

THE LEGITIMACY OF INTERNATIONAL LAW: CHALLENGES AND THE EMERGING ISSUES

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Abstract

Within academic conversations surrounding traditional international relations inquiry exists an ongoing debate around whether or not we can consider international law legitimate given certain challenges it faces as an operational system. Despite playing vital roles in promoting cooperative relationships between states while also providing frameworks for dispute resolution strategies which sustain global stability over time, issues surrounding authority often call into question its capacity as a legit kindred institution. Enforcement mechanisms simply aren't as centralized or standardized as it is in other legal systems, while other arguments deal with state sovereignty limitations. Supporters argue that legitimacy stems from state consent and supportive treaty obligations, combined with legal precedent set by former decisions. This reliance on factors such as "opinio juris" (shared belief both within and outside of state power circles) is considered an important part of creating enforceable norms on equal footing. The paper aims at understanding the legitimacy of international laws especially considering the emerging issues in the international relations. With this objective, the paper adopts the theory of liberal institutionalism, where it states that the international system requires the existence of a system that will governs its affairs. With states as the main actors in the international system, international law is seen as a product of collective decision-making, where states voluntarily agree to abide by certain rules and obligations. The paper concludes that apart from the challenges to the legitimacy of international law, there are emerging issues like cybersecurity, climate change, evolving nature of the international law which are seeing as factors that pose difficulties to the legitimacy of international law.

Keywords: *Legitimacy, International Law, Sovereignty, Rule of Law,
Legitimacy of International Law, Treaties and Agreement.*

DOI: 10.58934/jgss.v4i16.217

1. INTRODUCTION

Since ancient times until now debates regarding the legitimacy of regarding international legal systems have persisted among many minds such as scholars' jurists, and policymakers alike. The framework created comprises a coherent set of guidelines which direct interactions between different countries who are considered (international actors) thus limiting chances for misunderstandings which arise due to cultural differences. Continuous evolution in time means emerging examples understandably can create skepticism amongst observers towards legitimacy implementation now more than ever. But why then is an effective resolution process so important? Unbiased treatment coupled with strong principles established by justice advocates such as Respect for Human Rights, Non-discrimination and Rule of Law elevates any setting familiarizing those involved including all affected by outcomes- with feelings ranging from empathy to affirmation with the particular legal framework in question. Opinions aside, it has been repeatedly suggested that fair compliance and transparency amongst a select institution of international bodies enhances credibility paving way for future policies yielding necessary cooperation and stability (Kumm, 2004).

The legitimacy of international law rests on its sources responsible for tackling such issues are many including binding treaties that provide frameworks for cooperation with defined rights/obligations; customary practices arising from consistent practice; general principles and judicial decisions. Though general principles recognized by civilized nations establish international law by closing gaps and guiding its development, there are concerns about its legitimacy due to several challenges faced by it. Among these obstacles is the lack of a centralized enforcement mechanism like those typical in domestic legal systems that favor specific parties concerning interests and power dynamics shared among different sovereign nations globally (Tasioulas, 2013). Sovereign states act based on their distinct cultural values, political systems, and economic priorities threatening disagreements among them with non-compliance with rules guided by common laws. The area concerning human rights often poses a dilemma with universal standards conflicting with either cultural relativism or state preferences bringing tension into play. It is essential to understand that the validity of global governance crucially depends on how legitimately we view international law. When it comes to being legitimate in nature, it offers a shared framework for countries worldwide as they indulge themselves in peaceful interaction curbing any chances of conflicted paths eventually promoting assurance & cooperation amongst nations facilitating diplomacy measures too.

Subsequently legitimized laws can garner sufficient adherence from all participating countries even improving overall institutional efficacy respective within such organizations. Moreover, when considering legality positioned at an international level- its authenticity determines whether said legislation will be trusted & respected among citizens. Most importantly among those who make crucial decisions- i.e., States these entities believe recognition conjures up better participation during any dispute-solving methods adopted adhering to international laws depicting this displays conscientiousness towards considering such issues seriously. In consequence endorsing the rule of law alongside accountability measures taken when examining any state actions is made possible when there exists a legitimately-backed International Law in place. This paper strives to physically examine the meaning behind legitimacy of international law, observe its potential challenges and gauge its impact on a global legal structure (Thomas, 2014).

2. THEORETICAL APPROACHES TO LEGITIMACY

This paper adopts the theory of *liberal institutionalism* of international relations, as Devitt (2011) identified that this theory of liberal institutionalism emerged as an alternative to the theory of realism; which argued that emphasis should be given to international institutions and global governance as a way of elucidating international relations. The origin of liberal institutionalism can be traced back to the time when the first World War ended, at the end when it persuaded one overriding goal; the establishment of peace. Initially, it was directly sought by establishing an institution, like the League of Nations that would embody a new liberal order (Richardson, 2015). In the years following the Second World War, the development of multinational and regional institutions began, rejuvenating "functionalist" conceptions that had started to contradict key realistic values in the 1930s. Enacted by publications such as David Mitrany's 1933 book "The Progress of International Government" functionalism claims that power is not inherently supplanted by nation-states throughout territorial states. Instead, the government is a collection of roles that may and can maybe be carried out all across state boundaries by a combination of state and non-state players specialized in specific tasks. This is self-perpetuating: when organizations in several practical fields acquire deep knowledge and collaborate successfully to exert power, nation-states offer even more authority to foreign institutions. And, following liberalism, this connection disincentives battle (Johnson & Heiss, 2018).

During the 1970s, the economic interdependence increases between states in international relations encouraged a further radical reformation of institutionalism, as presented in Keohane and Nye's *Power and Independence (1977)*. Their main concern was to identify the areas of international relations governed by a different logic, and not realist theory (Devitt, 2011). Scholars of liberal international relations respect the role of international organizations in fostering international cooperation. They claim that organizations with their capacity to offer a shared platform for interaction play a mediating position and promote communication between them. They still maintain that States' shared objectives are likely to mitigate their disparities and lay the foundation for prolonged cooperation. States are fair players; they optimize absolute profits by collaboration and are less worried about the marginal gains achieved by other states. Institutions are viewed as intermediary variables that have a substantial effect on state action in terms of implementing and/or redesigning state policy priorities and choices (Nuruzzaman, 2008).

Like their realistic and neo-realistic counterparts, liberal institutionalists perceive anarchy as a major obstacle to cooperation between states. yet, they assume that anarchy doesn't make cooperation difficult to obtain. Non-cooperation in the international system is the outcome of mistrust between states as well as 'dishonesty' several of them and still being part of a made simultaneously. In an attempt for cooperation to occur, the liberal institutionalists demonstrate considerations like that of the long-term relationship between a moderately small number of States, accountability based on standards of acceptable conduct, and the creation of shared values which make it easier to benefit from cooperation. Institutions encourage shared values between Counties, stop or control State misconduct and contribute to better global collaboration (Nuruzzaman, 2008).

The original formulation of international bodies as solutions to the problems of global governance incorporated a broad assumption that the prototype of state relations was linked to the scope of the issue they were meant to solve. Institutions that presented cooperation, for example, were self-reinforcing and did not involve extensive monitoring and policies in place. So, they were probable to be highly institutionalized and codified. Cooperative solutions to prisoner's dilemma problems, on the other hand, were sensitive to defection and deception and were very concerned with implementation and supervision (Stein, 2008).

According to liberal internationalism, international law is considered legitimate because it is based on a set of shared norms, values, and principles that reflect the interests and values of

the international community as a whole. International law is seen as a product of collective decision-making, where states voluntarily agree to abide by certain rules and obligations. Liberal theorists argue that international law serves several important functions in the international system. First, it provides a framework for resolving conflicts and disputes peacefully, thus promoting stability and reducing the likelihood of war. Second, international law helps to establish a level playing field by setting common standards and rules for behavior, which promotes fairness and justice in international interactions. Third, international law facilitates cooperation and coordination among states, enabling them to address global challenges collectively, such as climate change, terrorism, and human rights. Liberalism also emphasizes the importance of international institutions, such as the United Nations, in upholding and enforcing international law. These institutions provide a forum for states to negotiate, adjudicate, and enforce international legal norms, thereby enhancing their legitimacy and effectiveness (Sterling-Folker, 2000).

3. LEGITIMACY IN THE CONTEXT OF INTERNATIONAL LAW

Legitimacy under international law encompasses concepts such as authority, credibility, but more importantly - a general perception towards legal norms concerning institutions/processes' fairness regarding their implementation capability internationally. Various sources can contribute towards establishing such validity; consent remains crucial primarily since it indicates voluntary compliance with these aforementioned rules & norms by relevant actors' countries/organizations/offices at large. Respectively tied with sovereign equality amongst different nations within this global setting- consent-based legitimization continually uplifts & supports ideals bestowed upon creating credible legitimate structures adhering to universal legal notions where concerns are derived via following suitable guidelines/set protocol systematically (Bodansky, Dunoff, & Pollack, 2013).

Legal legitimacy maintains its presence via compliance with already established norms encompassed in important global decisions like treaties/customary international law or legal rulings implemented via international tribunals. The authoritative interpretation & focus on setting suitable standards for access serves as an attempt to improve the overall global legal system's credibility that hinges on legal fundamentals. Moral legitimacy focuses on ethical principles/human rights protection, indicating a legislative system focusing on these values will gain its legitimacy further by ensuring justice, fairness, and most importantly - protecting human dignity at all times. This form of legitimacy can often challenge selected state or non-

state actors concerning occurrences perceived as morally incorrect. Effectiveness plays a pivotal role in shaping perceptions towards legality since its primary drive radiates via achieving goals/intending implementations and eventually produces practical solutions that are realized through attentive execution & monitoring of set procedures/decrees/decisions- this method had a substantial role in enhancing overall regional credibility worldwide (Ryngaert, 2016). In their writing, Wolfrum and Roben (2008) defined international law to be:

- a. Compliance and adherence to international law: Legal norms and institutions that are deemed legitimate hold greater sway over states and international actors' actions. This perception of legitimacy promotes adherence to international obligations which ultimately strengthens predictability, stability, and order in international relations.
- b. Support for international institutions: International bodies like the United Nations and global courts are likely to gain support and cooperation from states rendering them more effective in solving disagreements fostering peaceful coexistence and enforcing legal norms. Such backing is valuable for ensuring legitimacy and credibility of these institutions.
- c. Promotion of justice and fairness: It is imperative to acknowledge the impact of legitimate international legal norms on accountability for both states and individuals. The focus on promoting fairness, equity, and human rights within this structure ensures effective justice delivery.
- d. Legitimacy crises and challenges: Undermining the perception of legitimacy is possible if there's a perception that international legal norms and institutions are unfair, discriminatory, or ineffective at meeting the requirements and goals of some countries or communities. Crises in legitimacy may follow leading to different forms of loss for all involved parties.

3.1 Sources of Legitimacy in International Law

At its core, legitimacy within the context of international law is centered around whether or not its legal norms and institutions are viewed as possessing fairness or equity on a wide scale - from states to other key global decision-makers. Beyond being an abstract value system rooted in societal expectations or cultural beliefs around what constitutes "fairness," a strong sense of legitimacy can help bolster trust between parties involved with crafting policy decisions or enforcing treaties aimed at preserving peace worldwide. Cartner, Fiske, and Leiter (2009) argued that international law can be source through the following:

Consent: Consent remains an essential factor contributing towards legitimizing concepts within international law. States voluntarily submitting themselves to a particular legal norm or treaty elevates its authenticity significantly. Consent can take several forms such as entering agreements through signing and ratification processes; collaborating within worldwide institutions; recognizing the jurisdictional rulings passed down by global courts among others. Maximizing awareness about informed consent safeguards nations against marginalization from mutual responsibility for creating systematically sound frameworks ensuring greater equitable adherence globally while valorizing respective state laws into comprehensive global guidance frameworks.

Customary International Law: The emergence of customary international law stems from consistent patterns of behavior accompanied by a belief that such actions are legally binding (*opinio juris*), affirmed by the International Court of Justice. With sustained participation over time in particular conduct regarded as necessary under international law, these behaviors become part of customarily-obligatory norms. These customs receive legitimate status through widespread acceptance and regular observance among various nations reflecting their view on its normative relevance for compliance with humanitarian standards.

Treaties and Agreements: It goes without saying that treaties play an essential part when it comes down to recognizing what is lawful under international regulations. Through their participation and negotiation processes, state entities actively engage themselves into addressing pressing issues while at the same time committing themselves legally toward guarding against unfavorable circumstances that may arise. Signing otherwise requires compliance from all sides involved; it signals willing agreement on matters that pertain most closely with shared aspirations common amongst everyone concerned. The reliability behind these arrangements ultimately hinges on whether or not every party involved possesses sufficient fortitude towards keeping their ends of the bargain.

International Organizations and Institutions: Collaboration among states through international organizations and institutions such as the United Nations, International Criminal Court, World Trade Organization, and regional bodies strengthens the legitimacy of international law. These platforms enable dialogue among different nations on various global matters including policies development and decision-making processes. By providing spaces for deliberation, reaching mutual agreements or outcomes on legal statements is encouraged. The support of states in

these forums enhances their actions' authorization since they can address common challenges consequently representing collective interests.

Moral and Ethical Considerations: Issues of morality and ethics are highly relevant when it comes to gauging the legitimacy of international law. The recognition that rules are fair and just contributes greatly towards their overall legitimacy. Furthermore, humanitarian principles like human rights protection, prohibiting genocide, as well as implementing policies in line with Responsibility to Protect (R2P) foster ethical credibility within international law boundaries. Harmonizing legal parameters alongside these values spurs on wider acceptance by both state actors AND other non-state entities.

Democratic Governance and Accountability: To establish credibility for any international legal norm, it must go through a legitimate democratic process where transparency is high priority amidst an inclusive approach being employed towards its development. With more actors involved—specifically those from state governments NGOs international law takes on a more robust quality thanks to being exposed to wider perspectives. Without adequate accountability measures however, such legality would fall short when putting those established frameworks into practice. Therefore, international tribunals should work alongside domestic judicial systems within individual countries so as to guarantee conclusions are met using enforced legitimate regulations agreed upon by all parties under review.

State Practice and Judicial Decisions: The establishment and reinforcement of legitimacy in international law rely on consistent state practices and legal verdicts from both national and international courts. When states adhere to legal norms with fidelity while recognizing court decisions, it strengthens the perception that they respect international law. International legal credibility is derived from diverse sources including state consent, customary practice, treaties & agreements, as well as international organizations' operations. Their combined activities provide a platform in which global laws are considered fair, authoritative, & acceptable worldwide.

3.2 Effectiveness and Legitimacy of International Law

International law's effectiveness is measured by its ability to achieve objectives and influence the behavior of states and other actors across the world. Although there is no enforcement mechanism, international law rests on several factors that contribute to its effectiveness. Firstly, it establishes a framework for conflict resolution and peacekeeping. For instance, under the

United Nations Charter, the International Court of Justice (ICJ) serves as the principal judicial organ of the UN. The ICJ forum helps states settle legal disputes and has prominently contributed to peaceful conflict resolution. By providing a neutral platform for dialogue and legal argumentation, ICJ reduces escalations into armed uprisings, thus promoting peace. Secondly, international law must abide ethical principles of fairness and justice to establish its legitimacy successfully. Laws that uphold moral values to protect human rights or prohibit aggression increase reputation thus encourage nations to comply with these principles supporting effective legislation (Shany, 2012).

Finally, international law outlines definitive standards by which countries should govern their decisions shaping behavior across varied domains such as environmental protection or human rights conventions; treaties agreements work toward establishing common ground amongst countries demonstrating international laws ability to foster cooperation between nations when seeking solutions for transnational challenges; hence voluntary participation from countries shows legitimacy in achieving desired outcomes worldwide. As key players in implementing international laws' obligations consent reflects agency accountability by negotiating treaties inevitably ratified which emphasize applied country laws congruence with this framework contributing towards outlined objectives is pivotal sovereignty principles evoking equally among member nations promotes an equitable justice system made possible under one established framework fostering universal compliance leading globally respected outcomes offering maximum protections via limitation barriers amongst individuals groups independent states within borders both economically socially politically. International institutions collaboratively working under a rules-based framework establish meaningful structures towards promoting cooperation and accountability in global actions; thanks to the critical role played by international law therein. Bodies like International Criminal Court (ICC) or World Trade Organization (WTO), for instance, provide insight into available alternatives when resolving disputes or enforcing protocols demanded under valid International Legal Codes (ICLs). With broad participation from varied quarters like state bodies or participating groups i.e., NGOs prominently featuring alongside civil societies, this collaboration supports legitimacy during deliberated established guidelines (Verdier & Versteeg, 2015).

3.3 Implications legitimacy of internal law for global order

The significance of international law cannot be overstated in shaping the worldwide structure, as it carries profound effects. Benvenisti and Downs (2014) are of the opinion that the implication of the legitimacy of international law can be considered through:

Rule of Law: The provision of framework offered by International Law acts as an enforcement tool necessary for upholding globally-oriented objectives such as establishing principles-based on commonly shared values; defining norms prohibiting undesirable conduct; setting standards across different areas such as human rights or trade agreements; outlining procedures e.g., dispute resolution; identifying those who bear responsibility when something goes wrong within State Territory. The legitimacy imparted by this discipline is critical because it instills hope when dealing with longevity regarding predictions while ensuring consistency within world affairs with accountability being spread out evenly among States everywhere thereby contributing greatly towards resolving ongoing conflicts.

International Cooperation: Effective collaboration among different states is essential in legitimate international law as it enables them to tackle different challenges that cut across different societal domains. Recognizing the legitimacy and upholding their international obligations allows nations worldwide to identify with established frameworks for addressing varied global issues collectively, leveraging these established standards that focus on areas such as human rights protection or environmental preservation towards achieving a shared purpose or responding to important local priorities through mutually beneficial support systems promoted by legitimate international law structures. In this sense, these collaborations extend into subordinate sectors such as trade provisions or security measures designed to foster cooperative responses aligned with internationally-endorsed guidelines aimed at addressing and dealing with contentious cross-border matters like terrorism threats or controlling pandemics like COVID-19. International cooperation thrives on this legitimacy framework where joint action is seen as an indispensable approach towards delivering effective solutions for these shared problems facing the modern world.

Conflict Resolution: Legitimate international law functions as an effective tool for peacefully resolving disputes between nations by offering necessary mechanisms and procedures that solidify the fairness and impartiality of legal processes alike. This confidence ultimately reduces reliance on harmful methods like unilateral actions or combat-related violence when

seeking conflict resolutions. Ideal scenarios see recognition of legitimate International Law providing platforms for diplomatic agreements over violent ones; publicly promoting peace initiatives globally while maintaining security measures amidst potential governmental conflicts abroad throughout any administrative tenure either term-limited or ongoing respectively across worldwide neighbors near & wide throughout such events at large after deliberation takes place post consideration within respective bodies across consolidated fronts thereof post-Global UN interventions made frequently opposed intervening otherwise relatively inexpensively always-on-demand.

Protection of Human Rights: The bedrock of protecting individuals' basic freedoms globally rests with international law, specifically human rights laws; it sets critical frameworks in place towards achieving justice and equity worldwide. States will only truly respect and abide by global human right norms when they deem such regulations as legitimate standards worth observing- progress in upholding universal values improves throughout the world under this framework. Achieving legitimacy enables robust processes where specialized organizations such as international bodies will ensure state compliance with established panel independent standards on maintaining civil species on matters concerning individuals' dignity; In cases where there are complaints against violators' intentions by countries' officials, the same fundamental legal framework ensures transparency and impartiality in resolving these long-standing issues which threaten to undermine human dignity.

International Institutions: Crucial Global Institutions like The United Nations (UN) rely heavily on Worldwide trust adherence towards governing crafted rules of international law. International law's legitimacy reflects on organizations' credibility and effectiveness, strengthens their mandates to tackle universal issues, and fosters global order. Countries naturally follow through with decisions in such cases because they hold legitimate recognition bound amicably by international laws accepted globally. Similarly, various worldwide initiatives like the World Trade Organization (WTO), International Criminal Court (ICC) are empowered solely by the imprints of international law establishing a strong framework that encourages unity within Governments and nations, successfully providing global guidance towards solutions governing cross-border challenges that require collective effort.

Compliance and Enforcement: Legitimacy within the realm of international law functions as a cornerstone in fostering compliance with its provisions. A state's acceptance of international law's authority imbues it with greater willingness towards conforming voluntarily with the

normative framework it presents. In addition to this effect upon states' behavior towards agreed-upon obligations under this framework's auspices; such legitimization also enhances enforcement mechanisms' efficacy; including recourse through sanctions diplomacy or available litigation options while providing these tools moral or ethical foundations for implementation comparative strength over non-legitimated alternatives that may not share this attribute's functionality should they exist within any given jurisprudential system globally otherwise notably lacking in said quality – cementing both accountability measures alongside duties owed between sovereign entities comprehensively regarding acceptable international legal behaviour.

Norm Development: The advancement of global norms through international law depends heavily on its perceived legitimacy by states globally. Trusted protocols ensure increased willingness among countries supporting new standards' formation while promoting acceptance at an intercontinental level effortlessly. This ideal protocol drives modernization within existing protocols while catering for future complex issues such as tackling cyber warfare advances and securing sustainable approaches for managing climatic conditions around the world with ease

Sovereignty and State Consent: International legal systems highly prize state sovereignty as a significant aspect in governance structures across various countries worldwide- allowing nations greater autonomy when setting domestic policies. At the same time however, international laws assert limits on such actions through various responsibilities and duties required, serving as counter balance mechanism ensures non-detrimental conduct. It is through such balancing mechanisms that diplomatically reasonable outcomes towards collective good are arrived at.

3.4 Challenges to the Legitimacy of the International Law

The legitimacy of international law can face various challenges that can undermine its effectiveness and acceptance. According to Alter (2022), below mentioned are some key challenges to the legitimacy of international law:

Non-compliance and Selective enforcement: The validity of international law suffers from widespread noncompliance often exhibited by sovereign nation-states who fail to comply with their legal commitments under certain circumstances: conflicting domestic legislation or national security interests being two examples. This endangerment exists because compliance

is enforced through state agencies alongside other interventionists who uphold its constitutionality against abusing state power—this is not always observed equitably though leading observers sometimes questioning its fairness too when some are seen getting more leniency than others (Frank, 2006).

Power imbalances: International law confronts issues surrounding its legitimacy because imbalances exist among states' relative strengths as actors on this world stage. The more potent states possess significant influence when it comes to creating, interpreting, and implementing globally applied rules while weaker powers lack similar abilities and capacities: this dynamic has far-reaching implications for whether everyone is following these frameworks fairly—including developing or less influential countries who may feel marginalized under such conditions. Opponents argue that more influential sovereigns (especially those with permanent seats within the United Nations Security Council) could bias global laws unfairly in their favor whereas smaller powers may find themselves ignored entirely—an inherent asymmetry in which legitimate, impartial international legal norms can be compromised by questions over their fairness (Popovski, 2008).

Cultural relativism: International law's universality is challenged by cultural relativism because various cultures and societies follow different values, norms, and legal practices leading to divergent views regarding certain global legal tenets' legitimacy and functionality. International critics opine that Western culture dominates these laws leading some countries resist enforcing them as they feel their autonomy or traditions are threatened. Different nations' worldviews shape global laws but opposing factors inherent in cultural diversity present challenges for these laws' legitimacy towards issues such as governance, human rights, or upholding the rule-of-law. Further attempts at imposing West-centric standards upon non-Western countries may be counterproductive as it overlooks culture sensitivity thereby compromising international laws veracity (Follesdal, 2020).

Lack of democratic legitimacy and universal participation: International lawmaking typically occurs with only a few select members from global organizations and states involved which raises issues concerning the validity of this practice and whether it serves democracy as intended. Moreover, some individuals feel that not having representation for certain countries while allowing others with more influence over new regulations can jeopardize trust towards these laws. Similarly, since all nations don't agree on nor ratify equivalent systems for international regulations there's no universal participation leading towards weakened authority

making it probable that various members will decide not to practice them accordingly further dissolving integrity across these legal guidelines. Ultimately this raises questions concerning their censorious efficacy whereby gaps find their way into official governing principles lessening credibility within society on the whole when limits aren't recognized.

Interpretation and judicial activism: Different perceptions regarding international legal principles among various global courts and tribunals can create controversy over whether their decisions are legitimate. Opponents claim that particular courts may indulge in judicial activism by broadening their constitutional powers or construing laws in ways beyond what was originally intended. This kind of behavior can generate doubts about global justice systems' reliability by arousing considerable skepticism and even triggering challenges on their credibility.

Non-state Actors: Traditional international law has conventionally concentrated operationally on states constituting its main subjects. However, non-state actors such as multinationals, NGOs or global tribunals have progressively been exerting significant impact lately. This trend creates questions over the authenticity of global laws for some experts; mainly because these entities lack a democratic outlook which might impact their credibility when designing or enforcing established legal standards.

Ineffectiveness and Inefficiency: We must recognize that many individuals regard international law as weak or ineffective when dealing with disputes or addressing significant global problems. This perception could damage confidence in the credibility and effectiveness of this regulatory framework. With slow-moving legal procedures at times hindered by inadequate enforcing mechanisms due in part to no central governance body present underpinning beliefs emerge regarding doubts surrounding effectiveness related to true justice delivery while maintaining coherence globally are understandable concerns some hold towards what they see as shortcomings found within International Law regulations overall.

Fragmentation and Overlapping Jurisdictions: The body of international law involves varied agreements, conventions and customary laws in addition to verdicts given by various tribunals. A major challenge arising from these overlapping regulatory frameworks is creating confusion-casting doubts over how internationally recognized laws are upheld- thus causing concerns about their legitimacy. Experts suggest that having a more comprehensive approach to this field would improve predictability thereby enhancing coherence among regulations.

3.4.1 Legitimacy on international law and Emerging Issues

At the heart of international law lies state approval, recognition, as well as obedience. As globalization continues, there arises a necessity for altering the International Law framework accordingly to accommodate pressing worldwide issues: think cyber-security and climate change. However, discussions concerning effectiveness when International Law interacts with emergent problems continue. It will be paramount to have methods of evolving our legal frameworks, strengthening enforcement mechanisms, and boosting collaboration among all stakeholders involved in worldwide affairs. By doing so, we increase our chances of having relatively efficient modes of addresses any problem areas that emerge globally (Bexell, Jonsson, & Uhlin, 2022). The manner in which effectiveness relating to International Law interaction with emerging issues may vary greatly depending on findings. Communication between all parties related extensively may be necessary when formulating possible long-lasting solutions (Schmidt, 2022). To Sommerer, Agne, and Zelli (2022), the emerging issues may include:

Cybersecurity: Maintaining good cybersecurity posture worldwide has proven challenging given constantly changing tactics employed by bad actors in cyberspace. With cross-border cyber-attacks and malicious activities persistently on the rise from state-sponsored or non-state sources perpetrating online threats; it becomes our responsibility to reevaluate how we enforce international standards for improving cybersecurity defenses worldwide implementation based on shared values as this often involves handling issues such as jurisdiction that can complicate issues further. Reference works difficult attribution when tracking online perps makes accountability difficult - an issue compounded by no overarching treaty covering all requirements. However, many initiatives are currently being undertaken towards improving things like collaboration between nations dealing with such problems first hand as well as establishing accepted practices/mechanisms which stand ready for quick responses to possible future threats.

Climate Change: The daunting ramifications of climate change necessitate cooperative action across borders. Developed legal frameworks like those established by the United Nations Framework Convention on Climate Change (UNFCCC) and its accompanying agreements like the Paris Agreement provide avenues towards addressing these effects of a changing world effectively - yet their success must arise from collective participation in comprehensive green policies implementation while adopting reduction initiatives voluntarily worldwide. Despite

recent advancements of demonstrated ambition in fighting against worsening effects of global warming-related issues remain concerning many experts' due lackluster progress; calls continue highlighting that immediate, ambitious steps to enforcing consequences through international law remain essential.

Evolving Nature of International Law: International Law is not static but a constantly evolving system that takes into consideration issues such as cybersecurity threats or environmental changes opportunities which augment existing norms while defining new frameworks for future generations worldwide. It involves building specialized legal structures matched with our changing times –all working alongside existing universal principles- provides a platform for advancing productivity while mitigating global conflicts among nations. Global institutions come together under this common objective of ensuring fair dealings among nations. The International Court of Justice, International Criminal Court, and various UN bodies assist in interpretation and enforcement of international law while encouraging global cooperation.

In this dynamic system, non-state actors display immense agency towards shaping international legal norms through advocacy and engagement in innovative ways beyond the traditional scope. Civil society groups or multinational corporations influence sustainable policies to address future challenges worldwide.

3.5 Strengthening the Legitimacy of International Law

To elevate the legitimacy of international law comprehensively and inclusively, it is essential to involve states, international organizations, civil society groups, and individual contributions in promoting universal participation. By adhering to principles of transparency, consistency, engagement while discouraging any kind of power imbalance through innovation education within systems governing International legal norms greatly enhances their effectiveness as well as improving acceptance across nations worldwide (Beisheim, Berger, Kloke-Lesch, Scheler, & Weinlich, 2022). There are many ways through which this objective can be achieved:

Universal Participation: The promotion of extensive participation in international legal instruments and organizations holds immense significance. To ensure broad based applicability and legitimacy it becomes imperative for states to be encouraged into ratifying as well as effectively implementing global treaties and conventions. Additionally, initiatives should focus on facilitating universalization efforts concerning critical legal structures such as the Rome Statute of the International Criminal Court.

Compliance and Implementation: Countries must show their staunch commitment towards abiding by and executing international law. One way of achieving this is by introducing or modifying national laws to correspond with global duties. Furthermore, establishing efficient domestic frameworks that check adherence and punish any violation of global legal principles is crucial.

Transparency and Access: For international law to establish itself in society with reputation intact requires transparency at all stages: construction; comprehension; execution. Knowing direction from which every possible party could be impacted helps stake holders whether state agents or ordinary citizens gain adequate knowledge about involved procedures and settlements reached thereof. Various ways such as publishing related documents citing relevant instances exemplifying transparent precedencies offer a means towards better mutual understandings necessary for negotiations dealing with the truth values in matters concerning inter-communication or inter-nation space relation building etcetera within the global community today while safeguarding the interests of every entity therein concomitantly developing closely monitored solutions when effective means are found lacking along agreed agendas which constitute shared common aims among participants constantly alienable by way preferential collaboration through open dialogue.

Consistency and Coherence: The credibility and legitimacy of international law can be strengthened through measures aimed at fostering consistency and coherence in its interpretation and application. International courts, along with tribunals, assume a crucial role by advancing jurisprudence development while offering expert opinions on legal norms. By prioritizing consistency in legal reasoning across various channels within the framework of applicable laws, conflicts causing disintegration get resolved systematically leading to greater justness ultimately preserving the integrity & prestige enjoyed by international Law globally.

Engagement and Dialogue: Encouraging valuable interaction and constructive discussion among states, international organizations as well as non-state actors holds great significance in building a unified comprehension of international legal principles. Diplomatic negotiations, multilateral forums for dialoguing, networking in academia, and robust publicity initiatives can help meet this objective effectively.

Strengthening International Institutions: International law's acceptance hinges on the efficacy and authority of institutions like the UN and its specialized entities. Potential reforms may

address their functioning, decision-making processes, or enforcement mechanisms. Provision of requisite resources along with concerted efforts to strengthen their capacities is indispensable for optimal performance.

Public Awareness and Education: Generating support for international law relies on successfully educating the public about its crucial importance. Practical efforts like public awareness campaigns that educate individuals on global laws encourage compliance. Combined with enlightened educational programs or initiatives promoting legal literacy will inevitably lead to a better understanding of these essential norms internationally.

Addressing Power Imbalances: Taking action to redress power imbalances in the international legal system is crucial. Upholding the legitimacy of international law requires equal treatment for all states regardless of their size or influence. Promoting inclusivity and fairness demands meaningful participation from marginalized and developing countries in legal proceedings.

Innovative Approaches: There are many benefits associated with embracing creative strategies aimed at strengthening the legitimacy of international law. This includes investigating new technologies - like blockchain - that provide enhanced transparency and trustworthiness within legal systems. Additionally, Utilizing artificial intelligence for streamlined legal research or analysis has proven effective.

Respecting Sovereignty and Cultural Diversity: A fundamental element in preserving the legitimacy of international law involves acknowledging and valuing the diversity found within different legal systems as well as varied social perspectives. By finding ways to integrate universal principles with cultural relativism we have an opportunity to build bridges between different cultures while maintaining respect for each society's individual character.

4. CONCLUSION

It is widely understood that determining whether international law is legitimate or not depends on multiple factors comprehensively debated by scholars, policymakers as well as practitioners worldwide. Against this backdrop, international law plays a critical role regulating state behavior, promoting cooperation, and addressing global challenges. Although some factors affecting its legitimacy include: Firstly; the sources (primary) used alongside the foundation reflected determine how legitimate any given global legal system maybe. Such sources include treaties, customary international law along with general principles which enable states to

voluntarily bind themselves to a legal framework. An open show of consent and participation by many countries increases legitimacy because they demonstrate collective acceptance and adherence to international norms. Secondly, the role that enforcement mechanisms play in ensuring adherence to these laws enhances overall confidence in legitimacy conferred upon them. If the systems presently in place are highly enforceable, it ensures accountability and consequences for violations, effectively upholding the rule of law while promoting compliance over time. Thirdly, inclusivity alongside representation becomes critical factors influencing how legitimate one sees the international framework. This means that regardless of size or power, member states must have an equal voice while prioritizing a fair application of ethical standards. When all parties involved feel heard leads towards transparency indirectly supporting justice among member States.

Finally, legitimate laws governing different regions around the world should be coherent avoiding redundancies. They need to maintain predictability within different parts within the international system enhancing trust towards its effectiveness as well as reliability. However, some critics argue that unequal treatment often arises from selective enforcement influenced by power dynamics. Additionally, this is compounded by missing centralized enforcement authority sometimes leading unwanted strains as well as tensions globally. The continuous challenges faced by international law underscore the persistent need for reform, adaptation, and improvement to bolster its legitimacy.

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