess in worldwide legislative issues and the global security is the appearance on global illegal intimidation in an all the more destructive and generic design. On a very basic level the linkage among psychological oppression and globalization can be all the more handily analyzed and clarified by zeroing in on the public safety ramifications⁶⁶.

It is vital to express that the globalization that has made illegal intimidation what it is today is the joining of nations into the world economy through expanded exchange, speculation, momentary capital streams and worldwide movement of gifted and untalented work⁶⁷. Illegal intimidation has been by and by from the beginning of time and all through the world. It is influencing worldwide security in the 21st century since it is turning out to be more widespread. Illegal intimidation contrarily affects worldwide security, which influences each country since they are totally associated. Today, psychological warfare influences the international strategy of numerous countries. An immense number of lives have been annihilated, and properties worth billions likewise obliterated. Individuals live in interminable feeling of dread toward weakness, since they don't have the foggiest idea about the following development, where it would happen and the inclination of the impacts. Because of current and modern innovation, the world has turned into a worldwide town, consequently the effect of psychological oppression on worldwide security. Global illegal intimidation keeps on presenting troublesome difficulties to state and human security in the worldwide framework. Aside from the feeling of dread toward frailty psychological oppression achieves, it likewise reflects in monetary downfall, joblessness, powerlessness to pay compensations of laborers, obligation trouble; it achieves destitution and an overall feeling of dissatisfaction among the people in question.

Wrongdoing has had this impact in run down areas as individuals. Individuals are hesitant to walk the roads around evening time. Life, freedom and the quest for bliss are natural privileges as per the all-inclusive Revelation of common liberty to guarantees homegrown serenity; such can't exist together with a condition of illegal intimidation. One can't bear the cost of the obliteration of vehicles, structures, and planes which are continuous focuses of psychological oppressors. Different expenses are more covered up, yet are similarly just about as exorbitant as immediate destruction. "During the last ten years, it is assessed that

U.S. enterprises, which have been a practical objective of abroad psychological warfare have paid somewhere in the range of \$125 and \$200 million dollars in emancipate. Other secret expenses are caused when government associations and privately owned businesses burn through a large number of dollars to redesign and keep up with offices that are impervious to psychological oppressor assault. Every year billions of dollars are spent to prepare and prepare government and private faculty to deflect psychological oppression⁶⁷.

The monetary effect of psychological warfare can be determined from an assortment of viewpoints. There are immediate expenses for property and prompt impacts on usefulness, as well as longer term backhanded expenses of answering to illegal intimidation. Financial specialists and others have attempted to work out the monetary effect of illegal intimidation for quite a long time in regions assailed by assaults, like Spain's Basque area and Israel.

Over the most recent quite a long while, most investigations of psychological oppression's financial costs start with a translation of the expenses of the September 11, 2001 assaults ⁶⁸.

2.1.5 The Concept of Collective Security

The death of civilians prior to World War 1 (WW1), violence and growing pressure of terrorists left the world with a high sense of insecurity and a distorted future world security system. The effects of the war were massive to an extent that states were left exposed and vulnerable. In January 1918, the United States of America (USA), President Woodrow Wilson proposed a “general association of nations” which was the human kind’s only salvation. In a study, the researcher argued that “Woodrow Wilson was horrified by the slaughter that had taken place during WW1 in what was meant to be a civilized part of the world. The only way to avoid a repetition of such a disaster was to create an international body whose sole purpose was to maintain world peace” In this way, Woodrow Wilson was proposing for a democratic peace formula that will serve the people from the scourge of war⁶⁸.

This study revealed that it led to the formation of the League of Nations in 1921, which was later transformed into the UN in October 1945. The UN has become a Collective Security Organisation which has a mandate given to it by the Charter of the United Nations⁷⁰ to “maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to peace... and for the suppression of acts of aggression or other breaches of peace...” It is from this background that UN plays a pivotal role in international peace and security maintenance. This study centered on the efforts, failures and hopes of the UN as the “barometer” of peace and security maintenance in fighting terrorism.

International Relations Theory Knowledge Base defines collective security as “arrangements for facilitating peaceful settlements of disputes assuming that the mechanisms of preventing war and defending states under armed attack will supplement and reinforce each other.”

The definition for collective security implies that states have to come together and find a common solution to end the problems affecting the peace and security arrangements. The need for collective security can be traced back to Emmanuel Kant’s writings in *The Perpetual Peace* in 1795. Perpetual peace has usually been taken to be a call for immediate political action and to provide a recipe for the immediate achievement of a lasting European peace, but it has also been interpreted as presenting a moral ideal to which states ought indeed to aspire in their external relations⁷¹. It can be argued that enforcement of peace by combined power of a league of peace-loving nations would ensure maintenance of international peace and security which is the hallmark of a pacifist tract of settlement of disputes. However, terrorist organisations have not followed pacific pact because they have governments which they define in their own unique way but not conventionally accepted.

The concept of collective security rests on the assumption that all nations share a primary interest in maintaining peace. In order for collective security to operate, peace must be viewed as indivisible and threats to peace anywhere must be treated as the concern of all members of the international system. Once the aggressor is established then an overwhelming opposition from all other members of the system will respond such that peace will be restored. This has not been the case with the UN members today. In the case of terrorism, there is no agreed working definition at the UN level such that the perpetrators are seen as “liberators, fighters and redeemers who are fighting for emancipation of entangled people” within some member states while some members see them as “terrorists, axis of evil who deserve to be wiped out, tyrants and despots”.

To further express the difficulty of definition of a terrorist, a scholar states that “in the 1960s Nelson Mandela was regarded as a terrorist by the white supremacy and kept in jail for 27 years; now he is respected and revered by the same whites. President Bush refused to meet “terrorist” Yasser Arafat yet when the Israeli government carried out similar attacks they are recognised as a legitimate government.” The definition and identification of terrorists is problematic at the international level. The following are some of the conditions required for collective security application: “a commitment on the part of all members of the international system to peace as a paramount goal requiring the subordination of other goals of foreign policy and the ability of the members of a system not only to reach initial consensus for establishing the system, but also to find a consensus in each situation that a threat to peace or a breach of peace does exist⁷³.”

In order to qualify as collective security organisation there is need to employ the conditions of consensus and commitment to peace and collective response that are fundamental to collective security concept. There should be a distinction between collective security and collective defence, the later refers to an arrangement such as the North Atlantic Treaty

Organisation (NATO) and the War Saw Pact (WSP) which involve alliances for mutual protection against outside attack⁷⁴. The NATO in the twenty-first century has been seen being active in protecting its strategic interests. The NATO actions in Afghanistan in the past decade, Palestine, Iraq invasion in 2003, Ivory Coast 2011 and Libya in 2011 can be allegedly equated to state-sponsored terrorist attacks in the guise of the Responsibility to Protect (R2P) and Humanitarian Intervention. The concept of collective security is based on the fundamentals of idealism which supposes that peace can be restored by coming together of states that share a common view and base their arrangements on consensus. Idealism has led to the formation of collective security organisation, UN.

There are several strides that the organisation has made in trying to promote international peace and security but it has been less successful to eradicate terrorism as evidenced by the continued terrorist attacks that have continued to cause great suffering and defied international peace and security initiatives.

Given the continued attacks from the year 2000 to 2010 and the continued struggles of religion has been one of the major causes of violence especially in the Middle East. The advent of cyber terrorists brings a belief that the irregular wars will be fought in cyberspace given the vulnerabilities of websites and servers to hackers, terrorists inevitably will become cyber terrorists through the World Wide Web (WWW)⁷⁵. This leads to electronic raids on vital national systems controlled by computers for example financial services, transportation networks and power grids. The researcher further stated that “access to the web and portability of modern computer equipment will allegedly give new power to aspiring terrorists...an individual can do more damage than armed terrorist cells”⁷⁵. The fact that technology is not governed by sovereign states presents a total defeat of collective security where states usually react to what technologists have introduced. The operations of terrorists are not clear because they conceal themselves in publics and use the technology which every

citizen is using. The researcher alleges that “September 11 2001 attacks conceived of their plans in the Philippines, planned in Malaysia and Germany, recruited from Yemen and Saudi Arabia, trained in Pakistan and Afghanistan and carried them out in USA-New York City (NYC).” This was made possible by a networked international system. However, the above implicated states are members of the international collective security organisation who were serving their own interests. To explain why collective security has never worked so effectively, the researcher used the theory of realism⁷⁵.

2.1.6 Multilateralism and Collective Agreements on Global Security

The contemporary security paradigm raises these issues: Does the collective defence model have an answer regarding global security threats? The position of global threats with the dialectical dualism of the contemporary globalization movement leads to complex reactions from marginalized or vulnerable groups, individuals and nations.

Whether it is a terrorist or criminal organisation model, an individual or group, proxy extremist movements, they strive to express their frustration and draw attention to their goals in order to improve their position. National defence has a strategic approach, is defined by laws and strategic documents and is an instrument of foreign policy. Integration is imposed by a common response to security threats, challenges, and risks, and looks like a rational path for a nation that strives for the ideals of the open security community. The existence of common, global threats inevitably leads to the existence of a collective response to the supposed threats, challenges, and risks.

Collective conflict management (CCM) “is a form of joint action that can be taken from the global or regional organisations or temporarily formed alliances in response to conflict or to prevent or stop the conflict, regardless of whether it originated within the state or an interstate conflict”⁷⁶. So CCM is a systematic and organised effort to avoid, prevent, or stop acts

disturbing peace with a wide range of common actions involving collective security, various multilateral forms of establishing and maintaining peace and stability. However, a question about the objectivity of the supranational authority that will assess that global security is distinguished. Therefore, in ideal circumstances, it is necessary to achieve several principles, which involve the realisation of a “critical mass” in the international environment, due to the granting of supranational legitimacy to CCM.

The allocation of an individual nation’s legitimacy regarding the decisions regarding the security problem opens a potential area for powerful stake-holder’s institutions to have an influence regarding the objectivity of crisis assessments. It is important to note that CCM creates the possibility that allows powerful and influential countries to create an environment in which some regime or state could be represented as “dangerous” for the rest of the world. From this position, an institution of CCM could be used as a tool for the success of dominant stakeholders, sometimes against international law and by using hybrid or conventional types of action. Therefore, in ideal circumstances, it is necessary to achieve several principles, which involve the realisation of a “critical mass” in the international environment, due to the granting of supranational legitimacy to CCM. Nevertheless, at some point, it is almost a “mission impossible” task, because of the core of CCM being based on a globalization legacy, in other words on the interest of power elites⁷⁷. In summary, the characteristics of collective conflict management can be summarized as follows⁷⁸.

- i. Since international institutions express the balance of power, they have no independent approach to resolving the conflict.
- ii. Collective conflict management is jeopardized by the over-engagement of large and powerful states.

- iii. Cooperation in the implementation of the concept of collective conflict management is very fragile if there is no form of binding contract between the parties.
- iv. In accordance with the orientation towards common goals, conflict management is collectively insensitive to individual national interests.
- v. Collective conflict management has the greatest effects when applied in the pre-conflict phase as prevention in the phase of conflict prevention and it is becoming a conflict.
- vi. The most powerful tool of preventive diplomacy is a pragmatic interest-driven process of negotiation.

The interest of each state determines and recognizes the fact that the institutional, international approach to collective action leads to cost reduction of individual responses to threats. The results and effects include a synergistic performance of all participants, respect for procedures and rules, decision-making consensus, objectivity in approach etc. Although it is difficult to achieve this ideal form of international response to the conflicts that occur globally, it must be noted that this approach to solving security challenges and threats is most effective. In order to achieve maximum results, it is necessary to accomplish common attitudes regarding politics and the achievement of strategic interaction among different factors. Compatibility of participants and their characteristics is necessary, as well as the correlation of their relative power. The actors need to have an appreciation of the nature of the relationship, as well as to encourage faith in the importance of developing the relationship of trust and cooperation. It is necessary to have the ability to perceive the future, they have a vision of the political goals for which the actors are in favour and the links to international politics and political beliefs and regulations within states⁷². If we consider that in a general overlay of resources, technical support and information exchange, collective defence has a

primary role, interoperability has unique importance for achieving the effectiveness of common efforts.

The existence of active interdependence in all spheres of life on a global scale, wiping clear boundaries between the state and a compromising security of “free” entities, as well as the escalation of asymmetric and hybrid challenges, indicate the need to adapt security and defence science and the global approach to security. The inevitability of finding an adequate multidisciplinary approach of defence, political, social, demographic, technological, and other aspects is recognised as a rational response to contemporary global security challenges. The science is also imposed as a capital resource and a factor in society’s development and the link between scientific knowledge and the application of these findings in practice is negligible. Although there is intensive scientific research, the implementation of the research findings is not sufficiently developed and applied in practice. Why is this necessary?

Compared to the Cold War period when the role of the armed forces was primarily reflected in the defence of territory, this role has been extended today to the changing nature of keeping operations throughout the world as sort of the diplomacy and defence matters of internal security. Certainly, the issue of defending national territory has not become obsolete or irrelevant, but new security challenges include the projection of forces for warfare and peacekeeping and humanitarian missions, internal state security issues, participation in the construction of national states and helping civilian authorities. These changes have caused significant organisational, financial and doctrinal demands, and making difficult decisions about the further development of the armed forces. The very same armed forces have undergone many significant changes in line with global demands⁷⁹:

- i. Professionalization, which included the termination of mandatory military service, voluntary service, and high professional standards.

- ii. Functionality, with a contemporary demand for non-traditional missions (peace missions, humanitarian interventions, and crisis management).
- iii. Internationalization of missions in a multinational context.
- iv. Strengthening the legitimacy of the state.
- v. Reducing the motivation for joining the professional armed forces due to the insufficient competence of the military profession.
- vi. Reducing the social role of the armed forces.
- vii. Increasing cooperation in civil-military relations, especially in the fields of training, education, and logistics.

New hybrid and asymmetric challenges have a completely different structure than those that threatened stability and security during the Cold War, which posed the issue of re-conceptualization of the notion of security itself. The defense science at the beginning of the 21st century needs to adapt its research to a cooperative approach across the spectrum of multidisciplinary scientific fields that need to intellectually contribute to the maintenance of stability and security in the world.

Implications of Terrorism on Global Security

Global security includes military and diplomatic measures that nations and international organizations such as the United Nations and NATO take to ensure mutual safety and security⁸⁰. Implications of terrorism are enormous and have far-reaching consequences on the collective peace and security of the entire world. This is because national borders are becoming blurred and difficult to identify. In effect, the nationals of each nation-state migrate far and wide to other regions of the world. Therefore, any act of terrorism in any part of the world will definitely affect other regions of the world. Also, the influx of refugees arising from such terrorist acts will have negative impacts on the economy of the host country as

seen in Europe where a chunk of refugees migrated from Syria to western Europe. Also, organized terrorism denies a society security, peace, stability, good governance and socio-economic development. Apart from destroying lives on a large scale, the damages terrorism does to infrastructural facilities especially those directly related to developmental processes like electricity, communication, and transportation can be enormous and prosperity-retarding. It also creates global enmity and hostility, thereby propelling insecurity, psychological depression and fear in the minds of citizens of the world. Also, investors and tourists (foreign and domestic) are also discouraged, thus denying the state or society vital developmental (foreign revenue) revenue⁸¹. In a situation where new investments are not emerging (as a result of fear of attack), and existing factories and industries are not producing at reasonable proportions of their installed capacities, retrenchment of workers may follow, and this in turn may increase crime rate, and worsen security situations. General economic depression may follow with serious consequences for people's welfare.

2.1.7 Concept of Peace

It is well known that human beings pay much interest in peace from the ancient time until now. Because the word —peace, apart from being a pleasant word, also refers to the peaceful society and the beautiful world. It can be stated that peace is the greatest and highest goal or hope that everyone wishes to achieve personally and expects to be created in society and in the world. People have been trying by all means to gain peace. Therefore, history of human beings, in one aspect, is the history of searching for peace. Peace has been talked, thought, taught and studied in many ways and many aspects.

2.1.7.1 Meaning of Peace

In order to have a deep understanding of the issue, it is necessary to know its true meaning. Therefore, before knowing peace in various aspects, first of all, let us know the true meaning

of peace. What is peace? The term 'peace' is used in a wide sphere. It seems that peace has a variety of meanings that are different in accordance with the context of usage. Literally, the word 'peace' is derived from the original Latin word 'pax', which means a pact, a control or an agreement to end war or any dispute and conflict between two people, two nations or two antagonistic groups of people.

The word peace essentially means —the absence of war⁸². Therefore, by militaries' views, they fight wars to win the peace, or they use force to maintain peace. In military paradigms, peace is seen as an ultimate or ideal goal rather than a means to an end. Historically and politically considering in accordance with the American military history point of view, it is understood as to why peace is mostly defined as an absence of war. This is because in the history of human society, wars of various kinds were fought. Whenever wars occur, people need peace and ask for peace. Peace that people needed and asked for is the state of the absence of wars, the state of having no fights. However, many peace scholars do not agree with giving an emphasis on peace in the sense of an absence of war only. Peace, in their opinions, is something more meaningful, valuable and important than that. Peace is not only an absence of war, but it means or includes the presence of justice, law, order or government in the society⁸³.

Martin Luther King, Jr., a famous human rights activist is the one who was not satisfied with the definition of peace focusing only on the absence of the unhappy situations. In his view, peace must include justice in society too as in his saying. True peace is not merely the absence of tension: It is the presence of justice. His Holiness, the 14th Dalai Lama, said Peace, in the sense of the absence of war is of little value, peace can only last where human rights are respected, where people are fed, and where individuals and nations are free⁸⁴.

Longman Dictionary of Contemporary English defines peace as follows:

No war: A situation in which there is no war or fighting

No noise/interruptions: A very quiet and pleasant situation in which you are not interrupted

Calm/Not worried: A feeling of being calm, happy, and not worried

The online Merriam-Webster dictionary gives the explanations of peace as follows:

- i. A state of tranquility or quiet: as a: freedom from civil disturbance b: a state of security or order within a community provided for by law or custom
- ii. Freedom from disquieting or oppressive thoughts or emotions.
- iii. Harmony in personal relations
- iv. A state or period of mutual concord between governments
- v. A pact or agreement to end hostilities between those who have been at war or in a state of enmity
- vi. Used interjectionally to ask for silence or calm or as a greeting or farewell— at peace: in a state of concord or tranquility.

Another explanation of peace from the online source is that peace is the state prevailing during the absence of war, harmonious relations; freedom from disputes, the absence of mental stress or anxiety, the general security of public places, and a treaty to cease hostilities⁸⁵. The definitions and explanations given by encyclopedias, dictionaries or similar sources like that seem to include all of the meanings of peace. This is common thing for those books and sources that must try to include all the meanings that peace is used and concerned. As per the definitions and explanations shown above, peace is defined and explained in different ways. It has various meanings depending on the context of usage namely, peace literally defined seems to be something as a tool or means to end war or conflict. Peace if

discussed and desired during the wartime or the time after war is the thing that is opposite to war. It means an absence of war and/or other hostilities. Peace in this sense seems to be a main definition undeniably. However, even during the time without war it does not mean people are at peace and society is peaceful. Problems or hostilities are still there. That is why some peace scholars are not satisfied with only that meaning. From their own views, peace is a presence of more other good things like virtue, justice, order, good law, good government, good relationship, well-being, freedom, respect for human rights, security etc., or an absence of violence. On the other hand, if we focus on the state of mind, peace is calm, serenity, tranquility or peacefulness of mind. Furthermore, if we refer to the state of a place or an atmosphere, peace means quietness and silence.

2.1.7.3 Current Efforts to Ensure Peace

Since the end of World War II in 1945, many attempts have been made to assure lasting peace among all nations. Here the researcher will present only the prominent events about peace in the chronology of year. After ending the World War II, an attempt to establish an international organization that works for the peaceful settlement of disagreements between nations was renewed⁸⁸. In 1945, 50 countries created the United Nations (UN), the major international organization dedicated to world peace. The League of Nations was dissolved in 1946. The UN Security Council investigates quarrels between nations and suggests ways of settling them. If any nation endangers the peace, the council may use economic sanctions (penalties) against it. For example, member nations might stop trading with the offender. If such measures fail, the council may ask UN members to furnish troops to enforce its decision. The UN has achieved some success in keeping the peace. But it has failed to prevent local wars in several regions, including Africa, Southeast Asia, and the Middle East.

The peace studies movement arose from the ashes of World War II as an academic field of study. In 1948, at Manchester College in North Manchester, Indiana, the first academic program in peace studies began at this small liberal arts college sponsored by the Brethren church. At the same time in India scholars and professors at universities were promoting Gandhian studies as a way to teach youth to value nonviolence.³⁴ Also in the same year the U.S. government established the U.S. Institute of Peace to give official recognition to peace studies.³⁵ In 1959, Galtung founded the International Peace Research Institute, Oslo (PRIO)⁸⁹. PRIO is an international research institute, whose overarching purpose is to conduct research on the conditions for peaceful relationships between states, groups and people. The institute is organizationally independent and methodologically diverse, effectively combining multiple disciplinary traditions to explore issues of peace and conflict.

In 1961, John F. Kennedy established the Peace Corps, the independent overseas volunteer program of the United States government. Men and women in the Peace Corps work with people in developing countries to help them improve their living conditions. The chief goals of the corps are (1) to help the poor to obtain everyday needs, (2) to promote world peace, and (3) to increase understanding between Americans and the people of other nations.

During the Vietnam War (1957-1975) in 1960s to early 1970s, there was a coalition of American peace groups in strident opposition to protest the war and seek for peace⁹⁰. Those organized oppositions to the Vietnam War came from a variety of sources including traditional pacifists, clergy, university students, civil rights movement leaders, feminist activists, politicians, ordinary citizen, and the war's own veterans. The movements affected the policies of Presidents Johnson and Nixon as well as the policies of North Vietnam and South Vietnam. It prevented the Pentagon from expanding the war as far as envisioned, pressured into negotiations, and eventually halted U.S. intervention in Vietnam.

To realize the dangers and horrors of nuclear weapons and arms-race, in 1968, the UN approved a nonproliferation treaty to stop the spread of nuclear weapons. This treaty, which took effect in 1970, bars the nuclear powers from giving nuclear weapons or knowledge to other nations.⁴⁰ The UN also won approval of arms-control treaties during the 1970's.

In the field of religion for peace, except the struggle for peace in the name of each religion, there is an attempt to cooperate to help create peace in the international level. This attempt was organized in the name of the World Conference on Religions and Peace. The first World Conference on Religions and Peace was held at the International Conference Hall, October 16-21, 1970 in Kyoto, Japan.⁴¹ Then its missions are continued in the form of a new interreligious world body called the —World Conference of Religions for Peace (WCRP). The World Conference of Religions for Peace is an interfaith-religious international organization that promotes religious cooperation and dialogue. It is the largest international coalition of representatives from the world's major religions dedicated to promoting peace. Their members are from many faiths including, Baha'i, Buddhist, Christian, Hindu, Jewish, Muslim, Multi-faith, Indigenous, Sikh and Zoroastrian, religious women's organizations. The WCRP meets in an international conference every five years to discuss contemporary issues⁹⁰.

In 1980, to make an academic symbol in the name of University and to praise Costa Rica as a country that tries to create peaceful atmosphere and conditions in various ways,⁴³ the United Nations established the University for Peace (UPEACE) in Costa Rica in order to provide humanity with an international institution of higher education for peace and with the aim of promoting among all human beings the spirit of understanding, tolerance and peaceful coexistence.⁴⁴ And at the same year in 1980, UNESCO set up the UNESCO Prize for Peace Education to promote all forms of action designed to —construct the defences of peace in the minds of men and to alert public opinion and mobilize the conscience of mankind in the

cause of peace. The UNESCO Prize for Peace Education has been awarded annually since then⁹¹.

To promote peace and provide an opportunity for individuals, organizations and nations to create practical acts of peace on a shared date, the United Nations has established the International Day of Peace or the Peace Day in 1981 by regarding September 21st of every year as the International Day of Peace. The first Peace Day was celebrated on the next September of 1982⁹².

By 1984, peace movements around the world had managed to get their countries or states declared as —nuclear free zones. The nuclear free zone movement was particularly successful in the Pacific. A Nuclear Free and Independent Pacific Movement led an international campaign against the deployment of sea-launched cruise missiles by the U.S. and the U.S.S.R. The movement in New Zealand was so successful that it persuaded a new administration to refuse to allow U.S. ships from entering its ports despite intense pressure from U.S. officials. While some of the nuclear disarmament campaigns were directed at international and transnational targets, the bulk of their resources were directed at national and local level targets⁹³.

In 1993, 125 countries signed a UN-sponsored treaty banning the manufacture, use, transfer, and stockpiling of chemical weapons. The treaty took effect in 1997. In 1996, the UN approved the Comprehensive Nuclear Test Ban Treaty, which was designed to end the testing of nuclear weapons. To officially go into effect, the pact must be ratified by the legislatures of all countries that have nuclear reactors (devices for producing nuclear energy). Two of these countries--India and Pakistan--oppose the treaty. However, the countries that have approved the pact are expected to abide by it even if India and Pakistan do not ratify it⁹⁴.

After the September 11 attacks on the World Trade Center and the Pentagon in the United States (often referred to as 9/11) on Tuesday of 2001, the United States responded to the attacks by launching a "War on Terrorism" leading to Afghanistan war. There was considerable opposition to the War in Afghanistan in the United States and the United Kingdom. Opposition was organized locally by the "Revolutionary Association of the Women of Afghanistan Anti-war" and internationally in the form of "Protests against the invasion of Afghanistan" by various "List of anti-war organizations" who went on to organize much larger protests against the 2003 Iraq War.

From the above-mentioned shown in chronology, it is obvious that people have been trying by various ways from the past to the present in order to create peace in society and in the world. People founded the organization in small group to prevent fighting between states in Greece age. During Roman age people tried to maintain peace by establishing the strong kingdom. In Middle Ages Christianity dominated the European society, people applied religion to create peace under the name of Truce of God. In the latter age to the modern time, people tried to create peace, both individually and collectively, from proposing a plan for peace, writing books presenting how to establish perpetual peace, setting the peace prize and peace museum to establishing peace societies, launching World Peace Conference that led to founding Permanent Court of Arbitration, setting World Peace Foundation and establishing League of Nations. At the end of World War II to the present time, people have been trying to maintain and create peace in many ways. By referring to the international organization, they established the United Nations that has been operating peace mission until now. In the field of education, they started putting peace studies into the departments of many colleges and universities, set up the institutes concerning peace studies and peace researches, and even founded the University of Peace. In the religious movement, they held World Conference on Religion and Peace to unite cooperation between religions to create peace. In terms of getting

rid of dangerous weapons that is harmful to peace in society, they drew many treaties prohibiting spreading and proliferating general arms, nuclear weapons and chemical weapons. They also managed to get their countries or states declared as —nuclear free zones. Moreover, there the date of September, 21 was declared as the International Day of Peace or the Peace Day so that people will pay more attention to peace. And above all else, they protested to end war whenever it occurred from the Vietnam War to war on terrorism and Iraq war.

2.1.8 Concept of Human Rights for Peace

Human rights are —basic rights and freedoms that all people are entitled to regardless of nationality, sex, national or ethnic origin, race, religion, language, or other status. Human rights are conceived as universal and egalitarian, with all people having equal rights by virtue of being human. These rights may exist as natural rights or as legal rights, in both national and international law⁵¹. The doctrine of human rights in international practice, within international law, global and regional institutions, in the policies of states and the activities of non-governmental organizations has been a cornerstone of public policy around the world. It has been said that: —if the public discourse of peacetime global society can be said to have a common moral language, it is that of human rights⁹⁵.

Many of the basic ideas that animated the movement developed in the aftermath of the Second World War and the atrocities of the holocaust, culminating in the adoption of the Universal Declaration of Human Rights in Paris by the United Nations General Assembly in 1948. The modern concept of human rights developed during the early Modern period, alongside the European secularization of Judeo-Christian ethics. The true forerunner of human rights discourse was the concept of natural rights which appeared as part of the medieval Natural law tradition, became prominent during the Enlightenment with such

philosophers as John Locke, Francis Hutcheson, and Jean-Jacques Burlamaqui, and featured prominently in the political discourse of the American Revolution and the French Revolution. From this foundation, the modern human rights movement emerged over the latter half of the twentieth century. Gelling as social activism and political rhetoric in many nations put it high on the world agenda⁹⁵.

Peace and human rights are necessary for each other: peace cannot be achieved without human rights being protected and realized, and human rights cannot be achieved in the absence of peace. Peace without human rights would be a weak and flawed peace. People cannot be said to be living in peace if their human rights are violated, as the structural and institutional violence inherent in human rights abuse is the antithesis of peace. Similarly, human rights cannot be realized in the absence of peace; war is itself a human rights abuse for both the military personnel involved and for civilians, and it also creates other human rights abuse from censorship, and the denial of civil liberties, to torture, rape, and summary executions.

In the sense of applicably studying of human rights, right to peace is one of human rights⁹⁶. That is, people have the right to live in peace without any form of harming. Furthermore, the aim of human rights work and of peace work becomes the same and in the process the methods of peace work and human rights work also coalesce. Therefore, human rights and peace, indeed, cannot be separated; each is heavily dependent on the other.

2.1.9 Concept of Peace Education

Peace education is a broad field and can be difficult to define. Very simply, peace education empowers learners with the knowledge, skills, attitudes and values necessary to end violence and injustice and promote a culture of peace. Peace education as a series of "teaching encounters" that draw from people⁹⁶: some researchers expressed their desire for peace,

nonviolent alternatives for managing conflict, and skills for critical analysis of structural arrangements that produce and legitimize injustice and inequality⁹⁷.

Peace education be thought of as "encouraging a commitment to peace as a settled disposition and enhancing the confidence of the individual as an individual agent of peace; as informing the student on the consequences of war and social injustice; as informing the student on the value of peaceful and just social structures and working to uphold or develop such social structures; as encouraging the student to love the world and to imagine a peaceful future; and as caring for the student and encouraging the student to care for others"⁹⁸.

Often the theory or philosophy of peace education has been assumed and not articulated. Johan Galtung suggested in 1975 that no theory for peace education existed and that there was clearly an urgent need for such theory⁹⁹. More recently there have been attempts to establish such a theory. Joachim James Calleja has suggested that a philosophical basis for peace education might be located in the Kantian notion of duty. Since the early decades of the 20th century, —peace education programs around the world have represented a spectrum of focal themes, including anti-nuclearism, international understanding, environmental responsibility, communication skills, non-violence, conflict resolution techniques, democracy, human rights awareness, tolerance of diversity, coexistence and gender equality, among others⁸². Some scholars have also addressed spiritual dimensions of inner harmony, or synthesized a number of the foregoing issues into programs on world citizenship. While academic discourse on the subject has increasingly recognized the need for a broader, more holistic approach to peace education, a review of field-based projects reveals that three variations of peace education are most common: conflict resolution training, democracy education, and human rights education. New approaches are emerging and calling into question some of theoretical foundations of the models just mentioned. The most significant

of these new approaches focuses on peace education as a process of worldview transformation.

2.1.7.2 Types of Peace

Generally, peace is classified into two types: Internal peace and External peace. Internal peace is called by another word 'inner peace' is peace of mind or soul⁸⁴. It is a state of calm, serenity and tranquility of mind that arise due to having no sufferings or mental disturbances such as worry, anxiety, greed, desire, hatred, ill-will delusion and/or other defilements. Internal peace is peace within oneself; it is derived from practicing or training of mind of an individual. Sometimes, a man can create and maintain his inner peace in the noisy surrounding or in the un-peaceful society. Internal peace is stressed in the field of religion, especially religions in the East. In the view of religions, this type of peace can be reached by means of prayer, meditation, wisdom and other ways. Internal peace is essential; it is generally regarded as true peace and as a real foundation of peace in society or peace in the world⁸⁴.

According to Lao Tzu's famous saying:

If there is to be peace in the world, there must be peace in the nations.

If there is to be peace in the nations, there must be peace in the cities.

If there is to be peace in the cities, there must be peace between neighbors.

If there is to be peace between neighbors, there must be peace in the home.

If there is to be peace in the home, there must be peace in the heart.

It clearly shows that internal peace influences external peace. It is like a big building which has to be grounded or constructed by the first brick. Peace is also built likewise. World peace and other levels of external peace, if we wish it to become a permanent one, should be grounded on the real internal peace of man's heart. Also, the famous statement of UNESCO—Since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed. In a study, a researcher reminds us to realize the real cause of war and peace. It refers to the importance of internal peace as a true foundation of peace in society. In this point, Dalai Lama too said the same thing: We can never obtain peace in the outer world until we make peace with ourselves⁸⁶.

External peace is peace that occurs in society, nations and the world; it is a normal state of society, countries and the world and it is a state of peaceful and happy co-existence of people as well as nature. External peace, in order to see it clearly, can be described in its negative and positive sense as follows; negative sense: the absence of war, hostility, agitation, social disorder, disturbances, social injustice, social inequality, violence, violation of human rights, riot, terrorism, ecological imbalance, etc., positive sense: a state of social harmony, social justice, social equality, friendship or friendly relation, concord, public order and security, respect for human rights and ecological balance, etc. Herein, external peace is the absence of all social evils as well as the presence of all social virtues. Internal peace and external peace are interrelated. Both are interdependent and help support each other. Internal peace represents individual peace while external peace represents peace in society. It is well known that society is a combination of each individual. Society depends on how an individual is. On the contrary, society influences an individual. If society is good, it is useful for the development of the individual life quality. We have known that environments influence human life⁸⁷.

Peace is also likewise. Internal peace is the core, the essence and the firm foundation of external peace. The former guarantees and sustains the latter. If each individual is at peace, society combined with each peaceful individual, has peace too. On the contrary, external peace in the sense of peaceful society or good society has an important role in supporting an individual to get inner peace⁸⁸. That is, if there are no wars, conflicts, violence, harming, killing and so on in the society, people in such society will have peace within themselves. It is because there is nothing to disturb their minds. They have a good society or a good environment to develop themselves in order to obtain inner peace. Therefore, internal peace and external peace are interrelated; both are mutually beneficent.

However, types of peace, according to the World Council of curriculum and instruction, can be sub-classified into nine as follows:

- i. Intrapersonal peace: the state of peace within man himself that means there is no conflict inside one's mind.
- ii. Inter-personal peace: the state of peace between a man and men; there are no conflicts between a man and men or one another.
- iii. Intra-group peace: the state of peace within groups; the state of having no conflicts in groups.
- iv. Inter-group peace: the state of peace between group and group; the state of having no conflicts among groups.
- v. Intra-racial peace: the state of peace within race; the state of having no conflicts in each race.
- vi. Interracial peace: the state of peace between race and races; the state of having no conflicts among races.

- vii. Intra-national peace: the state of peace within nations or countries; the state of having no conflicts in each nation or country.
- viii. International peace: the state of peace between a nation and the nations; the state of having no conflicts among nations.
- ix. World peace: peace of the world. It means that the countries throughout the world are said to be in the state of normalcy, absence of wars and conflicts, presence of justice and balance of control.

The classification of the World Council of curriculum and instruction is extending or showing the sub-characteristics of the internal peace and the external peace in details. It makes us know the beginning and the end of peace and how internal peace and external peace interrelate clearly. Furthermore, peace is still characterized into another two types according to its aspect ‘negative peace’ and ‘positive peace’.

Negative peace means an absence of war, conflict, hostility, agitation, disturbance, disagreement or quarrel, struggle, violence, terrorism, civil strife or civil commotion, social disorder, etc., and an absence of mental disturbance such as anxiety, worry, restlessness etc. Positive peace means a state of tranquility, calm, repose, quietness, harmony, friendship, amity, concord, peaceful or friendly relation, public order, pacification, spiritual content, reconciliation, serenity, security, social justice and bliss. The characterizing peace as positive and negative is trying to find a positive or creative meaning of peace. Because there is a discussion between peace scholars that an emphasis of the meaning of peace on the absence of war or hostilities is not enough; and it is narrow. Peace shown only in negative side is not creative. Peace is a beautiful word and a valuable thing; it should have a positive and creative aspect too. This is because even there is no war, it does not mean peace is there. With the presence of peace (no war), then, what more can peace do to help create a beautiful society.

That is the derivation of the issue of negative peace and positive peace. In conclusion, peace is classified into two types—internal peace and external peace that can be sub-divided in details. Both internal peace and external peace are interrelated. Moreover, peace can be characterized as negative peace and positive peace so that its meaning and extent will be more wide, positive and creative⁸⁸.

2.1.10 Concept of Peace-Keeping

Peacekeeping involves the coordinated presence of military, police and civilian personnel responsible for a wider range of task such as humanitarian assistance, policing, human rights and electoral monitoring, social and economic rehabilitation and reconstruction¹⁸. There are the traditional and multidimensional PKOs. The traditional UN peacekeeping was developed during the Cold War era as a means to resolve conflicts between states. This is by deploying unarmed or lightly armed military personnel from a number of countries, under UN command, between the armed forces of the former warring parties. Peacekeepers could be called in when the major international powers tasked the UN with bringing closure to conflicts threatening regional stability and international peace and security¹⁰⁰.

Peacekeepers were deployed when a ceasefire was in place and the parties to the conflict had given their consent. UN troops observed from the ground and reported impartially on adherence to the ceasefire, troop withdrawal or other elements of the peace agreement. This gave time and breathing space for diplomatic efforts to address the underlying causes of a conflict. An example of this was the UNEF operation in response to invasion of Egypt by Israel, France and UK in 1956. The end of the Cold War precipitated a dramatic shift in the UN and brought about multidimensional peacekeeping. In a new spirit of cooperation, the SC established larger and more complex UN PKOs, often to help implement comprehensive peace agreements between protagonists in intra-state conflicts¹⁰¹.

The UN DPKO was created in 1992 to support this increased demand for complex peacekeeping. Example of this was UNTAG which was the first of such missions and it was a resounding success. The success was due to the full cooperation of the warring parties, the contributory support of the UNSC and the timely provision of the necessary financial resources. Another example of multidimensional PKO was ONUMOZ. The then UNSG described the accomplishment of its mandate as a remarkable achievement. A number of factors contributed to its success, among them were the strong commitment to peace and reconciliation demonstrated by the Mozambican people and their leaders. Other factors were the clarity of the ONUMOZ mandate, the consistent support provided by the UNSC and the international community's significant political, financial and technical support for the peace process. ONUMOZ represented an example of what could be achieved through the UN when all forces joined together towards a common goal.

A major general speaking on the conduct of peacekeepers emphasizes that UN forces must above all behave in such a way as not to take part in a conflict. It must not be used either to protect certain positions or one of the parties or to oblige one part to accept a certain political result or to influence the political balance¹⁰¹. Boutros Boutros-Ghali expressed the importance of UN peacekeeping thus:

United Nations peacekeeping stands out as one of the Organisation's most original and ambitious undertakings in its effort to control conflict and promote peace. It is an inspired innovation. The Blue Helmets will continue to break new grounds as the UN is called upon not only to contain conflicts and alleviate the suffering they cause, but also to prevent the outbreak of war among nations and to build towards enduring peace.

Kofi Annan also emphasized the use of PKO for conflict prevention in Africa in his 1998 report to the UNSC thus:

Since 1970, more than 30 wars have been fought in Africa, the vast majority of them intra-state in origin. In 1996 alone, 14 of the 53 countries in Africa were afflicted by armed conflicts accounting for more than half of all war related deaths world-wide and resulting in more than 8 million refugees, returnees and displaced persons. The consequences of these conflicts have seriously undermined Africa's efforts to ensure long term stability, prosperity and peace of its peoples.... Preventing such wars is no longer a matter of defending states or protecting allies. It is a matter of defending humanity itself.

This would involve sourcing of troops from TCC, according to Brig Gen SY Bello, NA's ability to promptly deploy troops for UN PKO is hampered by funding and bureaucracy. The same situation applies to most armies of developing nations who incidentally are the major TCC to UN PKOs. Troops undergo general peacekeeping courses as part of normal training. In addition those earmarked for PKOs are given specific training on the particular mission highlighting background of the conflict¹⁰². They are also enlightened on the culture of the people and other vital areas. On the mandate and ROE of troops deployed on UN PKO Brahimi recommended in his panel report in 2000 that PKOs should have military capacity to accomplish assigned mandates. This study observed that during the Cold War the rivalry between the super powers was played out mainly in the Third World, where regional conflicts were fueled by those super powers. This was in their desire to preserve or expand their sphere of influence, they were however careful to avoid direct military confrontation. When a regional conflict threatened to escalate and draw them into such confrontation, they sought to contain it, at times using the UN PKO.

However, after the Cold War the balance of nuclear terror disappeared. Thus, ambitious and troublesome local leaders were no longer tightly controlled by the super powers in their respective spheres of influence. Therefore, many ancient ethnic conflicts in Africa, long contained during the Cold War, re-emerged often with brutal violence. Furthermore, this study believes the new unrest in Western Europe after the Cold War caused the industrial nations of the West to shift their attention and financial assistance from South to North. These factors further worsened the plight of some African countries pervaded by bad governance, natural disaster, poverty and famine. This has resulted in increased conflict in Africa after the Cold War era. The evidence is the high number of UN PKOs ongoing in Africa compared to other continents of the globe.

2.1.11 Concept of Peace Building

Nowadays, it is not one of the uncommon words with an elusive meaning. It is a relatively familiar word which simply stands for what its name suggests – building peace and strengthening foundations that help it to stay stable and flourish. One of the things to note about the word is that though it is a noun and not a verb, it exists in the present continuous form. This indicates that it is not a goal or destination that any government or actor can strive to arrive at but a task they need to be involved in continuously. It is required of them to continue working and improving it in order to make it better and able to provide real tranquility to society. This is partly why a researcher indicates that peace-building is a continuous process in constructing peace and strengthening its capacity to survive in a given society¹⁰³. Note the significance of the use of the word *continuous*. This implies that peace-building does not end with the signing of a peace deal or restoration of normal relations between former enemies. It continues even after the attainment of peaceful relations when everything looks fine.

This is a major difference between conflict resolution and peace-building. The former basically involves brokering a peace deal and putting an end to conflict so that peace can have the right atmosphere and environment to flourish in ¹⁰⁴. The latter is more of a long term process that keeps being pursued even after peace has been re-established ¹⁰². It involves actions from a wide range of parties and stakeholders. They strive not only to stop the fighting and put an end to violence but continue working even after all these have been achieved so as to block the possibility of having renewed fighting. Their activities continue in the form of promoting understanding, fostering good relations, building strong legal, political, economic and social institutions to protect the newly won peace as well as providing what the society needs to stay peaceful and resist the temptation of succumbing to the urge of slipping back to conflict¹⁰³.

To bring in more clarity, a scholar compares it with building a house¹⁰⁵. Work does not end after a house is completed; it only reduces because the serious and pressing things have been dealt with. Things like maintenance, painting and renovation continue. Therefore, like building a house, peace-building is a whole process involving many different workers from a land surveyor to an architect to bricklayers, plumbers, electricians, painters, gardeners, decorators and even those who continue with renovation works after it is completed to keep its standard intact and prevent the building from wearing out or getting dilapidated fast.

Consequently, a lot of the things and actions that promote peace are aspects of peace-building no matter how small they may be. The mere fact that they contribute in increasing the level of tranquility in a society, helping in strengthening the foundation of such conditions makes their contribution to count. Therefore, peace-building is a wide concept involving many interventions. It covers a lot of the other sub-fields including peacemaking, peacekeeping, reconciliation and even conflict prevention¹⁰⁵.

Successful peace-building requires that parties consider issues lying before, during and after a conflict. It is not peace-building but a truce, ceasefire or something else if only violence, bloodshed and other such pressing issues are tackled. If it is peace-building, it will require that efforts continue to be carried out after stability has returned so that the foundations of peace can be made stronger and able to withstand pressure many years after the normalization of relations.

Consequently, attention should be directed towards the well-being and happiness of people because the absence of direct violence is not synonymous to the presence of peace. Moreover, except the things that cause people to be angry, frustrated and pruned to violence are satisfactorily addressed, there can be no guarantee that stable peace has been built and hostilities will not resurface anytime in the near or distant future¹⁰⁶.

2.1.12 Concept of International Law

At the moment, most practitioners within global politics assume that states are bound by international law. To some, this may seem obvious in an age when news media front pages tell stories of how a world leader has flouted international law in a recent state action. While international law has arguably been around for centuries, if not millennia, the widespread acceptance of international law as an authoritative source of binding legal norms is something of a modern development¹⁰⁷.

At least, it is in the academy. Ronald Dworkin tells us,

When I was last instructed in international law – at Oxford in the 1950s – the first and most lively question, bound to appear on the examination paper together with tedious questions about navigable bays, was existential. Is there any such thing as international law? ...the question whether there is international law seems no longer to trouble anyone.

Almost everyone assumes that there is international law and also assumes that it includes, for example, the Charter of the United Nations and the Geneva Conventions—or at least some of them

Dworkin appears to be satisfied that scholars and practitioners of international law have nearly reached a consensus about the existential question. Yet skepticism persists. Famously, H.L.A. Hart argued that there is no secondary rule of recognition for primary international legal rules, thus dismissing the existence of international law. More recently, studies have reaffirmed the realist position that international law is nothing more than the product of states pursuing their own interests, and Thomas Nagel has argued not only that international law does not exist, - at least not in any normatively binding way - but also that global justice altogether lacks the kind of justification it would need to bind international actors in the way that many believe it does¹⁰⁸. The existential question about international law can be interpreted in two ways: sociologically and doctrinally. The sociological question is a descriptive one; “a question for social scientists: whether there is any system of practices that can sensibly and usefully be described, for their sociological or anthropological purposes, as international law”¹⁰⁶.

The doctrinal question about the existence of international law is somewhat more complicated. International law exists in the doctrinal sense only if it allows “people to invoke a special kind of right or obligation.” He goes on to say that doctrinal questions can only be answered with “a theory of political morality about the circumstances in which something ought or ought not to happen”¹⁰⁷. Questions about the relationship between doctrinal questions and political *morality* aside, the scholar clearly believes that there is a version of the existential question about international law that is fundamentally normative. We should understand the difference and relation between the sociological and doctrinal questions about the existence of international law in the following way: The sociological question can be

answered by reference to empirical evidence that agents act with certain attitudes, as though they are legally obligated to comply with certain bodies of imperatives, presented in socially salient documents. The doctrinal question can only be answered with a normative theory that justifies that putative obligation – a theory that argues for the claim that international agents are the genuine bearers of the obligations that they act, sociologically, as though they have. Put otherwise, and in the language that I will use throughout this essay, the sociological question asks whether there are norms that participants in international political life *treat* as legally authoritative, and the doctrinal question is whether and how norms could genuinely or justifiably *be* authoritative in that sense¹⁰⁷.

By framing the question this way, especially the sociological question, I make a strong presumption in favor of the existence of international law in the sociological sense. This presumption marks a significant methodological departure from modern legal scholarship by according a privileged position to the practice and self-understanding of practitioners. Some, likely including Hart and perhaps Fuller, will object to the existence of international law – Hart because he thinks there is no obvious secondary rule of recognition; Fuller because his specified structural and procedural standards are not met¹⁰⁸.

2.1.12.1 The Issue of Authority in International Legal Practice

Why should countries comply with international law? One simple answer, bordering on tautology, is that states ought to conform international law because it is a legal system that *has authority* over them¹⁰⁹. Without further analysis, this answer would neither illuminate our question nor seem promising as an answer to dissenting and obdurate participants in global politics. The bald assertion that international law *has* authority passes the buck, as it were. It simply raises the question: But why does international law have authority for states? The assumption, both common and easy to make, is that these questions are nearly identical, and

that the latter cannot illuminate the former. This assumption is a mistake because an analysis of the authority of international law can in fact illuminate and offer guidance to an investigation of why states ought to comply with international law. How? Because different answers to a researcher doctrinal question will either imply or presuppose different accounts of legal authority¹⁰². These implications are not merely judgments that positivists, natural law theorists, and others arbitrarily make as a supplemental consideration. They are necessary consequences of the other commitments these theorists make in describing their views, and they can be evaluated for their plausibility and fit on their merits.

The recognition of the intimate relationship between competing legal theories and their implicit concepts of authority raises the possibility of using a favored understanding of authority as a basis for adjudicating between competing views. If there were some conceptions of authority for which we had independent reason to judge appropriate to a theory of international law, then how well a theory is able to capture *that* sense of authority would serve as a basis for adjudication. More simply, a theory of international law that could not capture the preferred *kind* of legal authority has a problem, or at least is at a comparative deficit relative to a theory that can¹¹¹.

More than allowing adjudication between theories, such a preferred conception of authority could guide the development of new theories. By focusing philosophical work on that particular kind of authority and trying to understand its basic characteristics, we could refocus normative work on thinking about how best to justify a body of norms with those characteristics. This would offer an entirely new set of handholds in a notoriously slippery climb. All of this of course depends on our ability to identify a conception of authority that we have independent reason to prefer. But do we have any such conception? A skeptic might remind us that different projects in legal theory may well need to make use of different

conceptions of authority. Sure, the values that underlie their respective goals could serve as the kind of independent reason to prefer one concept to another for that project.

The concept of authority most appropriate to a theory of law in Nazi Germany, for example, will almost certainly be distinct from that most appropriate for a theory of utopian law¹¹². But, the skeptic might continue, because different projects have different purposes, no one conception of authority stands out above the rest. So long as theorists are free to choose their projects, and different projects are equally valuable, there is no independent reason to prefer one conception of authority to another. At the same time, unlike many areas in philosophy, political and legal theory are largely motivated by real practical problems like human rights abuse, poverty, hunger, the threat of nuclear war, and the belief that we can contribute to the resolution of those problems by offering resonant analyses to guide practitioners. Contributing to the resolution of these problems is arguably a more important task than philosophical abstraction or historical speculation. Therefore, if there is a project in legal theory that has this purpose, then this purpose should serve as the independent reason to prefer the concept of authority implicit in that project. The question, then, is What might such a project be?

2.1.12.2 The Scope of International Law

When legal scholars and practitioners use the term “international law”, what do they mean? We might answer this question in either or both of two ways. First, we might try to list the objects to which people refer when they use the term – that is, we might offer the extension or scope of international law¹¹³. Second, we might offer a conceptual analysis of the concept that those speakers invoke – a list of the general characteristics of a kind of norm¹¹³. Let us begin with a discussion of the former – the scope of international law – in hopes that it will lead us to the latter.

It has become common practice among legal scholars, when discussing the scope of international law, to abbreviate what would be a long list of principles, customs, and statutes, to a shorter list of the sources of international law. The assumption is that if we can identify the sources of law, then the scope of law is just whatever has been or will be produced by those sources. Nowhere are the sources of international law, at least in the modern context, more clearly or definitively spelled out than Article 38.1 of the Statute of the International Court of Justice within the UN Charter, which reads that such disputes as are submitted to it, shall apply:

- i. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
- ii. international custom, as evidence of a general practice accepted as law;
- iii. the general principles of law recognized by civilized nations;

This statute identifies three unique sources of international law:

- i. Conventions and treaties,
- ii. General customs and recognized principles, and
- iii. Court rulings

Treaties

Treaties are bi- or multi-lateral agreements between states. Parties may and do negotiate the terms of the agreement, until a mutually acceptable version of the agreement is discovered. When both or all parties give the appropriate signs of consent (for the US, this includes legislative ratification domestically), treaties are subsequently recognized as sources of legal rights and obligations for signatories. International legal scholars frequently treat treaties as the paradigmatic example of international law, and this preeminence can be speculatively

attributed to the concordance between the doctrines of state consent at the international level and popular sovereignty at the domestic level. Domestically, Hobbes, Locke, and others teach us that subjects come to have legal obligations by consensually conceding some measure of their natural rights to the society for the sake of security, collective welfare, etc. On such a view, the basis for legal obligation is the consent of the governed. Treaties allow us to tell a similar story about international law: they are consensual contracts that limit state rights, but only so far as those states will¹¹².

The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (hereafter Convention on Chemical Weapons or CCW) is a helpful example of a modern treaty. Originally adopted in 1993, the CCW represents an international effort to “to eliminate an entire category of weapons of mass destruction”¹¹⁴. To date, 190 countries around the world have ratified this agreement, notably including Syria in 2013¹¹⁶. Signatories are obligated to other parties to the agreement to promote the goal of elimination and security, and are vulnerable to legal sanction in case of noncompliance.

Custom

The second source of international law is custom or customary practice. Customary law can be generally described as the norms and principles that are not necessarily codified in a treaty of convention, but are instantiated by regular state behavior done from a sense of legal obligation¹¹⁷. Some familiar examples of customary international law, or at least salient examples from legal history, are the extension of territorial boundaries into international waters (which expanded alongside the reach of cannons), and the special legal immunities afforded foreign diplomats. Unlike treaties, customary international law need not be the product of formal legislative procedures. The laws constitutive of treaties are generally highly specific, explicitly negotiated, and consciously drafted. Customary law need not and frequently is not, like this.

Legal customs typically form gradually. They change and emerge with changing and emerging technologies, needs, and cultural norms. Some customs, whether because they are of particular importance or controversy, have been codified in the form of conventions. For example, the modern standards for diplomatic immunity, though a longstanding and widely recognized tradition, were codified in the 1961 Vienna Convention on Diplomatic Relations.¹⁶ Something similar can be said about the state's right to make treaties which, though a long standing tradition, was codified in its current form as late as 1986¹¹³. Other customs are so basic to international relations and social life that they do not warrant codification. The customary principle *pacta sunt servanda*, for example, is so fundamental to social life, and so widely followed and recognized, that scholars and practitioners allow it to be taken for granted as a general expectation in international relations.

Court Rulings

As in the case of domestic law in most countries, judicial decisions are a source of international law¹¹⁸. It is the widely accepted function of judges and tribunals to interpret the outputs of these sources of law (treaties, customs, previous rulings), and to determine how those ought to be applied to novel cases brought before them. In the modern context, the preeminent international courts are most likely the International Criminal Court (ICC) and the International Court of Justice (ICJ). One significant complication in trying to establish court rulings as a distinctive source of international law is that these predominant examples, the ICC and ICJ, are both the products of treaties – the Rome Statute and the UN Charter respectively. This fact makes the legal authority of court rulings appear to be dependent on the legal authority of treaties. But there is, I think, better reason to reject such a claim. Consider the ICC, probably the most widely recognized international judicial body with the jurisdiction to prosecute individuals (the ICJ does not have this legal right). If rulings of the ICC only bound signatories to the Rome Statute, then the ICC could not possibly make authoritative rulings over individuals. But the prosecution of individuals is precisely the function of the ICC, and one that is widely accepted as justified. So at least speaking sociologically, it is, I think, helpful to distinguish international courts as a distinct source of international law.

Administrative Law

An additional source of international law, not explicitly recognized in the UN Charter, is administrative international law (AIL).¹²⁰ The fact that this source is not recognized in the UN Charter is not necessarily an indication that AIL is not a kind of law, but a reminder that the UN Charter is not *the* secondary rule of recognition for international law. Administrative law is a growing body of rules for the regulation of global political life, designed by

specialized non-government organizations, and followed from a sense of legal obligation. One prominent example of administrative law is the International Labor Organization's labor standards. These standards outline the appropriate treatment and working conditions for employees in various industries around the world. Failure to meet these standards is widely perceived as a source of national shame and a wrong.

Administrative law is unique in that it has many of the formal and procedural elements of treaties – it comes about from the deliberate and conscious efforts of individuals and groups, for instance – but can emerge without the consent of the states that are subsequently bound. It might seem strange to say this, since even in the case of the ILO, states are only formally bound to the labor standards after domestic ratification. But by garnering widespread support, invoking widely accepted values, and raising awareness of improper practices, standards like the ILO's can come to exert the same sort of reason-giving force that treaties and other forms of international law do, until it seems more clearly just to be one more source alongside the others. That said, administrative law is certainly an emerging (if not fully developed) source of international law, so it may yet be inappropriate to call it a full-fledged source.

What is Legal Authority?

The preceding was a discussion of the content or *scope* of international law as we find it. A complete description of international law will also describe its *form*. International law does not present itself simply as a set of inert norms. It is a set of commandments that seems to demand action or at least purports to be action-guiding in some sense. International law presumes (and, I will later argue is presumed to have) its own legal authority. But what is legal authority? Using broad strokes, Joseph Raz induces a sense of perplexity when he writes,

Sometimes things are referred to as authoritative simply to indicate that they are binding, perhaps because they can be trusted to guide one correctly, they are dependable. 'The authority of reason' is perhaps used in this way... This, however, is an extended and watered down use of 'authoritative'. In its central meaning the authoritative is what was made binding or reliable by an authority. An authoritative edition of a poet's work, or the authoritative text of his poems, or the authoritative version of it, are those which were prepared by authorities in his work...

Raz employs at least three different senses of authority. First, in the phrase “the authority of reason”, authority is a quality of a form of practical deliberation (reasoning) such that its prescriptions are appropriately treated as reasons for action¹²⁰. Second, a text can be “authoritative” in that it is the best version, or the most widely recognized, or the one preferred by the creator. Third, an agent can be authoritative or an authority; that is when he or she has the standing to make demands on or otherwise change the normative circumstances of others. Thus a literary author has authority over his or her work – that is, the normative power to tell others which is the correct interpretation. And a police officer has authority over individual comportment in public spaces- the normative power to command and even coerce legally compliant behavior like driving the speed limit.

But when we speak of the authority of law, it is not obvious that any of the senses listed above captures precisely what we mean. As in the first sense, authority is a quality associated with practical deliberation. But unlike reason, law is a body of norms, not a form of deliberation. As in the third sense, the fact that law is authoritative seems to give it the standing to make demands of its subjects. But again, that is not quite right. Law is not an agent, unlike the police officer and the literary author. So, while these distinctions are helpful

in getting a feel for the concept for which we are casting about, they offer little towards really understanding what legal authority is.

One important distinction that we should establish right at the outset is that between genuine and false authority. This distinction is a familiar one. Genuine authority is a command from a norm or an agent that actually gives one a reason for action. False authority fails to give reasons for action, but acts as if it does. So, while a police officer may have the authority to give me a speeding ticket, a person merely dressed as a police officer, on his way to a costume party, who gives me what he calls a “citation” does not have the genuine authority to do so. Raz captures this distinction perfectly, though in different terms, when he writes:

Authority in general can be divided into legitimate and de facto authority. The latter either claims to be legitimate or is believed to be so, and is effective in imposing its will on many over whom it claims authority, perhaps because its claim to legitimacy is recognized by many of its subjects. But it does not necessarily possess legitimacy

A review of the extant literature on legal authority reveals a variety of accounts, most of which tend towards either of two poles. At one end, authors identify legal authority with moral authority and say that law exerts the same kind of normative force as correct moral principles. On the other end, theorists claim that legal authority has a specific character, distinct from the kind of authority that true moral principles wield. Views in the first camp – those who claim that legal authority is a version of moral authority – are primarily associated with the natural law tradition. On the relationship between morality and law, a distinguished proponent and defender of natural law theory, writes

If we may translate the relevant portion of, for example, Thomas Aquinas’s theory into Kelsenian terminology (as far as possible), it runs

as follows: The legal validity (in the focal, moral sense of 'legal validity') of positive law is derived from its rational connection with (i.e. derivation from) natural law, and this connection holds good, normally, if and only if (i) the law originates in a way which is legally valid (in the specially restricted, purely legal sense of 'legal validity') and (ii) the law is not materially unjust either in its content or in the relevant circumstances of its positing.

Elsewhere, specifically writing on authority in general, it was stated that:

...in some forms of human community, that something be done [about coordination problems] is not just a matter of optional advantage, but is a matter of right, a requirement of justice... There are, in the final analysis, only two ways of making a choice between alternative ways of co-ordinating action to the common purpose or common good of any group. There must be either unanimity, or authority.

Here, theorist seems to claim that whether or not something has authority is a matter of political morality. It is morally imperative, “a matter of right”, that humans establish and adhere to systems of rules to coordinate their behavior on salient issues¹²¹. This duty is discharged by establishing an authoritative regime to regulate coordination, and is the basis for the authority of that regime and its commandments. Elsewhere, the theorist explicitly extends this distinctly moral conception of authority to law. Discussing the conception of authority contained in *Law's Empire*, the theorist sympathetically writes about “the legal and thus the moral authority of most of the law's rules and institutions,” which is perhaps an even clearer statement of the idea that legal authority appears to be a kind of moral authority¹⁰⁴.

What would it mean for legal authority to be a kind of moral authority? It has been alleged, primarily by those opposed to natural law theory, that such a thesis would imply that human law is nothing more than a copy, an “emanation”, of natural law. A scholar is prone to such antagonistic ascriptions, and the associated skepticism about whether all of law must or even could be derivable from a full account of the moral truths of the universe. He writes:

*An unbiased analysis of the natural-law doctrine shows that it is impossible to deduce from ‘nature’ any rights. For the right of an individual presupposes the duty of another individual, and nature, that is, a complex of facts determined by the laws of causality, does not impose duties and therefore does not confer rights upon men or other beings*¹²².

Finnis, in reply, calls this “a travesty”. But even without going as far as Kelsen, we might say at least the following: If legal authority is a kind of moral authority, then immoral laws are neither legally nor morally authoritative. Assuming that morality is internally consistent with itself – which follows from the idea that ought implies can – it could not be the case that a legally (and so morally) authoritative norm was inconsistent with some other morally authoritative norm. It would be impossible not to violate one or the other norm. But assuming that ought-implies-can is correct, this could not be the case. One or the other presumptively authoritative moral norms must not in fact be.

This result is significant, because it portrays one important aspect of the natural law theorist’s conception of legal authority. The legal authority of a norm is *content-dependent*: whether or not a law is legally authoritative depends on whether its content follows from (or is at least consistent with) true moral claims. Thus, sociologically speaking, an immoral law might have such-and-such origins, such-and-such linguistic structure, and agents might act as though it has authority, while people go to jail for violating it, and on. But normatively (or doctrinally)

speaking, because the content of immoral law is inconsistent with moral truth— because legal authority is moral authority, which is itself internally consistent—immoral laws could not be authoritative.

Positivism and Legal Authority

At the other end of the theoretical spectrum, some hold that legal authority is of the same kind as the authority of a contract or promise – not necessarily moral, but dependent on some form of consent or social recognition¹²². The theorist to whom most commentators ascribe this view is H.L.A. Hart, though Kelsen and Anscombe will also be helpful in this connection. Hart's view of authority is, in certain respects, not so dissimilar from the natural law view. Like Dworkin and Finnis, Hart explicitly tells us that the difference between the gunman who issues commands and the representative of a (legitimate) government who issues commands is that the latter has the *authority* and the former does not. At the same time, the differences between Hart's view, what I will call the “positivist” view, and the natural law view are as important as the similarities. On the relationship between law and morality, Hart writes,

Those who accept the authority of a legal system look upon it from the internal point of view, and express their sense of its requirements in internal statements couched in the normative language which is common to both law and morals: 'I (You) ought', 'I (he) must', 'I (they) have an obligation'. Yet they are not thereby committed to a moral judgment that it is morally right to do what the law requires.

In contract law, parties to the contracts are the ones bound by its terms. In international law, states are the primary objects of regulation. So just as individual consent is necessary for the terms of a contract to be legally authoritative, Kelsen and others argue that *state consent* is necessary for international law to be authoritative. The emergence of the treaty as the primary

and favored vehicle for international legislation speaks to this point. Unlike custom (despite the UN's explicit inclusion of custom as a source of international law, and Kelsen's insistence that custom is also an expression of consent), treaties almost always come with clear indications of state consent (often both signature and domestic ratification)¹²⁴.

Another significant aspect that this discussion of contracts brings out, an aspect that again diverges from natural law is that this positivist conception maintains that legal authority is *content independent*. Law is authoritative because parties agree to it, but those parties might agree to anything – even something immoral. But with regards to authority, what matters is not the content, but the consent. Contrast this with natural law theory, which demands that the content of law be consistent with moral truths in order to be authoritative.

Raz's Conception of Authority

While the first two views dominate modern conversations about the authority of law, Joseph Raz has also made significant and sustained contributions to the question of legal authority, and has advanced his own account which is worthy of independent consideration¹²⁵. Raz writes that “We should regard authority as basically a species of power, where (normative) power is the ability to change protected reasons.” He defines 'protected reason' as “both a reason for an action and an (exclusionary) reason for disregarding reasons against it.” Raz provides the following helpful example: A mother tells her son to wear a coat, but the coat is ugly, and the father tells the son to disregard his mother's command. The ugliness is a reason not to wear the coat. The mother's command is a reason *to* wear the coat. The father's instruction is an “exclusionary” reason, a second-order reason that is a reason not to consider the mother's instructions during practical deliberation. A “protected reason” is a reason for action that is also an exclusionary reason to disregard countervailing reasons. Power is the ability to change or, I assume, provide protected reasons, and authority is a kind of power¹²⁶.

Raz's attention to protected reasons is primarily motivated by two thoughts: First, that authority is appropriately distinguished from advice and requests and second, that authority is sometimes rightly defeated by countervailing concerns. Law is importantly different than advice and requests since, in some sense, violating the law constitutes a wrong in a way that ignoring advice does not. Raz differentiates advice from commands (like laws) by saying that commands are always "given with the intention that their addressees shall take them as protected reasons," whereas advice "is not [necessarily] given with an intention to be taken as a protected reason." So, when I command you to wear that ugly sweater, I intend for my demand to exclude other reasons you might have not to wear it. If I merely advise you not to wear it, I do not necessarily have that intention. He writes:

If you request you submit yourself to the addressee's judgment on the balance of reasons, while at the same time trying to add a reason on one side of that balance. But one who commands is not merely trying to change the balance by adding a reason for the action. He is also trying to create a situation in which the addressee will do wrong to act on the balance of reasons.

This difference between advice and commands has implications for how Raz understands defeasibility¹²⁶. Like Kelsen, Hart, and other positivists, Raz agrees that law is defeasible. That is, it may be the case that an agent ought not to follow the law, all things considered. That said, the fact that law claims authority means that its commands presumptively give exclusionary reasons – that is, they presumptively exclude certain kinds of facts as reasons³⁷. A parent's command is defeasible by strong moral facts, but not by personal fashion sense. State law is defeasible by federal law, but not by local custom. So for Raz, law is still defeasible, but only by non-excluded kinds of reasons that he must specify.

What kinds of reasons does an authoritative command exclude? Raz is somewhat cryptic on this point, but helpfully tells us that “what is excluded by a rule of law is not all other reasons, but merely all those other reasons which are not legally recognized”³⁸. So moral reasons that have not been socially recognized as legal (perhaps by being used in previous court rulings, or invoked in the preamble to important legal documents) are excluded from practical deliberation about what to do. But moral customary and stipulative reasons that *have* been legally recognized can still play this exclusionary role. This view, that authority is the power to change protected reasons – that is, that authoritative commands are defeasible but only by certain kinds of reasons – allows Raz to capture two intuitive aspects of legal authority: (1) it can be defeated, such that *prima facie* illegal actions may not actually be, and (2) it takes the form of an authoritative command, in contrast with mere advice or requests.

Recognition of International Legal Authority in State Action

Even given these existing views about the authority of law, I believe that there is reason to persist in the investigation of what authority generally is. This belief stems not from considered objection to these views (alone), but from the simple observation that none of these, perhaps with the partial exception of Kelsen, develops a conception of international legal authority for the international, rather than domestic, arena. Finnis, Hart, and Raz are all interested in law within the state, particularly thinking about the relationship between state power and individual autonomy. But the challenging questions to ask in the international realm are very different from this. States are no longer simply sovereigns, but are instead intermediaries between the global order and the lives of individuals. The subjects of domestic law are people, the subjects of international law, peoples. Given these significant differences, it seems presumptuous to hold that accounts of legal authority settled in a domestic context should also apply in an international setting. Some such view might well be defended, but it

would have to be defended in light of an interrogation of international law as we find it. I will now turn to such an interrogation.

Any view that posits the authority of law is open to an early objection – one from the descriptive or interpretive side of the discussion. International law, the anarchist’s objection goes, does not exert any normative force on states. If international law did exert such normative force, states would at least sometimes comply with international law even when doing so was not in their own state interests. However, because international law is notoriously “toothless”, states rarely if ever comply with international law just because they have a legal obligation to do so¹²⁶. Simply given the vast amount of non-compliance apparent in modern practice, state action cannot be faithfully interpreted as action guided by the law or done from a sense of legal obligation. States may invoke international law as a justification for actions, but this is only a veil for their true motives — self-interest and the accumulation of power.

But this is too quick. Simply because many states are selective about compliance, because non-compliance is common, and because compliance frequently (or usually) coincides with state interest, it does not follow that states do not treat international law as authoritative. In a similar vein, Chayes and Chayes write:

If national security regimes have not collapsed in the face of significant perceived violation, it should be no surprise that economic and environmental treaties can tolerate a good deal of non-compliance... As we have noted, a considerable amount of deviance from strict treaty norms may be anticipated and allowed for from the beginning, whether in the form of transitional periods, special exemptions, or limited substantive obligations, or by the informal expectations of the parties.

Their idea, it seems, is that non-compliance is insufficient evidence both for the claim that international law is not authoritative, and for the claim that international practice implicitly denies the authority of international law. So, given the prevalence of non-compliance, what evidence is there in states' actions that they recognize international law as authoritative? To answer this question, it will be helpful to distinguish some of the forms of compliance and non-compliance. As Chayes and Chayes write, "Compliance is not an on-off phenomenon, by which I take them to mean that there are different levels and forms of compliance. By understanding this more nuanced conception of compliance, we will be in a better position to see how state actions are in fact compliant, and how even truly non-compliant actions still implicitly recognize the authority of law¹²⁷. For current purposes, I will distinguish six forms of compliance and/or noncompliance: good faith compliance, strategic compliance, rogue action, simple failure, failed proposal, and successful proposal¹²⁸.

The first pair, *good faith* and *strategic compliance*, shows that even perfectly compliant actions can have significantly different normative characters. Good faith compliance occurs when a state (or a state representative) acts in full accordance with international law, and that action is motivated by a sense of legal obligation. Kant's idea of actions *from* duty, as opposed to actions *in accordance with* duty is a helpful analogy. Strategic compliance, by contrast, is legal action motivated by state interest or some basis other than a sense of legal duty. Because corporate agents are at issue, it can be difficult to tell what a state's "true" motive is. With many different representatives and internal disagreement, state action is hardly univocal. Part of the realist's objection seems to be that when we see compliance with international law, we find only strategic compliance, and never good faith compliance. From this, she wishes to conclude that even compliant actions are not performative assertions of the authority of law. But strategic compliance does implicitly recognize the authority of law, since part of a state's strategic calculation to comply will include the political immunity and

normative high-ground granted by legal action. Compliant states can reasonably expect legal actions to go unchallenged by the international community, which is itself an implicit assertion of the normative priority of law in the international community.

The next pair, in this case two forms of *non-compliance*, also helps to illustrate how even non-compliant actions can assert international legal authority. *Rogue action* is the violation of the letter of international law with blatant disregard for the illegality of the action. Such actions are perhaps the closest examples of state actions that do not implicitly recognize the authority of international law. Again, the use of chemical weapons in Syria can serve as a helpful example. Although Syria had not yet ratified the CCW, one might reasonably believe – given the international uptake of the prohibition against chemical weapons – that Assad’s use of chemical weapons violated customary international law, and that this was sufficiently evident to deem it a rogue action.

Rogue actions should be distinguished from *simple failure* to comply with international law. Simple failure occurs when a state violates international law although there is substantial evidence that the state did what it could not to do so. Given the aspirational character of much of current international law, like the ILO’s labor standards and parts of the Universal Declaration of Human Rights (UDHR), history is rife with suitable examples of states falling short of the mark despite their good faith efforts. Unlike rogue actions, simple failures can explicitly acknowledge the reason-giving capacity of international law, just as Aristotle’s akratic man acknowledges virtue without being able to attain it. In both cases, states knowingly violate international law and nevertheless implicitly assert its authority. Consider an analogy with driving. Drivers knowingly and willingly violate speed limits. But usually those violations are minor, departing from the marked speed limits by tolerably small amounts. If we think that agents only implicitly acknowledge the authority of law when they comply perfectly, then speeders and drivers in slow and broken cars would not be examples

of such acknowledgment. But if we recognize that even these departures are minor, and that, in general, they stay within tolerable limits generally expressed by speed limits, then we can see how traffic law is even implicitly acknowledged in these cases. Traffic law shapes deviant driving.

We can say the same about international law: It shapes deviance, such that departure from the norm is an implicit act of recognition. For instance, by limiting the scope of government violence to his borders, Assad implicitly recognized the boundaries of his right to rule. Moreover, when he was accused of acting illegally, his immediate response was denial, but this, *in itself* is an assertion of the authority of law. If Assad did not perceive international law as binding, in some sense, then he would have no reason to deny that he had violated it. “Yes,” he might say, “International law applied to the state I represent and prohibits the action that my state did. I violated international law. But what of it? It has no authority!” But this is precisely what we do not see. Violators deny that they have broken the law, or deny that the scope of the law includes their state or that particular action (as we see with Syria’s best defense – that it had not yet accepted the CCW). What states do not do, or only very rarely do in extreme cases, is deny that international law is authoritative.

The final pair of related state actions is failed proposal and successful proposal. In the absence of a world congress, and during the development and emergence of a global judicial system, much of the legislative and interpretive work of international law falls to states themselves. This is transparently the case with treaties, where states are usually the parties involved in drafting and negotiation. What is somewhat more complicated is the recognition that even when states are not involved in explicitly legislative activities (like treaty negotiations), their actions are, as one might put it, “proto-legislative”. To say that state actions are proto-legislative, is to assert that state action should be understood as a performative and interpretive proposal about what the law is, or, more precisely, what the

rights of states are as determined by international law. Because there is no global sovereign, and because political power is decentralized in our world, state actions must be judged as legal or illegal by other states; there is no other sufficiently powerful entity to fill this role. When states act, they employ their right to rule. But this is not simply the exercise of perfectly understood rights. State action is a performative interpretation of what the acting state takes its rights to be. This proposal may be rejected by other states, resulting perhaps in sanctions, public shaming, or even violent conflict if the action is radical and offensive enough.

Alternatively, the proposal might be accepted, allowed, and used as precedent for the future actions of other states. Chayes and Chayes mark just this phenomenon when they write that

It is, of course, by no means unheard of that states, like other legal actors, take advantage of the indeterminacy of treaty language to justify indulging their preferred course of action. Indeed, a state may consciously seek to discover the limits of its obligation by testing its treaty partners' responses.

While this passage lacks the ambivalence that Chayes and Chayes exhibit elsewhere about such informal methods of legislation and interpretation, it suggests that state action can be a kind of legislative proposal, a performative motion, as if the state were saying, "By my action I propose that actions like this be considered legal." In doing so, its hope is that other states will follow their example and, in so doing, recognize that new right as part of what it means to be a state.

The Conception of Legal Authority Implicit in State Action

State actions not only imply that international law is presumptively authoritative in modern global politics, widely perceived trends in state behavior also offer some guidance about the form of authority that states seem to take international law to have. More precisely, state behavior with respect to international law indicates not only that international law is authoritative, but that that authority has a specifiable form. In this section, I will argue that the best interpretation of state action is one in which states act as though international law is legally authoritative, which is to say that international law (1) gives states directed reasons for action (2) is defeasible in light of countervailing considerations, and (3) is reason-giving independently of its content

Reason-Giving: Part of what it means for international law to be legally authoritative is that it gives agents reasons for action. This characteristic of authority can be described in different, but compatible ways. Raz, as we saw, offers some general insights into the reason-giving nature of law⁵¹. First, the fact that something is legal or illegal can suffice to conclude rational deliberation. Second, the reasons given by law are different in kind from the reasons given by requests and advice, a difference that can be explained in terms of protected reasons. I believe that Raz's characterization of law is substantiated by practice, though I think that there is a simpler explanation of the difference between law, advice, and requests that is more faithful to public understandings of international law. It seems uncontroversial to say that if I am deliberating about what to do, and I am informed that one of the two options I am considering is illegal, then that fact will bear on the ultimate decision I make. A second way to express what it is for law to be reason-giving is to say that the legality or illegality of an option suffices to end practical deliberation when all else is equal. So, again, if I am deliberating between two options that stand equally before me in terms of moral cost, preference satisfaction, ease, efficiency, and so on, and I discover that one of the two is

illegal (though I know that this will have no impact on the relevant costs and benefits that I can reasonably expect on either side), then the mere fact that the option is illegal suffices to end my reasonable deliberation in favor of doing the legal action.

The US's response to the beginning of what has now become the Syrian civil war is, I think, helpful in this connection¹²⁹. The US did not send military aid to Syria. Given the US's fiscal and political situation in early 2011, this might have seemed like the obvious outcome. Two long wars had stressed its economy and quashed any popular support for a new conflict. But at the time, the possibility of military intervention under the aegis of the North Atlantic Treaty Organization (NATO) seemed a real possibility. Opposition members in Syria were almost univocally requesting external assistance, NATO had already played a role in a similar conflict in Libya, and the presence and use of chemical weapons was a genuine shock to the global conscience.

It would be a mistake to say that any one reason or any one event turned the tide against US military involvement in Syria. It was surely a complex decision based on a delicate balance of equally important and competing values. But one major moment during these deliberations was the United Nations Security Council's (UNSC) refusal to approve intervention. With Russia's veto, the UNSC's decision rendered military involvement in Syria illegal under international law (at least in the absence of special circumstances like the emergence of a credible threat to the territorial integrity of another country). What is striking though, and what speaks in favor of the presumed authority of law, is that this decision by the UNSC made any difference at all. The political and economic situation before and after the vote at the UN was unchanged. What *did* change was the legal status of intervention, and with it, the likelihood that Syria would see western military involvement. This, to me, is a clear case in which the fact that something became illegal served as a reason, in itself, for an agent not to do that thing.

This is an example of international law sufficing to end practical deliberation of states, but does it show a distinction between law on one hand and advice and requests on the other? It would seem to. When one goes against advice or chooses not to grant a request, one is not normally presumed to become the appropriate target of accountability seeking behaviors. Even when it is good advice, we generally presume that it is not wrong to choose not to take it. But had the US sent military aid to Syria after the UNSC's decision, this would almost certainly have been the case. Apologies, justifications, and excuses would have been necessary on the part of the US, which show that the UNSC's decision changed the presumed normative playing field from one where it was uncertain whether US intervention would have constituted a wrong to one where it almost certainly would. This should not be a surprising result. A second characteristic of the reason-giving capacity of law stands out in this example. States that violate international law, or that choose to comply to avoid being held accountable, are accountable *to* other agents. The US, had it contravened the decision of the UNSC would have been accountable to the members of the UNSC and the states who it represents. This presumption that compliance is, in a sense, *owed to* other agents is not unique to this case. Signatories to a treaty are accountable for noncompliance *to the other signatories*. States subject to customary law are presumed to owe conformity *to* other adherents of that custom. Margaret Gilbert describes this phenomenon as the "directedness" of duties. Focusing on promises, she writes:

There is a well-known connection... between directed obligation and owing.... In terms of the previous example: If Olive has a directed obligation to Roger to go to Chicago tomorrow, then, equivalently: Olive owes Roger her going to Chicago tomorrow... This construal of owing suggests a particular amplification of an important further point about

promising... that by virtue of one's status as a promisee one is in a position to demand the promised act from the pertinent promisor...

Intuitively, a promisee is in a position to rebuke the promisor for non-performance.

One final characteristic also stands out about legal reasons. While international law occasionally addresses other kinds of agents, it is primarily addressed to states; the UNSC's decision determined whether intervention in Syria *by* states was legal or illegal¹³⁰. This makes a certain kind of sense, since only states have the material resources necessary for such an endeavor. That the reasons given by law are reasons *for states* is not limited to this case, but apparently pervasive. Treaties are signed by and are presumed to bind states. The UDHR, which we turn to next, is explicitly addressed to states as a specification of the duties they owe their citizens. The ILO's labor standards, which are importantly *not* a treaty but rather are a form of administrative law, are explicitly addressed to states.

Interestingly, recent years have seen the emergence of efforts to create international law that addresses non-states. Legal frameworks to address terrorist organizations, for example, might be an example.⁵⁶ Likewise, the Accord on Fire and Building Safety in Bangladesh — an document that bears a striking resemblance to better established examples of administrative international law but for which it is hoped that corporations with factories in Bangladesh, rather than states, will sign on — might be an example of international law addressed to non-states¹³¹. In the immediate post-war period, it might have been more plausible to say that states were the exclusive addressees of international law, but that appears to be changing. We can, I think, still confidently say that states are the *primary* addressees of states. However, the superior account of international law will explain how international law might also apply to *secondary* addressees like terrorist organizations, NGOs, and multinational corporations.

Defeasible: While norms with legal authority suffice to end practical deliberation in some cases, legal authority can also be overridden by countervailing considerations in others –at least such seems to be the presumption implicit in current international legal practice. Sometimes, given the specific contours of and balance of values at play in a specific situation, the action demanded by law may come at a sufficiently grave moral or pragmatic costs that disobedience is justified on the whole.

Human rights law is an excellent example of defeasibility. Human rights, particularly those specified in the UDHR, are generally taken to be an instance of international law and are followed from a sense of legal obligation (as well, perhaps, a sense of moral obligation). At least, *when* they are followed, they are followed from this sense. But many of the articles of the UDHR demand that governments provide services that go beyond their material capabilities. Consider Article 26, which guarantees every person a free elementary education. For many countries, the infrastructure, training, and general institutional upheaval necessary for compliance is Herculean at best and practically impossible. So given the sundry exigencies of political life in much of the world, and given the practical impossibility for governments in many of these places to institute such a system of free elementary education, is it wrong, overall, for a government to fail to comply? We do not, for example, see representatives at the UN mulling over sanctions against the Philippines because of the suspension of public education during Haiyan. Nor do we see countries publicly criticizing the Burundian government on its problematic education system, because we understand that they have bigger problems to attend to first (like its alarming levels of food insecurity)¹³¹. In such cases, international law is still authoritative. It is simply overridden by countervailing concerns.

Considering these cases, though, one might object that in fact, the fact that countries can fail to comply with international law and nevertheless avoid sanction means that the law is *not*

authoritative at all. Secondly, we do see international pressure for compliance in the cases of countries that do not have countervailing concerns the way that the Philippines and Burundi do. Saudi Arabia, for example, almost certainly has a far better developed primary education system than Burundi. Nevertheless, it has been subject to various forms of “soft coercion” by UNICEF and the UNDP and other international regulatory bodies¹³². Whatever the reasons are – whether recognition of economic differences between the countries, a substantive moral objection to Shar’ia, or relevant political exigencies – the case seems to be that the laws that guarantee elementary education to all are indeed authoritative, they are just overridden in specific cases.

Content-Independence: To say that legal authority is content-independent is to say that law can be authoritative independently of the relationship between its content and generally accepted or otherwise true moral claims. Put simply, international legal practice seems to reflect the belief that non-moral and even immoral laws can bind states. The most common examples of content-independence are morally arbitrary laws. The locations of borders, for example, are almost always morally arbitrary as cosmopolitan theorists of global justice are wont to remind us.¹³³ Nevertheless, the laws ensuring those borders, however morally arbitrary they may be, are legally authoritative. Again, one might object to this point by arguing that while specific borders may be morally arbitrary, the laws protecting borders in general are not morally arbitrary because, for instance, borders help states avoid violent conflict by harmonizing and coordinating public understandings of the scope of state power. *Where* borders are may be arbitrary, but *that* states have border is not morally arbitrary. Therefore, even apparently non-moral or morally arbitrary laws are authorized by true moral claims.

But this objection is more difficult to sustain for cases of immoral laws that are nevertheless treated as authoritative. Consider the North America Free Trade Agreement (NAFTA). In

1994, the US, Canada, and Mexico agreed to gradually lower economic trade barriers between their countries¹³⁴. This process was completed in 2008. The hope was that trade liberalization would improve *per capita* income and quality of life for members of all countries, but in fact we are seeing unexpected and morally problematic consequences emerging from the deal. Perhaps most striking among these is that Mexican corn and dairy farmers are being displaced from their land because of a sudden inability to compete with (subsidized) foreign crops. Because NAFTA does not take care to correct for such externalities, the law simply and straightforwardly harms these people. Despite the economic and political advantages promised (and even delivered) by NAFTA, it is not obvious that these suffice to save the law from these fairly damning moral objections. Nevertheless, the US, Mexico, and Canada refrain from introducing new economic barriers to trade that might protect agriculture in Mexico and other vulnerable industries. NAFTA contradicts morality, but it is still acknowledged by all parties as legally authoritative.

2.2 Theoretical Framework

2.2.1 Theory of Realism

The theory of Realism offers an alternative explanation on the failure of idealism to curtail problems posited by terrorism on international peace and security. Realists consider the principal actors in the international arena to be states, which are concerned with their own security, act in pursuit of their own national interests, and struggle for power. The negative side of the realists' emphasis on power and self-interest is their skepticism regarding the relevance of ethical norms to relations among states¹³⁵. The scholar states that “national politics is the realm of authority and law, whereas international politics, they sometimes claim, is a sphere without justice, characterized by active or potential conflict among states.” This realist perception underscores the very nature and behavior of states. In a study, the

researcher states that “the national goals, values, interest and international commitments compete with the demands of collective security for action...national security takes precedence over collective security, cultural, traditional, trade and investment, military alliances and ideology are balanced against a general commitment to world peace”¹³⁶. Thus, the selfish and competitive aspects of international relations present a major challenge to the success of collective security agenda at the regional and global level. The study provided that human beings are needy and vulnerable and can easily be led astray by our attempts to know the world and communities around us such that when we act, we may do so selfishly and impulsively on the basis of faulty reasoning or theology.

Quoting Thomas Hobbes in Leviathan XI argued that “human beings are subject to perpetual and restless desire of power after power that they inevitably struggle for power....independent states, like individuals are enemies by nature, asocial and selfish, and that there is no moral limitation on their behavior.” This is a great challenge to the idealist political vision basing on collective security formula to solve problems posed by terrorism. It can be put forward that USA, Iran, Pakistan and Afghanistan have become terrorist themselves because of the perceived benefits of terror¹³⁷.

Thus, attending the terrorist conventions is just a routine event. With regards to fighting terrorism, the individual states have never agreed on the way forward and identifying of the perpetrators because there is no universally agreed definition of terrorism. The individual states struggle for international dominance at the expense of cooperation. In advancing their political motives, they use intimidation and induction of fear not as means to an end but as a way to acquire dominance. In turn, they subvert other states by sponsoring acts of terrorism which are anarchic to the legitimate ruling governments.

For example, a researcher states that “the USA has supported, financed and trained groups that are widely regarded as terrorist, such as the Contras in Nicaragua, the Mujahedeen in Afghanistan, The National Union for the Total Independence of Angola (UNITA) Angola and Samuel K. Doe in Liberia and Sierra Leone.” It becomes ironic that the states at the forefront of countering terrorism supported or are supporting some alleged terrorist groups. This leaves a lot to be desired when it comes to collective security where some states are members of the UN yet they act as spies to terrorist and combine to disrupt peace and security they intend to preserve. They are working to pull down every idea brought nobly to combat terrorism. That becomes a realistic world where people, states and continents are not unified by “the desire to find common interest” but are driven by their egoistic interests. Given the theory of realism, it is imperative to conclude that the collective security mechanism have tried to a lesser extent to fight terrorism which is interrupting international peace and security arrangements¹³⁷.

This study argues that, the concept of Collective Security is not very effective in combating terrorist activities. It goes without saying that, the concept is based on pacifist tract and is muted from the writings of a scholar which stated that “A state is a society of men whom no-one else has any right to command or dispose except the state itself and it is a trunk with its own roots.” This means that a state can decide whether to be part of the collective security or not. Collective security is guided by morality and consensus to an extent that fighting terrorism is likely to be ineffective. Realism offers a more credible reason why the states are driven by their zest for the struggle for power and individual interest. These interests have led to the following incidences¹³⁸.

The failure to prevent the September 11 2001 USA attacks, 2008 Mumbai attacks, Marriot Hotel bombing in Islamabad, Chechnya, Kosovo, Montenegro, Northern Island and Kashmir between the year 2000 and 2010 has reflected that collective security has failed to bring

international peace and security. The researcher states that “from September 2000 until December 2005, 1 100 Israelis were killed during the Palestinian Al-Aqsa-Intifada.” It can be pointed out that the problems between Israel and Palestine is a historical one but it is now controlled by self- interest embroiled in terrorism to advance their claims¹³⁸. A researcher argues that “although they are pledged to defend each other, many countries will refuse to do so if such an act is not in their own interests or is thought to be too risky or expensive.” Collective security has not successfully included human security other forms of security like human security. Collective Security has remained narrow and has remained an “ought to be” fantasy kind of concept yet realism is an extreme way of expressing the reality in the international system. Realism thus offers better reasons why states have not been so effective and exhaustive in fighting terrorism. Thus, both theories give focus on the state and forget all other types of security which citizens’ need¹³⁹.

Another researcher argued that “on the morning of 9/11 a quadruple attack of the USA marked the beginning of the new century and continuation of the discord and demons of preceding ones.” The horrific attack indicated a blink future in the new millennium and it served as a premonition of many destructive activities to come. This has attracted many terrorist groups to activate their operations in order to attack the most powerful states having witnessed the crush of the USA. Throughout the Middle East and Western Europe, German, Basque, Italian and Palestinian terrorist groups have increased assaults¹⁴⁰. A researcher pointed out that, terrorist possess weapons, “not just pistol, submachine and bombs, for there have been attempts to use heat seeking surface -to -air rockets (SA-7s) and Soviet anti-tank weapons (RPG-7s), German entrepreneurs disbursed mustard gas and nerve agents.” This highlights the level of massive penetration terrorists used to be in the early 2002s. “The face of international terrorism is constantly changing as it increases in scale...the number of terrorist groups has multiplied and from the year 2000 to 2010, terrorists have introduced the

resurgence of suicidal bombing, developed collaborative networks, have gained better access to international arms, they have refined their planning, intelligence and targeting^{139,141}.

They have discovered new sources of funding through crime, bank robberies and they have entered lucrative narcotic markets.” This is how intricate the situation has become and it has become very difficult to remove this network which has claimed many lives and casualties. “In 2002, the world witnessed Bali bombing in Indonesia which claimed 202 lives, 2003 Istanbul bombing claimed 57 lives, March 2004 Madrid train bombing claimed 192, Beslan School hostage crisis 334 killed, Mumbai attacks 175 killed, Yemen killing of 17 people, Colombia in 2000, about 27 lost their lives and 145 hostages taken in Nigeria in 2000”¹⁴².

All these events are overshadowed by horrific attacks on 11 September 2001 which is the major destructive terrorist effort by the late Osama bin Laden and the Taliban. In a study, a researcher reported that, “the death toll exceeded 3000 and the financial losses for just the destruction of the WTC were estimated to be in excess of US \$83 billion.” Terrorist Groups have increased in the past decade but there are major groups which are identified by massive attacks on civilians to induce fear from 2000 to 2010 while a few have been disabled prior to 2000. The following are the major terrorist groups in Africa, Asia, USA, Latin-America and Middle East¹⁴³.

Abu Nidal Organisation (ANO)

This is a loose coalition of organisations founded and operated by terrorist leader Sabri-al-Banna who broke with Palestine Liberation Organisation in 1974. The group has operated using other names like Arab Revolutionary Council (ARC), Fatah Revolutionary Council (FRC) and sometimes Black September. Henderson (2001:47) argued that “the group has conducted more than 100 terrorist actions in more than 20 countries killing about 900 and their actions includes attacks on passengers in airports in Vienna and Rome in December

1985 as well as the killing of worshippers in Istanbul synagogue in 1986.” The vicious attacks on civilians disrupted communities and livelihoods in the Middle East. Lowe (2005:267) argued that “ANO was committed to a completely independent Palestinian state; it had bases in Lebanon and Palestine and drew support from Syria, Sudan and Libya.” This resembles a sophisticated network which was aimed at liberating Palestine. In the process life unfortunately is lost.

Al Qaeda (The Base)

This is an Islamic terrorist group which has worked tirelessly to fight USA domination in the Islamic states and it is the most prominent terrorist group at the present time. A researcher argued that “it is widely thought that the organisation was founded by Osama bin Laden between August 1988 and the late 1989. It operates as a network comprising both a multinational, stateless army and a radical Sunni movement group for global Jihad.” The group has implored variety of tactics to indiscriminate targets to further their interest¹⁴⁴. Al-Qaeda uses “techniques include suicide attacks and simultaneous bombing of different targets and instigating violence among resistance Islamic groups and the group has attacked civilian and military targets in various countries including Europe, North Africa, Asia and Latin America.” The group has been destabilized in 2011 by the murdering of its founder and leader Osama bin Laden in Pakistan by the notorious USA forces who buried him in the sea¹⁴⁵.

Arab National Youth Organisation for the Liberation of Palestine (ANYOLP)

This is a radical offshoot that broke away from the Popular Front for the Liberation of Palestine (PFLP) in 1972. The group committed acts of violence on Israel diplomat in Cyprus in April 1973. The long standing conflict between Israel and Palestine over Gaza strip have brooded many terrorist groups who seek to emancipate themselves from the bondage. By so

doing the groups use wide-spread violence and terror actions to drive forward their ideology. As a way of deterring the aggressions, the Israelis raided Beirut and PFLP killing them leading to the formation of ANYOLP. The group has not been so active in the twenty-first century.

Hamas

This is a militant Palestinian military Islamic movement in the West Bank and Gaza Strip founded in 1987. The group aim at destroying Israel from the Mediterranean Sea to the Jordan River and create Islamic State in Palestine because it was furthering the interest of the Muslim Brotherhood. Hamas comprises of three interrelated wings which are social welfare, political and military wing. The group is more organized and has activities which range from the year 2000 to 2010. ¹⁴⁵ “Hamas has since 2000 been increasingly perpetrating terrorist attacks in a variety of forms; firing Qassam rockets toward Israeli communities, infiltrations into Israeli communities and murder civilians, explosive charges against tanks, vehicle shooting and kidnapping as a bargaining method ... the group since 2003 has dispatched 113 suicide bombers and 72 suicide bombers were dispatched since September 2000 and 227 people have been murdered and 1,393 wounded.”

Hezbollah

This is a Shi'a Muslim militant group and a political party based in Lebanon. The forces were allegedly formed with the aid of Ayatollah Khomeini and were trained and organized by a contingent Iranian Revolutionary Guards (IRG). ¹⁴⁶ stated that Hezbollah's 1985 manifesto was underpinned on the four aspects “ending imperialist power in Lebanon, submission of Phalagists to “just rule”, bringing to trial perpetrators of war for war crimes and giving people the full chance to choose “with full freedom” the system of government they want.” From 1982, there were 36 suicide attacks in Lebanon directed against the Americans, French and

Israeli forces. “The group was responsible for the 1982 January 15 bombing of a USA embassy vehicle in Beirut, the 2002 Israel embassy attack in Buenos Aires, killing 29 in Argentina, the 2004 bombing of a Jewish culture killing 85 in Argentina and in 2002 Hezbollah recruited Singaporeans in a failed 2000 plot to attack US and Israel ship in the Singapore straits”¹⁴⁷.

Red Army Faction (RAF)

A terrorist group based on leftism in West Germany which was founded in 1968. The group included robberies of banks and other businesses, bombing, arson, kidnapping and murdering of prominent political, military and business figures. “red army faction emerged from the intellectuals, communists, independent leftist and the radical student movement and countercultural revolt of the 196 and devoted to carry out attacks within the Federal Republic of Germany in view of establishing a tradition of illegal guerrilla resistance to imperial and state repression”. The Red Army faction has a focus in Germany and its actions do not cross borders¹⁴⁸.

2.2.2 Peace Theory

Peace theories can be classified into two categories—one in the name of theory and one according to an individual’s view. Here, only some prominent theories are presented, namely the democratic peace theory and Johan Galtung’s peace theory.

2.2.2.1 The Democratic Peace Theory

The idea that representative liberal governments can diminish the occurrence of war is one of the most appealing, influential, and at the same time, controversial ideas of our time¹⁵⁰. For centuries, thinkers have proposed that a world of democratic countries would be a peaceful world. As early as 1795, Immanuel Kant wrote in his essay *Perpetual Peace* that democracies

are less warlike. Within the United States, this idea has held particular sway. Presidents like Woodrow Wilson have embraced this idea and advocated the creation of democracies to create a less belligerent world. Harry S. Truman once said, ‘Totalitarian regimes imposed on free peoples undermine the foundation of international peace and hence security of the United States’¹⁵¹.

The Democratic Peace Theory is based on several premises. The first argues that in democracies, populations will restrain elected leaders. This is to say that given the choice, people will be reluctant to bear the costs of war in terms of human life and financial treasure. Second, many think that democracies will use political institutions to settle their domestic disputes. Therefore, when conflict arises with another democracy, they will be more apt to use international institutions (i.e., the United Nations, International Court of Justice, G-8 Summits, etc.) to resolve their international disagreements. Others believe that democracies produce a political culture of negotiation and conciliation, claiming that people in democracies are taught that violence is not an appropriate means of conflict resolution. The argument holds that if a war-prone leader comes to power in a democracy, other institutions (e.g., Congress) will present cross-pressures (here checks and balances) and prevent an aggressive head of state from moving a country to war. Finally, people in democracies are believed to be more sympathetic and tolerant of people in other democracies⁹⁹. Thus, whether it is common norms, institutional constraints, mutual respect, or popular will—democracy is viewed as a treatment for war.

In the 1970s, scholars began using the tools of social science to explore this thesis and have uncovered a significant amount of empirical research that supports these claims. Today there are over a hundred authors who have published scholarly works on the Democratic Peace Theory. One study examined country-to-country wars from 1816-1980 and found that only 12 were fought between democracies¹⁵¹. Bruce Russett writes that —Established democracies

fought no wars against one another during the entire twentieth century¹⁵². Another proponent found that the probability of any two democracies engaging in war is less than half of 1%!¹⁵³. This is not to say that democracies have not gone to war, but when considering pairs (or dyads) of democracies, there are almost no instances of war between two democracies. Four decades of research consistently finds significant support for this position. Moreover, the findings remain robust as the number of democracies in the world continues to grow. In fact, as Jack Levy points out, Democratic Peace Theory is —as close as anything we have to an empirical law in international relations¹⁵⁴.

Just as the Democratic Peace Theory has its supporters, it has also generated considerable criticisms. Alexander Hamilton presents an early rejection of this idea in Federalist No. 6, writing: —Sparta, Athens, Rome, and Carthage were all republics; two of them, Athens and Carthage, of the commercial kind. Yet were they as often engaged in wars, offensive and defensive, as the neighboring monarchies of the same times. Sparta was little better than a well regulated camp; and Rome was never sated of carnage and conquest. In terms of the current research, establishing the correlations have been relatively easy; however, establishing causation is more problematic. In fact, most scholars do not agree on why democracies are more peaceful. In addition, the research itself has come under heavy criticism with scholars claiming that the evidence changes depending on how you define —democracy, —war, and —peace. One rebuttal to the democratic peace theory is found in the Big Mac Peace Theory; this cheeky modification points out that no two countries with a McDonald's have ever gone to war¹⁰⁸. The argument claims that what the scholars are actually measuring is economic development, not democracy. Here some argue that a stable middle class (people who like their current status) will not support a war that may jeopardize their standard of living. Alternatively, the causal factors may be powerful economic elites who block any move towards aggression against a country where they hold financial ties and

where war puts their economic interests at risk. Along these lines, one compelling study finds that the Democratic Peace Theory only holds true between two democracies that have reached high standards of economic development. Here the research finds that poor democracies are more likely to fight each other¹⁵⁵. So, perhaps it is economic development, global capitalism, and the interdependence of foreign trade that impedes war, not democracy.

Stronger opponents actually argue that —good science is creating dangerous policy. There are those that fear that the research provides justification for countries to go on democracy crusades. One issue they raise concerns the assumption that democracies create peaceful peoples. Here, scholars question the idea that popular will can mitigate war, particularly since war seems to be rather popular in certain democracies¹⁵⁶. The United States presents an interesting example of this as public approval ratings of U.S. presidents tend to skyrocket during war. For example, President George H.W. Bush saw his public approval ratings rise to an unprecedented 89% during the 1991 Persian Gulf War when Americans —rallied around the flag.

Perhaps the most problematic aspect of the Democratic Peace Theory concerns implementation—how do you create a world of democracies? Here we find two minds, one that advocates the active pursuit of a globe full of democracies and one that promotes a more passive policy. The latter view is found in the early writings of Thomas Jefferson as he proclaimed, a just and solid republican government maintained here will be a standing monument and example for... people of other countries. Jefferson held that leadership by example (where Western and American governments practice virtue, self-restraint, and rule of law) would be contagious. The second, stickier position involves the active or even forceful pursuit of democratic political systems. This position assumes that democracy will be welcomed across the globe and can be transplanted with relative ease. However, we are beginning to see that some people do not see democracy as desirable. In fact, there are people

who view the Democratic Peace Theory and its policy implications as thinly veiled imperialism. In effect, they view the spread of democracy as an effort to homogenize the world, rejecting local culture, indigenous institutions, and even popular preferences. Thus, rather than viewing themselves as liberated, people and their leaders in many non-democratic countries hear this policy mandate as smug rhetoric. This also touches on the very contentious debate about whether gunpoint democracy will work or whether this actually presents a contradiction to the ideas of conflict resolution through nonviolence. Another thorny issue is that democratically elected governments may not guarantee peaceful interests. Here, one must be careful what one wishes for, as democratically elected leadership may not always be benign and/or may pursue agendas in contrast to American interests. For example, during the Iraqi war Turkish voters pressed their government not to provide support to the U.S. invasion of Iraq. The newly elected Hamas majority in the Palestinian National Authority has also demonstrated its agenda is far from peaceful¹⁵⁷.

2.2.2.2 Johan Galtung's Peace Theory

This theory of peace is based on one underlying principle – that “peace is the absence of violence’. In this sense, the theory is as much a theory that defines violence as it is a theory about peace. This peace/violence dualism tends to simplify the continuous nature of social conditions to polar opposites and so lacks sensitivity to the rather more dialectical terms character of social change. So, a theory of peace may be based not on the contradistinction to violence, but on a statement of what peace is (as opposed to what it is not)¹⁵⁸.

This theory of peace therefore hinges on his definition of violence. Violence, he says, is the difference between the potential and the actual, between what could have been and what is’. This is obviously appropriate for crude violence’s that create, say, physical harm to people’s bodies or mental harm to children, yet it ultimately requires some measures of what is

possible in order to determine the extent to which violence occurs. For example, if we take the life expectancy of Japanese women and the income of men from Luxembourg to be the measure of what is possible for women, we find that violence act on almost all women. Further, the measures may change, since what is ultimately possible is determined by the applications of science, technology and governance, all of which have pushed out the boundaries of possibility in most societies over time.

So, what is possible the theorist's potential – is the best that humans can do, and anyone who is not a beneficiary of the best that can be done is the subject of violence. Yet, if peace is a universal goal, then everyone, everywhere, now and into the future, should be able to reach the same level of attainment (live as long as a Japanese woman and be as wealthy as a male from Luxembourg). In practice, this seems impossible, since the process of accumulation that leads to highest standards of attainment may not be sustainably (I mean ecologically) replicated in all societies. Given existing inequalities in income and health (to continue with just these two metrics), a sustainable set of possibilities will require some contraction in the levels of attainment of the wealthy and healthy and an increase in those for the poor, to reach some point of convergence. It follows, then, that pathways to a universal sustainable set of possibilities can be construed as violence to those whose current conditions are above the sustainable possibility.

This is not to say that the theorist's definition of violence is not instructive. His intention is nothing more than to outline theoretically significant dimensions of violence', and he acknowledges the problematic nature of his criteria of potential' and, indeed, the problematic nature of the concept of peace itself⁵⁸. Rather, it is to say that a theory of violence based on the difference between the actual and the potential is hard to operationalize at the point at which peace is more rather than less prevalent (though this is a point we are very far from, even now). It also suggests that a theory of violence based on the differences between people

here and now may be more instructive, as it would be based on what is currently possible. Further, such a theory needs to explicitly consider what is sustainably possible for all people given existing resources.

Galtung's is a theory that speaks more of structures than agents¹⁶⁰. He explains this as trying to liberate myself from the built-in actor oriented perspective of so much Western social science¹⁶¹. His theory of violence accommodates the military–industrial complex, for example, but says little about the choices that people within these processes make; for example, is an unemployed migrant who joins the army in the absence of alternative career prospects an agent of violence? If (s) he smokes and this causes her to have a reduced life expectancy (a difference between the actual and potential), is this a product of structure (circumstance, environment, tobacco marketing) or agency (personal choice)? These questions point to the limitations of many theories of violence, which tend to be concerned with structures rather than agents.

Yet, as much as structures influence agents, agents can also change structures, and so there is a need to seek to situate individuals in relation to the process and flows that influence them, and which they reflexively influence in turn¹⁶¹. A researcher decomposed violence into two types: personal and structural¹⁶². Personal violence occurs when there is an actor and/or a tangible action such as war or domestic violence that does injury to people. This speaks to the common view of 'peace' as the absence of war and other violations of personal sovereignty. ¹⁶³ calls the absence of this direct violence 'negative peace'. This is the most straightforward and least problematic aspect of his theory of peace (leaving aside the question of just war').

The theory of peace says that there is more to violence than the absence violence. Structural violence, is violence caused not by direct somatic harm, but by systems of unequal power that structure unequal life chances such that a person's potential is unrealized. So, in that racial or

sexual discrimination, declining terms of trade, malnutrition, famine and unemployment all affect people's life chances such that realization of their potential is constrained, these (and many other processes) can be said to be forms of structural violence. These structures have histories and geographies and manifest themselves on different people, through different systems, in various ways. Structural violence, then, is about social justice and equality (called positive peace), and a limitation to this theory is that while perfect equality is its goal, this is not practically possible and, indeed, may not be desirable. Structural violence is perhaps best understood as a 'metaphor' rather than a theory.

Structural violence as formulated by Galtung is a 'maximalist' agenda, the function of which is to highlight the negative consequences of the uneven distribution of power and resources and to understand these as largely avoidable, highly destructive social processes. It leaves open the question of pathways to redistribute power and resources, and Galtung is silent on this matter, which implies is because engaging with the nature of transformation demands some consideration of steering, hierarchy and some recognition of inequality in capabilities – all of which are anathema to Galtung's strong preference for equality¹⁶¹. To be sure, this lack of consideration of the reform of structures is not a problem unique to Galtung's view of structural violence, and, indeed, it is desirable in as much as suggestions may lead to manifestos that may lead to violence. Nevertheless, structural transformation towards peace is an area that could be better informed by other theories of social change, including those associated with development studies.

In this theory's formulation, then, peace is the absence of both direct and structural violence. He notes that negative and positive peace are contiguous with each other, and this is clearly the case, as revealed by recent research into the linkages between war (direct violence), absolute poverty and vertical and horizontal inequalities (structural violence), famine (structural violence) and famine relief (which affects another form of structural violence).

Nevertheless, the positive/ negative peace dualism constrains thinking about peace by reducing its diverse and contingent nature into another dualism, which suggests is not overly useful. Underlying Galtung's notion of structural violence is a concern for basic human needs' provision, informed by the basic needs approach to development that emerged in the mid-1970s. Thus, for Galtung, structural violence could just as well be taken as a point of departure for development studies as for peace studies. The two are very similar, and should be regarded as two sides of the same coin'. This represents an initial point of departure for considering development in relation to peace¹⁶².

2.3 Review of Empirical Studies

This section presents review of related literature from past studies on Critique of the United Nations Security Council in promoting global peace under international law. These are essential for us to understand the activities of the Security Council which is a major arm of the United Nations in promoting peace all around the world leaving no continent out of this mission; help us understand if those activities have yielded positive results or not.

2.3.1 Empirical Review on United Nations

This idealistic expression of the aims and purposes of the UN needs to be set against what has been possible, given the limits placed on the organisation by the most powerful states in it. The principles of the organisation make it clear that, if the UN is to work, the individual members must fulfil the obligations they undertake. Unlike the Concert of Europe, the UN is a permanent structure, but 'it is [nevertheless] an extension to the states system, not an alternative to it'¹⁶³. It is an organisation of equal sovereign states and indeed all states in the General Assembly have one vote regardless of size or wealth; however, in the Security Council, which is the only organ with binding powers, some states are more equal than others.

The UN is not an autonomous agent making decisions separate from the power politics of the world. The Permanent Five, 3 the victorious powers and allies of World War II, have a veto power and therefore their interests are supreme when decisions are made on what actions the UN will take and how well resourced such action will be. From 1945 to 1990, the Cold War ensured that all conflicts around the world were translated into tests of one or other of the superpowers and this precluded action in all but exceptional cases, such as Korea. As a result of the power of the Permanent Five in the Security Council, the UN has been prevented from acting on any matters that affect them or their interests - for example in Tibet, Chechnya or Central America¹⁶³. Moreover, the organisation, on the decision of the members, particularly the most powerful member the United States, has been deprived of funds, for both peacekeeping and for its humanitarian functions

A large number of submissions voiced criticisms that reflect this disillusionment with the UN. It was claimed that the UN was a world government and that this resulted in the destruction of our national sovereignty. The elements of this destruction, it was argued, lay in the treaty system, the International Criminal Court, the demand for a standing army or even for peacekeeping forces. These submissions appeared to believe that the old system of bilateral arrangements between states should be untouchable and that the UN, through its existence and its activities, was the source of what were perceived to be fundamentally sinister changes in international relations¹⁶⁴. They viewed multilateral treaties, not as useful agreements freely entered into, but as attempts by some outside force to control the country. Additional complaints were made about the cost and inefficiency of the UN. Many of these critical submissions were expressions of fear and uncertainty in the face of rapid changes, particularly changes that undermined the efficacy of existing institutions and structures. The committee believes that these concerns are understandable, but unwarranted as far as the role of the UN is concerned. At any time, international relations are dynamic; the rules,

conventions and practices of international relations are embedded in history, but change as circumstances change and the members of the international community decide on different approaches to the resolution of conflict or mutual problems. History has shown that systems decay and are replaced or rejuvenated. The need to re-define or reaffirm the role of the UN and to make the structures of the organisation fit the needs of the times, the members and the changed relationships between the states is the subject of this inquiry and report.

In recognition of the UN's role as an organisation of sovereign states, the Charter at Article 2 (7) enshrined the principle of non-intervention. However, the UN as an organisation, which was conceived as an international institution for the prevention of war, also recognizes within its Charter that 'effective collective measures for the prevention and removal of threats to the peace' might need to be taken. Throughout the period of the Cold War, there were very limited interventions by the UN. From 1945 to the end of the Cold War there were 13 UN peacekeeping operations; since the end of the Cold War an additional 41 peacekeeping operations have been undertaken. During the Cold War, the strength of the two superpowers was such that they brooked no intervention by the United Nations in any area that they saw as in their sphere of interest, nor did they involve the United Nations in any intervention that they wished to make. The veto power in the Security Council ensured that this was so. So gross have been the violations of human rights and so great has been the impact on surrounding states of refugee outflows and economic dislocation that the demand that the UN 'do something' has been constant over the last ten years. Since the end of the Cold War, the international community has intervened on humanitarian grounds and attempted to democratise states on a global scale broadly within the powers of Article 1(1)¹⁶⁵.

Many issues raised by the terms of reference generated heated debate, none more so than the issue of national sovereignty. The United Nations, by its very existence, was seen by some submissions as a force for the destruction of national sovereignty and, therefore, national

independence of action. The fear that the UN constitutes an oppressive World Government pervades these submissions of their bureaucrats and a few do-gooders urged them to sign away our sovereignty¹⁶⁶. The UN organisation is now the antithesis of democracy, systematically eroding and dismantling National Sovereignty, and the natural rights of the people of individual Nations, under force of arms or sanctions if considered necessary; does that not constitute "Tyranny"?¹⁶⁷. This Country under the domination of the UN would be and is vulnerable to any master plan that it may decide upon, such as the Asianization of Australia which is proceeding apace including the 'legal' assimilation of illegal migrants apart from the ones we do not know about¹⁶⁸. The UN is being used as a front for International Finance organisations to promote their interests under the guise of a Socialist (read Communist) agenda, to ultimately control everything and everybody and to maximize their profits.

2.3.2 Empirical Review of Security Council Powers

Chapter VII of the U.N. Charter confers the responsibility for the maintenance of “international peace and security” on the Security Council. The U.N. Charter, however, does not provide for a definition of international peace and security, thus leaving the power to determine its significance to the judgment of the Security Council itself¹⁶⁸. In order to execute its mandate, the Security Council disposes of a wide range of powers, including “the powers to authorize the use of force in the name of the international community¹⁶⁹.” According to the established doctrine of implied powers, the Security Council also possesses those powers that are essential for the performance of its duties and that are commensurate with its responsibility for the maintenance of international peace and security¹⁷⁰. Thus Security Council resolutions imposing obligations to the international community of states as a whole rather than being restricted to U.N. members are regarded as a direct emanation of the teleological reading of U.N. powers in general, and Security Council powers in particular.

With regard to the internal functioning of the Security Council, its decision-making power is governed by a combination of provisions of the U.N. Charter, provisions of the Provisional Rules of Procedure complementing the text of the U.N. Charter, and other documents such as Note 507, complementing the Provisional Rules of Procedures. This set of rules allows the Security Council to adopt a variety of decisions, including resolutions, PRSTs, notes by the Security Council President, press statements and letters from the Security Council President¹⁷¹. Although the list is not exhaustive, resolutions are recognized as the type of Security Council decision endowed with the greatest political relevance because they must be obeyed by U.N. member states¹⁸. The element of compulsion characterizing resolutions, along with the existence of the P5's veto power, determines that attributing meaning to the words of the U.N. Charter "international peace and security" is an act of discretion exercised by the Security Council. More specifically, since individual resolutions of the Security Council do not set a precedent, what constitutes a threat to or breach of international peace and security is ultimately determined by the willingness of individual permanent members to take a specific action or inaction on a case-by-case basis. On this ground, the Security Council has been severely criticized as a non-representative and highly politicized body whose actions have not always been either efficient or impartial. The presence of the P5, in particular, is seen as anachronistic and has triggered a debate on the need to reform the Security Council to keep the pace with the changes currently taking place within the international community¹⁷². The perceived fear is that as long as no superior organ to the Security Council exists, the P5 can yield unrestricted powers which, albeit formally subject to the purposes and principles of the U.N. Charter, cannot in fact be controlled by either the United Nations or its member states. The result is that each P5 is able to transpose important elements of its foreign policy to the international plane without the need to justify it under international law¹⁷³.

Empirical scholarship on Security Council practice is still in its infancy¹⁷⁴. Existent contributions have built taxonomy of Security Council decisions with a view to finding significant selection effects. Scholars have then used the results of the empirical analysis as a platform to assess the degree of compliance of Security Council decisions with international human rights standards. This study provides a deeper understanding of the rationale behind the adoption of Security Council decisions. By mapping the rules and principles of international law referred to in the text of Security Council resolutions, the proposed analysis attempts to conceptualize the legal mind of the Security Council. The basis of the present research is quantitative and consists in coding and analyzing 611 resolutions adopted by the Security Council in the period of time between 2004 and 2013. The full text of resolutions is reported in the Security Council Annual Report to the General Assembly, which gathers all the questions considered by the Security Council during the year, as well as in the digital archive developed in 1995 by the U.N. Department of Public Information, which is freely available and provides direct access, via hypertext links, to each Security Council resolution since 1946.

Security Council and International Law: A Conceptual Map

This research work examines the extent to which the Security Council relies upon international law. It shows evidence of the type of international legal instruments referred to in the text of resolutions. Such instruments have been divided into two groups. They include U.N. documents such as Security Council resolutions, PRSTs, General Assembly resolutions, and reports of the Secretary-General on one hand, and primary sources, such as treaties and customary international law (CIL) on the other hand. The analysis also considers generic reference to international law, including international humanitarian law, international human rights law, refugee law, and international standards. Sometimes the same source is cited more than once in the same paragraph of a resolution. For the purpose of this study, only the first

citation is taken into account. Furthermore, since the inquiry is restricted to evaluating the use of international legal instruments by the Security Council, generic reference to human rights or the rule of law is not reported. The overall results show that the majority of citations concern U.N. documents in general and Security Council resolutions in particular. The latter are equally divided between resolutions on the same subject-matter of the resolution under scrutiny, and resolutions addressing related topics. Re-cited Security Council resolutions are often accompanied by reference to related PRSTs. In general, the Preamble contains a higher number of citations than the operative part of resolutions.

The most cited sets of resolutions address thematic issues—namely, women and peace and security, children in armed conflict, and protection of civilians in armed conflicts. Although merely declaratory, such resolutions and related PRSTs appear to have gained a special status among the sample of Security Council resolutions examined. Conversely, the resolutions on admissions of new members to the United Nations, those providing recommendations for the appointment of the new Secretary-General, those establishing a date of election to fill a vacancy in the International Court of Justice (ICJ), and the one providing a tribute to the outgoing Secretary-General do not contain any reference to international legal documents¹⁷⁷.

In a number of instances, compliance with relevant Security Council resolutions is required in absolute terms. Whether this consolidated practice constitutes a precedent, at least with regard to resolutions referring to previous Security Council resolutions on the same subject-matter, is contested, although the answer seems to be negative³⁰. Likewise, re-cited Security Council resolutions do not appear to contribute to the creation or development of CIL.³¹ However, with regard to the legal force of resolutions, they stay on an equal footing with primary sources of international law. A passage from Security Council resolution 2087, for example, reads: “Recognizing the freedom of all States to explore and use outer space in accordance with international law, including restrictions imposed by relevant Security

Council resolutions.” Nonetheless, certain treaty provisions are recognized as the standard of international legality and might be successful in mitigating, to a certain extent, the discretionary powers of the Security Council. Prominent examples are the Treaty of Non-Proliferation of Nuclear Weapons (NPT), the U.N.¹⁷⁸. Convention on the Law of the Sea (UNCLOS), the Geneva Conventions, and the purposes and principles of the U.N. Charter.

The analysis also shows that particular sets of resolutions stand out either for the abundance or the paucity of the sources of international law other than United Nations documents referred to in the text of those resolutions. Resolutions on Somalia as well as those drawing on the reports of the Secretary-General on Sudan are examples of the first type. They both address situations classified as breaches of international peace and security, and represent the cusp of a trend in which Security Council resolutions addressing situations taking place in Africa rely heavily upon international legal instruments as the preferred means for eliciting compliance of their addressees¹⁷⁹. Most notably, the resolutions on the reports of the Secretary General on Sudan contain a well-proportioned amount of reference to sources of international law in both the Preamble and the operative part of resolutions. Sources referred to include treaties, various U.N. documents and generic reference to international law, including international humanitarian and human rights law in equal measure³⁸. On the other hand, the distinctive trait of resolutions on Somalia is that they are the only ones to mention CIL and, contrary to the majority of Security Council resolutions under scrutiny, place more emphasis on international human rights law rather than humanitarian law. Resolutions on Afghanistan and threats to international peace and security caused by terrorist acts pertain to the second type. Reference to international treaties is virtually absent in the latter, with the Bonn Agreement of 2005 on Afghanistan mentioned once in the Preamble to resolution¹⁸⁰. This set of resolutions is also characterized by a continuous reference, both in the Preamble and in the operative part, to previous Security Council resolutions on Afghanistan and general

issues relating to sanctions¹⁸¹. All States, U.N. members and non-members alike, must take the measures to combat international terrorism as imposed by previous Security Council resolutions. Despite sporadic reference to international law, humanitarian law, international human rights law and refugee law in the Preamble, however, it is hard to single out the parameter of legality adopted by the Security Council to justify its actions other than Security Council resolutions themselves. On the other hand, resolutions on Afghanistan tend to supply the paucity of reference to international treaties with great attention to Security Council resolutions on women, children, and civilians as well as resolutions on threats to international peace and security caused by terrorist acts. In light of the considerations above, this suggests that only the former set of resolutions—women, children, and civilians—may be regarded as the legal basis of Security Council actions in addition to the U.N. Charter provisions establishing the Security Council mandate^{180,182}.

Finally, the empirical results show that two individual resolutions possess unique features. The first one is on nuclear nonproliferation in Iran. It stands out as the most politicized of the resolutions under scrutiny as it establishes that to restore the confidence of the international community, the strategy for resolving the Iranian nuclear issue through peaceful means must conform to proposals made by the P5¹⁸¹. The second one is resolution 2059 on the situation in the Middle East. In this resolution, the absence of any reference to any previous Security Council resolutions—either on the same subject-matter or related ones, as well as to international treaties—is striking¹⁸².

2.3.3 Empirical Review on Global Peace

A researcher works to maintain international peace and security in a world where security threats have become more complex¹⁸³. The researcher stated that life has become increasingly blurred between criminal and hostile groups and peace spoilers, including extremists with transnational strategies and sophisticated tactics. The breakdown of the state security apparatus in intra-state and inter-communal conflicts now poses tremendous security challenges and tests the organization's capacity to carry out its mandate and programmes¹⁸³. With the mounting complexity and growing costs of addressing crisis situations, the imperative of conflict prevention is higher than ever. In its conflict prevention and mediation work, the United Nations continues to face challenges regarding how best to engage with sometimes amorphous movement or fractured armed groups and how to ensure inclusivity. The complexity of contemporary peacekeeping environments requires strengthened partnerships with all stakeholders, including regional and sub-regional organizations, the wider United Nations family, international and regional financial institutions and donors, and multilateral and bilateral partners. Only through such collaboration can nations collectively address the international peace and security challenges that the world is facing today¹⁸⁴.

World peace or peace on earth has an ideal state of freedom, peace and happiness among and within all nations and peoples. This ideal of a non-violence world provides a basis for peoples and nations to willingly cooperate, either voluntarily or by virtue of a system of governance that protect human's warfare. World peace is more than just the absence of war, this was established from the fifty research studies carried out by the group which provide unassailable evidence of peace reduces crime and enhances economic prosperity. This means war deaths are reduced dramatically; terrorist activity is curtailed and peaceful negotiations break-out¹⁸⁶. A scholar identified a distribution between positive and negative world peace. Negative world peace means simply an absence of war or direct physical violence. Positive

world peace denotes the presence of conditions for political equality and social economic justice. Positive world peace acknowledges and challenges the structural conditions in society that inhibit the ability of individuals or groups to achieve their potential¹⁸⁷. Another scholar said that positive world peace is a pattern of cooperation and integration between major human groups and nations. It is about people and nations interacting in cooperative ways; it is about social organizations of diverse peoples who willingly choose to cooperate for the benefit of all humankind. This calls for a system in which there are no winners and losers, all are winners, it is a state so highly valued that institutions are built around it to protect and provide it¹⁸⁸. The purpose of world peace cannot be far fetch from the following: to awaken the inner peace that dwells in the heart of all beings; to create the consciousness of world peace, foster friendship and harmony among all people; to promote and protect human rights of all people, regardless of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, as delineated in the Universal Declaration of Human Rights of the United Nations. More so, it ensures international justice and universal human rights by developing ways to preserve them. Federal world government, democratically elected by all the people of the earth, with a world court of justice having compulsory jurisdiction to decide all cases of international disputes and violations of world law and human rights, and with a world peacekeeping force of individuals from all countries who would be dedicated to the whole of humanity and who would enforce world law and the decisions of the world court justice by the most peaceful means possible. Other purpose of world peace include: achieving disarmament and the total elimination of all biological, chemical, and nuclear weapons in the entire world; purifying and maintaining a clean and ecologically balanced environment for our health and prosperity and for future generations; alleviating poverty and hunger, and to improve the health, education and living conditions of

all people on earth; and lastly, to encourage all schools from the primary grades to the university to offer peace education from a global perspective¹⁸⁹.

Methodological means of achieving world peace include: living peacefully and lovingly as examples to all; educate ourselves and others by every means to increase awareness of the oneness of life, the interdependence of all beings, the ecological unity of the environment, the way of love and non-violence, and the urgent need for transnational attitudes, programmes and institutions for the sake of mutual survival; communicate by every means the truth and the facts which reveal and nourish world peace; pray, mediate and expand the consciousness of peace; respect and nurture human rights with tolerance and understanding; refrain from contributing to the preparations and activities of war and from hostile and aggressive attitudes; protect non-violently against oppression, militarism, nuclear weapons, pollution and violations of human rights, work for the total elimination of biological, chemical and nuclear weapons in every country; promote and practice world citizenship, and work to organize a world constitutional convention to plan the democratic institution of a federal world government; use all human wisdom, science and technology in developing and purifying the environment, eradicating hunger and sickness in all countries and making global education available to all people; lastly, communicate closely with all peace organizations and dedicated peace workers to facilitate the forming of a united world-wide network to bring about the establishment of world peace¹⁹⁰. A culture of peace will be achieved when citizens of the world understand global problems, have the skills to resolve conflicts and struggle for justice non-violently, live by international standards of human rights and equity, appreciate cultural diversity, and respect the Earth and each other¹⁹¹.

World peace is not only possible but inevitable because it relates to the conditions that defines and shapes human existence and well-being especially in the contemporary whereby the rate at which cities are growing resulted to the rapid urbanization of the world's

population which has been widespread conditions of insecurity for urban settlements. There is the need for collaboration and strengthen communications among world policy makers, professionals, intelligence communities, non-government organizations and others concerned to create a sustainable world peace that would afford all people the means of dwelling in safety within their boundaries and live in freedom from fear and want. A pragmatic approach to world peace is essential in an unstable and dangerous world.

2.3.4 Empirical Review of International Law

It is this depiction of international law that often culminated in the question of whether international law was really law. How could international legal norms be effective if their validity depended on the will of states, the very subject's international law should govern? This doubt in the validity and effectiveness of international law ultimately led to a rupture between the two disciplines of international law and international relations theory after the Second World War. Two scholars, Edward Hallett Carr and Hans Morgenthau, suggested around this time that international law was particularly inept for understanding the behaviour of nations. They were disappointed by what they identified as an idealistic belief in international law which, after all, had not prevented – for the second time – a world war. They proposed instead a more ‘realistic’ assessment of international relations based on power and interest. The founding realist school of international relations theory thus questioned the effectiveness and relevance of international law as a decisive influencing factor for the behaviour of states and for the assurance of international peace and security.

Much has changed since then. The international legal order has diversified in every possible way. There are countless bilateral and multilateral contracts between states (called treaties or conventions in international law), and more than 5,000 intergovernmental organisations and

their different organs engage in the regulation and administration of nearly all aspects of international life.

International legal norms pervade global affairs. Every time you travel internationally, send an email, or update your social media profiles, there are not only domestic but supranational legal norms at play, including regional norms as in the European Union. Be it border control, diplomatic and consular relations between countries, the determination of flight and navigation routes, internet regulation, privacy, the use of postal and telecommunication services, industrial standards or cross-border environmental hazards – international law permeates these areas as much as the better-known fields of the protection of human rights, humanitarian interventions and the fight against transnational terrorism.

It is important to understand, then, that the question of whether and how international law matters depends not least on one's conceptual outlook on international life. This study introduces you foremost to the (traditional 'occidental' or 'Western') normative understanding of international law in order to show you how international lawyers think and how they use international law. This implies a focus on valid legal rules that authoritatively regulate international life. Yet the understanding of international law as a system of legal norms is not the only possible approach, nor is it the solely valid one. In fact, there are numerous other approaches that complement the normative outlook on global law¹⁹². It is also important that the occidental depiction of international law is not the only one existing in the world. Scholars from outside the West have shown, for example, how the dominant view of international law neglects important and often earlier contributions to international law by other cultures. Asian, African and Latin American countries should form part of our understanding of international law. For example, international treaties existed already in Africa and Asia over three thousand years ago. Islamic legal thought, present in Persia, India, South Asia and Europe, also had legal regulations of how to conduct hostilities at least since

the seventh century. There is not one single conception of international law or international politics.

By focusing on the normative understanding of international law, the chapter takes a modest approach and steers a middle ground. There are also conceptualisations that portray international law as a cosmopolitan order securing solidarity and peace in a ‘post-Westphalian’ world in which states have largely lost their status as sole sovereigns. On the other hand, there are theories that continue to question the social effectiveness and relevance of international legal norms to shape the behaviour of international actors. In addition, one can also analyse international law through empirical research that uses collected data about the social behaviour of actors as it is done, for example, to scrutinise the effectiveness of human rights norms. Yet, a purely empirical analysis has difficulty in conveying the idiosyncrasy of normative thinking and argumentation in international law. Even if collected data shows instances of non-compliance with human rights norms, it would be wrong to draw conclusions from this about the binding character or range of social effects of these norms.

International lawyers as a particular group of professionals learn techniques to determine which legal norms exist and which are applicable to the relevant actors in a certain situation. Lawyers speak of the sources and subjects of law. They learn how to apply these norms using specific techniques, such as interpretation or the balancing of conflicting rights. These professional techniques are not value-neutral or objective but involve subjective choices and politics. An approximation to objectivity and ideals of justice is achieved only through specific procedures that need to be followed, recognised modes of argumentation and particular processes of decision-making. In a nutshell, international law consists of certain conventions on argumentation and modes of conflict resolution that some regard as a craft, others as an art. Most likely it is both.

One distinguishes broadly between domestic, regional and (public and private) international law. Domestic law stems from domestic lawmakers and regulates the life of the citizens of a particular state. Regional law, such as European Union law or the law of regional human rights mechanisms, stems from regional intergovernmental institutions and addresses the governments and individuals of a particular geographical region or legal regime. Public international law is the subject of this chapter and addresses – in most general terms – relations involving states, intergovernmental organisations and non-state actors, which include today individuals, non-governmental organisations (NGOs) and private corporations. Private international law concerns conflicts of laws that may arise in cases where the domestic laws of different states could apply, for example in cases of cross-border e-commerce, marriages or liabilities.

Within public international law, a distinction is traditionally drawn between the law of peace and the law of war (humanitarian law). The law of peace regulates peaceful relations and includes such subject matters as international treaty law, the law of diplomatic and consular relations, international organisation law, the law of state responsibility, the law of the sea, the environment and outer space or international economic law. International humanitarian law (IHL) is the law of armed conflicts (*jus in bellum* – the law applicable in war) and regulates the conduct of international and non-international hostilities. In times of war, the use of force, including the killing of human beings, is not prohibited. The legal regulation of armed conflicts goes back to the mid-nineteenth century and comprises a large body of customary rules and a series of important conventions and additional protocols to these conventions adopted primarily in The Hague and Geneva. International humanitarian law regulates, among other things, the methods and means of warfare and the protection of certain categories of persons – for example, the sick and wounded, prisoners of war and civilians. More specific treaties prohibit the use of certain types of weapons (such as chemical or

biological weapons, mines or cluster munitions) or the protection of cultural property during armed conflict. Much of the development and codification of this body of law is the merit of the International Committee of the Red Cross, founded in 1863 by Henry Dunant, which is a private humanitarian institution based in Geneva and forms part of the International Red Cross and Red Crescent Movement.

At the transitional points between the law of peace and the law of armed conflict lies the legal regulation of the resort to force (*jus ad bellum* – the law to engage in war) which concerns the conditions that need to be met to use force legally as, for example, in instances of self-defence (Article 51, UN Charter). More recently, scholars also speak of the regulation of the transition to peace after the end of armed conflicts (*jus post-bellum* – the law after war) which includes questions over how to end armed conflicts, transitional justice and post-war reconstruction.

The strict distinction between the law of peace and the law of armed conflict has been somewhat blurred with the rise of international human rights law and international criminal law. Human rights law builds on and develops fundamental principles of humanitarian law for the protection of individuals. On the other hand, human rights have considerably influenced the refinement of humanitarian rules for the protection of combatants and civilians. International criminal law has seen a rapid development after the end of the Cold War first with the establishment of the international criminal tribunals for the former Yugoslavia and Rwanda and then with the establishment of the International Criminal Court in 2002.

The most important and most concrete sources of international law are bilateral and multilateral treaties. Multilateral treaties are usually prepared during long negotiations at diplomatic state conferences where a final treaty text is adopted and then opened for signature and ratification by states. When an agreed number of states have ratified the treaty, it enters

into force and becomes binding on the member states. Article 38 of the Statute of the International Court of Justice lists as sources of international law on which the court may rely in its decisions: treaties, customary international law, general principles of law that exist in most domestic legal systems (such as behaving in ‘good faith’) and, as a subsidiary means, also judicial decisions and scholarly writings.

2.4 Conceptual Framework

This model shows the relationship between the independent and the dependent variables. In this study, global peace is the independent variable while international law is the dependent variable. The relationship is presented in Figure 2.1

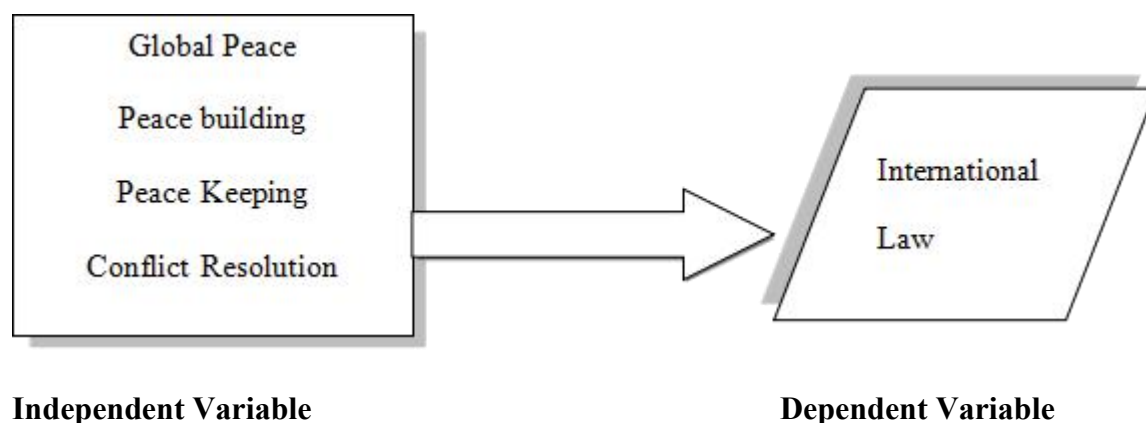


Figure 2.1: Framework for the study

Source: Researchers Compilation, 2022

2.5 Summary of Gaps in Literature Reviewed

Studies have shown that Like the League of Nations, the UN was built on the goal of building and maintaining international peace. At first glance, we can think that this aim is based on merely idealist liberal principles. There can be no objection to the fact that an institution open to membership of all, aims to protect human rights and peace, and that an institution that

pushes all economic and institutional cooperation opportunities has liberal features. However, realist principles were also taken into account in the establishment of the UN. The Security Council itself was a reflection of the classical realist balance of power approach. The UN seemed to be an alliance against any rogue power or agent/s that might threaten the new status quo. One can see in the UN agreements that this aim would be achieved by military means, which means another war or conflict would prevent an ongoing war. In the following periods, it became clear that the phenomena of violence, conflict, and war were caused not only by political and economic reasons but by cultural, psychological and legal reasons as well, and consistent efforts were required in these areas for lasting peace. Consequently, the UN's range of tasks has expanded in these directions. Therefore, we can assert that the UN came to existence on both liberal and realist theoretical foundations and gained constructive features over time.

Despite the limiting effects of the great powers, new security concepts such as social security, cultural security, economic security, ecological security, bio-security, and human security have become visible in practice. Now we have a multi-dimensional concept of security. As a universal organization, the UN has tried to reflect its new perception of security in 1992 on its actions and discourses in which the UN could play an important role in transforming global security approaches. For an operative UN to ensure global security and peace, we should first answer questions, such as how to create an effective global governance, how to transform the organizational structure of the UN, and how a pluralist universal structure is to be achieved. Unfortunately, as the other sections of this volume shows, the UN has proved unsuccessful. If an organization does not fulfill its expected functions, we cannot say this institution is rational and therefore legitimate. If the UN has problems with its own legitimacy, its legitimizing and crowning features will also be diminished.

Regarding the UN peacekeepers; a shortage of staff and financial problems, a lack of educational and communicational standards, the need for cooperation between the permanent members of the UNSC in creating peacekeeping troops, and getting caught in the crossfire etc. adversely affect the functionality of the peacekeepers. We should not forget that peace operations relate not only with the conflict zone but also with wider projects, the great power interests, in the first instance. Still, UN peacekeepers are the only legitimate multinational force to represent all countries in the international arena and we have not found a better alternative yet. Therefore, these forces need to be made more effective. Finally, besides conflict prevention, it is necessary to give importance to human rights and development issues in order to eliminate feelings of injustice and illegitimacy, which make up the real basis of conflicts. UN peacekeeping operations should not be content to benefit more from the existing conflict resolution theories and studies. They should also enjoy the experience and knowledge of different cultures, religions, and nations.

To overcome the issues related to the legitimacy and implementation processes of the UN, related actors should review theoretical approaches about the organization and the UN and must restructure its organs, especially the Security Council and the General Assembly. In order to be functional, a global organization must have the consent and approval of the great states and be compatible with their interests. On the other hand, an organization that does not have the capacity to represent the rest of the world fairly will not be sustainable. The UN has to renew and democratize itself by taking into consideration the new power balances, and demographic, economic, sociological and political factors. As De Silva said “[t]he *Security Council needs to be enlarged in order to be more representative.*”²⁹ It is now clear that the UN Security Council’s 15-member structure, established in the 1940s, is inadequate today. At that time, five permanent members were only ten percent of the United Nations General Assembly (UNGA). Although the number of UNGA members has almost quadrupled today,

there has been no change in the initial structure of the UNSC. In addition to the efforts of the P5 countries to maintain the status quo, historical and regional competitive relations between potential members, and the zero-sum game approaches impede the efforts to reform the UNSC. Potential members agree neither on who will enter the UNSC nor on which of the new members will have veto power.

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Chapter Three

Methodology

This study used methods in line with appropriate and reliable methods of carrying out successful research. The chapter dwells on the procedures adopted in research design, study area, study population, sampling techniques and sample size, methods and sources of data collection, research instruments, validation, and reliability of instruments and methods of data analysis.

3.1 Research Design

A descriptive research design was used in this research work. The study is descriptive because data were gathered through interviews. This was intended to better understand the subject matter and provide valid data. This study, therefore, adopted descriptive method in assessing the subject matter.

3.2 Population of the Study

The study population includes the five permanent members of its Security Council (China, France, Russia, the United Kingdom, and the United States). Moreover, the population has first-hand the role of the UN Security Council in preventing violence and maintaining peace and security in the globe under international law.

3.3 Sample and Sampling Technique

A sample refers to the informed picking of representative elements in the population. Sampling provides prudent and precise research. Purposive sampling was used in this study to obtain extensive information on the phenomenon under investigation. This technique is

best used in qualitative research work because it helps generate reliable information from respondents who are assumed to be well informed on the subject matter.

The sample of this study was drawn from these five permanent members of the Security Council based on five (5) respondents from each of the five permanent member countries. This will give a total of Twenty (20) respondents in all.

3.4 Description of Research Instrument

Since the design selected for the study is descriptive, the instrument employed in the study for the generation of data was semi-structured interviews. It is appropriate for this study since it includes a mix of closed and open-ended questions and follow-up questions². Also, the semi-structured interview allowed the researcher to collect detailed information in a conversational style. In addition, the study allowed oral questions based on the interview guide, which allows the researcher to ask broad questions in any order considered appropriate and help the study probe for more specific answers. The interview guide was designed to collect data that will enhance clear views and comprehension of respondents' positions on the role of the UN Security Council in preventing violence and maintaining peace and security in the globe under international law.

3.5 Validity of Research Instrument

Validity refers to the accuracy of a measurement backed up by tests conducted in research³. After a thorough examination by research professionals, including the research supervisor and lecturers in political science and international relations, the research instrument was verified valid.

3.6 Reliability of Research Instrument

The term reliability refers to a method's capacity to consistently produce accurate results⁴. Reliability of the research instrument is the measure of the dependability and the internal consistency of the items of the instrument of data collection. The data required for this study were gathered through qualitative analysis, thus, the data was found suitable, appropriate and reliable for this study

3.7 Administration of Research Instrument and Method of Data Collection

There is always a demand for information about a certain phenomenon in research projects. Data collecting is the term for this procedure¹. A combination of primary and secondary data sources was used to realize the qualitative aspect of the subject matter. In-depth interviews with important stakeholders for the study's stated research objectives will be the major data source, with all comments being recorded and transcribed for analysis. In addition, books, journals, newspapers, internet sources, magazines, and other published and unpublished resources were used to gather secondary data. These secondary data sources provided rich theoretical and semantic details that significantly supported the core data sources.

3.8 Method of Data Analysis

Thematic content analysis was used to examine the data. To evaluate consistent responses and provide adequate clarifications of the data acquired and processed through the interview. In addition, the study evaluated the authenticity of facts and presented clear narratives of responses through editing.

Endnotes

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Chapter Four

Results and Discussion of Findings

This chapter comprises a thematic analysis of the data collected in the series of interviews that the researcher conducted. The responses are filtered into four themes about the four research objectives of this study. The responses given by the respondents fit into the theme such as the United Nations Security Council and the maintenance of international peace: assisting the navigation of difficult path from conflict to peace. Furthermore, another theme discussed by the respondents is the impact of United Nations Security Council cooperation on social, economic, and cultural developments of member nations. In addition, the respondents discussed the theme that focuses on the dimensions of the asymmetric relationship between the permanent members and non-permanent members of the United Nations Security Council to attain global peace under international law. Also, the respondents made contributions to the theme that centers around the activities of the United Nations Security Council on the development of friendly relations among nations on principles of equal rights and self-determination.

4.1 Presentation of Research Questions

4.2.1 Research Question One

The extent to which the United Nations Security Council has maintained international peace in assisting the navigation of difficult path from conflict to peace

Peacekeeping has proved to be one of the most successful instruments at the UN's disposal for assisting host nations in navigating the arduous transition from violence to peace. Peacekeeping offers distinct advantages, such as legitimacy, burden sharing, and the capacity to deploy and maintain soldiers and police worldwide, combining them with civilian

peacekeepers to accomplish multifaceted agendas. UN troops offer security and political and peace building assistance to nations during the arduous early stages of transitioning from violence to peace. The excerpts below explain how the United Nations Security Council has maintained international peace by assisting the navigation of the difficult path from conflict to peace.

The Respondents below corroborated that the United Nations have succeeded in maintaining world peace more than any other international organization since Immanuel Kant suggested establishing an international organization to foster world peace in his *The Perpetual Peace*. A Respondent claims that no global war has surfaced since the constitution of the United Nations seventy-seven years ago.

Respondent 13 (62, Professor of International relations, Male):

Well, the United Nations is seventy-seven years this year, 2022. It has successfully maintained global peace and security for the past seventy-seven years. Yes. The United Nations Security Council has maintained global peace and security to a great (in fact, applaud able) extent.

Respondent 9 (56, Diplomat, Female): The United Nations Security Council has been able to forestall looming conflicts across different regions of the world. Even though the Cold war took place when the United Nations was young, the United Nations was founded in 1945 and the cold war started in 1947. The United Nations was able to weather the storm. To a high extent, the United Nations has maintained world peace.

Respondent 1 (51, Journalist, Female): I was an investigative reporter in Bosnia during the Bosnia crisis. The United Nations security council tarried for too long before they responded to the Bosnia war; the war had ballooned into a fatal tragedy before the United Nations Security Council sent in the Blue berets.

Respondent 15 (73, political analyst and historian, Male): Although it looked as though there had not been any wars since the inception of the United Nations, there has been a series of wars. There are still Pakistani-Afghanistan skirmishes today, the MauMau uprising, the Cuban revolution, the Vietnam war, the Suez crisis, the Congo Crisis, the six-day war, etc. But the United Nations has been able to curtail the crises such that no colossal world war has emerged since then.

Respondent 18 (54, Former United Nations peacekeeper, Male): Based on my experience, the United Nations security council played a minimal role in the conflict resolution of Rwanda's genocide. Rwandan genocide aside, how about the Somalian civil war? In the public domain, the United Nations security council failed woefully in that regard. The United Nations does not play an active role in maintaining world peace as they are usually projected to do.

The transcript of the responses given by the Respondents regarding the extent to which they think the United Nations Security Council has maintained global peace. Some of the Respondents hold the view that the United Nations Security Council has to a greater extent, upheld global peace. In contrast, others adjudged that the United Nations security council has

played a minimal role in maintaining global peace. Respondents 13, 15, and 9 believe that has to a greater extent, played a significant role in maintaining global peace. They explained that despite the ongoing domestic wars across the years since the inception of the United Nations, especially during the Cold war, the United Nations have forestalled the domestic wars from plummeting into a global scale. Respondents 18 and 1 share contrary opinions. Respondents 18 and 1 believe that the UNITED Nations security council played a minute role in the stability of world peace. Respondent 1 draws attention to the laxity of the United Nations security council towards giving a desirable response to the Bosnia war of independence. Respondent 18 claims that the United Nations is only valorized over nothing. Respondent 18 explained that, like in the case of the Rwandan genocide, the United Nations security councils failed to handle it accordingly. Respondent 18 cites the example of the United Nations Security Council intervention in the Somalian civil war, in which he claims that the UN security council has failed flatly. Hence Respondents 18 and 1 firmly believe that the United Nations Security Council has only stabilized global peace at a minimal level.

The respondents explain peacekeeping missions, special political missions, and peacebuilding offices by highlighting the differences between the offices. Most of the respondents summarize that peacekeeping missions involve the operation of armed troops to protect and restore the peace of a conflict-torn society. They explain that in most cases, it usually involves the intrusion of an armed force or an international military force that tries to mediate peace between combatant nations and groups. On the special political mission, most respondents agree that these are missions that are not administered or supervised by the political and peacebuilding affairs department. Some respondents cited examples from the United Nations Office of the Special Adviser on Genocide Prevention. The respondents clarify that UN special political missions (SPMs) often function in war and post-conflict contexts where local noncombatant peoples experience continued violence from armed

players. This tendency is expected to continue if an apparent greater preference for Special Political Missions over peacekeeping operations prevails. Some respondents claim a continuous oversight for the lack of distinction between peacekeeping missions and special political missions. They argue that if these blurry lines are allowed to persist, there will be a conflict and departmental clash in the definition of duties and operations. The peace building office of the United Nations is known as The Peace building Commission (PBC). One of the respondents explains that the Peace building Commission (PBC) is a worldwide advisory organization that supports peace initiatives in conflict-affected nations and is an essential addition to the International Community's capability in the broader peace program. The explanations are evident in the excerpt below.

Respondent 1: Ok! Hmmm! Like everybody else's general knowledge of blue berets, peacekeeping missions are programs of the international organizations instituted for mediation in conflict or war tension zones of their member nations.

Respondent 2: Although special political and peacekeeping missions belong to the same departments, they are funded. Special political missions are sponsored through section 3 (Political affairs) under the particular political mission subsection of the United Nations charter. On the other hand, peacekeeping missions are usually financed through section five of the United Nations charter. Section five of the United Nations charter features provisions for funding peacekeeping operations. Sometimes, peacekeeping operations are financed through specially designated accounts for individual operations and evaluated using the peacekeeping gauge of assessments.

Respondent 14: There is no difference between the unique political and peacekeeping missions because they are under the same departments. Peacekeeping missions are under the political and peace building affairs department, the same as the unique political mission.

4.2.2 Research Question Two

The Impact of United Nations Security Council Cooperation on Social, Economic and Cultural Developments of Member Nations

The excerpt below shows that the respondents agree that the United Nations Security Council has contributed to international peace differently. The respondents cited different cases and ways to believe that the United Nations Security Council has fostered world peace and security. Some respondents highlight the United Nations Security Council's roles in preventing nuclear proliferation, clearing landmines, and promoting disarmament.

Respondent 3: You mean contributions of the United Nations Security Council towards stabilizing world peace? The United Nations Security Council has played numerous roles in nuclear arms proliferation. The United Nations Security Council spearheads the signing and implementation of different treaties on nuclear arms disarmament. These treaties include the Treaty on the Non-Proliferation of nuclear weapons, the Partial Test ban Treaty (PTBT), the same thing as the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Under Water, and the Comprehensive Nuclear Test Ban Treaty (CTBT).

Respondent 16: The United Nations Security Council has a policy against nuclear arms proliferation; they have, over the years, constituted

and overseen specialized international organizations to implement these policies on nuclear proliferation and disarmament. These organizations include but are not limited to the United Nations Cyberschool bus (Disarmament and Non-Proliferation), United Nations Institute for Disarmament Research (UNIDIR), Organization for the Prohibition of Chemical Weapons (OPCW), Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPTIONAL), Regional Centre on Small Arms and Light Weapons (RECSA), South-Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC).

Some of the respondents explain the roles played by the United Nations Security Council through the institution of peacekeeping missions and special political missions. This is evident in the transcript of the utterances by two of the respondents below:

Respondent 4: The United Nations Security Council specifically constituted different peacekeeping missions to cater to civilians and non-combatants such as children and women. They provide field supports to Blue berets in conflict zones.

Respondent 10: The main concern of peacekeeping was sustaining ceasefires and stabilizing circumstances on the ground, but also providing vital assistance for political endeavors. Sometimes peacekeepers are sent into war zones to assist with implementing complicated peace agreements. Sometimes it is to stabilize the situation.

Respondent 12: Aside from the fact that peacekeeping missions are constituted to restore peace, they also help reorganize the military and the police of different countries. For example, Nigeria contributes to UN peacekeeping missions because of the advantage of helping Nigeria train her military under the auspices of the United Nations peacekeeping mission.

Others also highlight how the United Nations stands and fight against terrorism, genocide, and sexual violence in conflicts.

Respondent 17: Genocide and terrorism are international crimes. They are greatly frowned at by the United Nations. Because of this, the United Nations established a UN counter-terrorism center. This center focuses on matters that concern youth, human rights, and women. The center makes many efforts to enhance and proactively promote civil society groups.

Respondent 5: The United Nations have once constituted an Anti-Terrorism Squad. I don't know if you are aware of it. The problem is that eventually, its soldiers were accused of human rights violations that come in the form of life-threatening means of torture, which gravitate to shootings. Well, that squad was dissolved in 1991. It's usually called Lokhandwala Complex shootout. This one led to the end of ATS. Before the dissolution, the ATS was meant to fight terrorists.

The respondents below highlighted the roles of the United Nations Security Council during a peacekeeping mission. The respondents highlighted the responsibilities of the United Nations

Security Council toward peacekeeping missions. The respondents agreed that the Security Council decided when and where a UN peacekeeping mission should be dispatched. The respondents also explain that the United Nations Security Council established peacekeeping missions. They determine the specific work of the different peacekeeping operations.

Respondent 11: I have repeatedly talked about the United Nations Security Council. They are the organ of the United Nations that is vested with the power to constitute a peacekeeping mission. Whenever there is a need for United Nations intervention in a conflict zone, the United Nations Security Council weighs the situation. It determines whether to send in the Blue berets or not.

Respondent 6: Peacekeeping missions are expensive. There are also possible financial crimes in peacekeeping and special political mission departments. Therefore, there is a need to monitor the budget appropriately. The United Nations Security Council approves the budget for each peacekeeping mission.

Respondent 19: For the United Nations Security Council, they decide when it is appropriate to constitute a peacekeeping mission and where to send peacekeeping missions. They assess the situation thoroughly before making final decisions to ensure that the state's sovereignty is not rudely tampered with.

Following the question on the roles of the United Nations Security Council during peacekeeping missions and the attendant responses given by the respondents, the researcher proceeded to ask the respondents another question which was drawn from the cue gotten from their responses. The researcher asked the respondents how the United Nations Security

Council evaluates whether a case poses a danger to peace, breach of human rights, or how an act of aggression exists?

One of the international lawyer respondents cites an example of article 39 of the United Nations charter, which he paraphrased eventually. Other respondents mentioned features such as crimes related to terrorist acts, nuclear weapon acquisition and proliferation, and the proliferation of illegally trafficked small arms and light arms/weapons.

Respondent 7: Hmm! Sometimes there are blurry lines to determining or classifying a breach of human rights or actions that can be classified as a crime. For example, the United Nations still find it hard to conceptualize terrorism. But in the United Nations charter, hmmm! Specifically, in article 39, the spectrum of scenarios identified by the Council as posing a danger to peace comprises state situations like inter- or intra-State conflicts and internal disputes with a regional or sub-regional component. Additionally, the Council recognizes possible or generalized risks to international peace and security, such as terrorist activities, the development of nuclear weapons, or the proliferation and illegal trafficking of small arms and light weapons.

Respondent 20: The United Nations Security Council classifies it as a threat to peace or breach of fundamental human rights if crimes against humanity are committed, international crimes such as genocide and terrorism are committed, or a specific action poses a threat to peace such as the smuggling of weapons and arms and the development of nuclear weapons.

Furthermore, the researcher investigated the measures, including military force, that the United Nations Security Council has imposed whenever these indicators are observed as threats to peace or breach of fundamental human rights. The respondents cite examples of how the United Nations Security Council has responded to threats to peace or breach of fundamental human rights in the past. One of the respondents remarked that, at first, the United Nations Security Council used conventional means that did not include military force. The respondent responds that these measures include sanctions on the economy and trade. Another respondent talks about the institution of international tribunals. Another respondent discusses the establishment of a fund to compensate for the harm caused by an invasion.

Respondent 8: After the United Nations Security Council has done its diligence to check that action contributes to a threat to peace or breach of fundamental human rights, the United Nations Security Council does not just launch its arm force. The United Nations Security Council starts with non-military measures such as the institution of international tribunals, such as we have in the case of Rwanda and the formerly known Yugoslavia between 1993 and 1994.

Respondent 2: For the United Nations Security Council, the deployment of military force is usually the last option. Before this decision, Sanctions may be placed on governments, organizations, or people. For example, in 2016, the Security Council uniformly approved a resolution placing further sanctions on the Democratic People's Republic of Korea (DPRK) due to the state's persistent development of nuclear weapons and ballistic missile programs. Sanctions have included broad trade and economic sanctions and more focused

measures such as weapons embargoes, travel bans, and financial or diplomatic limitations.

The respondents below cite scenarios in which the United Nations Security Council has deployed military forces in response to threats to peace and breach of fundamental human rights. The respondents hold on to the provisions of Article 42 of the United Nations charter to justify the actions of the United Nations Security Council. They claim that Article 42 of the United Nations security council makes provision for the use of military might if non-military measures have failed.

Respondent 11: The United Nations Security Council also operates on a carrot and stick approach. The approach recognizes non-military measures as the carrot, and it comes first in the phrase. Once the carrot approach has been exhausted, and the aim is not achieved, the stick approach is deployed, authorization of military action. And the United Nations Security Council is vested in with the power to endorse the usage of military action against an erring state once the United Nations Security Council has satisfactorily ascertained that all other non-armed force approaches have been exhausted to no avail. The First UN Emergency Force (UNEF I) was the first military peacekeeping mission, and it was successfully deployed in 1956 to resolve the Suez Crisis.

Respondent 1: After diplomatic approaches, conferences and sanctions have failed, the United Nations Security Council takes to the last resolve, which is the resolve to arms and the use of military force to restore peace. The United Nations Operation in the Congo (ONUC) began in 1960 and reached a height of approximately 20,000 military men. It was the first

large-scale operation. Missions were formed “in places where the guns had not yet gone quiet, such as the former Yugoslavia - UNPROFOR, Rwanda - UNAMIR, and Somalia - UN Operation in Somalia II (UNOSOM II), where there was no peace” to uphold.

4.2.3 Research Question Three

The Dimensions of the Asymmetric Relationship between the Permanent Members and Non-Permanent Members of the United Nations Security Council attain Global Peace under International Law

There are different dimensions of the asymmetric relationship between the permanent and non-permanent United Nations Security Council members. The United Nations Security Council (UNSC) is one of the United Nations (UN) six primary organizations. It is tasked with safeguarding world peace, nominating new states as potential members of the United Nations to the General Assembly, and implementing any amendments to the UN Charter. It has the authority to form peacekeeping missions, impose international sanctions, and authorize military operations.

The respondents below give a perspective that the membership of the United Nations Security Council is divided into permanent membership and non-permanent membership. As shown in the transcript below, the respondents demonstrate the dimensions of the asymmetric relationship between permanent and non-permanent United Nations Security Council members.

The respondents agree that the permanent member of the United Nations Security Council have veto powers, and they are five UN member states. The Security Council’s five permanent members have the authority to veto any fundamental resolution. This permits a

permanent member to halt or terminate discussion but not to prohibit or stop the passage of a resolution.

Respondent 16: The first and most crucial difference between the permanent members and the non-permanent United Nations Security Council members is the ability to wield veto power. The ability to wield veto power possessed by the United Nations Security Council's permanent members is leverage over other member states of the United Nations Security Council, non-permanent members. The non-permanent members of the UN Security Council do not have veto power.

Respondent 7: The slot for permanent membership of the United Nations Security Council is fixed among states such as China, the USA, Britain, France, and Russia. The slot for non-permanent members is based on the election by the United Nations General Assembly.

Respondents 14: The five permanent members of the United Nations Security Council are the victors of the Second World War. In addition, they have maintained the most potent military force globally and have had the most significant percentage of military budgets per year.

The respondents explain the responsibilities of the permanent and non-permanent members of the United Nations Security Council towards attaining global peace under international law. Some of the respondents explain preventive diplomacy and mediation as one of how the

permanent and non-permanent members of the United Nations Security Council sustain global peace and security. If things have skyrocketed beyond prevention and diplomatic mediations, the United Nations Security Council constitutes a peacekeeping mission.

Respondent 20: The most efficient method to reduce human suffering and the tremendous economic costs of wars and their aftermath is to prevent them from occurring in the first place. The United Nations plays a critical role in conflict prevention via diplomacy, good offices, and mediation. Special envoys and political missions in the field are two of the tactics used by the Organization to promote peace.

Respondent 8: Peacekeeping has shown to be one of the most successful instruments at the UN's disposal for assisting nations in navigating the arduous transition from violence to peace. Today's multidimensional peacekeeping operations are tasked with not only maintaining peace and security but also facilitating political processes, protecting civilians, assisting in the disarmament, demobilization, and reintegration of former combatants, supporting constitutional processes and election organization, protecting and promoting human rights, and assisting in the restoration of the rule of law and the extension of legitimate state authority.

4.2.4 Research Question Four

The activities of United Nations Security Council on the development of friendly relations among nations on principles of equal rights and self determination

This section examines the activities of the United Nations Security Council on the development of friendly relations among member states on principles of equal rights and self-determination. Respondents highlight some of the activities of the United Nations Security Council towards fostering the development of friendly relations among member states on principles of equal rights and self-determination. One of the respondents opines that this is the purpose of the United Nations, as evident in the United Nations Charter, article one.

Respondents 3: The primary purpose of constituting the United Nations is to foster friendly relations among its member states. Article 1 of the United Nations charter implies that friendly relations can only be achieved among members by respecting each state's rights and the decision to self-determination. The General Assembly, for instance, offers a venue for all member nations to discuss human rights problems and concerns. The Assembly adopts resolutions denouncing human rights violations.

Respondents 11: "Many United Nations peacekeeping missions, as well as political and peacebuilding missions, include human rights-related mandates geared at making a contribution to the protection and promotion of human rights through both immediate and long-term action, empowering the population to assert and claim their human rights." To enforce the belief in human rights, the United Nations Security Council constituted the United Nations Human Rights Council. This organization comprises 47 countries (the United Kingdom was chosen as a member for three years in 2013). It

oversees enhancing the implementation of human rights across the globe. The Office of the United Nations High Commissioner for Human Rights.

Respondent 6: UN Human Rights helps advise and experiences a broad variety of human rights monitoring mechanisms inside the UN system while adhering to international human rights legislation. There are two kinds of human rights monitoring mechanisms within the United Nations system: treaty-based bodies and charter-based entities. The ten human rights Treaty Bodies, comprised of committees of independent experts, oversee the implementation of the leading international human rights accords. The Human Rights Council, Special Procedures, the Universal Periodic Review, and Independent Investigations are charter-based entities. UN Human Rights offers knowledge and assistance to all the various mechanisms.

Furthermore, the researcher asked the respondents about the notable examples of achievements recorded by the United Nations Security Council towards achieving equal rights and self-determination principles.

Respondent 2: Since the adoption of the Universal Declaration of Human Rights by the General Assembly in 1948, the United Nations has assisted in enacting numerous legally valid accords on political, civil, economic, social, and cultural rights. By examining individual complaints, the UN human rights committees have drawn worldwide attention to incidents of torture, disappearance, arbitrary imprisonment, and other breaches and increased international influence on governments to achieve their record on human rights.

Respondent 19: The United Nations supports and enhances democratic practices and institutions around the globe, notably through

assisting citizens in many nations in participating in free and fair elections. More than 100 nations have received UN election aid, frequently at critical junctures in their history. The UN conducted or monitored historic elections in Cambodia, El Salvador, South Africa, Mozambique, and Timor-Leste in the 1990s. Recently, the United Nations has played a critical role in elections in Afghanistan, Burundi, the Democratic Republic of the Congo, Iraq, Nepal, Sierra Leone, and Sudan.

Respondent 12: In promoting Self-determination, the United Nations played a significant role in bringing down the apartheid regime by enacting policies spanning from an arms embargo to a treaty barring segregated sports events. Elections whereby all South Africans could vote on an equal basis resulted in the formation of an interracial government in 1994.

Respondent 17: Talking about women's rights, the United Nations coordinated the first World Conference on Women in Mexico City in 1975, which, along with two World Conferences held during the UN Decade for Women (1976-1985) and the World Conference in Beijing (1995), established the objectives for furthering women's rights and women's empowerment. The 1979 United Nations Convention on the Elimination of All Forms of Discrimination Against Women, approved by 189 nations, has aided in promoting women's rights across the globe.

4.3 Discussion of Findings

Concerning the first research objective, which requires that the study investigates the extent to which the United Nations security council has maintained international peace in assisting the navigation of the difficult path from conflict to peace, the data gathered from the interviews and the thematic analysis; the respondents corroborated that the United Nations

Security Council has succeeded in maintaining world peace to a greater extent. Another study corroborates a lot of evidence that the UN peacekeeping operations have been very good at dealing with conflict and setting up peace in many parts of the world¹. Another study corroborates that the ultimate strength of the UN has been in its contribution as a normative power, which helps people around the world understand what is and isn't acceptable². Another study corroborates that the Mozambique peacekeeping mission was a success. The United Nations was involved in a well-defined peacebuilding mission in Mozambique, which required minimal men and resources³. This explains a big part of the success. On the other hand, another study presumed that the United Nations in the early 1990s failed to protect civilians⁴.

The second research objective demands that the study identifies the impact of United Nations Security Council cooperation on social, economic, and cultural developments of member nations. The data analyzed for this research objective were collected using the interview as a research instrument. The finding of this research objective indicates that the United Nations Security Council's roles are to prevent nuclear proliferation, clear landmines, and promote disarmament. Another study corroborates that United Nations Security Council resolution 1540 is a rare piece of international law because it is binding on all United Nations Member States, brings together obligations from a number of single-technology-focused treaties and agreements, focuses on the activities of non-state actors, and asks the Member States to do more than just say they support nonproliferation⁵. Another study corroborates that Since 1991, the Security Council has passed three sets of Chapter VII resolutions that require both individual countries and the whole world to work together to stop global terrorism and the spread of WMDs. It has also passed a group of resolutions that try to stop or reverse nuclear weapons as well as missile delivery programs in the DPRK and Iran⁶. Other findings show that United Nations Security Council maintains peace and security by constituting

peacekeeping and special political missions. Another study corroborates that the Security Council achieves its goals via peacekeeping deployments, international sanctions, and then even military strikes⁷. Another study corroborates that when a disagreement escalates into hostilities, the Security Council attempts to terminate the conflict by imposing cease-fire orders or assigning military observers and perhaps a peacekeeping force. Economic sanctions, weapons embargoes, financial fines, severance of diplomatic relations, blockade, or even collective military action may be considered by the Council⁸.

The third research objective is concerned with the dimensions of the asymmetric relationship between the permanent members and non-permanent members of the United Nations Security Council. The data analyzed for this research objective were collected using the interview as a research instrument. The finding of this research objective indicates that the difference between the Security Council's five permanent members has the authority to veto any fundamental resolution whereas the non-permanent members of the UN Security Council do not have veto power. This permits a permanent member to halt or terminate discussion but not to prohibit or stop the passage of a resolution. Another study corroborates these findings that without a question, the Security Council is the most powerful instrument of the United Nations⁹. The Charter has entrusted it with the primary duty for maintaining global peace and security, and its decisions are enforceable on all Member States. Its narrow geographical balance, along with five reserved permanent seats with veto rights, renders the Security Council less inclusive. Many Member States – particularly emerging middle powers - prefer, and they are increasingly pressing for the Council to be restructured⁹. Another study corroborates with the findings of this research objective by stating that the permanent members of the UN Security Council have the power to veto, which is a special power that they have because they played a big role in defeating fascist forces¹⁰. This power was given

to them by the U.N. Charter, Art. 27(3), and the same power is also given to them by Art. 108 and 109.

The fourth research objective focuses on the activities of the United Nations Security Council on the development of friendly relations among member states on principles of equal rights and self-determination. The data analyzed for this research objective were collected using the interview as a research instrument. The finding of this research objective indicates that the primary purpose of constituting the United Nations is to foster friendly relations among its member states. It also indicates that the development of friendly relations among member states of the United Nation depends on the upholding of the principles of equal rights and self-determination of each state.

Another study corroborates this finding by adding that the 1970 Declaration reinforces the doctrine that countries have a responsibility in their international relations to refrain from threatening or using force against the territorial integrity or political independence of any state, or in any other way inconsistent with the purposes of the United Nations, such an act constituting a violation of international law and the Charter and that cannot be used to settle international issues¹¹.

Another study corroborates the findings of the fourth research objective by buttressing with examples that “the next year, during the Bandung Conference of Asian and African Countries, participants created ten principles based on the substance of the Five Principles of Peaceful Coexistence, which had come to represent the foundation for mutual friendly ties and peaceful coexistence for China”¹².

Although the Five Principles of Peaceful Coexistence are not original in and of itself, China believes that their proposal as a full set of norms regulating international relations is unprecedented for the evolution of international law since the conclusion of World War II.

For China, they not only outline but also expand the aims and principles of the United Nations Charter; they declare the concept of “equality and mutual benefit” as the rule of behavior in inter-state interactions.

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Chapter Five

Conclusion

This chapter presents the summary of the study, findings, conclusion, and recommendations based on the findings. In addition, the chapter equally contains areas suggested for further studies.

5.1 Summary of Findings

This study examines the United Nations Reforms and Peace Building in the Twenty-first century. In addition, the study examines the structure and functions of the United Nations Security Council. The study proposes that the United Nation Security Council has succeeded in the maintenance of global peace and security. Against this backdrop, the study analyses transcripts of structured interviews to gain insight into the United Nations Reforms and Peace Building in the Twenty-first century. Beyond this, the study also analyses the transcripts of structured interviews to the impact of United Nations Security Council cooperation on social, economic, and cultural developments of member nations.

The study reviews related literature on the concepts of Peacekeeping, Peacebuilding, United Nations, Reforms and International Organizations. This conceptual review was carried out to enhance the understanding of the variables in the research topic. Furthermore, the study reviews previous studies on the impact of United Nations Security Council cooperation on social, economic and cultural developments of member nations, the extent to which the united nations security council has maintained international peace in assisting the navigation of difficult path from conflict to peace, the dimensions of the asymmetric relationship between the permanent members and non-permanent members of the United Nations Security Council with the hope of highlighting gaps that need further investigation. Lastly, the study

reviews existing studies on peacebuilding theories. This theoretical review gives insight into the meaning of the concept of peacebuilding in the context of the study, how the theories have been used to explain the variables of other studies in United Nations reform and the critique of the theory.

The study analyses the transcripts of interviews with twenty respondents. The study pays attention to their opinions on the extent to which the United Nations security council has maintained international peace in assisting the navigation of the difficult path from conflict to peace. Under this section, the study examines themes such as the distinction between peacekeeping missions, special political missions, and peacebuilding offices, the contributions of the United Nations Security Council toward maintaining international peace, the roles of the United Nations Security Council during peacekeeping missions, how the Security Council evaluate if a situation is a danger to peace, breach of peace, or act of aggression exists, the kinds of measures including the use of military force has the Security Council imposed in the past.

In another section, the study analyses the transcripts of interviews with twenty respondents. The study pays attention to their opinions on the impact of United Nations Security Council cooperation on social, economic and cultural developments of member nations. Under this section, the study pays keen attention to the principles of United Nations Security Council cooperation on social, economic and cultural developments of member nations, what the United Nations Security Council cooperation on social, economic and cultural developments entails for member states, the notable examples of achievements recorded by the United Nations Security Council towards the cooperations of member nations on social, economic and cultural developments, and the challenges of the United Nations Security Council towards the cooperations of member nations on social, economic, and cultural developments.

In another section, the study analyses the transcripts of interviews with twenty respondents. The study pays attention to their opinions on the dimensions of the asymmetric relationship between the permanent members and non-permanent members of the United Nations Security Council. The study highlights the differences between the powers of the permanent and non-permanent members of the United Nations Security Council towards attaining global peace under international law, the responsibilities of the permanent and non-permanent members of the United Nations Security Council towards attaining global peace under international law, and the difference between the selection process of the permanent and non-permanent members of the United Nations Security Council,

Lastly, the study analyses the transcripts of interviews with twenty respondents. The study pays attention to their opinions on the activities of the United Nations Security Council on the development of friendly relations among nations on principles of equal rights and self-determination. The study highlights the nature of the principles of equal rights and self-determination in the UN charter, the roles played by the United Nations Security Council towards achieving the principles of equal rights and self-determination, and the notable examples of achievements recorded by the United Nations Security Council towards achieving the principles of equal rights and self-determination.

5.2 Conclusion

This study established that the United Nation Security Council has succeeded in the maintenance of global peace and security. This study concluded that the United Nations Security Council's roles are to prevent nuclear proliferation, clear landmines, and promote disarmament. Other findings show that United Nations Security Council maintains peace and security by constituting peacekeeping and special political missions. Peacekeeping missions and special political missions are dispatched by the United Nations Security whenever there

is a threat to peace or breach of fundamental human rights. This study concludes that the primary purpose of constituting the United Nations is to foster friendly relations among its member states. In addition, this study concludes that friendly relations can only be achieved among members by respecting each state's rights and the decision to self-determination. The study differentiates that the permanent member of the United Nations Security Council has veto powers, and they are five UN member states. The Security Council's five permanent members have the authority to veto any fundamental resolution. This permits a permanent member to halt or terminate discussion but not to prohibit or stop the passage of a resolution. The non-permanent members of the UN Security Council do not have veto power.

5.3 Recommendation

This study established that the United Nations Security Council has succeeded in maintaining global peace and security. This study recommends that the United Nations Security Council's roles are to prevent nuclear proliferation, clear landmines, and promote disarmament. Also, United Nations Security Council maintains peace and security by constituting peacekeeping and special political missions. Peacekeeping missions and special political missions are dispatched by the United Nations Security whenever there is a threat to peace or breach of fundamental human rights. This study concludes that the primary purpose of constituting the United Nations is to foster friendly relations among its member states. In addition, the study recommends that friendly relations can only be achieved among members by respecting each state's rights and the decision to self-determination. The study differentiates that the permanent member of the United Nations Security Council have veto powers, and they are five UN member states. The Security Council's five permanent members can veto any fundamental resolution. This permits a permanent member to halt or terminate discussion but

not to prohibit or stop the passage of a resolution. The non-permanent members of the UN Security Council do not have veto power.

5.4 Contribution to the Knowledge

The findings of this study contributed to the knowledge that the United Nations Security Council has succeeded in maintaining world peace to a greater extent. The world has experienced different wars since the inception of the United Nation but none of it was a colossal war as the World Wars under the League of Nation. The findings of this study also indicate that the United Nations Security Council's roles are to prevent nuclear proliferation, clear landmines, and promote disarmament. Other findings show that United Nations Security Council maintains peace and security by constituting peacekeeping and special political missions.

5.5 Suggested Area for Further Studies

This study relied on the transcripts of interviews with twenty respondents. In addition, it relied on thematic analysis as its method of data analysis. The study, therefore, suggests that a study on this study be investigated by using questionnaires as the research instrument. This will give insights into the perspective of the stakeholders more people in the community and on the street especially of zones where peacekeepers have operated before. This study focuses on the United Nations Security Council's function of peacekeeping and peacebuilding. There are still other arms of the United Nations that can be studied such as the United Nations General Assembly.

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Appendix

Questionnaire

Department of Political Science and International Relations, Faculty of Management and Social Sciences, Lead City University, Ibadan, Nigeria

Topic: A Critique of the United Nations Security Council and Promotion of Peace under International Law

Dear Respondents,

These questionnaires were designed for the above topic to elicit information on a critique of the United Nations security council and promotion of peace under international law. It is purely designed for academic research study. Please feel free to attend to this feat as all information supplied shall be treated with total and utmost confidentiality.

Thanks.

Section A

Demographic Information of Respondents

1. How old are you.....
2. Which gender do you belong too.....
3. Can we know your Marital Status.....
4. What is your religion:

Research Question 1

Examine the extent to which the United Nations security council has maintained international peace in assisting the navigation of difficult path from conflict to peace

1. What is the distinction between peacekeeping missions, special political missions, and peacebuilding offices?
2. What are the contributions of the United Nations Security Council towards maintaining international peace

3. What are the roles of the United Nations Security Council during peace keeping missions?
4. How does the Security Council evaluate if a danger to peace, breach of peace, or act of aggression exists?
5. In the past, what kinds of measures including the use of military force has the Security Council imposed?

Research Question 2

Identify the impact of United Nations Security Council cooperation on social, economic and cultural developments of member nations

6. What are the principles of United Nations Security Council cooperation on social, economic and cultural developments of member nations?
7. What does the United Nations Security Council cooperation on social, economic and cultural developments of member nations entail?
8. What are the contributions of the United Nations Security Council towards the cooperations of member nations on social, economic and cultural developments?
9. What are the notable examples of achievements recorded by the United Nations Security Council towards the cooperations of member nations on social, economic and cultural developments?
10. What are the challenges of the United Nations Security Council towards the cooperations of member nations on social, economic, and cultural developments?

Research Question 3

3. Ascertain the dimensions of the asymmetric relationship between the permanent members and non-permanent members of the United Nations Security Council attain global peace under international law

11. What are the differences between the powers of the permanent and non-permanent members of the United Nations Security Council towards attaining global peace under international law?
12. What are the responsibilities of the permanent and non-permanent members of the United Nations Security Council towards attaining global peace under international law?
13. What is the difference between the selection process of the permanent and non-permanent members of the United Nations Security Council?
14. What are the roles of the non-permanent members of the Security Council towards global peace?
15. What are the roles of the permanent members of the Security Council towards global peace?

Research Question 4

Determine the activities of United Nations Security Council on the development of friendly relations among nations on principles of equal rights and self determination

16. What is the nature of the principles of equal rights and self-determination in the UN charter?

17. What are the roles played by the United Nations Security Council towards achieving the principles of equal rights and self-determination?
18. What are the notable examples of achievements recorded by the United Nations Security Council towards achieving the principles of equal rights and self-determination?
19. What are the challenges faced by the United Nations Security Council on the development of friendly relations among nations?
20. What are the likely records of breakdown in friendly relations among member nations of the United Nations Security Council on principles of equal rights and self-determination?

Biodata

A. Personal Data

Full Name: Donald Kanu

Address: No. 25a, Gensitra Street, Peninsular Garden Estate, Lekki, Lagos,
Lagos State

E-mail: dkanu99@yahoo.com

Phone No: +2348023200533

Date of Birth: March 19, 1969

Place of Birth: Calabar, Cross River State

Nationality: Nigeria

Next of Kin: Patience Kanu (Mrs)
No. 25a, Gensitra Street, Peninsular Garden Estate, Lekki, Lagos,
Lagos State

B. Educational Background

Educational Institutions Attended with Dates and Qualifications

- PhD in International Relations – Lead University, Ibadan (in view)
- LLM – University of Lagos 1996
- LL.B (Civil Law) – University of Calabar 1990
- S.S.C.E – Aggrey Memorial College, Arochukwu, Abia State 1982

C. Working Experience with Dates

- AIICO Insurance Plc – Legal Advisor (General Manager) Jan 2014 - Till Date
- Cornerstone Insurance Plc (Senior Manager) May 2007 – Dec 2013
- Globacom Limited (Manager - Legal) Jan 2011 – Dec 2013
- Fidelity Bank Plc (Senior Banking Officer) Oct 2006 - Dec 2010

- UTB Plc (Trustees) – Head of Trusts – Jan 2000 – Sept 2006
- Awa U. Kalu and Associates (SAN) – Counsel – 1993 – 2000
- Savannah Bank of Nigeria, Lagos (NYSC, Legal Officer) 1992

D. Membership of Academic and Professional Bodies

- i. Fellow, Institute of Directors (FIoD)
- ii. Associate, Institute of Chartered Secretaries and Administrators
- iii. Member, Nigeria Bar Association

E. Publications

Learned Journals

- i. **Kanu, D. O.** (1998). Marketing Mix in a Depressed Economy
- ii. **Kanu, D.O.** (1990). Effect of the Doctrine of Stare Decisis in the Nigerian Legal System

Signature

Date

University Compliance Certificate

This is to certify that this Thesis written by Donald Kanu with matriculation number LCU/PG/000409 in the Department of Politics and International Relations, Faculty Management and Social Sciences, Lead City University, Ibadan Nigeria is in full compliance with the approved University format and style.

Signature

Date