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# Under Attack

Challenges to the Rules Governing the International Use of Force

Belinda Helmke, University of Sydney, Australia

*'In the wake of Kosovo, September 11, and Iraq, what had seemed to be a clear set of rules to govern the post-Cold War world has been put under severe strain. In this detailed and thoughtful account, Belinda Helmke puts this period in its historical perspective, looking back in order to chart a possible way forward.'*

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*'Few questions are more important to contemporary world politics than that of whether the legal restraints on the use of force are undergoing reform or attack. In this welcome addition to the debate, Belinda Helmke provides a forensic and carefully balanced analysis that sheds important new light on this crucial issue. It is essential reading for students and old hands alike.'*

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*'...provides an eye-opening and precise account of international legal obligations associated with the post-cold war use of force.'* – M Rafiqul Islam, Macquarie University, Australia

*Under Attack* makes a new contribution to the field of international relations in general and the study of international law and armed conflict in particular, in two core ways. First, it links information from varying disciplines, most notably international relations and international law, to form a comprehensive picture of state practice and the challenges it poses to the legal rules for the use of force. Secondly, it organises the information in such a way to identify two core groups of contemporary justifications used by states: humanitarian reasons and self-defence, both with their sub-categories. At the core of this book is the question of how state practice since 1990 has challenged the long-established legal regime on the international use of force. Are we merely witnessing a temporary and insignificant challenge to international law or are the rules genuinely under attack?

**Contents:** Foreword, *Richard Falk*; Introduction: plan of attack; PART I GREAT DECISION OR GREAT ILLUSION: INTERNATIONAL LAW AND THE USE OF FORCE: Outlawing the mob: international law and the use of force prior to 1918; Renouncing luxury: international law and the use of force in the interwar years; Where there's a will: international law and the use of force during the Cold war; The state of play: developments in the contemporary international system. PART II FOR THE GOOD OF HUMANITY: THE USE OF FORCE FOR HUMANITARIAN REASONS: The snail and the slug: the protection of nationals abroad; From dawn to dusk: humanitarian intervention; The uninvited guest: intervention in failed states. PART III FOR THE GOOD OF THE STATE: THE USE OF FORCE FOR INDIVIDUAL AND COLLECTIVE SELF-DEFENSE: Bolt from the blue: the pre-emptive use of force; The remains of the reign: the use of force to counter terrorism; The (un)usual suspects: the use of force against rogue states; Conclusion: the road (not) taken; Bibliography; Index.

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