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Armed conflicts in the economic, social and legal context of the present: causes, regularities and contradictions

Abstract. The authors of the article attempt to abstract from the partial and focus on the key dimensions in addressing the problems of armed conflicts of the day, namely causes, consequences and the legal context. The unit weight of the most common causes of armed conflicts has been researched and the authors' typology of the causes has been presented. The futility of the search for the primary factor in the «poverty - war» dyad has been proved and, based on statistical data, some laws in the economic development of the countries where armed confrontations have taken place or are still ongoing have been substantiated. The contradictions in the legal dimension of settlement of the armed conflicts that arose as a result of the globalisation of economy and the collapse of the bipolar world system have been analysed.

Keywords: Armed Conflict; Globalisation; Typology of Causes of Conflicts; Poverty; Economic Development in Conflict; Legal Aspects of Conflict Resolution

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Збройні конфлікти в економічному, соціальному та правовому контекстах сучасності: причини, закономірності, протиріччя

Анотація. Авторами статті зроблено спробу абстрагуватися від часткових аспектів і зосередитись на ключових вимірах у розгляді проблематики збройних конфліктів сучасності, а саме: причинах, наслідках та правовому контексті. У рамках цих вимірів було досліджено «удільну вагу» найбільш поширених причин збройних конфліктів і представлено авторську типологію цих причин, доведено безперспективність пошуку первинного фактору у діаді «бідність – війна» й на основі статистичних даних обґрунтовано окремі закономірності в розвитку економіки країн, де відбулися або ще тривають збройні протистояння й проаналізовано протиріччя у правовому вимірі врегулювання збройних конфліктів, які виникли внаслідок глобалізації економіки й розпаду біполярної світової системи.

Ключові слова: збройний конфлікт; глобалізація; типологія причин конфліктів; бідність; розвиток економіки в умовах конфлікту; правові аспекти врегулювання конфліктів.

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Вооруженные конфликты в экономическом, социальном и правовом контекстах современности: причины, закономерности, противоречия

Аннотация. Авторами статьи предпринята попытка, абстрагировавшись от частных аспектов, сосредоточиться на ключевых измерениях в рассмотрении проблематики вооруженных конфликтов современности, а именно: причинах, последствиях и правовом контексте. В рамках проведенной исследовательской работы исследован «удельный вес» наиболее распространенных причин вооруженных конфликтов и разработана авторская типология этих причин, доказана бесперспективность поиска первичного фактора в диаде «бедность - война», и на основе статистических данных по отдельным странам, где произошли или еще продолжаются вооруженные конфликты, обоснованы существующие закономерности в развитии экономики этих стран. Сделан анализ некоторых противоречий в правовом аспекте урегулирования вооруженных конфликтов, обусловленных глобализацией экономики и распадом биполярной мировой системы.

Ключевые слова: вооруженный конфликт; глобализация; типология причин конфликтов; бедность; развитие экономики в условиях конфликта; правовые аспекты урегулирования конфликтов.

1. Introduction

The history of military conflicts, as well as the search for the causes of their occurrence and ways to overcome them, goes back to the depth of centuries. Humanity, despite the humanisation of public relations, development of science and technology, improvement of laws and the increase in the general level of legal awareness, proceeds with the practice of solving problems with weapons.

Having survived the two world wars and the «cold war», the world came closer to a more harmonious and tolerant model of its development at the end of the twentieth century. At the same time, only from the beginning of 1990 until the end of 1999 there were 118 armed conflicts in the world that affected 80 countries and two supranational unions, which resulted in the deaths of about 6 million people. In the first decades of the new millennium, hopes of overcoming systemic inter-civilizational conflicts have changed with new challenges and risks. The reason for many of them lies in the coexistence of social models with economic and political-legal institutions which seem to be alike but have radically different historical experience and social and cultural mental basis. Under globalisation, the issue of the compatibility of different cultures, social assimilation as a result of mass migration and cultural synthesis has become particularly urgent, the search for effective non-violent forms of conflict resolutions between states is being updated.

The cross-border movement of material and human resources leads to a closer and more regular interaction of representatives of various ethnic groups, cultures, ideologies and religious views. And the closer the interaction and involvement into collaboration is, the more opportunities there exist for a conflict. Therefore, despite changing the epochs and making great progress, the causes of armed conflicts, their driving factors, conflict-settlement mechanisms continue to be relevant.

Taking into account the current trends in the formation of the world order in the context of globalisation of the economy, we will try to analyse the armed conflict without regard to such specifications as «local» or «international», which allows one to see only the external manifestation of the conflict - the so called tip of the iceberg, namely the extent of its territorial deployment. However, in the majority of local conflicts (Ukraine can serve as a vivid example) there is a confrontation between states or their unions. In this view, the conflict becomes international in nature.

The article gives the overview of modern outlooks about the causes and consequences of armed conflicts. Although the works of many well-known political scientists, economists and legal professionals are devoted to the development of the theoretical foundations of such ideas, the phenomenon of an armed conflict remains unidentified. The questions that can be placed into a category of top questions for all ages and nations is «What are the root causes of armed conflicts?», «What are the cause-and-effect relationships between poverty and war, and, accordingly, what transformation does economy experience under the conditions of the armed confrontation?», «How do interstate conflicts transform into local civil wars?» However, taking into consideration the magnitude of each of the above-mentioned issues, we will focus on insufficiently studied or controversial aspects only. Thus, in the first part of our study, there will be both an overview of the most common causes of armed conflicts in the modern world and the authors' typology

of the causes of these conflicts. Also, it should be noted that there exist a significant number of typologies of armed conflicts, yet scientists devote little attention to the typology of their causes. In the second part of the article we will analyse scientific views in on the cause-and-effect relationships between the poverty of the country's population and the armed conflict that is spreading in its territory. Basing on statistical data we will substantiate the interdependence between the duration of the armed conflict and the state of economy development. In the third part, we will focus on the most problematic aspects of the legal settlement of armed conflicts.

2. Brief Literature Review

The article deals with the problems of armed conflicts in various disciplinary dimensions, which requires the analysis of modern scientific research in political science, sociology, jurisprudence, economics. In particular, we have studied a well-known series of quantitative research in the field of social sciences that postulate the link between poverty and conflicts. These are the works by P. Collier and A. Hoeffler (2004, 2005), J. D. Fearon and D. D. Laitin (2003), S. B. Blomberg, G. D. Hess and A. Weerapana (2004, 2006), as well as N. Sambanis (2004).

The works by researchers of war and peace issues in geopolitical terms such as G. T. Bockle (1884), D. Smith (2007), N. Spykman (2007), R. Kjellén (2008) were particularly useful when developing the authors' typology of the causes of armed conflicts. The study of linguistic, religious and ethnic driving factors in armed conflicts carried out by N.-C. Bornmann, L.-E. Cederman, M. Vogt (2015) in *Language, Religion, and Ethnic Civil War* deserves particular attention.

The long-term effects of armed conflicts on the development of the economy and social settings in Central and Eastern Europe have been summarised on the basis of studies made by V. Dudouet et al. (2016), T. Child and E. Nikolova (2018). The peculiarities of the of armed conflicts legal settlement inherent in the modern globalised world were discovered on the basis of the works by N. Krisch (2005), D. Sobek (2006), J. Attali (2009) and M. Salomon (2011), as well as by Ukrainian researchers such as R. Averchuk (2017), A. Baronin (2017), S. Stasiuk (2011).

3. The purpose of the article is to analyse little-studied or controversial aspects of the armed conflict issues in the modern world, the typology of their causes, patterns of economic development in a conflict as well as contradictions in the legal settlement of conflicts at the international level.

4. Results

4.1. Causes of armed conflicts

A number of scientific works devoted to the study of armed conflicts (especially in the second half of the twentieth century) are focused on revealing their main causes. This approach, according to D. Smith (2004), is erroneous. In order to prevent the escalation of violence, it is important to find out how the various causes and driving factors underlying specific armed confrontations are interrelated. The explanation of these reasons must take into account both background and relevant factors, structural and institutional circumstances as well as guidelines for the activities of individual politicians. In its overwhelming majority the impetus for power actions is a peculiar synthesis of military force, technological development, economic resources and peculiarities of geographical location.

In his treatise *On the War*, the well-known German philosopher Carl von Clausewitz (1934) gives an accurate

definition of this negative social phenomenon: «... a chameleon which changes its nature several times in each particular case; ... is a wonderful triad consisting of violence, as its original element, hatred and hostility, which should be regarded as blind natural instincts; from the game of probability and case ...; from subordination to politics as its instrument». Although the causes of both major wars and local military conflicts lie in politics, they ultimately end up with an economic ground as their roots.

Scientists have repeatedly attempted to group the causes of conflicts by certain types. The best known is the typology of armed conflicts causes according to D. Dessler (1994) in the adaptation of D. Smith (2004):

1) the initial causes (according to Dessler - channels) are a sort of lines of fundamental «political, social, economic or national split»;

2) mobilisation strategies (according to Dessler - targets) are determined by the tasks of political actors, as well as by the methods they use;

3) starters - the reasons which are associated with certain events or actions of influential persons. The analysis of these reasons allows us to find out not just why the conflict began, but why it began in that period;

4) catalysts or factors that influence the intensity and duration of the conflict in time; they can be both internal (the balance of power between the opponents) and external (UN intervention), including tactical steps and natural factors.

The ambiguity in attributing the causes of the conflict to one or another type is a disadvantage of this typology: a split on the political, social, economic or other grounds may be caused by the tasks and the actions of political actors, who, in their turn, can act as «starters» and as «catalysts». Thus, identifying a cause according to one of the types seems rather problematic.

In order to justify the authors' typology, we suggest looking at the nature of the causes of armed conflicts at two different angles: the cause as an alienating or, conversely, consolidating factor and the cause as a favourable or unfavourable factor. In the first case, the category of value is the basis of the typology. In the second case, we consider conditions (temporality, territory, climate, demography, and so on). To the first type of causes of armed conflicts, we refer those conditioned by the difference/unity of values in a particular group of individuals or state or non-state entities: of *material* (capital, natural, human resources, technology, etc.) and *spiritual* (religious, ideological, cultural, etc.) nature.

As to the material values as an «apple of discord», the examples of such armed conflicts can be found in the history of each country. The interdependence between economics and war through the mediation of politics is becoming increasingly evident in the global society of the 21st century. One of the centers of fierce military conflicts is the Middle East region. This is the place where huge natural reserves of oil and gas are concentrated. The struggle for the most important economic (namely, energy) resource - oil in Iraq and Kuwait - has led to a series of military confrontations in this region, which have not ended to this day. The economic interests of the oil giant Saudi Arabia, its economic well-being is also based, to a greater degree, on natural gas and oil deposits. Thus, natural wealth becomes the subject of aspirations for individual states or groups within the state which are drawn into armed confrontation on the basis of the clash of these aspirations.

One can supply a great number of examples, both in the past and in modern times that characterise the causes of military conflicts related to the distinction between spiritual values. The conflict in Kosovo (1998) is an example of the armed conflict in the current history, where the Orthodox Christian civilization, radical groups of ethnic Islam, and the socio-cultural traditions of American Protestantism clashed. Another example is the ethnopolitical conflict in the heart of Europe - France, which took place between the indigenous population and the communities of immigrants from Muslim countries of North Africa. The conflict in the East of Ukraine can also be classified as a value conflict: the European choice of the majority of the population of Ukraine, the course towards building democracy and bringing the legal norms and principles of social life in line with

European standards produced a reaction from the neighboring aggressor state for which these value orientations are unacceptable for both objective and subjective reasons.

Modern scholars carry out numerous studies aimed at identifying the risks of armed conflicts on an ethnic, religious or ideological basis in individual countries. Our attention was attracted by the work by N.-C. Bormann, L.-E. Cederman and M. Vogt known as *Language, Religion, and Ethnic Civil War* (2015), in which the authors substantiate their point of view that intrastate conflicts are more likely to occur in linguistic duads than in religious ones. They also refute the thesis that Muslim groups are more prone to conflicts.

The second component of our typology of armed conflict is the causes generated by the conditions of development of a particular state or group of states, including time-based ones (antagonistic contradictions of the epoch, in particular), territorial, climatic, demographic, and others. The state's structural position in the international trading system is also of great importance.

The interdependence of territorial factors and military conflicts was mentioned in the works by well-known researchers of war and peace geopolitical problems such as G. T. Bockle (1884), R. Kjellén (1917) and N. Spykman (2007). Undoubtedly, the geographical position and territorial potential of the state is considered to be one of the key conditions that can be the cause of military aggression in relation to the external or internal enemy. In the work «Territoriality and Conflict in the Age of Globalization» edited by M. Kahler and B. Walter (2006), the focus is on the fact that one of the paradoxes of the modern globalised society is the so-called territorial attachment of individuals, ethnic groups and governments. Governments are still closely following the strict demarcation of territorial boundaries, while human and commodity flows are increasingly crossing those borders. States continue to fight for the territory, although their prosperity and security are less dependent on the territorial factor.

Moreover, the same geographic location (north/south, mountain/plain terrain) and the presence or absence of natural resources (minerals, water, soil quality) of the country can be a favourable factor for aggressive or, conversely, peaceful behaviour towards neighboring states. This connection was substantiated in the 18th century by the well-known French thinker Ch.-L. Montesquieu (1748) in his work «The Spirit of the Laws». Modern scholars pay more attention to the «periphery» of countries rather not in the territorial, but in economic sense, pointing out this factor as favourable for the deployment of a military conflict.

Among the reasons why our typology should be attributed to its second component, the demographic factor deserves attention. The concept of the French sociologist G. Bouthoul (1983) has recently become widespread. In short, its essence lies in the fact that in case of an increase in the number of young people in a country where socio-economic conditions do not allow full employment, there is a so-called «explosive demographic structure». This leads to «collective aggressiveness», i.e. the war which is caused by violations of demographic equilibrium.

The proposed typology differs from other similar ones by clear separation of two categories, which are the basis for grouping the causes of armed conflicts. In addition, we focused on root causes as a platform that is built on minor or less important causes.

4.2. Economics and armed conflict: from regularities to paradoxes

4.2.1. The cyclical effect of the conflict or what causal links exist between the poverty of the country's population and armed confrontation

As world experience shows, the poverty of the population is an impulse for the deployment of civil wars and aggression in relation to other, more prosperous countries. At the same time, military conflicts as a result of the destruction of infrastructure, the loss of soldiers and civilians (when families lose breadwinners), the emergence of refugees and internally displaced people, in turn, contribute to falling rates of the economic development and generate poverty. This is

the so-called «trap of poverty», according to P. Collier and A. Hoeffler (2004), which postulates that the beginning of the conflict provokes a recession of the economy, which in turn increases the risk of the next conflict. Countries find themselves in a closed loop of conflict and backwardness. The truth of this thesis is tested by researchers, building a model with one equation, with the aim of figuring out how likely a war in a particular country has been over a five-year period, taking into account a combination of indicators of economic development (GDP per capita, exports of raw materials, etc.), in previous years (dynamics of population income indicators, impact on the economy of previous conflicts) and indicators that are invariant (for example, social stratification).

In a profound study by A. Braithwaite, N. Dasandi and D. Hudson (2016) «Does Poverty Cause Conflict? Isolating the Causal Origins of the Conflict Trap», there was an attempt to establish causal relationships between poverty and armed conflict, including civil war, in the country. The authors argue that poverty is endogenous in relation to the beginning of a civil conflict, and the state's position in the international system leads to differences in poverty compared to other countries, and it is already exogenous in relation to the processes that give rise to the conflict. For the main indicator of poverty, the authors take the infant mortality rate (IMR), considering it to be a more justified poverty marker than the income of the population. By comparing macroeconomic indicators with the use of network analysis tools in the study of the structure of international relations, the authors conclude that consideration of the connection of internal conflicts and poverty should take place in the context of international inequality. Taking into account the existing experience in identifying causal relationships between poverty and armed conflicts, and the fact that in a closed loop, where poverty provokes conflict, and poverty is a conflict, it is very difficult to set a «reference point» (each country has its own specificity), and the actual scientific value of such intelligence is not of fundamental importance in the study of the nature, causes and consequences of armed conflicts. Therefore, we have focused on certain laws of economic development during hostilities.

4.2.2. The impact of armed conflict on the dynamics of GDP per capita

British researcher P. Collier has shown that the estimated cost of a civil war is 2.2% of GDP per year due to the effect of reducing economic growth. And if the average civil war lasts for seven years, at the end of the war, the economy of the country will have a GDP figure of 15% lower than before it began.

GDP is affected by the effects of armed conflict: the destruction of production facilities, infrastructure, transport, stopping agricultural work through shelling, mines and pollution. In addition, this indicator has a significant impact on the departure of the labour force from the country and the loss of civilian population. Even in the case of internal migration of labour resources from the zone of the armed conflict to employment in a new place, the negative impact on the level of GDP persists as a result of the destruction/stopping of enterprises or the loss of control over them in the conflict zone. Internal migration in a conflict situation leads to an uneven distribution of labour resources in a country where, in some regions, employment, and hence the level of competition in the labour market, is increasing, while in others it is falling rapidly due to the dangers associated with being in the conflict zone. A comparative analysis of most military conflicts over the period from 1990 to 2018 indicates an apparent drop in GDP per capita due to armed confrontation (Table 1). The decline in this indicator varies from 0.5 to 64.3%.

Separately, we should look at the example of Burundi which demonstrates how countries are in a «closed circle» of conflict and backwardness. Thus, during the last four decades, armed conflicts (1972-1973; 1988; 1991-2005) took place in this country at a certain interval in time. During

Tab. 1: Changes in GDP per capita in the countries-centers of an armed conflict

| | GDP per capita (USD) before conflict | GDP per capita (USD) after/during the conflict | Cumulative changes, % | Average change rate for the year, % |
|------------------------------|--------------------------------------|--|-----------------------|-------------------------------------|
| Tajikistan, 1992-1993 | 503 | 154 | -69.38 | -34.6 |
| Yemen, 1994 | 348 | 346 | -0.57 | -0.5 |
| Algeria, 1991-2002 | 2,359 | 1,743 | -26.11 | -2.37 |
| Serbia, 1999 | 2,441 | 870 | -64.35 | -64.35 |
| Iraq, 2003 | 691 | 637 | -7.8 | -7.8 |
| Chad, 2005-2010 | 738 | 1,045 | +29.4 | +4.9 |
| Georgia, 2008 | 2,900 | 2,446 | -15.65 | -15.6 |
| Libya, 2011 | 13,400 | 6,650 | -50.37 | -50.3 |
| Mali, 2012 | 739 | 715 | -3.24 | -3.2 |
| Ukraine, 2014-2018 | 4,030 | 2,820 | -30.1 | -6.02 |

Source: The World Bank (1991-2018)

this time, GDP per capita doubled: from USD 232 in 1980 to USD 108 in 2003. At the same time, in 2005, when the armed confrontation continued, GDP was still growing at USD 149. After that, the indicator continued to grow very slowly and in 2017 reached USD 312.

The same situation can be observed in Sierra Leone, Algeria, and now we can already talk about Ukraine's experience, where the duration of conflicts exceeds the period of five years. During a long armed conflict, the country's economy is gradually adapting and demonstrating a gradual GDP growth, while armed confrontations of up to two years lead to its rapid collapse.

Most strikingly, this thesis is confirmed by the example of Chad. After 2008, the war in Chad became positional, without the use of aviation and heavy equipment. The fighting was concentrated in the border area near Sudan, which allowed the Chadian economy to adapt and show growth.

In Ukraine, during the conflict, the lowest GDP figure was observed in 2015 - USD 2,115.4 per person, however, in 2018 it was USD 2,820.

Thus, there is a direct relationship between the duration of the conflict and the dynamics of GDP per capita: when an armed conflict continues for a long time, the country's economy adapts to the conditions of the war and may even show an increase in indicators. This, of course, does not indicate the positive effects of war, but is a demonstration of adaptive economic opportunities.

4.2.3. Domestic and foreign investments: regularities and «exceptions to the rules»

An armed conflict significantly reduces the level of interest in the financial investments of both domestic and foreign investors. Depending on the intensity of the conflict, they withdraw their capital or transfer production capacities to other regions of the country. The capital outflow factor remains relevant in both scenarios of the behaviour of domestic investors as a means of preserving capital in conditions of challenge and uncertainty about the future of the national market. Moreover, the greater the likelihood of expansion of the military action zone or external aggression, the greater the insurance of investment capital abroad is.

Domestic investment is one of the most sensitive indicators for armed conflicts. This is due to the fact that stock markets and securities markets in the country of conflict react to it instantaneously, while investment in capital construction ceases because of high risks, especially in the case of finding objects of such investments in the area of hostilities. At the same time, investors refrain from investing in the development of production due to uncertainty in future.

Chad is considered to be an exception, where the territorial concentration of hostilities did not affect the basic regions of investment and economic activity. In Yemen, the transition to a capitalist form of social order had such a strong effect that the civil war (April-July, 1994) could not significantly affect the volume of domestic investment. On the contrary, the access to investment projects and facilities expanded. However, such a development is rather an exception in the prevalence of a general tendency to reduce the level of domestic investment resulting from armed conflicts.

The behaviour of domestic investors differs from the reaction to the armed conflict of foreign investors and the volumes of foreign direct investment (FDI). Armed conflict has a different impact on investment in various sectors of the economy. According to R. Averchuk, investments in high-tech manufacturing and enterprises with a high proportion of low-mobile fixed assets, whose risk of damage is rather high, is particularly shrinking. Regardless of the sector, investors continue to invest in the country, if they consider the profitability of the projects to offset the risk.

In countries with «spoiling» conflicts, investors remain sensitive to changes in the level of violence. For example, there is a relationship between the growing intensity of the Israeli-Palestinian conflict and the outflow of capital from Israel. In 2014, after an unexpected armed operation in the Gaza Strip, FDI flows to Israel dropped by 50%.

There is no doubt that the armed conflict with Russia and its supporters in Donbas will continue to affect investment flows in Ukraine. On the one hand, the conflict has been localised in certain regions of the country, and its intensity has slightly decreased compared with 2014-2015. In 2015, even a substantial increase in FDI from USD 0.85 billion to USD 3.05 billion was demonstrated. However, the armed action has not stopped and the development of events is difficult to predict. Therefore, the political risk of investing in Ukraine is still very high.

In addition, according to the US Department of State investment climate survey, due to the wide coverage of the conflict by international media, the country is largely associated with a conflict in the East, and no distinction is made between its various regions. To make such a distinction clear to as many potential investors as possible, we need time, the absence of a conflict escalation, an active information policy and positive examples of investment. Also, the question is whether Ukraine, being in difficult economic conditions, can offer a high enough profitability of projects to cover the country-related risks.

At the same time, military operations in Ukraine have not become a barrier for some foreign companies. Hence, the French company Biocodex invests in the pharmaceutical market, the demand for which is less volatile. American Cargill and Chinese COFCO invest in agricultural logistics.

Indeed, investors pay attention to many factors, both economic and political. According to a survey of investors interested in Ukraine conducted by the European Business Association (EBA), Dragon Capital, and Center for Economic Strategy (CES) in April 2019, the military conflict with Russia is a lesser obstacle for them than the country's large-scale corruption and lack of trust in the judiciary.

Thus, the dynamics of macro indicators in Ukraine with the beginning of the ATO in the East of the country corresponds to the general trends in the behaviour of the national economy in an armed conflict. At the same time, this conflict has all the signs of an intergovernmental one, in which one of the parties provides support for armed formations in the territory of the other side. The reaction of the international community to the conflict and, in general, the geopolitical situation surrounding the confrontation of Ukrainians with the aggressor country, testifies to Ukraine's ability to increase the rates of direct foreign investment inflows.

4.3. Legal framework for the armed conflicts settlement: new challenges of globalisation

The solution of the previously discussed problem issues of our study did not presuppose a clear demarcation of armed conflicts at the international and non-international level. However, in order to justify the effective mechanisms for resolving these conflicts in present context and acceptable to the international community, we need to focus on the problems that arise particularly because of this distinction. Immediately, we note that the law of international armed conflicts is sufficiently codified and has powerful legal mechanisms for international control. Meanwhile, the law of armed conflicts of non-international character consists of a small number of norms of positive law, formulated in general. Another problem is the lack of effective mechanisms for international control over their compliance.

We can state that under the globalisation of economy and the collapse of the bipolar world system as a whole, there have

occurred new contradictions in the legal dimension of the armed conflicts settlement. Firstly, the conflicts themselves are changing and the notions of «asymmetric conflict», «hybrid war» and the like come into legal vocabulary use. It is increasingly difficult to identify whether an armed confrontation is at the interstate or national level. For example, Russia and Uzbekistan participated in the conflict in Tajikistan; the peace-keeping forces of ECOMOG of the Economic Community of West African States (ECOWAS) are actively involved in Liberia. As for the conflict in the East of Ukraine, which Russia planned to present to the world community as an internal one, there is no doubt that it is interstate. Secondly, there have emerged an increasing number of non-state and trans-state entities on the world stage, whose activities are not regulated either by the state or by any other international legal norms. The greatest threat among them is international terrorist organisations, such as the general religious-political association of extremist groups «Muslim Brothers» (with the most active «al-Qaida» combat unit). Along with these organisations, there are a number of anti-government armed groups that constitute a local threat: such extremist movements as Moroccan «Al-Salafiya al-Jihadia», Philippine «Abu Sayyaf Group», «Palestinian Islamic Jihad», etc. The aggregate financial potential of these organisations and groups sometimes exceeds the economic capacity of entire states. Transnational organised crime, investing its capital in legal business, also has a significant impact on the global economy. Thirdly, the international law does not have powerful levers of compliance with the established norms (court, police, army), and therefore the effectiveness of its regulatory function depends directly on full implementation in national legislation and strict adherence to its regulations at the national level. It is the area of responsibility of the governments of individual states.

These new challenges are interwoven and create global multiplicative negative effects. And the problems that were previously solved within national boundaries today require large-scale and coordinated joint actions at the interstate level. Whereas the process of developing a broad international regulatory system is lagging catastrophically behind, an imperative is needed to maintain legal order in a new global society. On the other hand, the question arises as to whether it is possible to build an effective international and political system that will become a reliable shield for every state from external and internal aggressors, without encroaching on national sovereignty.

Concerns are raised by the appeals of some political figures - radical «globalists» - to sacrificing state sovereignty in order to create a unified universal international legal system. At the same time, it is being advocated that it is the only way to carry into effect a universal global system of compulsory law that will minimise any armed confrontations and eradicate terrorism.

The acceptance of this idea as the truth by the world community will testify to the end of democracy, as, in the end, it makes no difference what we are talking about: «the world democratic empire» presented by the former Head of the European Bank for Reconstruction and Development Jacques Atalli (2009) in the book *A Brief History of the Future: A Brave and Controversial Look at the Twenty-First Century*, or the World Caliphate, promoted by such Islamist ideologists as Yusuf al-Qaradawi. In both cases, we cannot speak about any democracy, since all the existing and functioning international law-based systems headed by the United Nations were created on the basis of voluntary consent of sovereign states. There are no other actors capable of accumulating norms of international law and facilitating their implementation into national legal systems, as well as of being the highest authority in resolving conflicts of different levels. Therefore, the idea of a world empire that paradoxically unites such irreconcilable antagonists - advocates of the Caliphate and ultraliberal globalists - can be realised only by force methods. In this case, there is a real threat of massive suppression of the resistance of peoples and individuals, which will draw humanity into a vortex of global wars and endless armed confrontations. Thus, the concept of state sovereignty, which underlies the principle of the supremacy of national constitutions and legal systems, is an inviolable basis, *alpha* and *omega* for an effective human-centered system of international law.

It can be noted that even fixed and well-established norms of international law require a rethinking and appeal to their global humanitarian content, rather than purely formal application. Otherwise, there will be a threat of adoption of legal (on its face) decisions that will contradict the spirit of international humanitarian law. For example, the International Court of Justice, when deciding on the legal relevancy of the Declaration on the independence of Kosovo, did not take into account that this decision could legitimize the precedent of carving up the borders of national states. The consequences of the domino effect triggered by this decision, namely the intensification of separatist movements, were felt by Ukrainians in 2014.

5. Conclusions

The mainstreaming of armed conflicts includes a wide range of issues in philosophy, political science, economics, jurisprudence, psychology and many other areas of scientific research. The value and scientific significance of the research on this problem is manifested in the ability of the researcher to single out underresearched and controversial issues in a wide range of such and consider them from a completely different «angle». We have focused on these problematic aspects.

Firstly, it is the complexity of identifying armed conflicts in the context of globalization of economy, internationalisation of political, cultural and other aspects of life of modern society, which in its turn significantly complicates finding the underlying cause. The existing typologies of the causes of armed conflict are not sufficiently developed and grounded.

Secondly, the cause-and-effect relationships between the level of the country's economic development and the type, duration and nature of the armed conflict escalation are being studied mainly on the basis of the war experience of the last century, whereas in the first decades of the 21st century a considerable number of armed confrontations, which, at first glance, are internal, in fact affect the interests of many countries and acquire the transnational character. Hence, the problems that used to be previously solved within the national

boundaries require large-scale and coordinated joint actions at the interstate level today.

Thirdly, there is a need for reinterpretation and updating the law of armed conflicts of the non-international character, as well as the mechanisms for international control over their compliance.

The results of our research in the areas can be presented in the following key theses.

1. Current armed conflicts are caused by a whole set of causes and demonstrate a steady tendency to mimicry, and therefore it is important to choose the starting principle for combining these reasons within certain groups to form the armed conflict typology. We have proposed the author's typology, which uses two categories, «value» and «conditions», as basis. This approach has allowed us to group the causes of armed conflicts according to their essential features.
2. Having come to the conclusion about the futility of the search for the answer to the question: what is the primary in the dyad «poverty - war», we have focused on certain laws of economic development in war time. Based on the analysis of dynamics in GDP, as well as domestic and foreign investments, such as regularity in the «behavior» of the economy in armed conflict time as the ability of the economy to adapt was revealed and the indicative timeframe for positive changes was established.
3. The imperfection of the law of armed conflicts of non-international nature, along with the gradual increase in the role of asymmetric influences and the emergence of new forms of military confrontation, causes global multiplicative negative effects. The concept of state sovereignty, put as the basis for the principle of the supremacy of national constitutions and legal systems is an inalienable basis of the democratic system of international law. The attempts to «destabilise» it from the supporters of a unique universal international legal system poses a threat to the spread of extremist and separatist movements, terrorist manifestations both locally and globally.

References

1. Attali, J. (2009). *A Brief History of the Future: A Brave and Controversial Look at the Twenty-First Century*. New York: Arcade Pub.
2. Averchuk, R. (2017). *Foreign direct investment in Ukraine: War and peace*. Dnipropetrovsk Investment Agency. Retrieved from <http://dia.dp.gov.ua/ru/pryamye-inostrannye-investicii-v-ukraine-vojna-i-mir> (in Russ.)
3. Baronin, A. (2017). Influence of military conflicts on capital flows, GDP, debt, currency, consumer and trade indicators. In: V. Lurchyshyn (Ed.), *Challenges and risks of deploying crisis processes in Ukraine and directions of economic policy for their prevention* (pp. 82-92). Kyiv: Zapovit. Retrieved from http://razumkov.org.ua/uploads/article/2017_vuklyky_ryzyky.pdf
4. Blomberg, S. B., Hess, G. D., & Weerapana, A. (2004). Economic conditions and terrorism. *European Journal of Political Economy*, 20(2), 463-478. doi: <https://doi.org/10.1016/j.ejpoleco.2004.02.002>
5. Bockle, G. T. (1884). *The history of civilization in England*. New York: Published by Ungar. New York: D. Appleton & Company. Retrieved from <https://archive.org/details/historyciviliza03buckgoog/page/n10>
6. Bormann, N.-C., Cederman, L.-E., & Vogt, M. (2015). Language, Religion, and Ethnic Civil War. *Journal of Conflict Resolution*, 61(4), 744-771. doi: <https://doi.org/10.1177/002202715600755>
7. Bouthoul, G., Carrère, V., & Annequin, J. L. (1983). Guerres et Civilisations. *International Review of the Red Cross*, 233(23), 109-110. doi: <https://doi.org/10.1017/S0020860400069047>
8. Braithwaite, A., Dasandi, N., & Hudson, D. (2016). Does poverty cause conflict? Isolating the causal origins of the conflict trap. *Conflict Management and Peace Science*, 33(1). doi: <https://doi.org/10.1177/0738894214559673>
9. Child, T. B., & Nikolova, E. (2018, March 19). War and Social Attitudes. *Conflict Management and Peace Science*. doi: <https://doi.org/10.1177/0738894217750564>
10. Clausewitz, C. (1934; 2007). *About War*. Moscow: Exmo, Midgard. Retrieved from https://hrguru.ucoz.ru/_ld/0/9_2Aw.pdf (in Russ.)
11. Collier, P., & Hoeffler, A. (2004). Greed and Grievance in Civil War. *Oxford Economic Papers*, 56(4), 563-595. doi: <https://doi.org/10.1093/oeq/gpf064>
12. Collier, P., & Hoeffler, A. (2005). Resource Rents, Governance, and Conflict. *Journal of Conflict Resolution*, 49(4), 625-633. doi: <https://doi.org/10.1177/002202705277551>
13. Dannenbaum, T. (2017). Why Have We Criminalized Aggressive War? *The Yale Law Journal*, 126(5), 1242-1318. Retrieved from https://www.yalelawjournal.org/pdf/DannenbaumFinalPDF_wfr13641.pdf
14. Dasandi, N. (2014). International Inequality and World Poverty: A Quantitative Structural Analysis. *New Political Economy*, 19(2), 201-226. doi: <https://doi.org/10.1080/13563467.2013.779654>
15. Dudouet, V., Planta, K., & Giessmann, J. H. (2016). *The Political Transformation of Armed and Banned Groups: Lessons Learned and Implications for International Support*. New York: Berghof Foundation. Retrieved from https://www.berghof-foundation.org/fileadmin/redaktion/Publications/Other_Resources/UNDP-Berghof_PoliticalTransformation-BannedGroups_2016.pdf
16. Fearon, J. D., & Laitin, D. D. (2003). Ethnicity, Insurgency, and Civil War. *The American Political Science Review*, 97(1), 75-90. Retrieved from https://www.jstor.org/stable/3118222?seq=1#page_scan_tab_contents
17. Kahler, M., & Walter, B. F. (Eds.). (2006). *Territoriality and Conflict in an Era of Globalization*. Cambridge: Cambridge University Press. doi: <https://doi.org/10.1017/CBO9780511491450>
18. Kjellén, R. (1917). Der Staat als Lebensform. Leipzig. Retrieved from <https://archive.org/details/derstaatalsleben00kjeluoft/page/n6> (in German)
19. Krisch, N. (2005). International Law in Times of Hegemony: Unequal Power and the Shaping of the International Legal Order. *The European Journal of International Law*, 16(3), 369-408. doi: <https://doi.org/10.1093/ejil/chi123>
20. Salomon, M. E. (2011). Why should it matter that others have more? Poverty, inequality, and the potential of international human rights law. *Review of International Studies*, 37(5), 2137-2155. doi: <https://doi.org/10.1017/S0260210511000362>
21. Sambanis, N. (2004). What Is Civil War? Conceptual and Empirical Complexities of an Operational Definition. *Journal of Conflict Resolution* 48(6), 814-858. doi: <https://doi.org/10.1177/00220202704269355>
22. Smith, D. (2004). Trends and the causes of armed conflict. In A. Austin, M. Fischer & N. Ropers (Eds.), *Transforming Ethnopolitical Conflict. The Berghof Handbook* (pp. 111-127). Wiesbaden: VS Verlag für Sozialwissenschaften. doi: https://doi.org/10.1007/978-3-663-05642-3_6
23. Sobek, D., Abouharb, M. R., & Ingram, C. G. (2006). The human rights peace: How the respect for human rights at home leads to peace abroad. *The Journal of Politics*, 68(3), 519-529. doi: <https://doi.org/10.1111/j.1468-2508.2006.00442.x>
24. Spymann, N. J. (2007). America's Strategy in World Politics: The United States and the Balance of Power. New York: Routledge. doi: <https://doi.org/10.4324/9781315082431>
25. Stasiuk, S. V. (2011). Features of regulation of modern armed conflicts: problems and perspectives. *Yurydychna Nauka (Juridical Science)*, 1(1), 206-209 (in Ukr.)
26. Unger, B., Dudouet, V., Dressler, M., & Austin, B. (Eds.). (2016). *Undeclared Wars: Exploring a Peacebuilding Approach to Armed Social Violence*. Berghof Handbook Dialogue Series, 12. Retrieved from https://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogues/dialogue12_armsocialviolence_complete.pdf
27. Vogt, M., Bormann, N. C., & Cederman, L.-E. (2016). Democracy, Ethnic Exclusion, and Civil Conflict: The Arab Spring Revolutions from a Global Comparative Perspective. In D. Backer, R. Bhavnani and P. Huth (Eds.), *Peace and Conflict*. Retrieved from <https://pdfs.semanticscholar.org/5826/13801a9c7246ce760eb8d92ae395f395f19.pdf>

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