

Introductory exploration

Images and perceptions



What are your images of armed conflict?
What do you think of attempts to limit the suffering that results from it?
What is human dignity?



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IMAGES AND PERCEPTIONS (one session)

- An introductory discussion, to find out what students know and think about armed conflict and the attempts to limit it

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CONCEPTS

Limits in armed conflict
Human dignity

SKILLS PRACTISED

Discussion
Listening
Disagreeing respectfully
Supporting opinions with reasons

- If you have limited time and are unable to work through all the explorations, we recommend that you follow at least the short pathway of explorations marked with this icon.

Introductory exploration: Images and perceptions

This exploration enables teachers to learn about students' attitudes and the extent of their knowledge: how much they know about war and the efforts to limit the suffering caused by war. It sets the tone with an open discussion in which teachers and students explore difficult questions together. There are no 'right answers' at this stage, and participants are not expected to be well-informed on the subject.

The optional 15-minute activity "Why not outlaw war?" can be used in this exploration, if time permits, or in any other exploration in which the question arises.

OBJECTIVES

- to be aware of central questions underlying international humanitarian law (IHL)
- to be aware that there are no easy answers to some questions that may come up while exploring IHL
- to construct a preliminary definition of human dignity

TEACHER RESOURCES

- i.1 Introductory discussion questions
- i.2 About efforts to outlaw war

PREPARATION

In the *Methodology Guide*, review teaching methods 1 (Discussion), 2 (Brainstorming), 3 ("No easy answers"), 7 (Writing and reflecting), and 8 (Interviewing) and workshop 1 ("Introducing Exploring Humanitarian Law to students").

If possible, view the relevant chapter of the teacher video (*Leading discussion: Introductory exploration*) and the relevant chapter of the training film for teachers (*Introductory exploration*).

TIME

One 45-minute session



The exploration

1. INTRODUCTION AND SETTING THE TONE (5 minutes)

Tell students that the purpose of this discussion is only to gauge what they think as they begin to study IHL. Reassure them that no one is expected to be well-informed on the subject, and that no one has to speak if he or she is uncomfortable about any issue that might come up.

Establish the rules for the discussion:

- Listen carefully to others, and wait until they have finished before you speak;
 - Feel free to disagree with other views presented, but treat your fellow students and their opinions with respect.
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2. START THE DISCUSSION (5 minutes)

International humanitarian law aims to protect life and human dignity. Therefore, the concept of human dignity is central to Exploring Humanitarian Law (EHL).

Pose the opening question on human dignity from “Introductory discussion questions.”



Have students do a brainstorming exercise in response. This should yield a list of words and phrases.

3. CONTINUE THE DISCUSSION (25 minutes)

Chose other questions to continue the discussion. Encourage students to give reasons for their views and to use concrete examples.

4. CLOSE (10 minutes)

Conclude the discussion by linking the concept of human dignity to armed conflict.

Possible question:

> In what ways might armed conflict affect the human dignity of both civilians and combatants?

Have students work together to develop a definition of the term ‘human dignity.’ Record this definition and post it, so that it is available for the duration of the programme.

NOTE

In the EHL programme, the terms ‘armed conflict’ and ‘war’ are used interchangeably.

The exploration

! KEY IDEAS

- The concept of human dignity is central to humanitarian law and will be revisited throughout EHL.
- Some of the questions that arise in EHL have no single right answer or indeed any easy answers. One of the aims of EHL is to identify such questions and to explore them.

NOTE

The 'No easy answers corner'

Students are likely to raise questions such as "Who will make people follow such rules?" or "Why not just make a rule against war?". Questions like these are difficult to answer, because either straightforward answers do not exist or the answers are complicated.

Set aside a place in the room to post such questions, and call it the 'No easy answers corner.' Tell students that all these questions will be addressed as the course progresses.

Keep this list of questions on display and make additions to it when the need arises. Return to specific questions whenever appropriate during the course.

Extension activities

DEBATE/DISCUSSION: WHY NOT OUTLAW WAR?

This activity takes up the idea of having rules for conducting war. It tackles questions such as “Doesn’t making laws for how to behave in war, in fact, legitimize war?”, “Don’t rules make war like a game?” and “Why not just outlaw war instead?”

To explore such questions, consider this proposition:

Rules of war would not be necessary if the world simply made war illegal.

Explore some of the consequences of making armed conflict illegal.

[For example: What would happen if war were outlawed and one nation then attacked another? How would the rule be enforced? Do you know of any attempts in history to do away with war?]

If enough time is allotted to the subject, students usually conclude that even if war were to be formally outlawed, such a prohibition would be very difficult to enforce. [See “About efforts to outlaw war.”]

NOTE

Extension activities generally address students directly. You can adapt these activities and their wording to fit your own students.

TEACHER RESOURCES

After the discussion, write an essay that presents your own conclusion with reasons in support of it.

COMMUNICATION: CONDUCT AN INTERVIEW

Interview someone who has experienced some form of suffering that is typical of war: being caught in a fire, being hungry, being wounded or physically incapacitated, losing a close relative, being separated from his or her family, or being kidnapped, lost or held captive. Write a description of this person’s experiences. Include his or her feeling and thoughts, the ways in which this person’s life and human dignity were at risk, and what help, if any, he or she received.

These descriptions can be presented in later sessions, when the experiences of victims of armed conflict are discussed.

WRITING AND INTERPRETATION: RESPONSIBILITY FOR HUMAN DIGNITY

Discuss one of the following quotations.

Asked why he had risked his life to rescue people who were being persecuted, a young man said:

My father used to say that the world is one big chain. One little part breaks and the chain is broken and it won’t work any more.

The Russian writer Dostoevsky made the following statement:

We are all responsible for each other.

- > What does the statement mean? Do you agree with it? Explain why or why not.
- > How can the spirit of this statement be applied in armed conflict?
- > Do you know of any other sayings or proverbs that express the same spirit?

Introductory discussion questions

Human dignity

- > What is human dignity? How would you define it?

War

- > What images come to mind when you hear the terms 'war' or 'armed conflict'?
- > What wars are going on in the world today?
- > What past wars do you know about?
- > What is war?

Means and methods of warfare*

- > Should the use of any weapons be prohibited or restricted in armed conflict? Why?
- > Should certain ways of fighting be prohibited in armed conflict? Why?

The idea of the 'enemy'

- > How would you define an 'enemy'?
- > Does an enemy ever deserve to be protected during armed conflict?

Civilians

- > What is a civilian?
- > How should civilians be treated during armed conflict? Why?
- > Are civilians ever attacked?
- > Can attacks on civilians ever be justified? How?
- > What if a civilian is bringing food to enemy combatants?
- > What if a civilian is providing the enemy with weapons?

Children

- > Why do boys and girls sometimes take part in armed conflicts?
- > Is it acceptable that children take part in war? Why?

Wounded combatants

- > How do you believe a wounded enemy combatant should be treated?

Captured combatants

- > How should a captured enemy combatant be treated? Why?
- > What if that person has harmed someone in your family?
- > Is it permissible to torture a captive to obtain information? If so, under what circumstances?

*Probing why certain means (weapons) and methods (modes) of warfare are regulated highlights two fundamental rules of international humanitarian law: (1) the prohibition against causing superfluous injury or unnecessary suffering, and (2) the prohibition against indiscriminate attacks. Based on these rules, the use of certain kinds of weapons has been prohibited (e.g. biological weapons, chemical weapons, anti-personnel mines) or restricted (e.g. incendiary weapons) and certain methods of warfare have been prohibited (e.g. ordering or threatening that there shall be no survivors, terrorizing or starving the civilian population).

Introductory discussion questions

Women

- > Are women involved in fighting? What do you think about that?
- > Should there be rules that specifically protect women affected by war? What types of protection would women need?

Other protected persons

- > Does anyone else need special protection in times of war? Who? Why?

Protected places in times of war

- > Are there places that should not be attacked?
- > Which places? Why?
- > Is it ever acceptable to attack hospitals or medical facilities?
- > Why or why not? (If yes, under what circumstances?)
- > Is it ever acceptable to attack places of religion?
- > Why or why not? (If yes, under what circumstances?)
- > Is it ever acceptable to destroy people's homes, towns, or public works?
- > Why or why not? (If yes, under what circumstances?)

Laws

- > What is law?
- > Where does it come from?
- > Do you think it is reasonable to have laws to limit the suffering caused by armed conflict?
- > Why or why not?
- > Do any such laws exist?
- > If they do, what do they say?

Humanitarian organizations

- > Do you know of any organizations whose job is to protect and assist people during war?
- > Which ones? What do they do?

Human dignity

- > What does human dignity mean in times of armed conflict?

About efforts to outlaw war

FOLLOWING WORLD WAR I

In 1919, countries decided to sign the Covenant of the League of Nations, which did not actually prohibit war but established a procedure for settling disputes between countries in a peaceful manner, to avoid war.

Covenant of the League of Nations, 1919

The High Contracting Parties,

In order to promote international cooperation and to achieve international peace and security

- by the acceptance of obligations not to resort to war,
- by the prescription of open, just and honourable relations between nations,
- by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and
- by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another,

Agree to this Covenant of the League of Nations...

ARTICLE 11

Any war or threat of war (...) is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations.

ARTICLE 12

The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision, or the report by the Council...

ARTICLE 15

...If a report by the Council is unanimously agreed to by the members thereof, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report. If the Council fails to reach a report which is unanimously agreed to by the members thereof, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice...

In the last 3,421 years of recorded history only 268 have seen no war.
– Will and Ariel Durant,
The Lessons of History

About efforts to outlaw war

BETWEEN THE WORLD WARS

The first international instrument outlawing war was the Treaty Providing for the Renunciation of War as an Instrument of General Policy (also known as the Kellogg-Briand Pact) in 1928.

The Kellogg-Briand Pact, 1928

[The High Contracting Parties]

Deeply sensible of their solemn duty to promote the welfare of mankind;

Persuaded that the time has, [sic] come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war a [sic] should be denied the benefits furnished by this Treaty;

Hopeful that, encouraged by their example, all the other nations of the world will join in this humane endeavour and by adhering to the present Treaty as soon as it comes into force bring their peoples within the scope of its beneficent provisions, thus uniting the civilized nations of the world in a common renunciation of war as an instrument of their national policy;

Have decided to conclude a Treaty and for that purpose have appointed as their respective Plenipotentiaries (...) who, having communicated to one another their full powers found in good and due form have agreed upon the following articles:

ARTICLE 1

The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it, as an instrument of national policy in their relations with one another.

ARTICLE 2

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means...

About efforts to outlaw war

FOLLOWING WORLD WAR II

In the aftermath of World War II, countries decided to go one step further and to prohibit any threat or use of force against other countries even in situations short of war.

Charter of the United Nations, 1945

PREAMBLE

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

- to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and
- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
- to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

- to practise tolerance and live together in peace with one another as good neighbours, and
- to unite our strength to maintain international peace and security, and
- to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest...

ARTICLE 2

...All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State....

ARTICLE 42

...It [the Security Council] may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security...

ARTICLE 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations...

Since the end of World War II, there have been 228 armed conflicts active in 148 locations throughout the world.

– Lotta Harbom and Peter Wallensteen, Uppsala University, article in *Journal of Peace Research*

NOTE

It is important to note that international humanitarian law addresses the reality of armed conflict without considering the reasons for, or the legality of, the use of force.

Notes



Notes



