

First of all, let me thank you for the opportunity to speak to you today. For somebody who in a previous incarnation was involved in teaching international law - and has gone on to try to apply some of these principles in the outside world - I can report back to you today that the world is not exactly as it is described in Oppenheim's classic International Law.

That gem of wisdom I pass on to you at no cost. Perhaps only for the cost of my lunch. International legal theory and the world of today fit each other less and less perfectly. That in itself is not a surprise. But it is a surprise - and I think a tragedy - that the elaborate international mechanisms for conflict resolution are less and less able to deal with the world which we face today.

I'll come back to this point in a minute in the context of what I'd really like to focus on today - namely Central America and El Salvador. I'd like to address certain aspects of Canadian policy, in particular towards El Salvador. I want to make one or two comments on where things may go from here in light of the recent elections in that country. Before doing this, I want to make some general remarks about the legal and international setting in which events in Central America are unfolding.

International law is not comfortable in dealing with the sort of situation which one is moving towards in Central America today. The various international instruments, and the UN Charter itself, provide clearest guidance when dealing with threats or use of force by one sovereign state directly against another. International law makes clear distinctions in this regard between civil wars and international wars. International law is most difficult to apply, and unclear, in situations where armed political violence takes place within the borders of a single state, but which also involves outside powers in that conflict. This tends to blur the distinction between civil war and international war.

Under these sort of circumstances, international law tends to become the ally of both sides to any dispute. It may also cease to be law. It becomes part of the rhetoric used by each side to bolster its case both domestically and internationally; in other words, the law becomes an instrument of public opinion.