

# HUMAN SECURITY, TWAIL, AND THE IMPORTANCE OF SELF-REFLECTION IN OUR OWN SCHOLARSHIP

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## I. INTRODUCTION

Reflecting on our work is an important practice that allows us to be more critical, and ultimately, improve as researchers. When we publish our outputs, we identify gaps in literature and regularly implore other scholars to pursue angles that could not fit within the confines of a single article. We encourage students to view published work with a critical eye, assessing its flaws, and some jurisdictions make regular use of ‘reflection papers’ for undergraduate and postgraduate courses alike. In addition, we regularly ask students to self-reflect on their learning, to identify the approaches they have used and how these have enhanced their experience and enriched their contributions to the course. But what about academics? Do we reflect enough on our scholarship?

Last year, I added a number of works from the school of thought known as Third World Approaches to International Law (TWAIL) to the reading list for my Public International Law course.<sup>1</sup> The aim was to build in more critique and encourage students to question the power structures of the international system. Drawing on the approach of Luis Eslava, I encouraged students to “engage more closely ‘with and against’ international law’s frames.”<sup>2</sup> At the tail end of the course, students studied critical approaches to international law in greater depth, drawing together the various approaches introduced throughout the year, including feminist, Marxist, and realist approaches. Providing

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1. The reading list included authors such as Antony Anghie, Sundhya Pahuja, Luis Eslava, Vasuki Nesiiah, and Mohammad Shahabuddin.

2. Luis Eslava, *The Teaching of (Another) International Law: Critical Realism and the Question of Agency and Structure*, 54 L. TCHR. 368, 384 (2020).

a space to break down what many textbooks suggest are the prevailing views in the discipline bore fruit, with students making insightful points from their own cultural backgrounds and lived experiences that we could all learn from.

Despite the value of reflection as a beneficial learning tool, scholars do not always take advantage of it. Often, we complete a project and move on to a new angle for our next publication, sometimes completely veering off on a new research trajectory. It can be difficult to find the time to reflect on the implications of our work, especially when juggling multiple ongoing projects. Perhaps for these reasons, we do not often see authors reflecting on their earlier scholarship.<sup>3</sup> Particularly for early career researchers and postgraduate students, reflection is an important process to grow and develop our thinking. By reflecting, we ultimately become better researchers and better teachers.

This piece reflects on an article I recently published in the *Indian Journal of International Law*.<sup>4</sup> That article frames the start of a discussion and suggests that the concept of ‘human security’ can be used to respond to the complex and interlinked world that underlies international law. New frameworks are needed in a globalized world to provide space for a range of actors to participate in the international system and counter cross-border issues. For example, human security can be used to achieve wider participation in a diverse array of security crises. In this article, I cast a fresh critical eye on my own work to draw out those aspects which would be of interest not only to TWAIL scholars, but also to any scholars interested in adding new perspectives to their research. I cannot profess to be an experienced TWAIL scholar, but the purposes of this piece are to a) demonstrate that we can all engage with critical approaches and b) highlight the benefits of self-reflection, which can enrich both our own work and the wider academic community.

## II. HUMAN SECURITY AND THE KALEIDOSCOPIIC WORLD

International law today faces challenges on several fronts. International norm fatigue and backlash have intensified with examples such as the U.S. withdrawal from the Trans-Pacific Partnership (TPP); the removal of Russia’s signature on the Rome Statute of the

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3. *But see* Martti Koskenniemi, *The Politics of International Law – 20 Years Later*, 20 EUR. J. INT’L L. 7 (2009) (reflecting on changes to the author’s thinking since the original publication of the author’s article 20 years prior).

4. Alexander Gilder, *International Law and Human Security in a Kaleidoscopic World*, 59 INDIAN J. INT’L L. 111 (2021).

International Criminal Court; the campaign by the African Union against the International Criminal Court, which led to high-profile cases of withdrawal and later rescinding of withdrawal from states including Burundi, the Gambia, and South Africa; the U.K. withdrawal from the European Union; and the U.S. withdrawal from the Paris Agreement in 2017.<sup>5</sup> Disengagement with the international system by some states stems from their dissatisfaction with international standard-setting, including skepticism surrounding the economic liberalization agendas of international financial institutions such as the World Trade Organization (WTO), and apprehension over increased Security Council activism.<sup>6</sup>

A concurrent challenge is how to meet the demands of a “kaleidoscopic” world. The kaleidoscopic world is an understanding of global affairs developed by Professor Edith Brown Weiss and placed at the center of her General Course at the Hague Academy of International Law in 2017.<sup>7</sup> In a kaleidoscopic world, the actors and coalitions that engage in the international system are constantly changing. Developments are swift and crises can appear and quickly cross borders amidst an ever-connected world linked through information technology.<sup>8</sup> Advocacy groups and coalitions can form on the internet nearly instantly and dissolve just as fast. In an instant, issues can trend on Twitter, bringing the concerns of a previously isolated community to global attention, just to disappear hours later. People from around the world, seeking to undermine the credibility of a crisis, can seize and coopt social media discourse. Those actors can easily and rapidly spread pernicious misinformation that threatens local communities.<sup>9</sup> Professor Brown Weiss stresses that change to the

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5. See, e.g., James Crawford, *The Current Political Discourse Concerning International Law*, 81 MOD. L. REV. 1, 7, 12, 15, 17 (2018) (discussing the U.S. withdrawal from TPP, Russia unsigned the Rome Statute, the African Union’s campaign against the ICC and subsequent withdrawal of multiple African countries, Brexit, and the U.S. withdrawal from the Paris Agreement).

6. See RICHARD COLLINS, *THE INSTITUTIONAL PROBLEM IN MODERN INTERNATIONAL LAW* 223 (2016) (discussing the legitimacy crises surrounding different international organisations).

7. EDITH BROWN WEISS, *ESTABLISHING NORMS IN A KALEIDOSCOPIC WORLD* (2020).

8. *Id.* at 27-31.

9. See Edith Brown Weiss, *The Emerging International System and Sustainable Development*, 1 INT’L REV. ENV’T. STRATEGIES 9, 11 (2000) (discussing the communication revolution as a result of the internet); Edith Brown Weiss, *International Law in a Kaleidoscopic World*, 1 ASIAN J. INT’L L. 21, 29-30 (2011) (discussing the critical need for information access, and the potential danger when information is used by actors with malevolent intentions). For example, see the use of WhatsApp in India to

system of international law is key amidst new bottom-up actors that are forming new relationships with states and international organizations.<sup>10</sup> States can no longer be the sole focus of international law.<sup>11</sup>

To meet the demands of a kaleidoscopic world, Professor Brown Weiss suggests that the international community needs “to ensure that international law reflects shared values that bind people together and that it provides processes that all regard as fair and as ensuring accountability by states, non-state actors, and the myriad of other actors, especially individuals.”<sup>12</sup> Similarly, the late Judge James Crawford has pointed out that international law will only survive if it manages to transform and develop over time.<sup>13</sup> In my earlier article, I suggest that participation of the kaleidoscopic world’s growing range of non-state actors—including individuals and civil society groups who are now more visible than ever—is crucial. The international system requires a new framework that can help accommodate those actors and refocus the attention of international actors toward inclusive decision-making processes.

Focusing on international peace and security, I suggest a framework based on the ever-contested concept of ‘human security.’<sup>14</sup> Human security seeks to respond to new interlinkages in peoples’ lives and allows international law to react to the changing demands of a kaleidoscopic world. Human security has two key elements: (1) it aims to shift the object of security from the state to the individual, giving the individual intrinsic value and placing the interests of the individual ahead of the state; and (2) it gives rise to a broader view of the causes of insecurity and acknowledges that many threats are interconnected and reinforcing.<sup>15</sup>

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spread misinformation, which has led to deaths and violent attacks since 2015, but notably peaked in 2018. Shakuntala Banaji & Ram Bhat, *WhatsApp Vigilantes: An exploration of Citizen Reception and Circulation of WhatsApp Misinformation Linked to Mob Violence in India*, LONDON SCH. ECON. & POL. SCI. <http://www.lse.ac.uk/media-and-communications/assets/documents/research/projects/WhatsApp-Misinformation-Report.pdf> (last viewed May 27, 2021).

10. BROWN WEISS (2020 ed.), *supra* note 7, at 30–1.

11. *Id.* at 38.

12. Brown Weiss (2011 ed.), *supra* note 9, at 32.

13. Crawford, *supra* note 5, at 22 (“Moreover, like any legal system, international law will only survive if it has the capacity to change and develop over time.”).

14. See, e.g., Taylor Owen, *Special Section: What is ‘Human Security’?* in 35 SEC. DIALOGUE 34–87 (2004) (discussing various views related to human security).

15. See Hitoshi Nasu, *Human Security and International Law*, in SEC. & INT’L L. 25, 29 (Mary E. Footer, Julia Schmidt, Nigel D. White & Lydia Davies-Bright eds., 2016)

The United Nations Development Programme (UNDP) first coined the phrase in their 1994 Human Development Report in an attempt to create a new method of viewing the needs of individuals, securitizing issues such as poverty, disease, and restrictions on political freedom in addition to threats of violent conflict.<sup>16</sup> Human security gained traction in the late-90s in states like Canada, Norway, and Japan, which incorporated varying understandings of the concept into their foreign policies.<sup>17</sup> Later in 2001, U.N. Secretary-General Kofi Annan created the Commission on Human Security, which published its *Human Security Now* Report in 2003.<sup>18</sup> The *Human Security Now* Report placed its focus on conflict and adopted a two-pronged approach based on protection and empowerment.

Mainly drawing on the *Human Security Now* Report, I suggest that human security is based upon five principles: (1) existing rights and norms; (2) a focus on the so-called “vital core,” where individuals identify their human security needs and communicate those needs to the international community; (3) a concern for vulnerability and building resilience; (4) preventative protection; and (5) the empowerment of people to act on their own behalf and implement solutions to security threats.<sup>19</sup>

Others have argued that human security discourse requires a change in values and approach for the international community and U.N. Security Council, but in actuality, the operationalization of human security provides a new avenue by which to advance existing values and goals of the international system and ensure that it serves the needs of

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(discussing how human security 1) shifts the referent objects from states to human beings, and 2) broadens the understanding of insecurity).

16. U.N. Development Programme, *Human Development Report 1994*, (1994).

17. See, e.g., *Human Security: Safety for People in a Changing World*, CAN. DEP'T FOREIGN AFF. & INT'L TRADE (Apr., 1999), <http://www.summit-americas.org/Canada/HumanSecurity-english.htm> (last viewed May 27, 2021); *Diplomatic Bluebook 1999: Japan's Diplomacy with Leadership Toward the New Century*, JAPAN MINISTRY FOREIGN AFF., <http://www.mofa.go.jp/policy/other/bluebook/1999/index.html> (last viewed May 27, 2021), Chapter 2(3); Astri Suhrke, *Human Security and the Interests of States*, 30 SEC. DIALOGUE 265 (1999) (stating that ‘Human Security’ “is being promoted by the Canadian and Norwegian governments as a new *leitmotif* in foreign policy.”).

18. *Human Security Now*, COMM'N HUM. SEC. (2003), <https://reliefweb.int/sites/reliefweb.int/files/resources/91BAEEDBA50C6907C1256D19006A9353-chs-security-may03.pdf> (last viewed May 27, 2021).

19. This framework is set out in more detail by the author. See Alexander Gilder, *Human Security and the Stabilization Mandate of MINUSCA*, 28 INT. PEACEKEEPING 200 (2021).

individuals.<sup>20</sup> For example, the fragmented nature of international law often means that human rights law, humanitarian law, international criminal law, and refugee law are seen in isolation. Human security can serve as a lens through which international actors examine a situation and apply a range of legal regimes to protect and prioritize the needs of individuals.

In essence, I argue that a conceptual framework of human security can guide the international community in meeting the demands of a kaleidoscopic world by prioritizing the needs of individuals and recognizing their agency.

### III. RECONCILING HUMAN SECURITY, UNIVERSALISM, AND IMPERIALISM

Adept readers will have noticed that this argument faces a major stumbling block when viewed through a TWAIL perspective – it propounds the advancement of *existing* values and goals. Even cursory TWAIL readers will know that critical histories advance the view that norms of international law only became universal due to colonialism. As they emerged from colonialism, new ‘Third World’ states argued that international law had been used to “justify their subjugation.”<sup>21</sup> TWAIL scholars have deeply criticized existing regimes and continue to examine how different hegemonic forces remain uncontested in the international legal order.<sup>22</sup> Taking human rights as an example, the West has used so-called universal rights as a method for justifying foreign intervention and demanding the liberal reform of states at the expense of empowerment.<sup>23</sup>

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20. See Matt McDonald, *Human Security and the Construction of Security*, 16 GLOB. SOC’Y 277, 279 (2002) (“Some proponents have described Human Security as representative of, or necessitating, a change in values, others a change in perspective or orientation.”);

Trina Ng, *Safeguarding Peace and Security in our Warming World: A Role for the Security Council*, 15 J. CONFLICT & SEC. L. 275, 280 (2010) (refocusing climate change and ‘international peace and security’ through a human security lens).

21. Georges Abi-Saab, *The Third World Intellectual in Praxis: Confrontation, Participation, or Operation Behind Enemy Lines?*, 37 THIRD WORLD Q. 1957, 1958-59 (2016).

22. Aoife O’Donoghue, *Syria & Locating Tyranny, Hegemony and Anarchy in Contemporary International Law*, 2 JUS COGENS 29, 51 (2020) (“The current international legal order and the hegemonic forces that created it become the natural standard and, in the main, are uncontested.”).

23. See Antony Anghie, *The Evolution of International Law: Colonial and Postcolonial Realities*, 27 THIRD WORLD Q. 739, 749 (2006) (discussing how human rights law “legitimised the intrusion of international law in the internal affairs of a state.”).

The oft-cited work of Makau Mutua damningly critiques international human rights law as a regime that pits good against evil in a Eurocentric, colonial view where people are not equal but instead occupy superior and subordinate positions.<sup>24</sup> Professor Mutua draws out issues in human rights law, such as how it arrogantly presents itself as cross-cultural and promotes the image of the white human rights “savior.”<sup>25</sup> Critics of the view that human rights advance only Western values have, for example, drawn on the fact that 58 countries agreed to the Universal Declaration of Human Rights (UDHR) in 1948, including African, Asian and Latin American countries.<sup>26</sup> However, this example disregards the prevailing colonial subjugation of many populations well after the end of the Second World War. This is not to say that the “Third World” did not contribute to the development of human rights in the early decades of the United Nations. However, uncritical reliance on the signing of the UDHR does a disservice to those that lack sufficient agency and independence, or who are actually prevented from exercising self-determination.

Professor Mutua’s critiques also apply to human security. Human security purports to reflect ostensibly universal norms drawn from international law. But what happens if these norms are Western and Eurocentric? Amitav Acharya has discussed how some states in the Asia-Pacific believe human security is a way for the West to impose human rights and liberal democratic values upon them.<sup>27</sup> These states also fear that the West is using human security and human rights to justify humanitarian intervention.<sup>28</sup> Statements that international law “must be at the heart of human security” only exacerbate these

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24. See Makau Mutua, *Savages, Victims, and Saviors: The Metaphor of Human Rights*, 42 HARV. INT’L L.J. 201, 204 (2001) (describing the human rights corpus as “fundamentally Euro-Centric” where “actors are cast into superior and subordinate positions.”).

25. *Id.* at 204, 206-07.

26. Ahmed Shaheed & Rose Parris Richter, *Is “Human Rights” a Western Concept?*, IPI GLOB. OBSERVATORY (Oct. 17, 2018), <https://theglobalobservatory.org/2018/10/are-human-rights-a-western-concept/> (last viewed May 27, 2021) (“Fifty-eight countries assembled in 1948 to affirm their faith . . . in the Universal Declaration of Human Rights . . . [a]mong these states were African, Asian, and Latin American countries.”).

27. Amitav Acharya, *Human Security: East versus West*, 56 INT’L J. 442, 443-49 (2001) (“Some Asian governments and analysts see human security as yet another attempt by the West to impose its liberal values and political institutions on non-Western societies.”).

28. See *id.* at 448 (discussing the “close association between human security and human rights promotion and humanitarian intervention.”).

concerns.<sup>29</sup> As such, the fragmented disciplines of international human rights law, humanitarian law, criminal law, and refugee law can be considered inherent to human security's normative character.<sup>30</sup> For instance, the Commission on Human Security suggests that human security is a way to apply the human rights regime to non-state actors, eschewing a state-centric perspective.<sup>31</sup> Where human security and human rights are so "intimately linked and bound together," is it possible to shake off the Eurocentric origins of the prevailing international system?<sup>32</sup>

Alternatively, some have argued that international law does in fact represent 'global values.'<sup>33</sup> Otto Spijkers, for example, has concluded that the U.N. Charter does include all the values of the international community, namely peace and security, self-determination of peoples, social progress and development, and human dignity.<sup>34</sup> Similarly, regional organizations, like the European Union, can promote values on a global scale and contribute to global constitutionalism.<sup>35</sup> Debates on globalization have suggested that there has been a "convergence of basic values amongst nations towards the liberal democratic values of market economies, democratic governments, and human rights."<sup>36</sup> Nevertheless, TWAAIL authors are less optimistic, highlighting the continuing power structures in the international system that subjugate the 'Third World.' For example, B.S. Chimni argues that universalism replaced colonialism as a tool of division, noting that the West

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29. CHRISTINE CHINKIN & MARY KALDOR, *INTERNATIONAL LAW AND NEW WARS* 565 (2017) ("We believe that international law must be at the heart of human security and national standards must be in accordance with it.").

30. *See id.* (describing Human Rights Law, International Criminal Law, IHL, and Refugee Law – the components of international law upon which human security is constructed – as "compartmentalised and fragmented.").

31. *COMM'N HUM. SEC.*, *supra* note 18, at 28 ("Human security examines human rights not only in relation to states, which have the primary obligation to uphold them, but also in relation to other actors, such as armed non-government elements and corporations.").

32. ROBERT HANLON & KENNETH CHRISTIE, *FREEDOM FROM FEAR, FREEDOM FROM WANT: AN INTRODUCTION TO HUMAN SECURITY* 30 (2016).

33. *See, e.g.*, Otto Spijkers, *THE UNITED NATIONS, THE EVOLUTION OF GLOBAL VALUES AND INTERNATIONAL LAW* (2011).

34. Otto Spijkers, *Global Values and the Institutions of the United Nations*, 11 *VIENNA J. INT'L CONST. L.* 211, 255 (2017).

35. *See* Ester Herlin-Karnell, *The EU as a Promoter of Values and the European Global Project*, 13 *GER. L.J.* 1225-1246 (2012) (understanding the European Union as a "promoter of values" and its relationship with "global constitutionalism.").

36. Alex Y. Seita, *Globalization and the Convergence of Values*, 30 *CORNELL INT'L L.J.* 429, 491 (1997).

“embraces a divisive universalism.”<sup>37</sup> Similarly, John Reynolds stresses that “[f]or many, colonialism is an anomaly of the past, now corrected by processes of universalism and of no further relevance as a conceptual category.”<sup>38</sup> The suggestion that there has been a convergence of liberal democratic values merely serves to prove Professor Chimni’s point.

Scholars and policymakers must avoid framing human security as part of the perceived convergence of liberal democratic values. By addressing human security through existing norms, Ikechi Mgbeoji suggests that human security could “be construed as an extension of Kantian democratic peace.”<sup>39</sup> However, a purely neoliberal approach to human security would disregard both the diverse nature of the global population and what different individuals regard as crucial for their security. Arguments that human security repackages existing rights present opportunities for misunderstandings that could cause the field to fall prey to the same critiques of universalism.<sup>40</sup>

Human security offers a useful alternative lens with which to view security needs. A human security approach prioritizes the individual, not the state, and seeks to understand the needs of individuals, not the needs identified by disconnected policymakers in the Global North. It provides individuals with tools to manage their own security. For example, human security can recontextualize human rights from the bottom-up, empowering women for greater political participation and allowing local committees to settle disputes before security crises take hold. Nevertheless, the international community may face difficult decisions if empowered individuals and communities promote values that are out of line with prevailing hegemonic liberal democratic values.

Another important consideration is whether a human security approach can ever be truly universal. Luis Eslava and Sundhya Pahuja explain that the “European ethos is constantly reiterated through the foundational concepts of ‘sovereignty,’ ‘self-determination,’ ‘statehood,’ and the ‘nation-state.’ All of these concepts are rooted in

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37. B.S. Chimni, *The Past, Present and Future of International Law: A Critical Third World Approach*, 8 MELBOURNE J. INT’L L. 499, 502 (2007).

38. JOHN REYNOLDS, EMPIRE, EMERGENCY AND INTERNATIONAL LAW 16 (2017).

39. Ikechi Mgbeoji, *The Civilised Self and the Barbaric Other: Imperial Delusions of Order and the Challenges of Human Security*, 27 THIRD WORLD Q. 855, 861 (2006).

40. See David Petrasek, *Human rights ‘lite’? Thoughts on human security*, 3 DISARMAMENT F. 59, 61 (2004) (describing elements of human security as a “familiar list”). See also Rhoda Howard-Hassmann, *Human Security: Undermining Human Rights?*, 34 HUM. RTS. Q. 88 (2012) (warning that when human security “simply rephrases human rights principles without identifying new threats,” it can undermine human rights).

the political, cultural, and economic history of Europe.”<sup>41</sup> Going further, Antony Anghie says that Europe’s policies continue to be “profoundly imperial.”<sup>42</sup> When international organizations push for the adoption of, for example, the international economic legal regime in failed states that most threaten human security, they may actually be engaging in the type of imperialism that the “Third World” experiences on a daily basis, resulting in disempowerment.<sup>43</sup> Still, Professor Anghie believes that international law plays a key role in global affairs, and that scholars should work to resist imperialism from within the existing international system.<sup>44</sup>

A human security approach would need to consciously avoid propagating the West’s imperialist tendencies. Human security should not be something to ‘spread’ in the way that colonial powers ‘spread’ civilization to what they regarded as the uncivilized “Third World.” Similarly, human security should not advance international law as a system created *by* states, *for* states. Dr. Eslava and Professor Pahuja have argued that the project of international law can become the making and remaking of the state as long as we see states as “social, cultural, and legal formations that are constantly engaged in reshaping disparate spaces and people into one—national—jurisdiction.”<sup>45</sup> In this regard, implementing human security’s empowerment strategies to give agency to individuals and communities will allow people on the ground to contribute to the remaking of the state from the bottom-up.

Similarly, if international organizations decide to carry out peacebuilding activities on behalf of the international community, they must prioritize empowerment and acknowledge that individuals know what is most important for peace in their own communities. International organizations and actors must build this awareness into any human security-based activity, bearing in mind the myriad of difficulties that exist within both international and national legal

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41. Luis Eslava & Sundhya Pahuja, *Beyond the (Post)Colonial: TWAIL and the Everyday Life of International Law*, 45 VERFASSUNG UND RECHT IN ÜBERSEE 195, 196 (2012). See Luis Eslava & Sundhya Pahuja, *The State and International Law: A Reading from the Global South*, 11 HUMAN. 118, 119 (2020) (discussing how the principles of administration of social and economic affairs are rooted in Europe’s history).

42. See Antony Anghie, *Europe and International Law’s Colonial Present*, 6 BALTIC. Y.B. INT’L. L. 79, 82 (2012) (arguing that “Europe’s practices and policies are profoundly imperial”).

43. See *id.* at 82 (discussing the “everyday imperialism” that “systematically disempower and subordinate the people of the Third World”).

44. Anghie, *supra* note 23, at 752 (“And it is in all these arenas that it is now imperative to understand the operations of imperialism and how they might be opposed and overcome.”).

45. Eslava & Pahuja 2020, *supra* note 41, at 118, 130.

regimes, posed from a ‘Third World’ perspective. Otherwise, there is a risk that human security’s bottom-up approach will become a chimera – a veil to make liberal democratic values more appetizing to populations in the Global South.

To achieve the operationalization of a human security approach, there needs to be buy-in from populations such that human security truly empowers individuals and responds to their needs, no matter where they are located. There must also be buy-in from the government in multilateral collaboration with international and domestic partners such that local populations can participate in the development of this new system. Traditionally, as Brian-Vincent Ikejiaku discusses, international law has been estranged from ‘Third World’ populations, and the Global North has simply delivered security to these communities via aid and assistance.<sup>46</sup> Human security cannot be delivered; it must be built in a way that gives affected populations ownership of the process and the power to give it direction. Ultimately, this may necessitate comprehensive U.N. reform to “harness the creative energies of its agencies and of civil society actors.”<sup>47</sup>

Equally, there must be buy-in from governmental and international actors to meaningfully include the views of populations into the decision-making processes that shape the environment in which those people live, whether through engagement with civil society and community leaders, or through other innovations. Professor Mgbeoji states that, to achieve human security, “the instinctive demonization of the Global South must be replaced by a rational, transparent and effective assessment of the perverse foundations and contemporary decay of the postcolonial state itself.”<sup>48</sup> A bottom-up human security approach that prioritizes individuals must be ingrained into all the activities of states and international organizations. The first step is to overcome this “instinctive demonization of the Global South” and to instead respect and give power to populations to contribute to their own security. Otherwise, human security fails.

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46. See Brian-Vincent Ikejiaku, *International Law is Western Made Global Law: The Perception of Third-World Category*, 6 AFR. J. LEGAL. STUD. 337, 353 (2013) (explaining how “Security, (like development), is all too often seen as something the North delivers through its policy interventions and aid programmes, rather than as the product of obtaining positive changes in the developing South”).

47. Surakiart Sathirathai, *Renewing Our Global Values: A Multilateralism for Peace, Prosperity, and Freedom*, 19 HARV. HUM. RTS. J. 1, 28 (2006).

48. Mgbeoji, *supra* note 39, at 864.

## IV. CONCLUSION

Human security can bring together the fragmented branches of international law in a kaleidoscopic world, give context to their application, and restore agency to communities and populations that those branches previously excluded. Professor Chimni has described the human being as “a complex whole, a non-divisible economic, political and social self” where concerns “may fall between the fractures that mark the separate regulatory spheres.”<sup>49</sup> This is even more accurate as international law operates in an ever less state-centric world where new and different actors have ever more influence, particularly through online communication and movements. Human security allows people with increasingly diverse needs to identify security issues and build bottom-up responses. As Judge Fouad Ammoun has written, international law “must adapt itself thereto in order to avoid confrontation between peoples, and lest it lose its footing in the upward march of progress towards better justice and the common aspiration towards the ideals of prosperity and peace.”<sup>50</sup> With the necessary commitment to and understanding of TWAIL approaches, the field of human security can provide a method of adapting international law that allows states and international organizations to better respond to increasingly complex and ever-changing human needs. Such a system will allow populations to engage with and influence international processes from the bottom-up, enriching the practice of international law with their own cultural and lived experiences and ensuring its continued relevance in a kaleidoscopic world.

As a reflection, this piece has allowed me to engage with literature I had not previously explored in full and allowed me to develop my previous arguments that were published in the *Indian Journal of International Law*. By engaging with critical approaches, I can now feed in the aforementioned authors’ critiques into both my future research and my teaching practice, in order to grow as a scholar. With regards to teaching international law to a diverse student population, we must ensure that we introduce a range of perspectives and provide spaces to robustly challenge assumptions and prevailing views about international law. Students can offer insightful, fresh perspectives when they synthesize diverse materials. Furthermore, public international law resonates more strongly with students when the topics can be related to their lived experiences. This can be facilitated

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49. Chimni, *supra* note 37, at 508-9.

50. *Barcelona Traction, Light and Power Company, Limited (Belg. v. Spain)*, Judgment, 1970 I.C.J. 3, 288 (Feb. 5) (separate opinion by Ammoun, J.).

through the use of critical approaches in a Public International Law course. As a result, both students and professors can reflect and develop as scholars.