

VIOLENT NON-STATE ACTORS, THE UNITED NATIONS AND GLOBAL PEACE

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Abstract

The international system has, over the years witnessed certain developments at the political, economic and social levels that in one way or the other triggered acts which have been identified as terrorism orchestrated by Non-State Actors. It is on this note that this paper interrogates the implications of Violent Non State Actors on global peace, with specific focus on how the multilateralism mechanism of the United Nations has curtailed terrorism trend of Violent Non State Actors. The paper discovers that terrorist sects have negative impact on globe peace. In fact, it is argued that the activities of the Violent Non State Actors such as terrorist organizations in recent times, have shaped the domestic and foreign policy directions of many countries. It is among other things recommended that the United Nations (UN) should pursue international strategy for counter-terrorism with sustained collaboration.

Keywords: Violent Non-State Actors, Terrorism, United Nations, Global Peace

Introduction

Traditionally, nation states are the primary actors in international relations. In contemporary international system, the influence of non-state actors such as international organizations, multinational organizations and individuals strongly become obvious in the international arena. At the moment, the emergence of terrorist groups and their violent nature of operations in many countries of the world have necessarily shifted scholars' attention to study them as non-state actors. Terrorism pundits such as Awuku (2015), Burton (1990) and Ochoga (2016) have referred to terrorist groups as Violent Non-State Actors (VNSAs) due to their destructive effects on international peace and security. In Europe, jihadist terrorist organizations have carried out dramatic and well-publicized attacks in Madrid and London and have only been prevented from further actions by proactive intelligence and law enforcement (Ochoga, 2016:16).

In Mexico, drug-trafficking organizations are challenging the Mexican state in a particular brutal manner, and have killed many high ranking policemen in retaliation for the Calderon administration's efforts to disrupt their activities and reduce their power. In the favelas of Rio de Janeiro and Sao Paulo, drug traffickers and more recently, militias provide rudimentary forms of governance in urban areas where the state is absent (Awuku, 2015:4). In Central America and the United States, youth gangs such as Mara

Salvatrucha (MS-13) have a massive and highly-disruptive presence. In Colombia, the state has beaten back the political challenge from the FARC insurgency but the guerrillas have largely been transformed into a major drug-trafficking organization that in some regions, cooperates with former rightwing paramilitary organizations turned drug traffickers (Faleti,2007:1). In Albania, Italy and many parts of the former Soviet Union, criminal organizations do not only intimidate businesses, corrupt politicians and launder their proceeds, but also engage in a variety of activities that challenge and undermine state sovereignty (Gallahger, 2014:9).

In many African countries as well as Central Asia and Afghanistan, warlords are major players in the political system and the economy. In Iraq, insurgents, terrorists, militias and criminal organizations operate in a common opportunity space, intersecting and overlapping in ways that make the restoration of a legitimate and effective central state particularly difficult. In short, in many parts of the world, the Westphalia state is under siege from VNSAs (Gallahger, 2014:9).

The domination of the world by nation-states each of which had a legitimate monopoly on the use of force within its sovereign territory was never as absolute as it appeared. Latin America unlike Europe did not benefit or suffer from the state building impetus of the total wars of the 20th century. The elites never relinquished power to the state apparatus to the same extent as found elsewhere. In Africa, many states are the artificial creation of colonialism and in Robert Jackson's felicitous phrase, were little more than "quasi-states" (Gallahger, 2014); even accepting that the state was never as dominant as it appeared in the great power conflicts of the 20th century. In the 21st century, the state monopoly of the use of force is increasingly being reduced to a convenient fiction. Relatively few of the sovereign states represented in the United Nations can truly claim monopoly of force within their territorial borders. This is a fundamental change that has been under-appreciated as a global phenomenon partly because the violent challengers (VNSAs) have taken different forms in different parts of the world with untold consequences to global peace. These forms include ethnic groups, warlords, drug-trafficking organizations, youth gangs, terrorists, militias, insurgents and transnational criminal organizations.

In many cases, these groups are challenging the state; in others, they are cooperating and colluding with state structures. In several instances they are both fighting one another and confronting state structures that seek either to destroy them or to bring them under control. Despite their divergent forms however, these VNSAs share certain characteristics. They also represent a common challenge to national and international security; a challenge that is far greater than the sum individual types of group, and that is likely to grow rather than diminish over the next several decades. Moreover, some efforts have been made to identify the major actors themselves. As observed by the Federation of American Social Scientists (2015:6), the VNSAs are important actors in contemporary global politics hence; there appears to be growing awareness that armed groups are no longer minor players in a world once dominated by states. The Federation of American Social Scientists (2015:4) refers to these groups as "para-states" since they are entities which challenge the state's monopoly on the use of violence within a specified geographical territory. Therefore, it is within this background that this paper seeks to explore this phenomenon of violent non-state actors (VNSAs) and their security threat to global peace with particular emphasis on the United Nation's collective security instruments.

Theorizing the Problem

Terrorism is an advanced form of violent conflict with devastating effects that are always unimaginable. There are several existing theories that attempt to provide explanation or justify why violent conflicts occur. The source of terrorism is indeed a controversial discourse. Thus, this work finds relevance in the adoption of the Psycho-Cultural Conflict Theory, as every terrorist organization finds the expression in socio-cultural cleavages as their source of operation. In other words, since almost all the terrorist groups in

the world profess one religion or the other, the Psycho-Cultural Conflict Theory remains relevant to this paper hence; religious professing is the motivation for terrorists.

The Psycho-Cultural Conflict theory is associated with the ground works of Ross (1993), Burton (1990), Crighton (1991), Rothschild and Groth (1995) and others. However, the exponents of this theory include Ross, Burton, Crighton Rothschild and Groth. The dominant assumption of the theory is centered around culturally induced conflict. The Psycho-Cultural Conflict theory shows how enemy images are created from deep-seated attitudes about human actions that are learned from early stages of growth in the explanation of conflict as averred by Ross (cited in Faleti, 2007:48). Also, the theory contends that even though there are different forms of identities, the one that is based on people's ethnic origin and culture remains the most efficient way of explaining violent conflicts. Identity is thus, seen to be the reason for the social conflict that takes long periods of time to resolve. However, despite the belief that ethnicity is the biggest source of identity-based conflicts, those who hold this view agree that this does not mean that conflict is unavoidable wherever there are ethnic differences (Faleti,2007).

The theory equally believes that social conflicts often occur when groups of people feel that they are discriminated against or deprived of their material or immaterial aspirations on the ground of their ethnic-religious origin. Rothchild and Groth (1995) argue that a history of humiliation, oppression, victimization, feeling of inferiority and other forms of experiences which wear away a person's dignity and self-esteem could lead people to resort to vengeance, and constitute part of what has been referred to as the 'pathological dimensions of ethnicity' (cited in Faleti,2007:50-51).

Ademolar (2001), Eze (2011) and Ochoga (2014) have criticized the theory on the ground that it did not differentiate the kind of conflict in which ethnic identity might likely induce. However, the verity remains that conflict or other advanced conflicts such as terrorism can be ethno-religiously induced. Be that as it may, the theory is highly relevant to this work because contemporary terrorist groups are motivated by ideological norms of their specific religions. Based on this relevance, it could be surmised that the intrinsic desire to profess and propagate that ideological norms of their religion in certain manners have led to the recurrent spread of terrorism in some countries by the terrorists. Therefore, the inherent desire to prove a point on the basis of what they believe and cherish whether it is real or an imagination is responsible for this dehumanized phenomenon of terrorist acts. It is on this premise that terrorists can be defined as a non-conventional warfare group whose dehumanizing activities are propelled and motivated by certain ideology and other cultural cleavages which they believe and vow to die for.

Fundamentally, the root cause of terrorism in Nigeria and some other African countries is blamed on overemphasize of epic phenomenon and socio-cultural dynamics that are inherent in the African societies as the local population in African countries pay more allegiance to their cultural cleavages than they do to their nation. This complexity which is rooted in micro-nationalism affects governance and even individuals' perceptions about the state. For the purpose of clarity, the concept of non-state actors, violent non state actors, terrorism, and peace will be operationally defined. *Non-State Actors (NSAs)* just as the name implies are well known organizations or individuals whose activities or operations are capable of shaping policies and decisions of states and the international system at large. The influence of the NSAs may be peaceful or violent. Meanwhile, *Violent Non State Actors (VNSAs)* refers to those international individuals who act autonomously of any recognized government and employ violence to achieve political means. The VNSAs include but not limited to private military firms, transnational criminal organizations, and terrorist organizations.

On the other hand, Galtung (1990) has conceptualized the concept of peace as 'negative peace' and 'positive peace'. Nonetheless, this paper allies with the negative connotation of peace which Galtung (1990) defines as the absence of direct violence, war, fear and conflict at the individual, national, regional and international levels. This view is in line with Best (2006)'s definition of peace as the nonappearance of aggressive acts by individuals which are threat to lives and properties.

Terrorist Groups as Non-State Actors is increasingly becoming an interesting discourse in the contemporary international arena. It is on this premise that Scot-Lee, (2014) in his article titled ‘Terrorist Groups a New international Actors to Fear’ contends that in the last two to three decades, Terrorist Groups have become violent Non-State Actors whose action and inaction pose great threat to global peace and security. Scot-Lee further maintains that Terrorist Groups who were hitherto not strong factor to contend with are now deadly actors as terrorist activities cause sleepless nights not only to people living in terrorism ridden areas but the entire international community. One of the strengths of Scot-Lee’s view point is that the contemporary trend of terrorism has taken a more drastic dimension than before which invariably calls for worry; and the pandemonium caused does not only affect people living in terrorist operating areas but every human of concerned mind. In addition, the violent modus operandi of terrorists necessarily informed the states and of course the comity of nations to label them as actors who can shape the policy and decisions of states. Despite the intellectual utility of Scot-Lee’s contention about terrorist groups as non-state actors, he did not emphatically demonstrate how and the extent to which terrorist bodies could influence state’s policies and action. Thus, this oversight is seen as weakness in Scot-Lee’s ground work on terrorists and non-state actors. The aforementioned lacuna seems to have been filled by Ochoga (2015) in a study in which he argues that the nefarious activities of terrorist bodies have over the years prompted states to formulate policies and take decisions in reaction to curtail the dastardly operations of the sects. According to him, this singular authoritative response among states had given the basis for terrorist groups to be considered as non-state actors; because their terrorist activities could cause changes in the policies and strategic decisions of sovereign states. The take-home message from Ochoga’s contention is rooted in the fact that any international actor can influence or shape actions of another actor within the system. Thus, Ochoga’s intellectual premise may be considered acceptable.

Many states in the contemporary world have formulated some policies and at the same time taken some authoritative measures in response to the trends of terrorism around them. Therefore, the ideological divide between terrorist groups and states is antithetical in posture; hence, the terrorist groups exist as an actor only to destroy lives and properties; and the states have the leviathan task to perpetually protect lives and properties without negation. While Ochoga’s preposition is to be celebrated, his failure to exhaustively explicate the exact nature and character of terrorist groups as non-state actors is been identified as an oversight in his intellectual effort. Meanwhile, this missing link appears to have been filled by Ochoga (2016) who in another study vehemently asserts that international organizations, multinational corporations, International Non-Governmental Organizations, and even the terrorist groups could be regarded as non-states actors considering their modus operandi within the globe. These categories of non-state actors by means of their programmes promote peace and development around the world with the exception of terrorist groups whose operations are nothing but violent in nature. Ochoga justifies the reason for which terrorist groups are regarded as Violent Non-State Actor (VNSA). In addition to what Ochoga views terrorist groups on its colouration as non-state actor to be, terrorist groups are non-state actors whose aim is principally conceptualized to counteract the state’s security apparatus for the purpose of achieving their nefarious goals.

Notably, Damje (2014) points out that the emergence of terrorist groups and their subsequent labelling by scholars as non-state actors have prompted the United Nations and other regional organizations to organize several multilateral fora where legal, policies and practical measures were deliberated and authoritatively adopted among nation-states against terrorist groups. According to Damje, in the last two decades no issue has topically dominated and preoccupied the centre stage of international organizations like the trend of contemporary terrorism. Damje submits that behind the discussion at these fora was strategy development on curtailing the growing spread of terrorist groups as non-state actors, so as to reduce their threat to global peace. Therefore, there are strong focuses on historical rendition of multilateral security measures against international terrorism.

Historical Rendition of Multilateralism Towards Global Peace

There is certainly a trend in the historical growth of the collective security approach and how this notion has shaped the activities of VNSAs. The mission and vision of the UN are conceptually framed around the notion of collective security. Collective security is an international structure organized by states for the purpose of reducing security threats. Usually, states forming a collective security organization agree to avoid the use of force on one another; and also agree to defend any member state if such an attack takes place. The belief is that “an attack against one is an attack against all” within the security arrangement. The idea of collective security has been present in various security arrangements since the time of the Greek city-states, yet this modern day terminology was not employed until hereafter, the United Nations will be referred to as the UN (George, 1994).

In the 20th century for instance, Greek city-states had a security arrangement termed ‘**Amphiktyonie**’. **Amphiktyonics** formed when Greek communities aligned themselves with those who had similar convictions on topics such as religion or political structure. These communities carried out the principles of a collective security arrangement by agreeing to refrain from the use of force against another community within the alliance, to abstain from cutting off water supplies during peace or war time, and to protect holy places (George, 1994). Both the ancient city-states and modern day collective security arrangements have expected their members to respect the physical boundaries and basic human necessities of the other members.

Another historical example of a collective security arrangement is the Old Swiss Confederation. This confederation arose between eight villages within the central transalpine regions of modern day Switzerland. Up until the late 13th century, this region of Switzerland was mainly ignored by the dukes and kings who were focused upon developing the capital of Berne and the city of Hapsburg. When new trade routes were created through this central region of Switzerland, the government of the country began to tighten its control (Swarthmore, 1919). To inhibit the power from the regime, a group of eight villages signed an agreement aimed at strengthening their allegiance and minimizing the power of federal control. The villages also agreed against the use of force among members. The political structure of this alliance was that each village functioned as a sovereign political unit, with the ability to produce its own currency, military, and control over its residents. The group established lengthy and complicated treaties intended to hold the alliance together. This allegiance was tested when one of the members, the Zug village, had a section of its land occupied by a fellow member, the Schwyz village (Swarthmore, 1919). In this case, the notion of collective security worked, and the other member villages encircled the attacked village and Schwyz.

The Old Swiss Confederacy eventually collapsed with the conquest of Napoleon. Once Europe suppressed Napoleon, the states within the continent met to create an organization to prevent domination by one super powerful actor such as Napoleon. The Congress of Vienna, which was held in 1815 by the major powers of Europe, continued to develop the principles of a collective security agreement. The Congress was held in the aftermath of the Napoleonic Wars and sought to restore the territorial boundaries of the shattered continent. The main strategy of the Congress was to create a security arrangement based upon a balance of power that would maintain peace (Ochoga2016). The Congress aimed to promote an arena in which open communications could occur focusing on the issues of security and financial systems. This balance of power rested upon the four main powers of Europe who were trusted with ensuring that peace was maintained throughout the continent. These powers were Great Britain, Russia, Prussia, and Austria - otherwise known as the Quadruple Alliance of 1813 (Eze, 2012).

Other states were offered membership within the Congress but only allowed limited representation at congresses and conferences. This arrangement was called the “Concert of Europe” and was largely credited with maintaining peace in Europe until the turn of the 20th century. The Concert was the first modern and well-organized collective security system of its size. This arrangement helped

maintain peace and cooperation in a continent that was fraught with conflict and wars for many years. The Concert pressured states to avoid military expansion as had occurred with Napoleon, and instead encouraged states to synchronize aims and efforts to promote the social and economic growth of Europe. The Quadruple Alliance strived to uphold the settlements decided on at the Congress of Vienna (Eze, 2012). The members' insistence on the concept of collective security and the longevity of the Concert was in a large part a result of this structure. This organization, based upon a hierarchy of the states encouraged governance by the four main states and kept the remaining member states mainly as followers to the politics.

The Concert of Europe was considered an alternative approach to peace and reduce threat to globe peace. The balance of power in Europe shifted from a centrally located balance of power to states making both secret and public alliances with other states and further ignoring the collective security concept of the Concert. France aligned herself with Russia to balance the threat of Germany, while Austria-Hungary aligned herself with Germany to balance the threat of Russia. The Concert failed to evolve to handle the desires of the states to focus more on national growth and their desire for military advancements.

When the Concert was created after Napoleon, member states were focused on avoiding this type of devastation again. At this time, the limitations imposed by a collective security arrangement outweighed the appeal of national sovereignty. Eventually, the apprehension of war began to wane and states desired their sovereignty back. In an attempt to work towards national self-interest, states were entering secret alliances to propel their personal goals. The Concert failed to at least, recognize these occurrences of secret alliances. Through the decline in the appeal of collective security and then the destruction brought by World War I, the Concert collapsed and the international community was forced to re-evaluate its preventative measures for war (Harold, 1946).

The League of Nations was created after World War I, at the Paris Peace Conference in 1919. Its main goals were to disarm the continent and prevent war. Drawing on Kantian thinking, the main objective of the League of Nations was to settle disputes by means of involvement from all members through processes of negotiations and diplomacy. To quote Kant's *Perpetual Peace*, this philosophy stated that "each of them (states) may and should for the sake of its own security demand that the others enter with it into a constitution similar to the civil constitution, for under such a constitution each can be secured in his right. This would be a league of nations..." (Kant, 1795:89). The League of Nations was created to serve provided the platform for collective security would not prevent the War World II; and as such, it prompted the establishment of the present day United Nations regime. The UN was among other things, established to maintain peace and security through a collective security arrangement and would not experience the same fate as the League of Nations.

The UN altered the method in which it authorized the use of force. While the League of Nations required a consensus that a state had illegally used force, the UN organized itself in a manner that required a consensus for the use of force. The Preamble to the UN Charter provides a genesis for the legal documentation of the Charter. The main structure of the Preamble had been written in a desperate attempt to avoid any reoccurrence of the two World Wars and the destruction that those wars had brought. This document was a way to start to rebuild the world physically, economically, and emotionally. The Preamble begins by stating that it is the mission of the UN to:

"save succeeding generations from the scourge of war...to reaffirm faith in demented human rights, in the dignity and worth of the human person...to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained...and lastly to promote social progress and better standards of life" (UN, 1945).

With these prerequisites firmly established, the framers aimed to create a functioning environment to promote a more peaceful, prosperous, and just world based upon these ideals. These aspirations were to be reached through the practice of tolerance. Member states were expected to

collectively, agree to maintain and endorse international peace and security. This was specifically focused upon avoiding the use of force and promoting the UN through advancements in both economic and social endeavours.

Consequently, the major aim of the UN is to promote global peace and security within the instrumentality of the organization to curtail security threat from both state and non-state actors particularly the VNSA. Violent non-state security threats have emerged, but are not limited to civil rebellions, insurgency, liberation movements, and failed governments. These threats have historically shown varying levels of orderliness, with certain violent NSAs functioning as loose associations and others operating as active terrorist establishments. Major factors in the difference in NSAs often emerge from ideology, objective, strategy, financial support, and purpose. Those NSAs that are viewed as imposing the largest threat to the society are the ones whose main tactic for acquiring power is by disrupting society in a manner that instils fear in the civilian population. Despite the current collective security arrangement under the UN regime, the rate of growth of VNSAs and their threat to global peace is worrisome. Thus, the implication of the VNSAs threat to global peace forms the thrust of this study.

Growth of Violent Non-State Actors and Security Implication to World Peace

The fundamentals of the UN are to prevent war through peaceful settlement of disputes. When the Charter of the UN was drafted, it focused mainly on individual sovereign states, not NSAs. NSAs were not acknowledged in the Charter because in 1945, the existence of NSA who possessed the ability to directly impact governmental policies on an international level was negligible. The NSAs, both peaceful and violent, evolved over the last 40 years. This occurred through the rise in the ease of travel and the growth of communications; specifically, through advancement in technology. Technology allows for easy availability, accessibility and functionality of media coverage. The growth in mass media has helped to convey an organization's message through swifter and ever evolving forms of technology to a wider audience. The power of violent NSAs has grown substantially since the creation of the UN Charter, which created a rift in the UN's ability to carry out its purpose of promoting peace and preventing war. The growth in terrorist activities by NSAs has put the UN in a position where it must evolve to control this tactic. The illegal activities of NSAs are negatively influencing the UN's success in the promotion of its primary aims.

It is essential to describe the history of terrorist activities by NSAs throughout the 20th century to show its impact on the society over time and the necessity for the UN to find a method to control this violent behaviour. Terrorism and terrorist groups are not new concepts. There are incidences of NSAs employing violent behaviours to show opposition to a particular political rule (United States Institute of Peace, 2016). This growth has not occurred because of the existence of the UN, but more in parallel with the UN. Terrorism has existed since the time of the Roman Empire. Hundreds of years before the birth of Christ, the Greek historian, Xenophon who was a student of Socrates wrote about the effectiveness of psychological warfare. According to a bibliography supplied from the Encyclopaedia Britannica, one facet to Xenophon's writings of psychological warfare was a historical form of terrorism that relied upon the demoralization of troops (Ochoga, 2016). Alexander the Great would aim to capture the enemy's king as quickly as possible, torture, and then kill him. By killing the enemy's king, Alexander the Great intended to weaken the morale and leadership of his enemy troops. While capturing an enemy king and killing him is different from the tactics of terrorism today, the concept is still the same; that is, the calculated use of violence against populations in an attempt to gain political, economic or religious footing (Ochoga, 2016b).

The behaviour of NSAs and their terrorist patterns have grown so strong in late 20th century and the beginning of the 21st century that the UN is forced to dedicate considerable effort towards controlling terrorism. This began in the 1960s, when the UN's General Assembly set forth to establish a working

definition for terrorism. Numerous member states were hesitant to accept a definition of terrorism for numerous reasons. Some feared that it would interfere with state's Global Security (Ale, 2013). Popular Front for the Liberation of Palestine will be referred to as PFLP. Others were worried that it may negatively affect national liberation movements. Also, many states felt more secure establishing treaties and conventions on a case by case basis because such an approach provides greater political latitude instead of accepting a strict definition. By the close of the 1990s, the UN accepted a working definition for terrorism and outlined the criminality in the use of terrorism. This definition states that terrorism is thus:

“Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be used to justify them (Ochoga,2016)”.

This definition is fairly generic and allows for fairly broad interpretations of what is a terrorist act. Therefore, this definition establishes a framework for the UN to follow while still allowing for open discussions and the need for consensus from member states when deciding if an attack (or threat of) can be defined as terrorism. Concluding with this definition, this work attempts to provide a brief examination of the historical antecedent and evolution of violent NSAs and the preliminary efforts of the UN to address terrorism. Historical evidence shows that the use of terrorism is neither a new approach limited to a specific region, nor utilized by particular individuals. It is an approach that may have shown a fairly high degree of effectiveness and therefore, has grown in notoriety among groups who are willing to implement violent tactics to obtain their goals. Because of its so-called effectiveness and growth in fame, terrorism will only continue to occur unless something is done to render it less lucrative and ineffective.

Up to this point no international organization has been able to successfully stop the use of this tactics by VNSAs. When the UN drafted its charter in 1946, it only had the ability to make provisions for traditional war situations. The UN acknowledged the need for effective procedures outlining methods to handle violent NSAs. Member states attacked by NSAs have reacted by using force against them, often without a Security Council mandate. States argue that the UN cannot effectively prevent or address this tactic; therefore, they have to tackle this issue themselves. This means that their activities pose threat to global peace.

The Pacific Settlement of Disputes governs the actions that a state can legitimately take in respect to threats of peace, breaches of this peace, and acts of aggression. The opening section, Article 39 states that the responsibility for determining the existence of any threat to peace, breach of peace or act of aggression remains exclusively with the Security Council. The Security Council alone can decide what actions can be taken against a violator of this article.

Member states hold the intrinsic right for self-defence after an armed attack occurs until the Security Council meets and rules upon the appropriate measures to address the offensive party in respect to the principles of the UN Charter. Therefore, once the Security Council has met, Article 51 is void from giving a member state a blank check for using force. Member states are again required to seek authorization from the Security Council to use force. Article 51 does not function as a standalone piece of the UN Charter. States cannot read this Article in separation from the other Articles of the UN Charter, specifically Article 39. Article 51 simply functions as one of many facets in the authorization for the use of force and allows for a state to respond in self-defence to an armed attack until the Security Council has had time to meet. Thus, the usage of the Terminology “Armed Attack” and “Self-Defence” will be adopted.

There are also cases where there is a threat of an armed attack and member states are responding with a pre-emptive attack against the VNSAs located within another sovereign state. This is not the method in which the Security Council envisioned Article 51 to be utilized. This growing leniency in the understanding of Article 51 may be correlated with the increasing severity of terrorist attacks by NSAs.

States are viewing that the UN has distinct flaws in its Charter regarding effective manners in controlling violent NSAs and therefore, are pre-emptively using force to seek peace and security for themselves. Due to the increasing number of attacks by NSAs worldwide, states are electing to respond through the use of force against member states that harbour these NSAs (Annan, 2010).

The vague terminology adopted within Article 51 has allowed for states to establish their own meanings regarding the terms 'armed attack' and 'self-defence'. This self-defining behaviour can still violate the UN Charter. By signing the UN Charter, its members agree to all resolutions and articles, including Chapter I, Article 2, which states that "all members...shall fulfil in good faith the obligations assumed by them in accordance with the present Charter." To reiterate the principles and purpose of the UN, the content of Chapter I: Article 2 (3&4), maintains that its members should strive to act in a manner which is observant of international peace, security, and justice and refrain from the threat or use of force against another state. Therefore, even if a member state retaliates to what they have determined is an armed attack and the Security Council fails to agree with this decision; the member state is violating Article 2 of the Charter. This leaves the violating state justification through Article 51 insignificant and the authority for the use of force has been returned to the Security Council through Article 39.

Throughout the history of the UN, there have been numerous meetings where the repertory of practice of the UN Charter has been argued. For Article 51, there was much debate as to what can be specifically defined as an armed attack. Did Article 51 intend to cover all cases of attack, direct or indirect as long as it was an armed attack? Or does armed attack simply imply aggressive behaviour by an actor which is armed? All of these were discussed at length without an agreement reached as to what exactly constitute an armed attack and therefore, what type of attack allows for a state to respond through self-defence. This discrepancy leaves a loophole for member states to create their own definition. The lacuna will only continue to remain ambiguous due to the growth of violent NSAs unless the UN creates a better method to address violent NSAs, establishes a proper definition of what constitutes an armed attack, and outlines a standard process for states to follow after an attack occurs. Lastly, the UN needs to establish a way to enforce its resolutions and decisions so that a violating state and NSA are appropriately punished. Be that as it may, the propensity for VNSAs to spread globally is high and as such, there is need for the UN to prominently view terrorist sects (VNSAs) anywhere in the world as a threat to one, and a threat to all.

Concluding Remarks

The foci presented in this paper illustrate that the current structure of the UN seems to be incapable of controlling or adequately responding to issues relating to violent NSAs, thereby, leaving affected member states to unilaterally manage activities of VNSA without the pragmatic involvement of UN. This lacuna is being observed as a missing link. It is clear that unless this disconnect is corrected, the core principles and purpose of the UN will become obsolete; and this will magnify the threat to global peace. The paper establishes that the actions of violent NSAs could cause the UN to lose its functionality as a collective security arrangement. The comity of nations is intended for the UN to avoid a similar fate experienced by the League of Nations and the Concert of Europe. After each of the world wars, the international organizations which had attempted to prevent these disasters, went under heavy debate. After World War I, the Concert of Europe became the League of Nations, and post- World War II, the League of Nations became the United Nations. If the war on terrorism (VNSAs) becomes a more multinational, successful battle, possibly the UN would not become the foundation for the world's next arrangement for collective security.

The basic reasoning behind all of these organizations is the same: to promote peace and security through an organization that relies upon the balance-of-power to deter aggression and independent motivations of sovereign states. The enemy is different this time; it is not another state which is threatening the collective security arrangement, but instead individuals who act autonomously of any recognized group. Preventing

the collapse of this necessary organization is obligatory. Since the 1960s, the UN has adopted 13 Conventions that address the threat of terrorism or any of VNSAs. Through implementation of sanctions, the world has seen a significant drop in state-sponsored terrorism. The violent acts of NSAs to date have been an unstoppable threat. The UN, with the aid of its member states and other counter-terrorism organizations, need to reform its current policies to be able to successfully control this threat.

While the most prominent aim of the UN needs to be preventing the violent tactics of NSAs, the defiance of Article 51 by member states to unilaterally address terrorism also needs to be undertaken. States are justifying their violation of Article 51 because the UN fails to make provisions for the use of force against violence by some non-state actors. This study shows that the use of force by states does not deter NSAs from using the tactic of terrorism. These violations of Article 51 are not controlling the terrorist threat presented by NSAs and additionally causing the demise of the UN being a respected collective security arrangement.

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