

Gwynne Dyer, "The End of History? The End of War?"

At the start of this century, while Canadian soldiers marched against the Boer in South Africa, it already seemed that such conflicts were becoming an anachronism. Many imperial subjects vigorously opposed the war, and argued that there was nothing treasonous about taking a stand for a foreign people's inalienable human rights. There was a sense that the amoral, grasping imperial wars of the past had no place in the promising twentieth century. But all these high hopes were to be lost in the ashes of Auschwitz, Passchendaele, the Ukraine, Hiroshima, and other killing fields from Cambodia to Rwanda. And yet, at the dawn of another millennium, Canadian jets pound a different small nation where ostensibly we have no business. But that is where the comparison ends. Perhaps this time we can put an end to history -- or at least to its ugliest face.

This year, the last of the twentieth century, our country has done something quite extraordinary, something quite out of character. We attacked a country that was doing us no harm whatever -- a country that did not even appear to represent a threat to international peace. Such a threat to the general peace would be the only justification the UN would accept for an attack of this kind -- but we didn't undertake this action with UN backing. In fact, we didn't ask for UN authorization and support to make this attack upon Serbia because we knew we wouldn't get it.

Given the effort that Canadians have put into promoting the UN as the centrepiece of international affairs for the past half century, this is a rather shocking departure. Certainly the Americans and British took the lead in promoting NATO's course of action, but Canada showed

no signs of reluctance. In the end, about 10 per cent of the NATO bombs dropped on Yugoslavia were Canadian.

We seem to have come to the conclusion that the UN is no longer the only international body with authority, that sometimes we should circumvent this organization in which Canadians have invested so much. On the other hand, consider why we have come to this conclusion, and why we have taken such aggressive action: we have done this primarily to keep people from being murdered or driven from their homes by forces that were almost entirely malevolent, and we have done it because there appeared to be no other way of preventing this from happening. And so, in a recent speech at Harvard University, Canadian Defence Minister Art Eggleton summed up Canada's willingness to use force in the world in defence of justice and human rights: "with the UN if possible, but not necessarily with the UN."

States always act with a variety of motives -- some laudable, some defensible, and some shameful. But I have no doubt in my mind that the primary motivation for the intervention in Kosovo -- as for the more recent intervention in East Timor -- has been humanitarian. There was and is an overwhelming and urgent need to stop innocent people from being murdered or driven from their homes. For us, there is no strategic importance in either place, no serious economic importance. Indeed, in both cases economic arguments would be more inclined to discourage our intervention.

So are we doing all the wrong things for all the right reasons, or simply all the wrong things? Why do we suddenly find ourselves spurning the UN and joining a posse of international vigilantes? There are two different genealogies that may help us understand how we ended in the skies over Serbia in 1999, and they tell the real story behind our extraordinary times, the most hopeful and, at the same time, the most dangerous in human history.

Ten Years of the New World Order

The first is a very short genealogy, one that spans only the 1990s. This is a genealogy of events beginning with the end of the Cold War, the collapse of the Soviet Union, and the disappearance of the bipolar world in which whole areas were off limits to one global alliance because they belonged to the other. You did not meddle in your adversary's sphere of influence. The Soviets were perfectly free to meddle within their own zone, and Westerners within ours. And so the Americans could beat up on Nicaragua, and the Soviets could beat up on Hungary. The globe was carefully divided into two zones, and the two great antagonists did not cross those lines because the risk of a nuclear war was a very persuasive deterrent.

So the world was managed largely by these blocs. The UN could play a real role only when the blocs agreed -- but a great many problems remained pinned under the weight of one or the other of the superpowers. Then comes the period from 1989-1991 when one of the blocs effectively vanishes, and the bipolar world disappears with it. And suddenly things become possible -- at least in theory -- that were not before. And timorously in the early '90s you see the beginnings of humanitarian intervention. And this intervention is encouraged by the ever more immediate and realistic portrayal in the mass media of the horrors that have always been going on here and there in the world. In the post-Cold War world, the citizens of the industrialized countries see such human suffering in a new light, and demand that their governments take action.

From Port-au-Prince to Mogadishu

The first two humanitarian interventions, both of them at the very beginning of the '90s, were conducted according to UN rules, but the rules were substantially bent in order to accommodate the missions. In Haiti, the law of mixed motives applies quite spectacularly because of course Raoul Cedras, the dictator who had overthrown the elected president, was a thoroughly nasty piece of work, but I doubt if the international community would have intervened to remove him had he not been producing a steady flow of refugees bound for the United States -- and many of these refugees only arrived on Florida's beaches as bloated corpses. Nevertheless, the intervention was carried out in the name of humanitarianism, and there was a genuine need to relieve the Haitian people of the burden of this dictator. How it was done is quite interesting.

In 1991 we still worried about bypassing the UN, and the only justification within the UN charter for intervening in the internal affairs of another state is if there is a threat to international peace -- and so we declared the Haitian problem just that, a threat to the general peace. Now Haiti is a great many things, but it is never going to be a threat to international peace. The Haitian government does not even own any marine vessels that can putter beyond the three-mile limit. But we needed a "legal" justification; and so it was under the rubric "international threat" that we made our intervention. Having persuaded the dictator to leave the country, we were still faced with the reality that things hadn't turned out all that well for the Haitian population. But we felt we had done the best we could in what was fundamentally a humanitarian mission.

Very shortly thereafter, a larger humanitarian intervention was mounted in Somalia -- a country without a government, a country that had fallen into anarchy and famine after the overthrow of a long-ruling dictator. Since there was no Somali government, intervention under

UN auspices could be undertaken without consulting the Somalis. And of course this story has a much worse ending -- with disgrace for Canada and the worst demoralization the Canadian Armed Forces have ever known. For the Americans, the story ends with ambush and slaughter and the televised image of a dead American being dragged through the streets by Somali militiamen. And within days the us had had enough; they pulled out. And soon the other foreign missions left too. And Somalia today is in roughly the same state it was when we embarked on Operation Restore Hope.

But there is another legacy of Somalia: the "Dover Criterion." This is a classic piece of Washington Beltway jargon. Dover Air Force Base in Delaware is where the air force transports land when they are returning with body bags from overseas. For Washington insiders, the "Dover Criterion" is the primary lesson of the Somalia debacle – that 20 dead Americans in a humanitarian operation makes the operation infeasible. Another way of putting this is that any group able to kill 20 American soldiers can control American foreign policy in their part of the world. And the Dover Criterion, the Somalia backlash, did indeed determine American foreign policy well into mid-decade. That is why the Bosnian war lasted two and a half years before we finally started bombing and brought the parties to the negotiating table at Dayton. About 200,000 people were killed and two million displaced from their homes (most are still displaced today) in a war that could have been stopped in a weekend because we were unwilling to risk our own troops as we did in Somalia.

And worse, in Rwanda we had UN troops on the ground before the genocide started, commanded by a very honourable and brave Canadian general who is still shattered by the experience. Rather than sending him the reinforcements he needed, we told him to get most of his troops out and to do nothing. And 800,000 died in Rwanda because of the Dover Criterion.

Crossroads at Kosovo

But things have a way of turning around, and most of the leaders and senior officials who ducked their humanitarian responsibilities in Rwanda and Bosnia are still in power. And I think that in the later years of this decade they have been feeling pretty guilty. I think that guilt was a powerful force in their decision to intervene in Kosovo this year. There was a "never again" aspect to the Kosovo intervention because what had been happening in Kosovo before NATO started bombing in 1999 was not nearly on the same scale as what the Serbs had inflicted on Bosnia for two and a half years with our tacit permission. So a combination of guilt and fairly bad negotiating tactics delivered us in March of this year to a crossroad -- the point where either we carried out our threats or simply allowed the carnage to continue. And I think the decision was made without a great deal of introspection -- the use of force against Serbia was the only option left to us even if we had no UN authorization, and also, *mutatis mutandis*, bombing was the only available military option because the Dover Criterion forbade the use of ground troops. And even the bombing had to be carefully controlled so as not to create huge numbers of Serbian casualties and enlist the popular sympathy of the world on the side of the suffering Serbs.

Many professional military people knew this strategy was unlikely to drive Milosevic to the bargaining table. But the only war available was the air war. The only way to get 19 NATO members to agree to use force was to promise that it would be very selective and that none of our guys would get hurt. And I believe many military people expected the air war to fail, and expected that by that time the public would be prepared to accept the necessity of a ground war if NATO was to have any credibility at all in the future. And the planning for "Operation Bravo Minus" -- the invasion of Kosovo -- was well advanced by the time Milosevic caved in. This invasion posed huge challenges and would likely have cost the lives of around 1,000 NATO

soldiers, but it was going to go ahead anyway. And it was becoming more and more clear to Milosevic that the Dover Criterion had been abandoned.

We were fortunate that Milosevic is only an opportunistic Serbian nationalist, and we were able to exploit this. (When I first met him in 1977, Milosevic's job as Serbian interior minister involved throwing Serbian nationalists in jail, a task he was performing with vigour and enthusiasm.) At his core, the Serbian president is simply a Milosevicist, and he knew that after a costly ground war we would insist on his head. So in the end, his decision to abandon Kosovo was a no-brainer. We even managed to get a UN resolution at the end of the war which drew something of a veil over NATO's initial circumvention of the UN the resolution named all the countries that had attacked Serbia as the UN peacekeeping force. In a nutshell, we got away with it.

Our willingness to intervene, our belief that we can do it, has grown as a result, so much so that in September we did actually do something very brave. Indonesia has 200 million people. And East Timor is as far away from Canada or the us as you can get without heading into outer space. And yet we have shown ourselves prepared to threaten Indonesia with dire consequences if it did not allow us to put troops into a territory that it still controlled and was busily destroying. Five years ago we would have deplored from afar, but something new is happening, and I see it taking us into deeper waters yet.

Postwar Paradox: The Ashes of Auschwitz, the Ashes of Hiroshima

But there is another genealogy to where we find ourselves at the turn of the millennium. There is the intellectual, the philosophical, and the legal background to all this, and that is a much older story.

We came out of the Second World War terrified by what had happened. It was the biggest war in history. There were 50 million direct fatalities, let alone people who died of hunger or of disease or of broken hearts. Half the major cities on the planet had been bombed flat. Nuclear weapons had been deployed against civilian populations at Hiroshima and Nagasaki. Extermination of human beings had become an industry, with death camps reducing millions of men, women, and children to ashes. It was a horrifically new world, and everybody was scared, and because they were so scared they were prepared to do new things. The old League of Nations was revived but in a very different form. The new United Nations was given far more robust rules of engagement, and the whole point of the International Law written into the United Nations Charter was that another world war must be avoided at any cost.

The new rules: Thou shalt not attack thy neighbour regardless of pretext or provocation. It is no longer legal to use war as an instrument of foreign policy. Aggressive war has been made illegal. And if you do roll tanks across somebody's border, the entire membership of the United Nations is legally obligated to contribute forces to stop you, to put the border back where it was. To punish you.

But there is a key problem in all this. Warfare had always been a traditional and legitimate tool for the individual nation. If that is to be taken away from the state, what is the quid pro quo? According to the UN, the compensation for giving up the right to make war is that we, the international community, will guarantee that nobody intervenes on your territory. Your borders are sacred and absolute, and we will defend them. Nobody has the right to violate the

boundaries of your state. Sovereignty becomes more absolute and more legally guaranteed. And that is of course a charter custom-made for the world's tyrants. What it says is you can do anything you like to people within your borders so long as you don't frighten the neighbours. It was a devil's deal we had to make. We are the survivors of World War III; it didn't happen, and that is the only reason we are here.

But then in 1948 we wrote the Universal Declaration of Human Rights, and we supplemented it with specific international treaties banning genocide. And these oblige us to intervene in the internal affairs of states if they are engaged in genocidal activities; they create the legal supposition that there are certain actions no state is entitled to take in terms of abusing human rights. Now if you feel that there is a certain contradiction between the promise of absolute sovereignty in 1945 and the Convention on Genocide in 1948 which creates the legal obligation for states to intervene to stop genocide, you're absolutely right. They are totally contradictory, but every state that mattered signed both documents. We didn't bother about the enormity of the paradox at the time; we just got the signatures and carried on. And it's hard to blame the people involved for doing that. The point was to get it signed. We'll deal with the contradictions later. This is important, and the time is right now. Nobody in 1948 is going to refuse to sign a convention against genocide, maybe we won't be able to enforce it for a while, but it will be there. Their signatures will still be there when conditions change.

The Universal Declaration of Human Rights and associated treaties didn't get a lot of use in the subsequent 40 years because the world was in survival mode. This was lifeboat time. We felt we could not afford to put a lot of emphasis on human rights during the Cold War; we feared that if we pushed that issue too far we faced the real possibility of a nuclear exchange.

And when conditions did change, those signatures were valuable indeed; they represent a serious legal obligation. And you can see this at the time of the Rwanda massacres. The United States went to absurd lengths to avoid labelling what was happening as "genocide." For two months they argued semantics while in central Africa the streets, churches, schools, and rivers became clogged with the dead. The Americans did this because if they had admitted that it was genocide the us was under a legal obligation to intervene. At that time, bloodied by the Somalia fiasco, we were still unsure we wanted to take this responsibility seriously, that we were prepared to take the necessary risks.

Throughout the 1990s we have hesitantly taken the human rights issue out of the cupboard after 40 years. And that is what is still happening right now. We have long been familiar with one of the twin pillars of the United Nations -- international law. But now we are gradually reacquainting ourselves with the second and rather unfamiliar pillar of the UN -- human rights law.

Getting Serious about Human Rights: The Road Ahead

Three issues arise in this brave new world of human rights policing. First: do we have the moral right to impose our values on other parts of the world? Second: assuming we do, do we have the determination, the will, and even the attention span to carry on with what we have begun? Because if you're not going to finish the job, you're probably better off not starting it. And finally there is the most profoundly troubling question: in activating the human rights component of our global rule of law, and basing much of our policy on it, are we going to

undermine the other pillar of international law -- that which outlaws war and which has been the basis of our survival?

Frankly, I do not think we should worry much about "imposing our values" on other cultures. I don't know of any religion or any culture that thinks killing innocent civilians is a good thing. We are not dealing with fine moral distinctions here; we are dealing with actions that any society must find intolerable. Can we seriously consider overlooking organized rape, maiming, and mass murder -- out of cultural sensitivity? This is not a case of pushing Western values. This is a case of universal values which are, after all, entrenched in the Universal Declaration of Human Rights that practically every nation signed half a century ago. The thing to remember is: governments often have a problem with this; people don't.

The second issue is much more troubling. Do we have the will and the attention span to continue with these operations? This is a central issue, because in all probability there will be more of them, and we will not get away with zero casualties every time. Canada suffered no casualties in Kosovo, and so far we've been similarly fortunate in East Timor. But things could very easily turn much bloodier for our personnel, and we will have to ask ourselves more than once: Do we have the stomach for this?

How real is the Dover Criterion? Will the West's resolve really collapse with the deaths of 20 of our people? I don't believe the threshold is that low. It might be 500. A public opinion poll was conducted in the United States during the last days of the Kosovo conflict, when it was becoming clear that the nation and its allies might have to choose between a ground war and an ignominious withdrawal, a Somalia-style scuttle. Americans were asked what level of casualties would be acceptable provided the operation ended successfully? A large majority replied that 500 would be okay, 500 American dead. This is ghastly speculation, no doubt about it, but we

will have to do this in the future if we are going to understand what we're getting into and come to a consensus about the risks and the costs.

So, for the world's most powerful nation and the crucial partner in any major intervention, 500 dead soldiers will be acceptable. In the thick of the Second World War, the Americans often found themselves losing 500 soldiers each day. During that conflict Canada sacrificed about 50 of our people every day for four years, and very few said we should just quit and go home. But those were wars of a different kind, fought by a different generation of people, and in a very different media environment. At the present time, we are not fighting for our lives. We are fighting for other people's lives and other people's rights, and the number of casualties we are willing to endure will be much more limited. Right now, we Canadians do not know what that threshold number is.

And we do not know how our news media would cover a longish war. In our time, the news cycles have become shorter and shorter; the media outlets need something to put at the top of the news about four times a day, and wars just don't move that fast. And so the media and the public get bored. By the end of April, more than halfway into the Yugoslavia campaign, the media were clearly becoming weary that all we had to report was yet more air raids on the same sorts of targets as the day before. And NATO was faced with the prospect that the media would begin to question the basis of the war not because they really had doubts about it but because they needed something else to talk about. As a journalist, you know you have to fill the columns that hold the ads apart every day. And so NATO began producing news to feed that hunger. I think the reason NATO hit the television building in Belgrade was to create news. If we really wanted to stop the broadcast, it would have made more sense to hit the microwave towers. But that would not have the dramatic impact of landing our explosives directly on the broadcast

centre. Of course this bit of stagecraft resulted in the deaths of innocent people, but we did it to create some news, to create the impression that the air offensive was moving along, was not in a rut.

Collectively, the media have become a pretty voracious beast, and one that is not very discriminating or intelligent in its eating habits. And there's a real and lasting problem of the discontinuity between media time cycles and the time it takes to do something serious like conduct a military operation in a foreign country. So humanitarian interventions will face the permanent peril of the media either getting bored and wandering off or raising all sorts of false or misleading issues simply because they do not have anything else to talk about.

Remembering the Forgotten War

We face an interesting and rather tricky passage over the next few years if we continue along this path. But there is one major consolation: perhaps it will not be necessary to undertake very many of these military interventions. If there is one thing about interventions as large and impressive as Kosovo, it's that they really do get the donkey's attention. There are a lot of dictators and juntas in the world, and they have grown used to being left to their own devices. But in the wake of East Timor and Kosovo they may be inclined to be more careful about their domestic policies.

We must not forget the impact of a very old and impressive lesson to tyrants. Five years after all those signatures were put on the UN Charter, North Korea invaded South Korea in a premeditated and unprovoked effort to annex it. And by a happy coincidence the Soviets were boycotting the Security Council at the time, and so it was possible to get a resolution

condemning North Korea under Chapter 7, which obliged every member of the United Nations to provide military forces to put the border back where it was. During that three-year conflict, over a million Koreans died, maybe several million. The Americans lost nearly 55,000 soldiers. We Canadians suffered 1,500 dead and wounded. But we put the damn border back where it had been. Now this is not something we would have liked to do every few years since, but the point is we didn't have to do it again for forty years, until 1990 when Saddam Hussein, who reads very little history, was foolish enough to try the same thing. He rolled his tanks across the Kuwaiti border one morning out of the blue, understanding that he was merely doing the sort of thing states have done since the time of Ramses. What he did not grasp was that this is now illegal, and once again the international community intervened and put the border back where it had been. Perhaps this sort of thing only has to be done every forty years or so -- so that even the most thick-headed tyrant can get the message.

There is no guarantee we will get the same mileage from the Kosovo effort. But all over the world, dictators who had grown used to being left alone are feeling much less comfortable these days, particularly because other elements of international law are now kicking in and threatening them from all sorts of new directions. They have seen the creation last year of an international criminal court whose purpose is to be a standing body -- not an ad hoc body like the international tribunals on Bosnia and Rwanda, but a full-spectrum permanent international criminal court whose purpose is to try government officials on human rights charges. Suddenly the international community is talking about its legal right to reach within a sovereign state and pluck out those individuals who have abused human rights to a sufficient degree to warrant the court's attention. Certainly General Pinochet felt he had nothing to fear when he stepped off a plane in London a year ago; he didn't expect to be there today facing an extradition hearing

related to human rights abuses against Spaniards in Chile during his rule. That would not have happened ten or even five years ago.

And consider the case of one of the Cold War's great political ogres, Mengistu Haile Mariam, who consolidated his power in Ethiopia in the late '70s after the convenient assassination of several rivals. From 1977 to 1991 Mengistu's Marxist regime fought with neighbouring states, committed wholesale massacres among the Ethiopian middle class, and was responsible for somewhere between 50,000 and 100,000 executions in Addis Ababa alone, let alone the hundreds of thousands killed in his ineptly executed and pointless wars, and the countless people who died during Ethiopia's horrific famine years because the government was too corrupt, incompetent, and suspicious of foreigners to distribute foreign aid effectively. Finally, Mengistu fled the country in May 1991, and settled into a cosy life of exile in Zimbabwe, courtesy of his friend Robert Mugabe, a catholic Marxist. And here Mengistu lived comfortably through the rest of the decade, spending his time running up enormous phone bills -- until a few months ago. Suddenly Mengistu has left sunny southern Africa and moved to North Korea, where the climate is as bad as the food, but the likelihood of being nabbed by an international court is significantly reduced. In the old days, the worst that could happen to someone like Mengistu is that he would be bought off or forced to flee with his plundered loot and settle into luxurious retirement. But the club of tyrants is beginning to realize that very soon there may be no place to hide.

Creeping Democracy: When There's No One Left to Fight

This all sounds rather optimistic, but there is a significant cloud on the otherwise hopeful dawn of the twenty-first century. What about the danger that a reinvigorated commitment to human rights will undermine the vital UN pillar that is respect for national sovereignty? I think that danger is real. Ignoring the UN and then sneaking back under its skirts at the end of the day is a strategy that worked in Kosovo, but it is not recommended for repeat performances. On the other hand, the risk of international war between states is probably less than it has ever been in human history, and there is a very understandable reason for that. Between the mid-1980s and now we have seen an avalanche of democratization. We have gone from a world that was about one-third "democratic" (granted we are not setting the democracy bar very high here) to about two-thirds of the world's people living under more or less democratic governments now. The situation is totally transformed in eastern European countries and the former Soviet Union. Russia is a democracy, albeit a highly imperfect one. Throughout Latin America the dictators have been dumped, and we have seen tremendously positive changes in South Korea, Indonesia, Thailand, Taiwan, and all through eastern and southeastern Asia. Perhaps three quarters of states are now democratic. (In fact there's only one large tyranny left -- China.) And one thing this very bloody century has taught us is that democratic countries typically do not go to war with each other. It is an observable historical fact. And so we are simply running out of states with whom to have wars.

So if there was ever a time when it was reasonably safe to run such a massive experiment with humanitarian international law, the time is now. No guarantees on this one. We are running a risk here. We are conducting an experiment without a control. But the game is worth a candle, I think, because essentially what we are doing here -- in our fumbling and inarticulate way, with governments that have mixed motives and populations that have mixed motives, and a media you

couldn't trust as far as you could throw -- is trying to move from a world where international law protects governments to a world where international law protects people, and that includes protecting people from governments. I think that is worth a try.