Governing The International Wars; Theory, Legislation, Human Rights, Critical Human Security, And Ethics

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Abstract

The study indicates wartime "programmed" violence's implications within the liberal interpretation of contemporary legislative and human rights debates. It discusses related war theories and practices, the problematizing instrumentalization of instilling new global ethics, arguing that humanitarian interventions often became "usable" in the new millennium's geopolitics; wars fatally affect the innocent. It points out that the origins of democracy are structurally violent and that the threat of terrorism, in addition to revealing new forms of "democratic violence," is having a transformative effect on the very character of democracy. How the concept of cause agrees with armed humanitarian intervention, and do we have the right to impose democracy by force? Whether the theory of just war in its positivist-legalist paradigm that combines universalist principles with utilitarian harm-weighing versus profit can offer a comprehensive method of morally contemplating current wars. The distinction between liberal cosmopolitan arguments and social democratic ones is apparent. The arbitrariness and the imposition of individual states' views create issues, leading to fragility (human security, socioeconomics, economic development, health). The compulsory international focus and responsibility should incorporate critical medical (children) - "the right to health" and humanitarian goods. Implementing rules to control war's destructiveness is less effective in intercultural conflicts. The doctrine of "just war" application is questionable, and no new victim should suffer even when the goal of the intervention is entirely legitimate and "humane." It cannot be just that it will exempt intervention forces from applying international humanitarian law, nor does the legitimacy of the intervention exempt them from respect for international humanitarian law. The international law concept has evolved from an instrument of promoting peace to an agent of the violent argument of force realization. Ethics is often imposed as politics; human rights ethics transformed into war ethics, leading to human rights violations and civilian casualties. War justice and the moral paradigm within globalization's contemporary forms are questioned. A broader discussion of the assumptions of the universality of Western values that have driven international law for centuries is required.

Keywords: War Governing, War legislation, Liberalism, Ethics, Violence, Civilians, Humanitarian intervention, Human rights, human security

Introduction

Three traditions dominate ethical reflections on war, realism, pacifism, and just war theory. Of course, there are other considerations, but they are contradictory, are not subject to classification, and do not enter these divisions. Let us start from the assumption that it is impossible to eliminate the very possibility of war. There are two perspectives we can conceptualize a world without war - and both lead to a philosophical paradox position. One would be to imagine ourselves as unfree so that by abolishing freedom, which is subversive, abolished the basis for the possibility of conflict; others to make every attack a priori followed by the current capitulation, that is, to be a world without freedom, in which everything is previously determined and in which there is no room to choose, that is, to change one's mind. So if war is possible, not only logically but also practically, as that "inevitable" choice in which all other alternatives have been consumed, as the only remaining way to conflict resolved, how do we understand war? The just war theory's main controversial proposition claims that states have a reason and moral justification for going to war. War is sometimes, of course, not always morally just. The Allied War in World War II exemplifies a morally justified war. In the last few centuries, significant efforts have been made to formalize the rules of war through international laws and conventions and reduce cultural differences by applying rules and laws derived from Western tradition.

Democracy is the eminent political system, the most essential as the people's rule, including competitive elections, a constitution that protects individual rights and divides power. It justifies using force in international law to promote democracy but does not allow it. Using force in promoting democracy resists liberal theory, just war tradition, and international law. The liberal peace debates have produced a body of critical research that has analyzed the theory and practice of contemporary peace interventions from different positions. These debates have questioned the paradigm of liberal peace, inquiring about how liberal and prosperous these interventions are. Without offering a definitive solution, it may be time for a broader discussion of the assumptions of the universality of Western values that have driven international law for centuries. The corpus of human rights has been widely used to achieve the desired geopolitical interests. Mass media are used for economic sanctions, hybrid warfare, and humanitarian military interventions. In that context, human rights protection becomes the formal basis of interventionism, which shapes the political situation in many countries. The concept of international law has evolved from an instrument of promoting peace to an agent of violence, legitimizing the argument of force. Ulrich Beck considers the human rights regime a "very effective strategy that" revolutionizes the world political order "in such a way that the meta-power of global civil society (NGOs), as a new subject of international relations,

imposes autonomy on the nation-state. National or social rights lose their advantage over the human rights regime, which opens up a boundless power space in world domestic politics. Western, globally influential states and non-governmental organizations interfere intensely in others' domestic politics to change their power structures. Beck speaks of "a mixed form of humanitarian selflessness and the imperial logic of power, especially expressed in military humanitarian interventions, and points out that global civil society topics such as human rights protection are often instrumentalized by the United States (US), Europe (EU), and other global actors. Become very useful "ideological equipment for economic and military wars." (Beck, 2012)

Throughout contemporary history, global peace has been a powerful objective. Unfortunately, it has also been one of the most inaccessible. Wars and conflicts produced their share of pessimists as well as visionaries. Pessimists saw war as an inescapable part of the human condition. Optimists viewed growing wealth, expanding self-government, and advancing technology as drivers of slow but steady moral progress. Economic sanctions have been regarded as an alternative to war. However, for most people in the interwar period, the economic weapon was the essence of total war. Therefore, the initial intention behind creating the economic weapon was not to use it. Instead, economic sanctions were intended to be a form of deterrence. Those who lived in the early twentieth century's pre-nuclear decades raised a frightening prospect. A nation put under comprehensive blockade was on the road to social destruction. The experience of material solitariness left its mark on society for decades afterward, as the effects of poor health, starvation, and malnutrition were transmitted to unborn generations. Weakened mothers gave birth to underdeveloped and undersized children. The economic weapon thereby cast a long-lasting socio-economic and biological gloom over targeted societies, not unlike radioactive fallout. (Mulder, 2022)

War is an irreversible process because it establishes a new right and a new class of people (even if they were the winners) deceived, humiliated, and disgraced, not by opponents but by their institutions and individuals. Implementing rules to control war's destructiveness is less effective in intercultural conflicts or conflicts where one or more antagonists arbitrarily choose to deviate from the rules hoping that the reward will outweigh the price. The idea in the UN Charter and the Universal Declaration of Human Rights that ethical convergence leads to the global acceptance of Western liberal ideas does not reflect reality. The conflict between al Qaeda and the West resists this idea. Nevertheless, it still represents the legal and ethical framework for war. The answer to the question "What is war" has enormous consequences. The notion of war is manipulated and adapted to political and moral needs. Is addressing a "war on terror" after 9/11 ethically acceptable? What does the use of geopolitical language contain concerning the norms of international law?

Regarding the concept of war, international law takes the relationship between states as a starting point. The war is open to the legal introduction of a state of emergency. At the same time, international law determines the formal requirements for war and waging war, the use of uniforms, the types of weapons, the treatment of prisoners, and other relations. The response to military aggression presupposes that challenges are accepted. Civilians need protection. Therefore, in international law, the regulation and conduct of war are imperative because legal concepts are narrow in the historical and social context. There are attempts to uphold the rules of internal conflict in international war law, but civil wars are still uncovered.

A significant issue relates to the legitimate aims of a just war that the proposed revisions call into question. The only way to return the theory of just war to its critical potential is to understand the criterion of the just cause of war in a much narrower sense to make it impossible to justify acts of aggression. Whether this would mean limiting justified wars to only those of self-defense, how the question of humanitarian military interventions would be considered in that context, and whether their consideration required a completely new theoretical basis, utterly different from that provided by the theory of just war, remains to be seen. Contemporary issues facing the theory of just war are related to the possibility of incorporating the ethical principles of just war into the consideration and resolution of military and national security strategies. A realistic theory of "just war," as "applied ethics for foreign policy and military actors," proves that "warfare within the limits of moral permissibility is useful for the national interests of states." (Morkevičius, 2015) There is significant compatibility between the realistic theory of international relations and the theory of just war; moral conditions/rules should be integrated into the decision-making processes of war and their governing. It is important to note that with change like war, the third area of the just war theory appears, which is being established. And before the area of end-of-war ethics: jus post-Bellum. Its subject matter is a set of principles and criteria to be followed after the conflict's end in re-stabilizing war-torn societies and territories. A state that does not respect the rules of a just war (Ius ad Bellum, Ius in Bello, Ius post-Bellum) endangers the ethical paradigm and its fundamental national interests. In the genuine liberal aspect of waging war, there should be two main principles - the principle of discrimination of military and civilian goals and the principle of proportionality of the evil created by the war and the achieved well.

Conceptions of a new cosmopolitan democracy or global rule rely on the relative weakening of nation-states' sovereignty as their condition of possibility. The global state of war has promoted liberal cosmopolitanism into an essential political stance and seemingly viable alternative to US global control. Monopolarity was created during the 90s of the 20th century through

the idea of the New World Order, The US as the only remaining global superpower, and the unification of Germany as an economic power (which aspired to economic supremacy in Europe corroborated by both political influence and ambition after unification), imposed new rules of the game. The US has pursued a consistent foreign policy for the last 100 years, which is the main goal - to prevent any force from gaining too much power in Europe. The Russian Federation is trying to regain its influence in various countries points of the planet and through types of economic and political integrations and alliances like CIS (Commonwealth of Independent States) and the Eurasian Union or the BRICS (economic connections: Brazil-Russia-India-China-South Africa), in an era often referred to as "post-American." BRICS is the largest market globally, with 2.9 billion people or about 40% of the global population.

National and international security doctrines and a realpolitik approach exist today. Moreover, states are embroiled in military, technological, and economic competitions. The modus operandi is different. Although there is no universal definition, the main feature of hybrid war is its legal asymmetry, as hybrid antagonists deny their activities and operate on the fringes of international law. Conflicts are fought in unique, innovative, and radically different forms. With the advent of modern hybrid warfare, they became more psychological, technological, and economical. Hybrid warfare is not just the absence of armed conflict. Instead, it has gained significant relevance in contemporary conflicts. States often employ non-state actors and information technology to suppress their competitors. Hybrid wars and conflicts can destabilize and undermine entire societies and cause numerous casualties and entire post-war human rights spectrum abuse. Moreover, it creates disputable "critical" human security and state-wellbeing.

For example, the multiethnic/multireligious socialist Yugoslav society has been violently transformed, producing antagonistic ethnonational societies. Post-war Peacebuilding, liberal peace approach, and the international war effort (1999- NATO strikes on Serbia) have not reduced violent ethnic/religious ethnopolitics and pastoralism as potent identity manifestations of the social capital. However, simultaneously, inter-ethnic reconciliation and restoration of political pluralism in the former Yugoslavia have been going on since 1995. As a result, the solid clerical-national conservatism aimed to reduce socio-political pluralism while renewing the old war rhetoric. Since under the international community, "resorting to armed struggle" is not possible for now, it takes on ideologically sophisticated but psychologically transparent forms of hybrid conflicts. Hybrid wars are maintained in non-violent form with frequent secessionist processes and territorial disputes. (Hadzic, 2020) Therefore, the crisis condition and hybrid conflict persisted in former Yugoslavia (particularly Bosnia and Herzegovina - B&H and Kosovo), fearing minor or significant consequences and escalation. Hybrid wars and internationally monitored (OHR) status quo are maintained

in non-violent form with frequent secessionist processes and territorial disputes. Therefore, the crisis condition and hybrid conflict persisted in former Yugoslavia (particularly Bosnia and Herzegovina - B&H and Kosovo), fearing minor or significant consequences and escalation. Moreover, the power of the (OHR) has been undermined by a lack of Western resolve and Russian challenges.

The legitimacy and legality of humanitarian interventions are not the only ones essential to which international law should be considered. The humanitarian intervention to protect civilians and cities must not create new victims and destruction. International humanitarian law should be applied equally to all, even to the participants in the humanitarian intervention, as those who should protect human rights do not commit crimes themselves. After the Cold War, new "primordial" enemies of the West and the "democratic world," Western geopolitical planners marked Islamic states as "suitable" for a new role and replacement for the former communist states of the "eastern camp." As a result, Shiite Iran has been declared an "axis of evil." In contrast, Libya, Syria, and Egypt's regimes have been described as "undemocratic and dictatorial." The political and economic consequences of military interventions in Afghanistan, Iraq, and Libya and the failure to "democratize" these states nullify the fundamental idea of "military humanitarianism": protecting the civilian population. Many new questions have come with the change in the nature and perception of war. What are the legitimate goals of wars? Are wars morally justified only by pure self-defense or those that lead to defending "others," such as humanitarian military interventions? In other words, can the defense be anything other than one's territory and identity? If so, under what conditions? Is it legitimate to wage war as a preventive action to suppress a latent - but specific danger that will follow shortly? Does a state waging an unjust war have equal rights in war? As well as the side whose war is justified? Finally, how do modern wars end?

After Iraq, the US became inclined to carry out unilateral military actions. Namely, the primary goal of American foreign policy is the messianic promotion of democracy, with the focus of security and defense policy shifting towards preventive action against the so-called undesirable states that threaten international peace. The doctrine of preventive attack includes the use and application of several different measures to overthrow enemy regimes: from political and economic sanctions and supporting the opposition to undertaking direct military interventions that may have the character of a unilateral operation to overthrow enemy regimes in the preface to the 2002 National Security Strategy. It is stated that "the war on terror is a global endeavor of indefinite duration," so the US foreign policy approach becomes the basis of military force. (The National Security Strategy of the United States of America, 2002) The violent democratization of states in the Middle East is

presented in the US and other Western countries. In this context, protecting human rights becomes the formal foundation of American interventionism. This suitable political instrument shapes the political situation in European semi-periphery countries (Ukraine, Macedonia, Kosovo) or violently overthrows undesirable regimes in North Africa and the Middle East.

The human security notion is focused on people. It deals with how people live in society, universally, living in rich or developing countries, who freely exercise their numerous choices, how much access they have to market and social opportunities, and whether they live in conflict or peace. Human security is defined in its broadest definition as a triad: freedom from fear, freedom from want, and freedom from indignity. Freedom from fear, explicitly recognized in fundamental human rights treaties, has been forgotten in human rights discourse. Nevertheless, fear can have a profound effect on behavior. Without recognizing the importance of freedom from fear, the fulfillment of many human rights, especially physical security, is at stake. Freedom from want refers to individuals' protection to satisfy their basic needs and the economic, social, and environmental aspects of life and livelihoods. Freedom from indignity refers to promoting an improved quality of life and enhancing human welfare, permitting people to make choices and seek opportunities that empower them. Because of the connections between poverty and insecurity, poverty is tackled as a determining influence on maintaining peace in countries that recently emerged from conflict. However, from a critical security studies perspective – and non-traditional security studies more broadly – is the concept of human security something which should be taken seriously? Does human security have anything significant to offer security studies? Both human security and critical security studies challenge the state-centric orthodoxy of conventional international security, based upon military defence of territory against 'external' threats. Both also challenge neorealist scholarship, and involve broadening and deepening the security agenda. Yet critical security studies have not engaged substantively with human security as a distinct approach to non-traditional security. (Newman, 2010)

This study indicates wartime programmed violence's implications within the liberal interpretation of contemporary legislative and human rights debates. The manuscript discusses related war theories and practices, problematizing instrumentalization of instilling new global ethics, arguing that humanitarian interventions often became "usable" in the new millennium's geopolitics; wars fatally affect the innocent. It points out that the origins of democracy are structurally violent and that the threat of terrorism, in addition to revealing new forms of "democratic violence," is having a transformative effect on the very character of democracy. How the concept of cause agrees with armed

humanitarian intervention, and do we have the right to impose democracy by force? Whether the theory of just war in its positivist-legalist paradigm that combines universalist principles with utilitarian harm-weighing versus profit can offer a comprehensive method of morally contemplating current wars.

Methodology

The study includes the theoretical and conceptual frameworks and uses general scientific methodology. The research relied on meta-analysis, analytical, historical-comparative, descriptive, and content analysis methods. The data acquisition method and the content analysis are related to numerous sources. The study included an in-depth theoretical literature review and examination of vast sources, such as primary documents (scientific and chronological media records).

1. Governing the wars; between theory, and practice

We know from experience that war is brutal, unjust, and cruel. At the same time, it remains a central problem in human history. These two facts are alarming and exist despite or even thanks to human character. Recent events on the world stage, Afghanistan, the Arab Spring, the Darfur crisis, the bombing of Madrid and London, and North Korea's threats, show that the human race is not getting smarter when resolving violent conflicts. The significant threat of terrorism poses new challenges and questions. Classic/traditional mass wars will decrease, and the battlefield may become a remote civilian zone. In modern times, the use of violence is the state's prerogative. How is Max Weber stating, "Only the state has the right to carry out violence." The institutionalization of violence began at the same time democratic institutions were established.

In addition to the realistic and pacifist, the theory of just war is one of the three basic war concepts. Just war theory views war as a purposeful activity subject to moral judgments like other human activity. Wars, therefore, are fought for various reasons, and only a few of them are once justified. A just war would then be a war that can be justified by applying the previously articulated norms, rules, and principles. A just war, Grotius thinks, is an instrument of retaliation or revenge for damaged rights, but only as a last resort: Engaging in it is driven by the inability to find another way to achieve peace. (Grotius, 2005) As such, a just war is not in conflict with either God's or with natural law (which is independent of God's law and draws its principles from reason), as well as with the law of nations, which includes a set of agreed rules which regulate conduct in war. Still, the war itself must meet specific criteria to be justified. Grotius deals with the issue jus ad Bellum, where it largely synthesizes what his predecessors have already said, offering all those reasons which they also stated to be valid as just reasons for war: self-defense,

the return of the abducted ownership, or collection of some debt, and punishment for previously caused damage which resulted from a violation of rights. In addition to a justifiable reason, war must be proportional to the bell's meaning. That means that the damage the war brings should not be greater than the benefits it produces. The ultimate goal of war should always be to achieve good or diminish evil. (Grotius, 2005) James Johnson, a historian of just war, believes that the theory's origin is classical Greco-Roman and even Christian values. (Johnson, 1981) We can find a starting point in Aristotle, Cicero, and Augustine. Many rules have evolved and, as such, entered into international codes relating to armed conflict. The UN, The Hague, and the Geneva Convention are just some international institutions that follow them. The tradition of just war theory undoubtedly influences and dominates the moral and legal discourses concerning war. The theory of just war can be divided into three parts: jus ad Bellum, which concerns justice in a war in general; jus in Bello, concerning justice in the war after it has begun; and jus post-Bellum, concerning justice in a war in the final phase of the war, upon completion. According to the realistic tradition of understanding interstate relations (from Thucydides to today), it is inappropriate to ask for war justice.

Modern theorists of just war speak of one reason, resistance to aggression. Aggression is armed force and an attack on one's fundamental rights. The fundamental rights of two types of entities are in force here: state rights and the rights of its citizens. International law confirms that states have many rights, primarily political sovereignty, and territorial integrity. An example of aggression is Germany's attack on Poland in 1939 and Iraq's on Kuwait in 1990, where the aggressor used armed force to overthrow its government, occupy territory, and establish its own rule. The attacked state has the right to a violent response to defense; it must stop the violent aggressor. The state has this duty because it needs to defend its population's rights; after all, the government is established to ensure its fundamental rights. If the state is equal to that, it is legitimate; if not, it has no right or reason to exist. From a moral standpoint, only legitimate governments have the right to go to war. The legitimate government theory must have a foundation for just war, as Thomas Aquinas observed well. (Reichberg, 2010) This connection to legitimacy is consistent with war's perspective: a violent conflict over how an area will be governed. There are three essential criteria for a legitimate government based on international law. The state has the right to rule and peace if all conditions are met. First, the state is recognized as legitimate by its people and the international community. The state, secondly, must avoid violating the rights of other legitimate states. In particular, legitimate states do not carry out aggression against other societies.

According to the practice of theories of just action (from Aurelie Augustine to the present day), it is necessary - according to ethical criteria - to differentiate

the only from the unjust wars. One approach focuses on principles rather than rules, emphasizing that laws and ethics should be considered together rather than separately. On whether war has changed so much that new principles are needed, it must be said that the tradition of just war provides an appropriate ethical framework. It is a strategically hazardous idea for the world to experience an entirely new form of war that requires different ethical principles. After all, the tradition of just war has adapted to geopolitical conditions and military technology changes for centuries. Applying traditional principles is undoubtedly challenging, but that does not mean they should be abandoned. (Metz and Cuccia, 2011) Traditional standards of war implementation, differentiation, and proportionality remain essential. They can also be applied to "war between the people" without removing the principles. Advanced nations must ensure that understanding the principles is spread at warfare's operational and tactical levels. Besides, realism provides a skeptical view of applying the moral concept to war. Moreover, the realists claim that only power and national security motivated states during the war period.

The jus ad Bellum and jus in Bello concepts were absent in the Romance and scholastic traditions. They were unknown to the civil code of the Middle Ages, as well as to international law. There was no division into two types of rules, ad Bellum and the other in Bello. Finding the terms jus ad Bellum and Jus in Bello before 1930 is challenging. None were mentioned during 1899 and 1907 at the Peace Conference, at which the laws of war were codified. During war research, the term jus ad Bellum was used in 1928 and 1931. The term itself gains in value only thanks to the Vienna School. Josef Kunz was one of the first to use these terms, who probably "coined" them. The terms were first published in an article in 1934 and then in a book in 1935. (Kunz, 1951) Alfred Verdross used the terms in the same sense as Kunz in his book on International law. Robert Regout also uses both terms in his book on just war doctrine. (Regout, 1935)

Nevertheless, no term in that period was published in any significant journalistic papers or appeared in any courses on war and peace at the Hague Academy of International Law or any other academy. After World War II, the terms began to be used en masse when Paul Guggenheim, a student at the Vienna School, used the terms jus in Bello and ad in Bello in the first significant international agreement postwar period. In works created under Guggenheim's leadership, published in 1956, Kotzsch takes them for granted as terms in wide use. As we can see, some ideas of a just war existed in ancient times, but today's terminology appears relatively late, only in the Middle of the last century.

The jus ad Bellum rules primarily apply to the country's political leaders since they are the ones who inaugurate wars, commence armies, and other jus ad Bellum principles. If they fail, then they have committed a war crime. According to Nuremberg prosecutors, an aggressive leader who starts an unjust war has committed a crime against peace. What constitutes a just or unjust war is determined by the rules of jus ad Bellum. A just and justifiable reason is the most important rule determining everything. A state can launch an attack only for the right reason. It includes self-defense against external attacks, defending others from the same events, and protecting the innocent from brutal, aggressive state systems. The symmetry of war refers to its characteristic, which is the basis of division jus ad Bellum and Jus in Bello.

The war cannot be just for both sides, but both sides can lead the war just way. Symmetrical wars imply mutual respect and reciprocity between warring parties, prima facie the moral equality of soldiers, and, among other things, the immunity of civilians on both sides. However, modern wars are often asymmetric armed conflicts in which victory no longer plays neither a constitutive nor a regulatory role and, therefore, one can no longer speak of a clearly defined winning and losing side. They are usually conducted outside their territory, and their goal is to "win the heart and minds," precisely those people or peoples on whose territory the war is being waged. (Babic, 2014) On the one hand, the difference between such political goals that go beyond the limits of the morally permissible and aspire to a kind of imperialism and paternalism and, on the other hand, clearly defined military goals is becoming pronounced in contemporary conflicts. Modern wars almost certainly result from a short-lived truce, not from a long-lasting peace, which violates the separate dichotomy of the state of war and peace: constant war, paradoxically, becomes a component of peace, and peace increasingly resembles a state of war.

Ethics has nothing to do with the cruel world of global politics, where only the strong survive. The states should pursue vital interests in security, influence over others, and economic growth, not moral ideals. The existing ethics has deep roots in the West, developed from the Roman and early Christian traditions. The laws of war arose after the Reformation and religious wars in the 16th and 17th centuries. Grotius, the father of modern international law, sought sources of principles outside religion to bridge the doctrinal differences between Protestantism and Catholicism. He found them in nations' common PracticePractice (international customary law) and all people's natural laws. It is a "stopped shot" of an evolving phenomenon. When significant changes occur, the insignificant ones that make that change must catch up. Such is the situation today. The Westphalian legal system created at the end of the Thirty Years' War (1648) stands on stability while respecting sovereignty. It regulated only the use of force between states. Over time, it became more restrictive

about the legitimate use of force, culminating in the Kellogg-Briand Pact of 1928, limiting force to self-defense. Then, as internal conflicts overcame international wars as the primary source of violence in the global security system, this legal framework became less relevant. However, the 9/11 attack was a destructive knell to the Westphalian - Kellogg-Briand system, demonstrating the appearance and ability of non-state players. Hence, the state-centric legal framework needed to be revised. However, the recent proliferation of non-state antagonists, minor bound by these laws and conventions, and the global challenges to the dominance of Western norms and rules have made the rights and alliance regime ineffective despite its impressiveness. Moreover, the best legal system means little if continuously ignored.

Furthermore, new participants in the war, e.g., private military and security companies and new technologies such as uncrewed aerial vehicles, robots, and non-lethal weapons, are testing a traditional Western legal and allied system of conventional nation-state warfare. The social-political arrangement in which we live, despite the occurrence of numerous supranational actors, is predominantly based on nation-states. It is a heritage 17th century, and the so-called Westphalia world order is compatible with international relations perspectives in which states are a vital source of power and are the only significant actor on the international scene. (Hadžić, 2020) Furthermore, whether traditional norms and laws need only be adapted or a comprehensive revision is needed to approach a war that disfigures states and non-state entities by predominantly unconventional methods.

Pacifists are happy to apply the moral concept and consider it necessary for international disputes. The question of the possibility of justifying an act of war is fundamental. However, the result of such a normative application is always that such action must not be taken. Where the theory of just war is lenient and allows war, pacifism is always against it. For pacifists, war is always wrong, and there is always some better solution to the problem. The theory of just war is one of the most influential theories on the ethics of war. The greats discussed and advocated this theory: Aurelie Augustine, Thomas Aquinas, Hugo Grotius, Suarez, and Wattel. Many consider Augustine also the originator of the just war theory unjustifiably. A. Augustine's questions dealt with justifying war and fighters' participation in the war on the just side. Namely, he tries to justify Christians' participation in the ongoing wars and afterward in The state of God and to reconcile the demands of the Christian faith with earthly limitations. According to Augustine, war is necessary in our imperfect world - a tool whose only goal is peace. All those who participate in the war are equally striving for peace: "Just as there is no one who does not want to rejoice, there is no one who does not want peace. Consequently, wars are fought in the name of peace. It follows that peace is a desirable goal of war

because every man, even at war, s for peace, while no one makes peace, does not strive for war." (Augustin, 2004) The UN Charter prohibits any unilateral use of force, except its use to suppress aggression, i.e., forces used for self-defense within the framework of Article 51. The principle of non-intervention and state sovereignty respect are two supreme norms that form international rights. According to the international community's official documents, the armed conflict, which is not multilateral and not ratified by the UN Security Council, is rejected as illegal and illegitimate. At this point, the legal codification of the just war theory criteria differs from the moral paradigm. Its overriding purpose is to enable actions and operations that are morally problematic (but sometimes necessary) by limiting their conditions and regulating their behavior. (Walzer, 2006)

Legitimate states must make every reasonable effort to satisfy their citizens' human rights, especially those concerned with life and liberty. States that do not meet these criteria do not have the right to rule or go to war. We can speak of legitimate or minimal states that meet these criteria. It is essential to discuss these rights because they give the state moral legitimacy; they show us why responding to aggression with violence is justified. Justice in a civil war, where there is no classic border crossing between countries and various factions fighting around one state, is also illuminated by these rules. Questions; which side has at least minimal justice and is defending itself, or seeking independence, helping which side should be chosen? The state must intend to wage war only for a just reason. Having a real reason to go to war is not enough: the motivation to go to war must also be morally appropriate. Other motives, such as power or alienation of the country, and irrational such as ethnic hatred, are excluded. The only real intention within a just cause can bring justice to war. With every other reason comes moral depravity. International law does not include this rule because it is difficult to prove the state's intent to attack. A state can go to war only if the decision is made by a legitimate authority, by a proper process, and made public with the knowledge of the people and the enemy state. Legitimate authority is usually specified in the constitution of that country. Countries that do not have minimum legality requirements do not even have the legitimacy to go to war. As a last resort, states can go to war only when they have exhausted all peaceful alternatives to resolving the conflict, especially negotiations at the diplomatic level.

The UN Charter requires all states to respect the sovereignty of other states and leave the possibility of intervention to achieve and maintain peace and eliminate security threats. However, international law only provides a clear answer to some questions. A dilemma between the legitimacy and legality of humanitarian interventions remains a subject of many debates. Suppose one has to choose between protecting human rights, preventing human casualties and suffering, and human lives, or waiting for the sluggish bureaucratic

apparatus of the UN dependent on the political interest for humanitarian intervention to be legal by international law. When one wants to declare war, one must be sure that it is the final practical and reasonable solution to resist aggression effectively. The theory of just war in its present form makes it possible to justify other "defenses" as well lately and preventive attacks as justified acts of defense. This tendency considerably diminishes the critical potential of just war theory. It is perhaps best seen in Volzer's book "Arguing About War," where he declares the war in Afghanistan and the military intervention in Kosovo as examples of just war theory's triumph. (Walzer, 2006)

On the contrary, these actions and the preventive war in Iraq call into question the survival of the just war theory as a reference framework for assessing the morality of war. However, what is the relation between the theory of just war in its positivist-legalist paradigm that combines universalist principles with utilitarian harm-weighing versus profit? This discourse might offer a comprehensive way of morally contemplating modern wars. Moreover, from different critical perspectives, Peacebuilding has been seen as a Western-driven strategy that fundamentally serves Western interests, whether as a form of control, discipline, extraction, or even a new form of imperialism. (Richmond, 2010)

The logic of such a theory must make it impossible to justify aggressor wars, such as those that defend the arguments of the necessity of regime change and preventive attacks, as a justified defense. It should enable us to return the concept of war to its original framework as a practice with limited political and military goals and serves primarily to restore peace. An attack can be justified if the danger is immediate and the threat is direct, and therefore the attack is immediate. The condition of maintaining the criterion of justification of war defined in this way implies the responsibility of the "strong" to react only in cases of preventing greater evil and not whenever there is a possibility for the spread of good. (Babic, 2016) Emphasizing the criterion of cause, which is, in a sense, the supreme principle, does not diminish the importance of other criteria jus ad Bellum.

A state that produces systemic rationality of the mentioned type in war situations is freed from the assumed relations for "higher goals." The linguistic reflection of such an attitude is universal, and it inaugurates an impersonal necessity, as evidenced by statements such as: "Such were the times, it could not have been otherwise." They are left with the Great Court of History as a consolation prize they would gladly give up, but they are also denied that act. In the Oxford Handbook of Levinas, Joshua Shaw asked whether individual beings also leave their truth to something that is everything, in which their appearance disappears. (Shaw, 2019). According to Tugendhat, violence does not show its sharpness in "hurting and destroying" as interrupting personality

continuity. This interruption continues that the participants in the war themselves are forced to betray their obligations and their substance, forcing them to perform acts that destroy every possibility of an act (Tugendhat, 1976). Some justly "valorize" all the survivors' anxieties, fears, and torments are not comforting because there are many those for whom such satisfaction comes too late. On the opposing views of globalization's social democratic critiques but still retaining a left-wing political position, there are liberal cosmopolitan arguments that globalization fosters democracy. Giorgio Agamben notes that the term "world civil war" appeared in the same year, 1961, in Arendt's On the Revolution and C. Schmitt's Theory of the Partisans. (Agamben, 2005)

We do not want to suggest that these authors do not criticize modern forms of globalization because they certainly do, especially in highly unregulated global capital activities. However, these are not arguments against capitalist globalization but for better institutional and political regulation. These arguments generally emphasize that globalization brings favorable economic and political terms and means to resolve the global state of war. In addition to bringing more significant economic development to globalization, their vision is that it also carries excellent democratic potential primarily because of the relative freedom from the rule of nation-states - and it is in this regard that the distinction between their views and social democratic ones is most apparent. Finally, any humanitarian intervention carries specific geopolitical implications, leaving short-term or long-term political and social consequences in the state in which it was carried out. Against the reality of US unilateral action, multilateralism is the primary method of cosmopolitan politics, and the UN is its most robust instrument. We could marginalize those who argue "that the US cannot go it alone and share some multilateral agreement with its global power and responsibility with other great powers to maintain the global order." (Hobbes, 2019) During the Trump presidency, the Israeli embassy was moved from Tel Aviv to Jerusalem. The Middle East countries can be divided into two groups, the allies (Turkey, Israel, and the Gulf countries) and the opponents of the US (Iran, to some extent, Syria, and Lebanon). The US protects its interests and allies in the Middle East, which are also major oil producers (except for Israel, which the US protects for other reasons). The US's most significant interest in the Middle East is the uninterrupted oil export and US oil supply. However, the variable most commonly tied to US energy security is dependence. The argument is that greater reliance on imported oil decreases US security. This dependence leaves the US vulnerable to ºuctuations in oil supplies, which drive up the price of oil and hurt the US economy. (Glaser, 2013)

Furthermore, as significant oil consumers, both European countries and Japan (Sönnichsen, 2021) have interests in the Middle East, and oil will continue to be the main export product of the Middle East. The territories' traditional

geopolitical issues also shape relations in the Middle East and North Africa. The regional order in the Middle East is not significantly structured, and there is no collective security system (Jones, 2020). Several countries in the region have more significant influence than others as Turkey and Iran, regional powers. The second group of subregional powers includes Israel and Saudi Arabia. (Harrison, 2021) Other countries must seek peace and security in cooperation with these countries or the US because the concept of neutrality in the Middle East cannot be animated. The security system in North Africa is not efficient as well. Egypt is a dominant regional power, given its population and geopolitical position. Algeria and Morocco (an essential ally of the US) could become subregional powers. Russia is the largest country globally with a second nuclear potential and is physically present in 1/3 of Eurasia. From this fact arises the importance of Russia in Eurasia. The Western policies are content when Russia is not acting in Eurasia but dealing with itself and its relations with the US and, to some extent, Europe. Turkey and Russia have been embroiled in numerous conflicts in Syria, Iraq, and Libya.

Many economic sanctions documented the devastating effects of pressure on civilians but wholly accepted them. Woodrow Wilson maintained that if "thoughtful men have (...) thought, and thought truly, that war is barbarous, (...) the boycott is an infinitely more terrible instrument of war." William Forster, a British blockade administrator, and devoted internationalist, revealed that during the Great War, "we tried, just as the Germans tried, to make our enemies force that their children should be born; we tried to obtain about such a state of destitution that those children if born at all, should be born dead." Internationalists were exceedingly open about this horrible actuality for a good reason. By spelling out the atrocity of enforced deprivation, they hoped to dissuade revisionist states from even thinking about questioning the Versailles order. Fear of being blocked would keep the peace. The initial intention behind making the economic weapon was thus not to use it. To interwar internationalists, economic sanctions were a form of deterrence, prefiguring nuclear plans during the Cold War. Of course, sanctions were not nearly as immediately destructive as nuclear weapons. Nevertheless, for anyone living in the pre-nuclear decades of the early twentieth century, they raised a frightening prospect. A nation put under comprehensive blockade was on the road to social destruction. The experience of material solitariness left its mark on society for decades afterward, as the effects of poor health, starvation, and malnutrition were transmitted to unborn generations. Weakened mothers gave birth to underdeveloped and undersized children. The economic weapon thereby cast a long-lasting socio-economic and biological gloom over targeted societies, not unlike radioactive fallout. Feminist politicians and academicians recognized this during the Great War, and many sought a vigorous campaign against the economic weapon's targeting of civilians. The women's activity played an active role in

the international history of sanctions, mainly opposing and intervening in their force—although sometimes sustaining them as preferable to war. (Mulder, 2022)

Hybrid wars and conflicts entail the fusion of conventional and unconventional instruments of power. These mechanisms are blended to exploit an opponent's vulnerabilities. The objective is to achieve synergistic consequences. Nevertheless, unfortunately, the citizens carry the most severe consequences. Numerous wars (e.g., Syria, Lybia, Afghanistan, Iraq, Yugoslavia) demonstrate adverse effects in human, economic, social, and political losses regardless of the objectives of conflicting parties. Dayton Peace Accords did stop the B&H war. However, it created a dysfunctional and highly fragile B&H, leaving many conscious and deliberate ambiguities, including some retrograde solutions. After the devastating war, B&H became a country of constant secessionism campaigns and hybrid wars. The year 2021/2022 in B&H was profoundly divided and faced the most significant political crisis since the signing of the Dayton Peace Accords. It included war rhetorics, army appearances, a total blockade of state institutions, and absolute country collapse.

The crisis condition and hybrid conflict persisted in B&H, fearing minor or significant consequences and escalation. The threefold ethnonational values protection (i.e., Bosniaks-Muslims, Serbs-Orthodox, Croats-Catholics in B&H) is like a non-aggression pact, as a social contract implies the totalization of exclusivity, abolishing politics between inclusion and exclusion. (Hadzic, 2020) The Western Balkan's national leaders within the socio-economic and political interests accompany the constant production of antagonism, national endangerment - the concept of "national value protection," historical revisionism, parallel memory politics, fascism, and unresolved territorial status issues. Wars were suitable grounds for the proliferation of corruption and immorality, favored by the dense and strong ties of the military, political, criminal, and commercial structures and the establishment of the structural factors of nepotism. It created socio-economic injustice. The foundation becomes a magnetic element keeping the countries within the mutual consolidation of ethnonationalism, fear of others, and social injustice, with the highest economic migrations and adverse socioeconomics almost 30 years after the Yugoslav wars. Croatia, an EU and NATO member and country with the highest GDP in the Western Balkans, and its national policies have caused the most extensive exodus of the population, reducing the tax base and jeopardizing pension health systems. A recent study (2018) in Croatia, the only Western Balkans EU member, shows that the main reasons for mass emigration are "an unorganized country, highly corrupt state and political amorality." (Juric, 2018)

2. Human rights, human security, and global ethics

If realism is supposed to explain why states compete in a competitive anarchical system, human security could be making value judgments on whether this behavior is morally acceptable, judged against the outcomes for individuals and communities as states' content. The corpus of human rights has been widely used to achieve the desired geopolitical interests. Mass media are used for economic sanctions, hybrid warfare, and humanitarian military interventions. War often emerges as the essential instrument of instilling new global ethics, and war fatally affects innocent people in the Middle East and elsewhere in the world. The concept of international law has evolved from an instrument of promoting peace to an agent of violent realization of market relations and legitimizing the argument of force. The performative part is embodied in the Declaration of Human Rights and Freedoms in the concept and preservation of the international ethical order. (The Universal Declaration of Human Rights - UDHR) It would be constructive if the concept were not instrumentalized.

Nicholas Mulder argues that the struggle to create and use the weapon of sanctions profoundly shaped the interwar world. Thus, the design of the political and economic order. It marked the emergence of a new state of liberalism that worked through a technical and administrative apparatus of lawyers, diplomats, military experts, and economists. These officials' work, in wartime and after 1919, had far-reaching effects. In a period when European governments granted suffrage and extended welfare and social insurance, sanctions made them see other populations as suitable targets of coercive force. As a result, long-standing traditions, such as neutrality protection, civilian noncombatants, private property, and food supplies, were eroded or circumscribed.

Meanwhile, new practices arose, such as police action against attacker states and logistical assistance to the victims of aggression- it amounted to an effective and complicated transformation of the international system. (Mulder, 2022) Economic sanctions in contemporary wars and conflict-related international sanctions extremely harm civilians and children - their critical human security. Furthermore, human security is essential not as a tool for research and analysis but as a signifier of (traditional) political and moral values. Moreover, it should focus on social and economic issues because they affect the citizens. Besides, regarding critical security studies and "critical" human security, Newman (2010) explored the relationship between human security and critical security studies and considers why human security arguments – which privilege the individual as the referent of security analysis and seek to directly influence policy in this regard – have not made a significant impact in critical security studies. In particular, the author suggests that human security scholarship must go beyond its (mostly) uncritical

conceptual underpinnings if it is to make a lasting impact upon security studies, and this might be envisioned as Critical Human Security Studies.(Newman, 2010) Furthermore, despite liberal sensibility, the prior conceptualization of critical security does not provide a theoretical basis for challenging the former Yugoslavia countries. Then, (in)security of people depended on violently creating ethically and religiously clean territories.

Let us recall and review the US sanctions on Iran, its global geopolitical framework, and its consequences. They have brought economic devastation to Iran for years. President Donald Trump intensified them after Iran attacked an Iraqi base housing American soldiers in retaliation for the US's killing of Iranian military leader Qassem Soleimani. As a result, the local currency has lost two-thirds of its worth. That means imported medicine to hospitals and pharmacies has become prohibitively expensive or inaccessible. So Iranians turn to black marketers. The street dealers assure customers that theirs is the highest-quality medicine made in Europe. It is smuggled into Iran through Turkey and northern Iraq, they say. "You can check the bar code on the package to see its authenticity," one dealer said with the bravado of a merchant selling overpriced rugs. He pulls out a cell phone, calls his supplier, and announces the price of the chemotherapy medication MabThera. In 2013, during the Obama administration's imposition of severe sanctions on Iran before the nuclear agreement, black-market MabThera cost $70 per 100 ml dose. Now the dealer offered it for $140. Used to treat lymphocytic leukemia, it typically requires eight doses over weeks. It is unaffordable to all but the very rich in a country where the average wage is $1,245 monthly.

Moreover, the dealer alerts that the MabThera might not be available immediately. "I could not even get cough syrup for my baby," one citizen said. "It is getting difficult, and I sell the drugs." Since 2018 the Trump administration has pressed the Iranian economy, intending to force Iran's leaders to negotiate a new nuclear deal. Sanctions are not intended to harm ordinary people, according to Trump bureaucrats. "A big part of US- Iran strategy from the beginning is standing with the Iranian people instead of standing with the regime," said Brian Hook, the US spokesperson for Iran. (Erlich, 2020) Therefore, sanctions against Iran harm the human right to health, particularly for children. Civilians, including children, are harmed by economic sanctions. Therefore, the human rights policy should be international responsibility to ensure the entire human rights spectrum (e.g., the right to health). Critical medical (particularly children) and humanitarian goods must constitute a specific international responsibility to ensure the entire human rights spectrum (e.g., the right to health). The Right to Health is enshrined in international Human Rights Law. It states that the enjoyment of the highest attainable norm of health is one of the fundamental rights of every human being.

The primary goal of humanitarian intervention is to protect human rights and prevent a humanitarian catastrophe, but this "humanitarian" goal also has limitations. Regardless of the accepted concept of responsibility to protect, each unilateral humanitarian intervention without the consensus and consent of the Security Council sets a dangerous precedent that ignores the contract and customary international law. After 9/11, Bush's national security strategy sought to address changes in the global security system outside international law. It expanded the traditional concept of preventive and predictive defense. After 9/11, humanitarian interventions took the form of a war on terrorism that directly called into question the sovereignty of the so-called "Outlaws state." Ranking other countries according to their "willingness to respect human rights and religious freedoms," the US often unilateral (unilaterally) intervened in local conflicts by applying US laws extraterritorial in the territory of other states. In 2003, the CIA kidnapped the Imam of Milan, Abu Omar, and transported him to Egypt. Priest Abu Omar was tortured for alleged links to Islamists. Following the public protest, Italian courts indicted over 26 CIA agents and many others over the international scandal. (Donadio, 2009) Critics of the Bush doctrine generally supported Kant's categorical imperative, "Act only following the maxim you want to become universal law simultaneously," the Obama administration deviated from the Bush doctrine by taking more traditional positions of preventive self-defense. Slaughter argues that as true heirs to Wilson's idea, liberal internationalists reject the concept of violent democratization and think that "democratic processes and institutions should be liberalized where they already exist." (Ikenberry et al., 2009)

Moreover, we reject US military primacy, assuming that it a balance of power in favor of liberal democracies worldwide" (Ikenberry et al., 2009). However, the authors did not explain how the alleged commitment to "maintaining the balance of power" could be reconciled with the explicit liberal and Wilson's rejection of realistic conceptions of international relations based on the theory of balance of power. It can also be argued that symbolic constructions and theses, such as "conflict civilization" and the like, we are supposed to help the West (primarily the US and NATO), which after the fall of communism, found themselves in an identity crisis, to be defined by a new non-friends, or "new threats." Thus the former main enemy, communism, the USSR, as its personification, should be replaced by "the new enemy"- Islamic civilization.

Possessing rare natural resources such as oil, gas, minerals, uranium, gold, and diamonds is a vital economic and geopolitical interest. Numerous wars have been waged to conquer or preserve natural resources essential to a state. We also have numerous examples of such wars. Kuwait's Iraqi invasion and occupation triggered the Gulf War of the 1990s between Iraq and the US-led coalition of Western countries to conquer oil fields. The rebels traded in diamonds and procured weapons from that profit in conflicts of interest in

many parts of Africa: Liberia, Angola, and Sierra Leone. However, even in ancient times, Aristotle placed war in the economic practice of acquiring goods. There are numerous conflicts in the world in which the cause is the ideology of a particular social group, nation, or state. We can define it as a conflict of political ideas; ideals emphasize one's view of the world by expressing one's interests and encouraging that group to achieve various political goals, conquest, or preserve political power. Thus, examples of wars have arisen due to cultural, religious, or ideological intolerance between certain social groups or states. Some of these wars are the Crusades. Wars waged between Christians and Muslims intended to liberate the Holy Land from Muslims. It was the Spanish Civil War in which battles were fought against the revolt of right-wing fascists and nationalists. The opposing interests that individuals and groups seek to realize are considered the root of all social conflicts. Interests are also the main drivers of conflict because different social groups take "actions" to accomplish them.

In the book Violent Democracy, Daniel Ross (2009) examines how democracies deal with a potentially endless war on terror. (Ross, 2009) We can problematize that the origins and heart of democracy are fundamentally violent and that the threat of a terrorist attack reveals new forms of 'democratic violence' and could transform the very character of the democracies. Paul Gilroy (2005) points out that continuers of the imperial and colonial past, Western powers, have militarized globalization processes and continue to shape the world's underdeveloped parts. (Gilroy, 2005) However, do we have the right to bring democracy to others by force? While it would be difficult to assess what impression the Libyan war ultimately left on the Arab-Islamic public, it could not be quickly put in a crusader-oil-imperialist framework, as the Libyan regime was convinced. Immediately after the terrorist attacks, the ruling party called for "national unity," the aim of such statements obscure class differences and divide the working class on national, ethnic, and religious grounds. It diverted attention from the struggle at the heart of capitalism and imperialism as his stage. We can problematize moments that need to be analyzed in more detail. When European and US ruling classes talk about terrorist attacks through some binary opposition of civilization to barbarism, they hypocritically obscure the context of these attacks and their specific causes, thus giving the impression that these attacks are products of some abstract (non) civilizational values.

The very concept of human rights is liberal and Western, and it incorporates the understanding of human rights (law) and the freedoms of the Western Enlightenment. It has right established as a general category, utterly separate from the actual existence of society and its specifics, peculiarities, traditions, and culture. Violent imposition of Western culture and norms through soft power or intervention leads to conflict. This ideology is the basis for Western

interventionism towards other countries and their affairs, which do not have any ties with the West. For example, the ideology of human rights was imposed on Russia after the collapse of the Soviet Union and is reflected in the new Russian legislation. The conflict in Angola, simmering for decades during the second hunting of the 20th century, is a characteristic example of the geopolitical use of one space through the struggle for freedom and the realization of desired human rights. (Hironaka, 2008)

A similar geopolitical conflict of regional actors occurs today in Yemen (conflict between Iran and Saudi Arabia). Human Rights Watch, a human rights organization, asked that Saudi Arabia be suspended from the UN Human Rights Council to implement Yemen's military campaign. In a report, they point out that Saudi Arabia committed "brutal and systematic human rights violations" in the UN Human Rights Council in two and a half years. Saudi Arabia abused its position and stopped independent investigations and criticism about how it started Yemen. The statement also cites human rights violations in Saudi Arabia, including the imprisonment of dissidents and discrimination against immigrant workers, women, and Shiite minorities. The wave of executions in Saudi Arabia has intensified. (Human Rights Watch, 2019) In 2018, Saudi journalist Khashoggi was killed at the Saudi embassy in Istanbul. In politics, nothing happens "accidentally" - the Arab Spring. The long-term effect of the Arab Spring is the most significant global refugee crisis since World War II, with its sociopolitical, economic, and human rights consequences. The human rights situation in Israel is also under media attention (illegally detained Palestinians).

The mass media prepared the ground for potential political and military actions by promoting universal human rights and freedoms norms and focusing on those who do not adhere to them. Geopolitical changes and the Great Powers, under their particular interests, affect human rights as a reason for interventions in other countries. Interventions of this type are often contrary to international law and the UN Charter. However, it arises in a complete socio-economic and political vacuum. Of course, such statements and obscurations are no coincidence. They often divert attention from the very concrete policies of US and European imperialism in the Middle East and Africa, which have created the conditions for the proliferation of reactionary fundamentalist terrorist groups. The practice of humanitarian interventions was based on protecting human rights (For example, Somalia, 1993; Haiti, 1994; Bosnia & Herzegovina, 1995; Serbia & Montenegro, 1999), after which human rights often became "usable" in the geopolitics of the new millennium. The conflict is never one-sided. It is a sum of intertwined causes from the geostrategic position and zone of influence between power centers to energy, natural resources, mineral resources, terrorism, and political and nationalist ideas. Humanitarian interventions have had long-term consequences on the

geopolitical picture of the Balkans and are visible even after 30 years. A comprehensive package of measures that includes more than just military intervention is needed. It is confirmed by the report of the Responsibility to Protect stating that funds should be provided for a more extended period to ensure reconstruction. (International Development Research Centre, 2001) Therefore, the new "humanitarianism" shifts the focus from saving lives to supporting social processes influencing political circumstances.

If we examine military interventions' political and economic consequences, it is estimated that opium production in Afghanistan increased from 8,000 hectares in 2001 to 200,000 hectares in 2017. So, since NATO invaded Afghanistan, opium poppy production has increased as much as 25 times. (The Kaiser Foundation, 2016) For the necessity of armed response and legal and economical, the humanitarian reasons for protecting the civilian population from the crimes of Iraqis in 1991 were emphasized. One of the most famous stories of this type is the story of dead Kuwaiti babies: presented as a nurse who stated that Iraqi soldiers broke into the hospital in Kuwait where she worked, took newborn babies out of the incubator, and threw them in the floor, and the babies died - as many as 312 of them ". This young girl's testimony caused shock and significantly contributed to public opinion formation in the United States and beyond military action support. Then-President Bush mentioned this testimony more than 30 times in public appearances. Only nine months after Operation Desert Storm expelled Iraqis from Kuwait, the truth about this case and the young Kuwaiti woman's identity was revealed. The girl was not a nurse but the daughter of the Kuwaiti ambassador to Washington, and she did not come directly from Kuwait but stayed in the US continuously for several years. There was no eyewitness, nor were there any babies killed in such a form. The narrative represented the great propaganda success of public relations firm Hill and Knowlton, which received $ 12 million over several months of operation. (Mcarthur, 1992) The military intervention in Libya in 2011 was launched by the Western coalition led by the US, UK, and France after the UN Security Council passed Resolution 1973. In the book Myths, Lies, and Oil Wars, W. Engdahl sees the "humanitarian" war in Libya as a de facto act of neocolonialism, intending to change the regime forcibly and violate the fundamental norms of international law. The author states that the Libyan case attempts to introduce a threatening model of the Responsibility to Protect as a new standard in international security studies and human rights framework. Thus, the justification for using force in Libya is based on the priority of human rights protection. (Engdahl, 2012)

We can problematize the hypocritical form of realpolitik and the political behavior of some of the ruling classes. It is reflected in the ambivalence towards certain fundamentalist terrorist groups, with them sometimes

directly participating in the financing and training of such organizations. Consequently, it represents a directive for broad geopolitical interests. The fall of Gaddafi does not mean long-term peace for Libya, and NATO presence is still preferable. However, the rebels do not want foreign security forces in the country, especially Western ones. In the media, wars in the Middle East are often reduced exclusively to oil, (anti) imperialism, or religion. Reading the Middle Eastern wars as one great war - divided into various versions - goes beyond simplified interpretations. The common denominator would be that the Middle East has become a global tester of sovereignty concepts. We can open the thesis that justice must go hand in hand with morality, i.e., "decent" behavior. Western practices abundantly and violate just as much in many Middle Eastern countries.

What characterizes interethnic and interfaith conflicts in general? Are the Middle East and Southeast Europe an issue of "hatred of small differences? Because the more significant the closeness (linguistic, genetic, ethnic, cultural), the stronger the animosity and conflict among such communities. As characteristic examples, we can list the area of Palestine, Ukraine, and the Balkans. These minor differences (linguistic, religious, character, cultural) intentionally and purposefully deepen from the geopolitical centers of power. According to the form "divide and rule." Crisis hotspots are being created as the geopolitical centers of peace and broader economic and political reforms, imposing new cultural patterns and the desired corpus of human rights. Local norms often conflict with Western ones within intercultural conflicts, which can negatively affect troops. Besides, Western foreign policy often focuses on other countries' laws and institutions rather than on their culture, especially political cultures. The idea in the UN Charter and the Universal Declaration of Human Rights that ethical convergence leads to the global acceptance of Western liberal ideas does not reflect reality. The conflict between al Qaeda and the West resists this idea. Nevertheless, it still represents the legal and ethical framework for war.

The tendency is to argue that military effectiveness's strategic success requires staying within restrictive rules of action and trying to win the information war by disseminating the truth (assuming what the military says is an ethical issue and what it does). It is assumed that it was previously confirmed but requires careful study and discussion that has yet to take place. This lack of analysis reflects a long-standing feature of the Western approach to strategy, which, without debate, presupposes that the idea ultimately wins the free market's truth. The free market is a universal paradigm for political, economic, and informational social interaction with the West. (Metz and Cuccia, 2011) However, in information warfare, there is no free market of ideas. Extremists have no problem distorting the truth by choosing topics and parables based solely on strategic and tactical effects rather than ethics. In cultures that

support violent extremism, the truth usually has an affinity element rather than objective judgment. The audience's affinity partly defines the truth for the person making a claim or telling the parable. People are more likely to have confidence in similar ethnic, sectarian, racial, or tribal reasons. US troops in Iraq often encountered it. A "solid" truth sometimes has a more negligible effect than a non-factual explanation of someone whose target audience has an inherent affinity.

It is plausible to ask why the international community, as responsible, did nothing to prevent tragic situations, mainly because wars are complex processes whose symptoms are transparent enough for such short-sightedness as the so-called international community. Hasn't anyone noticed the German war preparations since 1934 or anticipated the annexation of Czechoslovakia, the war in Cambodia, Laos, Vietnam, and Cyprus's occupation, and the breakup of Yugoslavia? The logical answer would have been (logical, thus means the same as synoptic) had it been political assessment and discrepancy of interests. The rule of the moral equality of all denies the right to favor either side. Thus, the truth appears as "excess" in power." (Peters and Besley, 2014) The force that emanates meaning is similar to the argument of a snake swallowing its tail.

After the Cold War, millions of civilians died in violent conflicts, and tens of millions were displaced and brought to deprivation and poverty. According to some estimates, over five million people died in this period; 95% were civilians. The new geopolitical climate has changed the character of conflicts in which wars are fought in the name of and for the benefit of other actors supported by powerful forces, such as terrorist groups and various revolutionary independence movements. These are often internal wars in which political and criminal violence is used to weaken the state. Given that we live in a period of constant and protracted conflict, this imposes the need for great powers to protect their interests and improve their security by deploying their instruments of power globally. It creates political pressure and uncertainty, and military, economic, and other fields of states are marked as victims. These types are trade wars, diplomatic blackmail, and special operations; conventional threats are slowly being overcome. Terrorism, cyber-attacks, and spy "games" are increasingly used. It is a period of civil wars and new so-called terrorist conflicts, cyber attacks in which the goal is not to destroy the enemy, i.e., of his armed formations then. The targets are often civilians.

The question also arises about how the concept of cause agrees with armed humanitarian intervention. When the state does not commit the aggression of crossing the border but brutally turns against its people, it starts massacres against many citizens. Such events occurred in Cambodia and Uganda in the

1970s, Rwanda in 1994, Serbia and Kosovo in 1998-1999, and Sudan / Darfur in 2004. The definition allows us to intervene on behalf of the victims and attack and overthrow such a regime. Because aggression occurs not only by crossing borders, it uses armed force against other people's fundamental human rights. Usually, in humanitarian interventions, the international community's armed forces are vital to effective resistance against the aggressors because the domestic population is primarily incapable or at least disadvantaged by the aggressors. Terrorists can also carry out aggression. There is nothing to rule out; they can also use armed force with the intent to violate someone else's rights. After such aggression, they renounced all non-aggression rights. Terrorists, even in most of their actions, commit aggression because terrorism uses sporadic violence properly chosen to maximize the effect, mainly used against civilians, with the desire to spread fear among the population, hoping that fear will accelerate some of their political or other demands.

There is a very indicative and well-known example of the Taliban and Osama bin Laden, who were supported and trained by the US authorities to fight the Soviet forces on Afghanistan's territory. Osama bin Laden also declared himself a freedom fighter in the 1980s by the US and British political elites. Later, due to changing circumstances, the same Taliban political elite and their self-supporting fundamentalism were used to justify actions that pushed their interests. Another example - is Kurdish fighters who die on the ground every day in the fight against ISIL terrorist fundamentalists and who succeed in that fight with their limited resources are not offered any help by hypocritical political elites from the West because it is not in their interest. The point is that while the ruling classes are lamenting and crying over some abstract 'European' and 'civilization' values, very concrete imperialist interests are at stake. They imply expansion into new markets and territories to exploit state political power and domination and manifest in several ways.

In some cases, imperialism is indicated in a formal-legal form (such as the contractual imposition of economic obligations). In contrast, it is expressed purely militarily (an example of this is the NATO alliance as an expression of this type of imperialism). Of course, regardless of the specifics, the imperialist policy's goal is to accumulate profits for the elites and expand the state's military and political power that enables this. It took almost three weeks from the start of the US-led Iraq invasion for millions of viewers to watch the collapse of Saddam Hussein's sculpture in Baghdad in front of small screens. Nevertheless, that image of April 9, 2003, entered the collective memory of humanity.

Nevertheless, even 18 years later, there are still many open questions. Thus, how many Iraqis were killed during the Iraq war and the chaos is not clarified. Estimates range between 150,000 and half a million dead. Some severe research comes up with much higher numbers.

In 2006, the prestigious medical journal Lancet calculated more than 650,000 additional deaths. In addition to the violent death, the research also included the consequences of bombing the destroyed infrastructure, schools, and health institutions. R. McGovern is a veteran who has worked for the CIA for 27 years, including in senior positions. In 2003, he and his colleagues from other secret services founded the Veterans Intelligence Professionals for Sanity (VIPS). DW (Deutsche Welle) stated: "The intelligence was not simply wrong, but was falsified." Despite further clear warnings that the veracity of Curveball's (code name) statements should be questioned, these statements became a significant part of Powell's recruitment for the war. (Hein, 2018)

Furthermore, without pretensions to comprehensively explain the war, re-examining the ethics of war endings in a just war theory is needed. Contemporary debates on the wars in Iraq and Afghanistan are illustrations that indicate the need to rethink an appropriate war ending. For Vivianne Jabri, Peacebuilding signals a much more profound transformation of the nature of war and the maintenance of international order where war and peace have an intimate and co-constitutive relationship. (Jabri, 2013) Rapid, unconditional withdrawal deprives the Afghan government of the leverage to negotiate a fair peace solution in Istanbul. There is a risk of destabilizing the country, increasing the likelihood of civil war and the return of terrorist groups. It is not the end of the war. It is just the end of its direct American phase. With the US withdrawal from Afghanistan in 2021, some of its episodes are genuinely reminiscent of the former events in Vietnam. Or some of the withdrawal of British and French military forces from Gallipoli in 1915.

It is crucial to view the terrorist attacks that have taken place in recent years, or the phenomenon of terrorism in general, through the prism of the moments mentioned in this text. The first is that these attacks do not occur in a vacuum, that they are not the product of some abstract 'civilization' differences, but are the product of concrete imperialist policies and their consequences. The second point is the least talked about - under the auspices of the 'war on terror,' a vast space is left for the ruling elites to implement all sorts of restrictive measures. These measures will surely break on the backs of various progressive movements. To endeavor to organize politically in the struggle against capitalism.

Suppose we observe the Israel – Palestine conflict; according to Amnesty International, various human rights groups and many video materials clearly showed that snipers "shot unarmed protesters, bystanders, journalists and medical staff approximately 150-400m from the fence in Gaza, where they did not pose any threat." (Reeve, 2019) The significant dilemma of Israel and Palestine's relationship is not exclusively religion or ideology but land and

territory. Thus, the Israel-Palestinian seventy-year conflict and question are essential for the international order. The just war concept challenges assessing the Palestinian-Israeli conflict's moral character and the field within the threat and violence in military occupations. They often fail to participate in that conflict's comprehensive mechanisms and ethical issues of control and power. These challenges demand new conceptualizations of its principles and appropriate behavior rules. Suppose we accept that Israel's main aim is to prevent further rocket attacks or terrorism and that killing civilians is non-intentional. However, it remains debatable. Moreover, the Israel-Palestinian issue is fundamental for global peace and stability.

Results and conclusion

States and substate groups have long sought to develop and implement rules to control war's destructiveness, formal or informal. It is functional when participants acknowledge and acquire the rules. The doctrine of "just war" application is questionable, and no new victim should suffer even when the goal of the intervention is entirely legitimate and "humane." The thesis of "just war," formulated by Augustine, which allowed people to judge the war's character, is disputable in the contemporary world. It cannot be just that it will exempt intervention forces from applying international humanitarian law, nor does the legitimacy of the intervention exempt them from respect for international humanitarian law. It applies to all humanitarian interventions, regardless of whether they take place with the consent of the United Nations. Those who intervene on behalf of the international community with armed forces to prevent serious human rights violations and ensure they must respect international humanitarian law. According to the realistic tradition of understanding interstate relations, it is inappropriate to ask for war justice.

In contrast, ethical criteria are necessary to differentiate the only from the unjust wars within the action theories. The distinction between liberal cosmopolitan arguments and social democratic ones is apparent. Shortly, we should look at waging (defending) a just war, of course, with a tendency to reduce finding aggressive solutions. Human rights theorists and practitioners should have been given a more significant role despite nation-states' power. We should gradually achieve a more peaceful coexistence of various religions, policies, and races globally by appealing to and introducing more just laws.

The arbitrariness and the imposition of individual states' views create issues, leading to fragility (human security, socioeconomics, economic development, health). When sales of medicines that improve the right to health and prevent suffering are halted in a country, and no equivalent alternative product is available - human rights are abused, particularly "the right to health." The compulsory international focus and responsibility should incorporate critical medical (particularly for children) - "the right to health" and humanitarian

goods. Moreover, human security principles privileging the individual as the referent of security analysis and seeking to influence policy directly have yet to impact critical security studies significantly.

Implementing rules to control war's destructiveness is less effective in intercultural conflicts. Ultimately, it is necessary to consider the challenges of intercultural conflicts when local norms conflict with Western ones. Many conflicts show the endangerment of promoting democracy in undemocratic transnational systems. Western policymakers would be more successful in promoting democracy globally without an explicit Western model and the humility to admit that they have often failed to meet their highest ideals. The fundamental value of liberal democracy is the power it gives individuals to choose their paths. The international law concept has evolved from an instrument of promoting peace to an agent of the violent argument of force realization. Ethics is often imposed as politics; human rights ethics transformed into war ethics, leading to human rights violations and civilian casualties. One may ask whether the necessity of universalization does not support human rights and why the context is lost sight. In the turbulence of war expressions, justice is often abandoned within globalization's contemporary forms, and the moral paradigm is questioned. The point is that contemporary warfare inflicts the most damage on those not engaging in military operations. Thus, the origins of the democratic warfare paradigm are structurally "democratically violent" and have a transformative effect on the sheer quality of democracy. It is not out of place to encourage thinking about the rules of war that are agile enough to operate in today's vague operational conditions. Creators of wars must consider the limitations of the rules on military effectiveness. Whether the damage the war brings is not greater than its benefits is debatable. Is it useful, and where is the moment of human rights and transitional justice? The rational analysis of illegitimate war processes can gradually open political spaces to distinguish between just and unjust forms of violence. War processes, particularly post/war transitional violence, can erode the fragile democratic regimes that continue to undermine the rule of law, justice, and respect for human rights in societies. In the war and post-war processes, the capacity to demonstrate control over violence leads to innocent civilian fatalities.

Current events in the Middle East suggest: to what extent are they the result of spontaneous democratization and humanitarian intervention processes, and to what extent are they internationally politicized? War can be an extension of politics by other means, behind politics in its globalism foundation. Only one of the potentials stands for powerful material interests; capital, profit, insurance of raw materials, energy, and markets. According to rules, organizations, and states, different means are used within specific political and economic strategies of interest, creating a controlled disorder

that affects civilians. The hypocritical geopolitical "realpolitik" often reflects the contemporary world's state, and latitude or longitude is irrelevant in this discourse. For most of modern Western history, people have accepted a liberal interpretation of the causes of war. It is time to examine this assumption and discuss whether the West can develop a more effective strategy with a completely different idea of the cause of war. A broader discussion of the assumptions of the universality of Western values that have driven international law for centuries is required. Further analysis of conceptual and strategic divisions about war is needed, defined as organized state violence for political purposes and other organized or semi-organized violence forms.

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