

MUNUM'19

Modelo de las Naciones Unidas
Universidad Militar Nueva Granada

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COMMONWEALTH OF NATIONS

MUNUM'19

BIENVENIDA DE LA SECRETARIA GENERAL

Familia MUNUM 2019, Soy Maria Camila Chávez, estudiante de noveno semestre de Relaciones Internacionales y Estudios Políticos de la Universidad Militar, y es un honor poder continuar como Secretaria General en este viaje que representa MUNUM en su tercer año como Modelo de Naciones Unidas, este es un proyecto que hemos venido construyendo entre amigos a lo largo de los años y que este año tuve la fortuna de liderar, en el que no solamente se pondrán a prueba los conocimientos académicos que tenemos, sino la responsabilidad de crear un espacio en el cual podremos dar lo mejor de cada uno, espero puedan llevarse gratas sorpresas en el 2019 con este proyecto que hemos creado para ustedes, junto con nuestro equipo académico, logístico y de prensa quienes han puesto lo mejor de sí mismos para lograr que vivamos la mejor experiencia. Estén atentos, porque esto apenas empieza. ¡Bienvenidos a MUNUM 2019!

MUNUM 2019 family, I am Maria Camila Chavez, currently I am in my 9th semester of the undergraduate program International Relations and Political Studies at the Military University Nueva Granada. It is a honor for me to guide you through this journey as your General Secretary of MUNUM 2019. This is a project that we have been creating with friends all of this years, also it is an opportunity not only to develop our academic skills but to create a family where we can develop all of our personal skills. I hope we can surprise you with new challenges that our team has been creating for you, encourage you to take risks during the third version of the United Nations Model in 2019 and make you proud to be part of an amazing experience. I'm looking forward to work with you and stay tuned, because this is just beginning. Welcome to MUNUM 2019!

Atentamente:

María Camila Chavez

Secretaria General

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CARTA DE LA SUBSECRETARIA GENERAL

Mi nombre es María Fernanda Landazuri, es para mí un honor ser la Subsecretaria General de MUNUM19, estoy a punto de graduarme como profesional en Relaciones Internacionales y Estudios Políticos. Sobre mi quiero compartirles que unos de mis planes favoritos de fin de semana son los MUNs y las premiaciones de Hollywood.

En la familia MUNUM hemos trabajado incasablemente para que disfruten este evento, cada uno de los comités de esta versión fue especialmente pensado para brindarles la mejor la experiencia.

No duden en contáctame con cualquier tipo de duda que tengan, recuerden investigar y planear sus outfits suficientemente de anticipación.

My name is María Fernanda Landazuri, it is an honor for me to be the Assistant Secretary General of MUNUM19, I am about to graduate as a professional in International Relations and Political Studies. About me I want to share with you that one of my favorite weekend plans are the MUNs and the Hollywood awards.

In the MUNUM family we have worked tirelessly to enjoy this event, each of the committees of this version was specially designed to give you the best experience.

Do not hesitate to contact me with any type of doubt you may have, remember to investigate and plan your outfits sufficiently in advance

Atentamente:

María Fernanda Lanzazuri

Subsecretaria General

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CARTA DE BIENVENIDA DE LA COORDINADORA ACADÉMICA

Un saludo a todos! Soy Laura Camila González Salazar, Politóloga e Internacionalista de la Universidad Militar Nueva Granada y voy a estar acompañándolos desde la Coordinación Académica para la tercera versión de MUNUM. Espero que, como yo, reciban con entusiasmo la realización de éste proyecto y que sea para ustedes una posibilidad de crecer personal y académicamente. ¡Bienvenidos/as a la familia MUNUM'19! Una oportunidad para forjarse como líderes y transformar realidades

Greetings for all! I'm Laura Camila Gonzalez Salazar, Professional in International Relations and Political Studies of the Military University Nueva Granada and I will be with all of you from the Academic Coordination on the third version of MUNUM. I hope that like me, you receive with enthusiasm this project and that this become a possibility for you to grow personally and academically. Welcome to the MUNUM'19 family! An opportunity to become leaders and transform realities.

Atentamente:

Laura Camila González

Coordinadora Académica

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LETTER FROM THE USG

Estimados delegados,

Es para mí un honor y un privilegio ser el responsable de la Subsecretaria General para Asuntos Regionales en MUNUM19. Mi nombre es Diego Torres Araque, profesional en Relaciones Internacionales y Estudios Políticos de la Universidad Militar Nueva Granada.

Desde este momento, ustedes serán parte de nuestra familia no solo durante el modelo, serán parte de la familia MUNUM para siempre. Si no lo cree, tan solo piensen en su primer modelo por un momento. De seguro no solo recuerdan el primero, sino que cada una de las experiencias que les ha otorgado los MUN's para sus vidas pasaran de forma inmediata por su mente y también por su corazón.

Para muchos será la primera vez en la que se acerquen a temas globales con efectos individuales, a ellos solo les puedo decir que están a punto de involucrarse en un comité lleno de retos, descubrimientos, creatividad y realidad. A los delegados que tiene experiencia les hablo desde lo personal. Nunca dejen que la excelencia sea eclipsada por suposiciones, den lo mejor de ustedes y compartan sus conocimientos, de seguro eso será más gratificante que recibir una mención a la que pueden ya estar acostumbrados.

MUNUM19 será mi ultimo Modelo de Naciones Unidas -por lo menos es lo que creo-, pues la vida laboral me espera. Les agradezco por confiar en nosotros y regalarnos un poco de ustedes para nuestras vidas. Creamos en nuestra posibilidad de hacer cambios, mejorar lo que existe y dialogar en voz alta.

Sin mas, quedo presto a sus inquietudes y altamente agradecido con cada uno de ustedes por darle vida a este Modelo, y de seguro hacer de él algo memorable.

Atentamente:

Diego Fernando Torres Araque

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WELCOME LETTER

Dear delegates, welcome to MUNUM 19.

Receive a warm welcome to MUNUM 2019 and to the Commonwealth of Nations Committee. I would like to thank you all for joining us during these 3 days discussions that will decide over the future of the organization. My name is Alejandra Mesa, I am a Political Science student at Pontificia Universidad Javeriana and it is an honor to be chair in this commission.

I firmly believe that every model allows us to see the world from a different perspective and teach us that the solutions it needs may not be easy to reach, but through dialogue and diplomacy we can change the world into the one we deserve.

The Commonwealth represents the spirit of cooperation and multilateralism among nations; and that is exactly what I expect to see in every delegate. Bearing in mind, that to cooperate means that together nations are stronger and that every decision will have repercussions in all the organization members.

Therefore, I have high expectations regarding the preparation and development of the delegates, who will be able to exercise their leadership, knowledge and negotiation skills to find the most realistic and accurate solutions for the topics under debate in this summit. Moreover, I invite you to research deeply about the topics, the organization and your respective countries, so as to develop meaningful discussions that allow the growth of all of us as delegates and persons.

MUNUM 2019 is an academic experience that goes far beyond; it represents an opportunity to create new lasting friendships, to challenge yourselves and be creative, but above everything, to be leaders of a world that everyday faces new challenges.

Finally, I wish you enjoy the model and please don't hesitate to contact me with any possible doubt about the committee, I will be there to answer your questions as soon as possible.

My name is Sebastian Gutierrez, I'm currently 16 years old, and I have the privilege, among my colleagues to be the chair in this committee. Since a young age I have always loved to contribute to the progress of our society through small actions. Therefore, I enrolled in the United Nations Model, to be able to learn how to apply diplomacy and reasoning to come up with a solution that will not only benefit my delegation, but the whole committee. This was in 6th grade, now in 10th grade, I'm still learning, and I know that every step that I make, allows me to grow as a person and become that change that I want to represent in the society.

I believe that in these models we are able to create conscience of the challenges our world faces every day, and how diplomacy and debate can generate this change. I chose MUNUM 19, because I know is the right environment to develop my leadership skills, as this presidency will be a great challenge for me, taking into account I'm still in school. From you delegates, I expect excellency, I expect a innovative, creative, delegates. That rare able to present their mind-blowing ideas in the debate.

I am María Alejandra Caucaí Sterling, a proud Sociology student at Universidad Nacional de Colombia, and it's a pleasure to be accompanying you as your chair of this committee.

I have been attending to United Nations Models since I was 14 years old, and, currently, I am 18. Politics and International Relations have always interested me, but what fascinates me the most are the people, their relations, connections, behaviours, and so on. As the future sociologist that I am going to be, the conflict is one of my favorite study objects. And what a better place to discuss about different conflicts than these type of conferences.

I remember being really scared at the first MUN that I attended. But either if it is your first or your fortieth, it's normal to be a little scared. Actually, as a close friend of mine said, you should worry the day you don't.

I believe that MUNUM 19 is going to be one of your best experiences as delegates. Besides being an academic conference, I can assure you that in spaces like this one you could meet one of your strongest and long lasting friendships that you could ever have. A place where you can be as creative as you want, an opportunity to put into someone else's place to expand your perspective of the world.

So, delegates, I expect from you nothing but strong and well-grounded arguments. Even if this spaces are simulations, I want you to take this seriously. At least for four days, believe that you are actually capable of defining a new path to put this world out of its misery.

Sincerely,

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COMMITTEE

HISTORICAL CONTEXT OF THE COMITEE

To be able to comprehend the relevance of The Commonwealth of Nations it's necessary to go back to the beginning of the end of the British empire in the 19th century. Before getting to that situation, the decolonization process started to tackle the stability of the main empires of the time. Therefore, five of the main colonies (Canada, New Zealand, Australia and South Africa) became dominion¹. The Balfour Report (1926) established that despite, Great Britain and its dominions territories were according to the constitution equal to each other and in no way subordinate one to another, they remain united by a common bond to the Crown, under the figure of the Commonwealth of Nations.

Hence, in 1931, in the Conference held at Westminster, London, a statute was promulgated declaring that, henceforth, the dominions were not bound or affected by any act passed by the British Parliament. The statute of Westminster granted the dominions independence in all internal affairs, but the British Queen was still required as the head of the dominions (Ugwukah, 2014). Meanwhile, the non-white colonies remained part of the British empire until the end of the World War 2.

For 1945, the Empire and its colonies needed to renew themselves; the independence of India, Pakistan and

Sri Lanka between 1947 and 1948 represented a change inside the organization, since then the Commonwealth was defined as a multiracial group which include British settlers descendants and indigenous populations from all the independent nations of the former empire.

The modern Commonwealth was formed on 26 April 1949 when the leaders of Australia, Canada, India, New Zealand, Pakistan, South Africa, Sri Lanka and the United Kingdom adopted the London Declaration. This declaration defined the organization as a “free association” of independent member countries. All members have an equal say, regardless of their size or economic stature. (taken from Fast facts of the Commonwealth) The Commonwealth Prime Ministers Meeting of 1949 also solved the constitutional crisis that the organization was facing, by resolving that, even if a member does not recognized the Monarch as the Head of state, they could remain as members under the principle of accepting the queen/king of England as the symbol of the free association of nations and the Head of the Commonwealth. Thus, for 2006, 37 of the 53 members had adopted republican constitutions, and for the 16 remaining the Queen Elizabeth II is the Head of state of all of them individually, represented inside the government though a governor-general in charge of the formal duties of the role.

Regardless of the imperial connection that most of the countries had in common, and due to the addition of Rwanda (2009) and Mozambique (1995) to the organiza-

¹A territory constituting a self-governing commonwealth and being one of a number of such territories united in a community of nations, or empire: formerly applied to self-governing divisions of the British Empire

tion, in the last two decades, The Commonwealth delated its “British” prefix. To demonstrate the openness of this organization.

FUNCTIONS AND SCOPE

“The Commonwealth differs from other international bodies. It has no formal constitution or bylaws. The members have no legal or formal obligation to one another; they are held together by shared traditions, institutions, and experiences as well as by economic self-interest. Commonwealth action is based upon consultation between members, which is conducted through correspondence and through conversations in meetings. Each member country sends an emissary, called a high commissioner, to the capitals of the other members. A Commonwealth Heads of Government Meeting is held every two years. At the meeting in Singapore in 1971, members adopted a declaration that restated the Commonwealth’s voluntary and cooperative nature and committed the organization to promoting international peace, fighting racism, opposing colonial domination, and reducing inequities in wealth”. (Britannica, s.f.).

Regarding the structure of the commonwealth, there is a Secretary-General as the head of administration, currently the title is held by The Rt Patricia Scotland QC. The only instance where main and relevant decisions are taken is at the Commonwealth Heads of Government Meetings

(CHOGM), the meetings of the Heads of Government are usually private and informal and operate not by voting but by consensus. The emphasis is on consultation and exchange of views for cooperation. Meetings are held every two years in different capitals of member countries, the last one was hosted in London, 2018.

The most outstanding decision made was the creation of the Commonwealth Charter in 2012, in order to settle a formal and legal background to the organization, under the principles of democracy, human rights and rule of law, among others. Taking this into account, the decisions made in the Commonwealth Heads of Government Meeting, acquire a more relevant status among the international community.

PROCEDURE

This committee will work as a Heads of Government Summit, in which each delegate will represent the head of government. Besides that, there will be permanent Lobby sessions, during the working days. Finally, delegates should take into account, as it was said before, that decision made during the committee must be achieved by consensus. Besides that, everything will work as it’s established in the MUNUM’s handbook.

PURPOSE OF THE COMMITTEE

The final document expected from this summit, should be oriented by substantive reforms of the charter, chapters 1-3-8; bearing in mind that the study cases discussed during the committee must also be included. This, with the aim of a written document that will fulfill the expectations and needs of the international community nowadays. This document can have the structure of a draft resolution, where the resolute part are the amendments to be done to the three chapters of the Commonwealth Charter mention above, those coming after the discussion regarding the suggested topics:

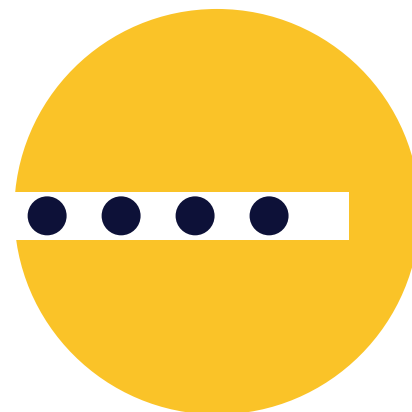
- A. Governance and democracy, in terms of Nigeria as study case. The aim is to analyze the current democratic situation of the country, so as to make the necessary amendments to the Charter, in order to guarantee Democracy and Good Governance to all members
- B. Security, under the same mechanism of the previous topic, the International Peace and Security chapter should be studied from the Kashmir conflict perspective, as a way of identifying the changes that must be done to the charter to avoid and manage conflicts within the members.

The possibility of reform is NOT limited to the chapters 1-3-8 of the Charter, if the committee considers that the study cases require the reform of other chapters, it is possible to do so in the resolution.

TOPIC: COMMONWEALTH CHARTER REVISION

The Charter of the Commonwealth was officially signed in 2013 by the Head of the Organization, Her Majesty Queen Elizabeth II. It represents the values and aspirations which unite the Commonwealth. Within the 16 parts of the document the member states express their commitment to the development of free democratic societies with peace and prosperity, seeking to improve the lives of all peoples of the Commonwealth.

Nevertheless, the eight pages document seems not to be clear enough in topics such as Democracy and International Peace and Security. As a consequence, a new Heads of Government Meeting is going to be held in Suva, Fiji, to revise the Charter.





TOPIC A

GOVERNANCE AND DEMOCRACY: THE CRUMBLE OF NIGERIAN DEMOCRACY

INTRODUCTION

“Democracy has licensed and unleashed novel evils on our country” (Ochonu, 2010)

Democracy is a concept that has been defined for thousands of academics over the centuries. Robert Dahl considered that “a democracy is the continuing responsiveness of the government to the preferences of its citizens, considered as political equals” which means that “all full citizens must have unimpaired opportunities: 1) To formulate their preferences; 2) To signify their preferences to their fellow citizens and the government by individual and collective action; 3) To have their preferences weighed equally in the conduct of the government, that is, weighted with no discrimination because of the content or source of the preference” (1971) Nigerian case settles an example of what happens in a democratic regime when all citizens cannot express their preferences opened, therefore, they are living the crumble of their polyarchy².

The Federal Republic of Nigeria is ruled by the democratic constitution of 1999, with a strong presidentialist court, thereby, the chief of the state is the president, whose election takes place every four years, with a chance of being reelected only once, through suffrage. During the elections, held on March 28th of 2015, the General

Muhammadu Buhari, from the All Progressive Congress (APC) party, won the elections with 53.95% of the votes, against the former president, Dr Goodluck Jonathan. Since that day, Nigerians decided to leave behind the military regime that did not fulfill according to the international community the characteristics of a democracy.

Despite of the fact that, the 1999 constitution tried to established democracy as the legitimate form of government, the People’s Democratic Party (PDP), by means of the re-election, held the power for 16 years straight (1999- 2015). Period during which Nigeria was considered to be under a dictatorship.

Currently, Nigerians live under a supposedly democracy, that has shown to by the perfect pathway to a broken nation in more than one aspect: First, Nigerians are deprived from Human Rights such as: press freedom, the right to free political choice, the right to make deliberative input in governance, among others (Ochonu, M, 2010).

Second, this so-called democracy has built the perfect cover for corruption, during the military regime Nigerians were able to identify when an act of corruption was taking place, but now politicians can distortionate the laws and steal in a legal way (Ochonu, M, 2010). Third, politicians play for their own good, forgetting that they are the representation of diverse communities, people and dreams. It seems that history is repeating itself, meaning that Nigeria is under a new dictatorship disguised as democracy.

² The closest regime to an autentic democracy, in terms of Robert Dahl. Dahl, R. A. (1971). Polyarchy: Participation and Opposition. New Haven: Yale University Press

To study Nigeria's case is essential for this committee, in order to identify if they fulfill the principle of democracy and good governance (Chapter 1 - 8 of the Charter). We expect from you to think if those two chapters offer a way out for the Nigerian democratic crisis and if not which amendments could be done to do so.

HISTORICAL CONTEXT

When it comes to establish the beginning of a conflict, it seems that, every time that we revisit the topic, we can only go further back. But if it hadn't been for the colonialism, Nigeria wouldn't even exist.

“It is the colonialists that gave birth to Nigeria, formed its institutions, set its bureaucracies in place, decided the rules with which Nigeria is to be administered and determined the mode of governance with which the country is to be governed. Eventually, when the British granted Nigeria independence, Britain bequeathed to Nigeria, not just structures, but a mental orientation about the state” (Oladipo, 2016).

The type of states that the colonizers built in the African continent are far from being similar to the western ones, even if the colonizers were western. And they're entirely different because the West had mainly economic interests in the regions, there never was, maybe, a pure governmental and democratic interest, it was the extractivism, mostly, what moved the colonial countries to go to Africa. “The consequence, in Nigeria's case is that

the newly introduced colonial state had an overbearing control on not just the political realm, but also on the social, religious, and economic spheres” (Oladipo, 2016). The kind of politics the colonialists introduced to Africa was quite different from the kind obtained in their home countries. While the colonizers, back in their home, truly cared about their citizens well, when it comes to the African region, it was just the economic interests that came to the surface.

What happened to Nigeria, then? Turns out that the ones in power had attraction in everything but the people's interest. Although, as a colonist State, in Nigeria there was no stable government, and as a post-colonial state the things did not change much. Explaining how colonialism has shaped the crop of leaders Nigerians got after independence, Ibrahim (1986:40) argues that: the present Nigerian ruling class is the product of a sham transition from colonial rule to 'independence'. The class in power had an initial capital that was nil or very minimal, it had to depend on its control of the state machinery to engage in rapacious primitive accumulation to transform itself into a bourgeoisie. The power became a crucial element to ensure the accumulation, and “the competition for its control became characterized by fraud, lawlessness, chicanery and all sorts of autocratic practices” (Oladipo, 2016).

According to what was established before, we can say that there were two governments in Nigeria: the public government and the public civic government. Achebe (1960:30) succinctly captures the point of Ekeh regarding the development of the two publics in Nigeria, according

to the two governments, when he says that, “in Nigeria the government was ‘they.’ It had nothing to do with you or me. It was an alien institution and people’s business was to get as much from it as they could without getting into trouble” (Oladipo, 2016).

The Nigerian government only got more distant, it remained to be an alien to the citizens, and turned out being an obstacle to get the citizens to be patriotic, to work hard and be faithful to public service, paying taxes, and so on. The African bourgeois class that held the power did not antagonize the precepts of the colonial state but only its alien personnel which it eventually replaced (Osaghae 2006:237).

“Unfortunately, although politics should be guided by ethical considerations and the application of set of appropriate rules, this was not the case in Nigeria. This essentially can be traced to the pattern with which the colonialists, and the post-independence leaders of the Nigerian state, administered Nigeria, a pattern which was devoid of morality. In the end, Nigeria inherited a crisis- the separation of politics from morality” (Oladipo, 2016).

As Oladipo says, in the Nigerian democracy must also exist such rights as freedom of speech, of assembly, and of worship; equality before the law; respect for and guarantee of human dignity and fundamental human rights of the people; tolerance of other people’s faith and beliefs, of the opposition, and of ethnic differences; accountability of leaders to the people; justice; and an appropriate set of institutions that can guarantee separation of powers

among the different arms of government. That’s what should happen in a democracy, but the separation of the morality in the bourgeois ruling class seems to don’t let this happen, creating a lacuna filled with impunity and corruption.

This is what Nigeria has witnessed in its democracy. Although, Nigerian politicians took over the reins of government at independence, the power to govern was never firmly in their hands as the economy was decisively in the hands of foreign bourgeois. It was always them in the power; the us never had a place, it never existed. Nigeria was left with aliens in the government; and with governors who see their citizens as complete strangers. What is principally wrong with the Nigerian politics is making the State the centre for the accumulation of wealth and acquisition of resources: meaning that holding the power equals to hold the acquisitions, and to keep accumulating the capital.

So, as Tar and Zack-Williams (2007) say, there are four trends of the Nigerians policies:

- 1) Politicization of sectarian differences. Politicians often resort to this as a means of gaining and perpetuating themselves in power. In doing this, “primordial ties such as ethnicity, religion and region of birth are mobilized by one faction of the bourgeoisie against other factions” (Agbese 1990:302).
- 2) Militarization of the state and political culture. This is as a result of many years of military rule that the country witnessed. Coupled with this is the fact that most Nigeri-

ans who ventured into politics were ex-military men with the “barrack culture” and rulers with little or no regard for the democratic culture.

3) Privatization of violence. This is evident in the establishment of private and party militias by politicians as means of protecting their loots from state plundering. They, at the same time, employ the barrels of the gun to intimidate rival politicians and members of the public. There is also violence visited on the state by ethnic militias. Little wonder that “democracy in the societies of the bottom billion has increased political violence instead of reducing it” (Collier 2010:11).

4) Personalization of state apparatus by those in power. This they often do for personal gains and in order to enforce legitimacy. The nature of Nigeria as a rentier state also makes the state susceptible to violence. As a rentier state, Nigeria is made susceptible to crisis in the bourgeois’ attempt to control oil resources. Dependence on oil has at least two other implications apart from this. One, it has hindered the diversification of the economy. Second, it made the ruling class pay less attention to other sources of funding government. Not much attention is paid to taxation, for instance, or even to development of the agricultural sector among other sectors that can increase Nigeria’s revenue. The implication of this is that the people are less obliged or concerned in questioning and fighting corruption. The money being embezzled is often seen as “oil money” and not “our money.” Accountability, an important concept in democracy, is thus demeaned.

Anyways, the issue with the democracy and the ruling class in Nigeria goes far beyond the politicians. Actually, the main problem is that there political parties are being controlled by wealthy politicians who finance and run the parties as their personal properties. In a word, politics and power in Nigeria are handled more like a business that doesn’t know a bit of morality.

DEVELOPMENT

Actually, there are some challenges in ensuring a democratic governance due to the nature of the political parties and the politics of Nigeria. The jealousies that exist between the parties does not allow cohesion to exist between them. In the other hand, what comes in the first place is the capture of the power, no matter by which ways, and all the programmes of transformation comes after. Because of this, we can see throughout the Nigerian history entire governments that have not yielded a single result; either because they only managed to adapt to the system at the end of their period or because they simply ignored the popular wills and requests.

Democracy should work as an instrument of accountability, and Collier (2010,18) explains that, “in a democracy a government has no choice but to try to deliver what ordinary citizens want. If it is seen to perform sufficiently well, then it gets re-elected; if it is judged to be inferior to alternatives, then it losses. Either way, government strives to perform because it is accountable to voters”. Since the

government knows that if it does not perform well it won't be re-elected, so they put all of their focus in carrying out laudable projects that will convince the citizens that it deserves another chance, and get re-elected per se, even if they didn't achieve anything significant.

Therefore, elections serve as a way of holding those in power. But they don't only serve for that, elections can be also used as an instrument of conferring legitimacy. And that's because the people often give support to what they're convinced rather than to what they're forced to. Those are the two main ways in which elections can be used, but neither of those seems to appear or happen in Nigeria because the elections tend to be radically flawed. In the absence of free and fair elections, the government had to often rely on pre-emptive repression to stay in power instead of the expressed consent of the people. And, when this happens, "the compliance to state directives by the citizens becomes a matter of prudence; that is they obey out of fear of the consequences of doing otherwise" (Oladipo, 2016). Since then, the State institutions become sustainable only by the use of force and because of the fear and intimidation that they inspire; it neither legitimates power nor confers the right to be obeyed on those wielding it. Then, what's the only option left for the voters? To choose between bad candidates.

Now, it's pointless to keep talking about the democracy in general because it's the liberal democracy the one that has become the most popular these days. In this type of democracy, elections have become the best way of

smooth transition from one administration to another.

"In a democratic system where elections are devoid of crisis, long term disputes or political violence, are amicably resolved. Such system enhances the prospect for political stability, peace, development and continuity in governance. But where elections are characterized by violence, thuggery, intimidation, rigging, ballot box snatching and stuffing and other forms of electoral malpractices, they bring to question the very essence of democracy and compromise the nation's security" (Ighodalo, s.f.)

Then, we see in Nigeria the second case: violent and corrupt elections that led us to question the essence of their democracy, or if it even exists. The modern states' obligations are principally guaranteeing security to its citizens and protecting its territorial integrity. But, in the new development paradigm, the promotion of human security has become a central focus because building of arms and ammunitions don't either bring peace, security or political stability.

From the Nigerian experience we can say that the elections, and the elite ruling class, have not come to fully terms with the referents of elections for democratic sustenance and national security. The ones who hold the power don't seem to care about prioritizing politics of tolerance, conflict and consensus due to the existence of politics separated from morality. The most critical thing of the Nigerian case is that the elections, besides becoming a warfare where it's a sin to lose, are characterized by gangsterism and political disorder. "Political parties

which organize for elections are also, like armband of men and women going to war, where there must be victors and the vanquished” (Ighodalo, s.f.). Even after the return of the civil rule in 1999, the insecurity spawns in the country.

PARTIES INVOLVED

After 1960, when Nigeria became independent of England, this republic is born with the Constitution of 1963. This constitution established the Federal Republic of Nigeria with 36 states and a President: Nnamdi Azikiwe. Furthermore, the 1963 marked the beginning of the First Republic.

With the exception of the civil regimes of Nnamdi Azikiwe (1963 - 1966) and Alhaji Shehu Shagari (August 1979 - December 1983), Nigeria was governed by autocratic regimes administered by military men who had acquired the power through coup d'état: the General Johnson Aguiyi-Ironsi (January 1966 - July 1966), Lieutenant-Colonel Yakubu Gowon (July 1966 - July 1975), General Murtala Ramat Mohammed (July 1975 - until his assassination February 1976), Lieutenant General Olusegun Obasanjo (February 1976 - August 1979, when the new Constitution established the Second Republic, meaning the return to civil regimes), General Muhammadu Buhari (December 1983 - August 1985), General Ibrahim Babangida (August 1985 - September 1993), General Sani

Abacha (1994, marking the beginning of the Third Republic - until his death in June 1998) and General Abdulsalami Abubakar (June 1998 - February 1999).

In 1999 a new constitution was proclaimed, and, with this, the Fourth Republic came through with Olusegun Obasanjo in the presidency, re-elected for another period in 2003. Later, in 2007, Umaru Yar'Adua was constitutionally elected as Obasanjo's successor. Since then, the elections have occurred regularly every four years. Then, why do we talk about a crumbling democracy in Nigeria? Well, because of its history of one military government after another.

Nowadays, what seems to generate instability in Nigeria is the issue of which party stays in power. Right after the Fourth Republic was established, Yar'Adua and its two next successors were from the People's Democratic Party (PDP). But this 15-year period, during which the PDP held the power, ended with the 2015 elections. Since then, Muhammadu Buhari, as a representative of the opposition by the All Nigeria Peoples Power (ANPP), is the one in the presidency. His trajectory in politics is quite interesting, because this hasn't been the first time that he has served as president of Nigeria.

As a conclusion of the actors that are, and have been, involved in the elections and government, it can be said that due to the Nigeria's colonial history, the particularity of its liberal democracy and the way the elections are used, the democracy and therefore the stability and security of Nigeria is in danger, because in the warfare that the elections became, it's just uncertain when the next coup d'état is going to take place and a military govern-

ment is going to be established, again, or if a new republic will be born.

QARMAS

1. Which measures could be taken by the Commonwealth to bring assistance to its members, in case of democratic instability?
2. Is the definition of democracy established on the Charter adequate? If not, under which parameters should the organization understand Democracy?
3. Which amendments need to be done to the Democracy and Good Governance chapters?
4. As the Commonwealth is present in the five continents how can they promote democratic ways of governance inside and outside the organisation?

GUIDE QUESTIONS

1. What can the Commonwealth do regarding Nigeria, besides what the UN has done before?
2. Which other chapters of the Charter can be amended?
3. Is the Nigerian government democratic? If not, should Nigeria be suspended from the Commonwealth?
4. Is the Charter's definition of Good Governance suitable? Or it should take into account other aspects apart from rule of law, transparency and accountability?
5. To what extent does the definition of sovereign state allows for international intervention?
6. How can citizenships fight for they democracy in an undemocratic government?

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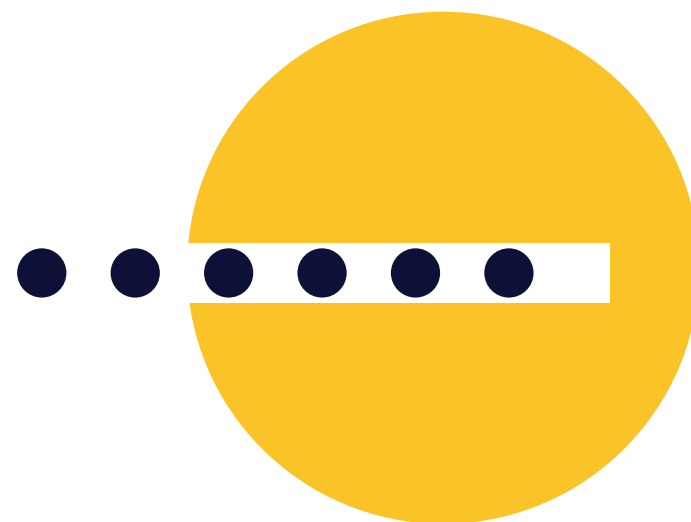
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TOPIC B

INTERNATIONAL PEACE AND SECURITY:
KASHMIR, NO MAN'S LAND, THE DIVISION BETWEEN INDIA AND PAKISTAN

INTRODUCTION

“Peace is not absence of conflict, it is the ability to handle conflict by peaceful means.” (Ronald Reagan)

Concepts such as the national states were born four centuries ago. It was with the Westphalia Peace, that includes the treaties of Munster and Osnabruck, that humanity began to talk about national states. This new political organization gave greater importance to the sovereignty of a nation. As a summary, the new or updated characteristics of a state became: 1) delimited territory; 2) a pretty constant population; 3) an autonomous government. By summing these characteristics, we got the sovereign national state (Caporaso, 2000).

In August 1947, India and Pakistan became independent. Under the scheme of partition provided by the Indian Independence Act of 1947, Kashmir was free to accede to India or Pakistan. Therefore, its accession to India became a matter of dispute between the two countries; “India because its future rulers, notably Jawaharlal Nehru and Sardar Patel, presumed that as a Dogra Hindu, the Maharajah would choose union with majority Hindu India; Pakistan because the majority of the inhabitants, especially those living in the Valley of Kashmir, were Muslim” (Schofield, 2015)

On the other hand, Kashmir has glaciers that provide

freshwater to both nations, they guarantee electricity to a billion people in India and the agricultural sector of Pakistan relies heavily on the water that flow from the region. “Kashmir is thus a major national security issue for both nations, the control of which could pose an existential threat to the other.” (Snow, 2016)



Map showing the territorial control of Kashmir³

Born of the 1947 partition of India, the actual Kashmir conflict involves three nuclear powers: India, Pakistan and China. The conflict is set against the backdrop of the Himalayan mountains and valleys and involves a patchwork of languages, religions and ethnicities: notably Kashmiris, Dards, Ladakhis, Dogras, Hanjis, Gujjars and Bakarwals (Peace Insight, s.f.).

³ Retrieved from: <https://www.bbc.com/news/10537286>

Today Kashmiris face life alongside a huge military presence and ongoing militia operations. Although a ceasefire agreement was made between India and Pakistan in 2003, and the 2000s internal violence largely give way to non-violent protest, the calm is often punctuated by military and insurgent operations from both sides. (Peace Insight, s.f.). The violence in the region from 1947 to 2019 has killed more than 47 000 people, just in 2018, 110 civilians and 225 militants were killed.

HISTORICAL CONTEXT

The region known as Kashmir, is located in the northern periphery of South Asia, it came into existence in 1846. When Gulab Singh, a Hindu, made a treaty with the British Empire, where he had to pay 0.75 million rupees to the British Crown. In this treaty, signed on the 15th of March of 1846 in the city of Amritsar, India, it was stipulated that the region of Kashmir became a new independent state, where Gulab Singh⁴ and his male natural descendent had total power of the territory and its people, forever. After the Amritsar treaty, the Muslim inhabitants of this region, had to adapt to the Hinduism lifestyle. For example, Hinduism worship cows and see them as a sacred being, therefore it is illegal to kill a cow for eating. Consequently, Muslims were not allowed to eat beef and if they slaughtered a cow they could be killed for this (Nabi and Khan, 2014).

These harsh treatments continued to whip the Muslims living in Kashmir, even though they were majority. This barbarism executed by Hindus forced the Muslims to remain in extreme poverty and with no mechanism to raise their voice and defend their rights. Even Though some rules changed, like the death sentence for killing a cow changed to 10 years of imprisonment, the cultural crash was still prevalent. But Sheik Mohammad Abdullah, a Muslim teacher, organized the Reading Room Association in Srinagar. This became an organization where Muslims were able to discuss about their situation. Thus, Srinagar became the birthplace of a political movement that will shake the Hindu control over the region. In the beginning of 1931, Abdullah and his followers went to meet the Maharaja with list of complaints towards the government. What started as a peaceful protest, ended in bloodshed. The Maharajas police decided to respond with violence and their bullets killed twenty-one Muslims (Nabi and Khan, 2014).

This event marked the turn point in Kashmirian politics, the Muslims, a community that has been shaken, butchered and subjugated decided to raise their voice and fight for their rights. This strong movement gave birth to the Muslim Conference, a political party, leaded by Sheik Mohammad Abdullah. He achieved land reforms that entitled every citizen with land. Thus, reducing the economic gap between Hindus and Muslims (Nabi and Khan, 2014). Between the 14th and the 15th of August of 1947, India and Pakistan gained independence from the British Empire. Even though there were independent states like

⁴ The title bestowed to him and his descendants is the Maharaja

Hyderabad, Junagadh and Kashmir. These states were free to decide if they joined Pakistan or India, depending on their culture, religion and geographical position, or remain independent. But the ruler of Junagadh, decided to join India, because the majority of his citizens were Hindus. On the other side India decided to military attack Hyderabad, in September 1948, and brought under Hindu rule. It remained just one independent state, Kashmir. Although its independence was not recognized by any international form. During this period of confusion⁵, a revolt broke in the northwestern part of Jammu. The citizens of this region were protesting because they were imposed to pay exorbitant taxes stipulated by the Maharaja's Army. As result, this region became Azad Kashmir, or commonly known as Pakistani administered Kashmir (Nabi and Khan, 2014).

This event encouraged Pakistan to take control of the zone, so they sent Tribal forces, to show their support to the cause. But India did not stay behind and send military support to contratack the forces sent previously by Pakistan. The Maharaja and Jawaharlal Nehru⁶, signed an agreement. That stated, once the law and order had been restored in the region and the invader expelled (Pakistan), the people will decide what to do next. However, India never kept its promise to hold a plebiscite, or any other mechanism of popular participation, as she had previously agreed to, according to the UN Security Council guidelines.

While India still hold power over Kashmir, they started some election presses, but these elections were not a democratic tool as one may think. During this process one leader was enthroned and the other one was dethroned from their political position, by India. They could continue on their position as long as they did not question the accession of Kashmir with India. Since 1947 India did everything to legitimize its control over the region. For example, when Sheikh Abdullah as Prime Minister of Kashmir, voiced for independence, he was arrested and then thrown into jail. India took advantage of the situation and named their puppet as Prime Minister of Kashmir.

Without an opposition fighting back this oppression, India decided to make some constitutional changes, that started in 1958, that allowed Indian Nationals to join Kashmir civil services. They also made changes in the positions of the governor of the State, The Prime Minister of Kashmir and the Chief Minister of Kashmir (Nabi and Khan, 2014). These changes allowed India to gain more control over the region, while the Muslim portion of the region were silenced and oppressed.

In 1987, the pro-Kashmir leaders from the Muslim United Front (MUF), decided to held elections once again. These elections were against Mohammad Yousuf Shah from MUF and Ghulam Mohi-u-din Shah from National Conference (NC), who received support from India. After the elections the winner was Yousuf Shah, demonstrated by the vote

⁵ 15th of August of 1947 to the 27th of October of 1947

⁶ India's first Prime Minister

count, but as the election commissioner was bought by India, thus being part of the Indian machinery. He declared the losing candidate as winner, ensuring the power of India over Kashmir once again (Nabi and Khan, 2014). As a result, the democracy in Kashmir crumbled, but the most affected ones, the Muslims, would not stay quiet.

Yousuf Shah and his followers, decided to resist this and started to protest for their right. But as soon as they did they were beaten up and taken to jail. Even though it may seem as these ideas of independence were finally over, this movement of freedom will persist for many years to come. As Yaseen Malik, close friend of Yousuf said “They called me a Pakistani bastard. I told them I wanted my rights, my vote was stolen, I am not pro-Pakistan but have lost faith in India”.

DEVELOPMENT

Seeing the great havoc that this conflict has brought upon South Asia, it is easy to understand how the security in the one has been fragmented. To the point where it is considered as one of the most unsafe places on earth⁷. But taking into account the possibility of a nuclear war that could destroy an entire nation, this notion of insecurity is not an exaggeration.

This war zone has many problems that derive from its territorial dispute. For example, Kashmir’s economic sta-

tus is falling rapidly with no prospect of gaining force for the years to come. Kashmir has been unable to generate investments from the private sector, as the incentives to doing so hasn’t been as attractive like in other states of India (Bakaya, P. Bhatti S. n.d.). Unlike the privatization movement that has roared in other parts of India, in Kashmir most of the existing large and medium scale industries are state owned. Furthermore, as the State owned enterprises are highly inefficient, the contribution to the economy coming from this sector is highly inefficient (Bakaya, P. Bhatti S. n.d.). Also we have to take into account that Kashmir has is locked region, due to the special status granted by the central government under Article 370, which forbids non-Kashmiris to own property within this region (Bakaya, P. Bhatti S. n.d.). This type of legislations promotes the division within the Kashmiri society, crumbling more the security and political “stability” of the region.

Since 1998 Pakistan and India have nuclearized the conflict, increasing the tension between them and promoting security instability in the region (Fietta,n.d). Even though both countries were sanctioned for doing so, by the most industrialized countries in the world. However, the tension between them does not go. India wants to defend the status quo that has always prevailed in the region, Pakistan wants to change it for a more democratic system. While India proposes trade and confidence building measures, Pakistan insists on settling core differences, that are evident between the two countries. Finally, Pakistan advocates for a no war pact that would

⁷The Carter Center, 2003

not cover Pakistani militants operating on Kashmir, while India wants a pact barring the use of nuclear weapons, restoring the Indian military superiority in the region (Fietta, n.d.).

To conclude it is important to understand that Pakistan acknowledges the military superiority of India, thus they know they have little chance to annex Kashmir to their territory. Nevertheless, they still want to establish a democratic system that ensures that everyone has a voice, so the security in the region could be restored, to avoid the catastrophes that a nuclear war could bring to the region.

PARTIES INVOLVED

Since 1846 there have been parties that have influenced the conflict, among them there are, political parties, militant groups, and social leaders. With their ideas they have contributed to aggravate the conflict to the point where it is now.

POLITICAL PARTIES

- The Jammu and Kashmir Democratic Freedom Party (JKDFP), was founded in 1998 by Hashim Qureshi and Shabir Ahmad Shah as a separatist party that advocates for the independence and self-rule of Kashmir and Jammu.

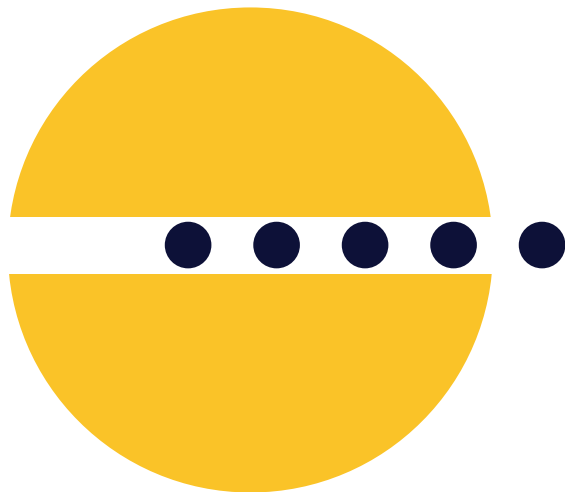
- The All Parties Hurriyat Conference (APHC), was founded in 1993 by the coalition of 26 political, social and religious organizations in Kashmir. One of their main is to return to Pakistan the Indian controlled parts of Kashmir, to establish an Islamic governance.
- The Indian National Congress (INC), is one of the two major political parties in India, considered as a centre-left in the Indian spectrum. In the 2009 general elections it formed a coalition with UPA, as consequence they were able to form a majority and establish a government.
- The Bharatiya Janata Party (BJP), is the second largest political party in India and is perceived as a centre-right party in the Indian political spectrum. It is the Hindu National party and was in power from 1998 to 2004, when Atal Bihari Vajpayee was Prime Minister of the region.

MILITANT GROUPS

- Jaish-e-Mohammed is a militant organization based in Pakistan but operates in Kashmir. The group's primary goal is to ascend the Indian controlled regions of Kashmir to Pakistan control, and to install an Islamic governance. This group has been banned from Pakistan since 2002, and their Commander-in-Chief Masood Azhar is currently imprisoned in Pakistan. Nevertheless, the group is still causing terror among the inhabitants of Kashmir.
- Hizb-ul-Mujahideen, is a militant organization founded in 1989 and operates in Kashmir ever since.

This group is the militant wing of the political and religious group Jamaat-e-Islami. Their current leader is known as Sayeed Salahudeen. Additionally, the group is considered as the most widely supported and populist militant group still active in the conflict.

- Lashkar-e-Taiba, was founded in 1994 as the militant wing of the Markaz, by Hafiz Muhammad Saeed and is one of the largest and most active militant group in the region. This group has taken responsibility in numerous terrorist attacks, including the Red Fort attacks in Delhi in 2000 and the Mumbai attacks in 2009, among others. They have been banned in Pakistan since 2002, however they still operate in the region.



LEADERS

- Farooq Abdullah is the son of Sheikh Mohammed founder of the INC. Even though Abdullah has accepted that Kashmir should remain part of the Indian Union, he has campaigned for it to have a greater autonomy. He has been greatly criticized for shifting his allegiances to political parties, however he is currently an ally of the BJP.
- Shabir Shah, since the late 1960's he has campaigned for Kashmiri independence, therefore he has spent much of his life in Indian jails. However he was able to found his own political party; the Jammu Kashmir Democratic Freedom Party (JKDFP).
- Abdul Gani Bhat, as an advocate for Kashmir's accession to Pakistan. His political party, the Muslim Conference joined the APHC in 1993. He claims that some separatists had assassinated some high-profile leaders during the war, including his brother.

QARMAS

1. Which measures could be taken by the Commonwealth, when the international peace and security seems to be threatened?
2. How can the chapter 3 of the Charter be amended, in order to guarantee peace and security in the international community and among the members?
3. How the definition of international security must change to be adapted for modern day conflicts?
4. Regarding chapter 14 of the charter, recognition of the needs of small states, it allows for Kashmir to become independent? Or it needs to be amended in order to allow to do so?
5. How the Commonwealth can promote security inside their organization, considering they do not have an army?

GUIDING QUESTIONS

1. Which paper should the organization take, when there are disputes between its member states?
2. How can the Kashmir conflict be solved?
3. Why have been the conflict too long?
4. Is it possible to recognize Kashmir as an independent sovereign state?
5. What is China's role in this conflict?
6. What can be considered a threat to international peace and security?

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