

## PAPER 1

### JUST WAR AND HUMAN RIGHTS

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#### I JUST WAR AND PEACEKEEPING: TWO TRADITIONS IN TENSION

**What is the world community to do when faced with a calculated act of aggression which constitutes a crime against humanity? It has happened many times and it will happen again. Though we may not have the answers yet we cannot evade the question.**

- (i) There is a dichotomy between peacekeeping and war fighting. The two simply do not mix. War and peace are different modalities, and obey different rules. The rules of war follow the inexorable logic of war, as established in millennia of traditions from Sun Tzu to Clausewitz. Failure to understand the transition from peace to war is a sure recipe for defeat. This is how Kofi Annan perceives this underlying dichotomy:

'With the benefit of hindsight, one can see that many of the errors the United Nations made flowed from a single and no-doubt well-intentioned effort: we tried to keep the peace and apply the rules of peacekeeping when there was no peace to keep. Knowing that any other course of action would jeopardize the lives of the troops, we tried to create - or imagine - an environment in which the tenets of peacekeeping - agreement between the parties, deployment by consent, and impartiality - could be upheld. We tried to stabilize the situation on the ground through ceasefire agreements, which brought us close to the Serbs, who controlled the larger proportion of the land. We tried to eschew the use of force except in self-defense, which brought us into conflict with the defenders of the safe areas, whose safety depended on our use of force.'<sup>1</sup>

Whatever our views about the responsibility for the events leading up to the tragedy of Srebrenica, the response of the world community at that time was a devastating failure, which devalued the UN in the eyes of all threatened peoples. It generated a crisis of conscience to which we must respond. We are on an ice face, and we must climb up or descend into barbarism.

- (ii) Behind the contradictions in UN policy which the Secretary General identified lies a much more profound polarity which is as old as western civilization.