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## ABSTRACT

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**Superior Responsibilities Under International Criminal Law:  
Concurrence with Military Ethics**

*Prof. G.J. Alexander Knoops*

This article examines a particular and underdeveloped aspect of superior responsibility in international criminal cases, namely that of the ethical boundaries of the military decision of commanders vis-à-vis the application of the use of force and military operations. Apart from the legal determination of superior responsibility of military commanders, this ethical dimension can interfere with the former determination. How and to what level, is to be assessed in this article, thereby relying on jurisprudence from various courts.

**Keywords:** Superior responsibility, Ethical responsibility, Military commanders.

**Stakeholder Theory and the Logic of Value Concepts:  
Challenges for Contemporary International Law**

*Prof. Anja Matwijkiw*

*Prof. Bronik Matwijkiw*

Since the publication of R. Edward Freeman's *Strategic Management: A Stakeholder Approach* in 1984, applications of the stakeholder terminology, philosophy and methodology outside the context of business management have become commonplace. In this article, the two authors examine the adequacy of stakeholder theory for the purpose of making the leap from the original for-profit paradigm to contemporary international law, as set forth by the United Nations. The accomplishment of this objective is a piecemeal project – through systematic elaborations of complex concepts and issues. One challenge is to distill the essence of the general jurisprudence that matches the premises of, respectively, the narrow and broad stakeholder theory. Another challenge concerns the fact that while only the idealist version of the broad stakeholder theory is consistent with the norms under contemporary international law, the framework for the relevant rights and corresponding duties is not provided – but instead has to be added. This is also true of the values which are co-founders of rights, namely needs (as derived from humanity) and wants (as derived from autonomy). Remedying these deficiencies, the contrast with the narrow paradigm is ultimately through a concept of singular ethics that secures, as a minimum, rights-distributive justice. Given that Freeman lists terrorist groups on a par with all other stakeholder constituencies, the authors also endeavor to sketch the margins for legal and political legitimacy.

**Keywords:** International Law, Ethics, UN, Challenges, Legal Reforms.

**Globalization, Market Forces, and Democratic Values:  
Challenges and Dilemmas**

*Prof. Mahmood Monshipouri*

*Prof. Edward Lorenz*

*Prof. Sean Duffy*

The process of globalization of finance, trade, communications, information technology, and world politics contains both challenges and dilemmas. Furthermore, the process is riddled with unintended consequences. From Asian currency crisis (1997) to the current economic downturn (2008-present), the fear that the market collapse could suddenly become global has become a reality and the need for an early-warning system for deteriorating national finances has become an imperative. The costs and benefits of globalization are not equally distributed among and within nation-states, as the most vulnerable are likely to suffer unjustly. Some unconscionable human costs will accrue to those most vulnerable and least able to adjust to such changes. The world is headed for a period of de-globalization, facing increased international tensions, conflicts, and nationalist fervor. The competition between great powers—specifically the United States and China—will surely dominate the political scene in the twenty-first century, and governments will aggressively intervene in their national economies as state power grows. Many observers have appealed to a rights-based approach to poverty reduction in the context of global justice, suggesting that the best way to tackle poverty is by defining it in terms of human rights entitlements. This paper addresses the ethical dilemmas of globalization and liberalization by first examining the extent to which globalization jeopardizes the social ethics of protecting the most underprivileged, and then by focusing on the varied consequences of globalization. The significance of this project lies in its ability to demonstrate the perils of subjugating public policy to the market economy. This paper concludes by suggesting possible structural solutions to the mal-distribution of benefits and costs of globalization.

**Keywords:** Globalization, Ethics, Human Rights, Market Economics, Democracy.

**Post 9/11 Crises in the Middle East and Afghanistan:  
Iran's Perceptions and Role**

*Prof. Lubna Abid Ali*

In the Post-Cold War era structural change in the aftermath of 9/11 resulted in American “unilateral interventionism” with an unprecedented show of power. This is based on American foreign policy agenda being, initially directed by the neocons ideology, to deal frontally with issues like nuclear proliferation international terrorism, possession of oil wealth and protection of the state of Israel. However, the US invasion of Afghanistan 2001 and Iraq 2003 led to a rearrangement of regional policies in favour of Iran. The indisputable influence in Post-Taliban Afghanistan as well as Post-Saddam Iraq and having a strategic partnership with Syria, a central presence in Lebanon through Hezbollah have made Iran the most powerful actor in the region for the foreseeable future. This however, does not mean an inflexible Iranian position on key issues. A shift has occurred in Iran's foreign policy which is based on careful pragmatic consideration of its agenda. The central argument of this study is based on the empirical assumptions of neo-realism and the need to find a solution as Frances Fukuyama puts it “After the neocons”. To analyse the perception and role of Iran, and US we have taken insights from theories of neorealism and techniques of foreign policy analysis. The study is focused on the role of incipient political entities.

**Keywords:** 11 September, Iran, Neorealism, Foreign Policy, Middle East, Afghanistan.

## China's Development Aid to Africa

*Prof. George Klay Kieh, Jr.*

*Prof. Edward Lama Wonkeryor*

The article examines China's development aid to Africa. Specifically, it probes the nature and dynamics of Chinese aid, and its ramifications for Africa. In order to address the research problem, the article provides a historical account of China's engagement in Africa dating back to the "Cold War era." The central finding is that although African states derive some benefits from China's development aid, the relationship is an unequal one. This is because, on balance, China is getting more from Africa in terms of oil and other raw materials, and profits from investments, trade and the sale of weapons, compared to the infrastructural projects and cheap manufactured goods that African states are getting. As well, Chinese aid has adverse impact on political democratization and stability on the continent, because it is being used to prop up repressive regimes and to help fuel conflicts.

**Keywords:** China, Africa, Assistance, Relations, Politics, Regional Studies.

