

## **Chapter 9: Use of Force**

### **Worksheet**

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#### **9.1 Case Study: Saudi Arabia Bombs Yemen**

- In your own words, briefly summarize important facts about the case. Include important actors and events.
- What are the important legal and political questions raised by this case?

#### **9.2 Prohibiting Force**

##### *Principles*

- What are the key principles for this area of international law?
- Provide 2—3 examples that apply each of these principles.

##### *Evolution*

- What are the key events and documents in the evolution of this area of international law?
- How do states vary in their interpretations of Article 2(4) of the UN Charter?
- What is the difference between the “use of force” and “intervention” under international law?

#### **9.3 Using Force with UN Security Council Authorization**

##### *Explicit Authorization*

- What source of law gives the UN Security Council authority to authorize the use of force?
- Provide 2—3 historical or contemporary examples in which the Security Council has explicitly authorized force.
- How do politics affect Security Council decisions in this area?

##### *Implied Authorization?*

- Why do some states argue that the UN Security Council sometimes implicitly authorizes the use of force?
- Provide 2—3 examples of possible implicit authorizations. (Be able to explain why these are good examples.)

## 9.4 Using Force in Self-Defense

### *Responding to Armed Attacks*

- Why is the term “armed attack” important under international law?
- What is the “gravity threshold”? Where did this term come from?
- What criteria do experts use when determining whether an “armed attack” has occurred? How does an “armed attack” relate to a “use of force” and an “intervention”?
- What special requirements must states follow to assert collective self-defense? Where do these requirements come from (i.e. what source of law creates these requirements)?

### *Preventing Armed Attacks*

- Compare viewpoints about when states can act to prevent an armed attack.
- Provide 2—3 historical or contemporary examples of preventive attacks. Do you believe that each of these examples was legal? Why (not)?

### *Defending Against Nonstate Actors*

- How did the 2001 terrorist attacks against the US affect legal views about armed attacks by nonstate actors?
- Provide 4—5 examples of attacks against nonstate actors. Do you believe that each of these examples was legal? Why (not)?
- Why is it problematic to treat nonstate actors as subjects of the law of armed conflicts? (That is, if a nonstate actor is capable of committing an “armed attack”, what other rights and responsibilities might a nonstate actor—like a rebel group or terrorist organization—have under international law?)

## 9.5 Other Justifications for Using Force?

### *Protecting Nationals Abroad?*

- Why do some experts believe that states can legally use force to protect their nationals abroad.
- Provide 3—4 examples in which this has occurred. Do you believe that each of these examples was legal? Why (not)?

### *Humanitarian Intervention and the Responsibility to Protect?*

- What is “humanitarian intervention”?
- What historical examples are used to justify these concepts as legal uses of force?
- What is the “responsibility to protect”?
- Do you believe that this concept is part of international law? Why (not)?

### *Consent to Intervention?*

- Do you believe that states can legally invite foreign forces to help them fight domestic actors? Why (not)?<sup>1</sup>
- How do the legal rights of states and nonstate actors differ in this area?
- What is the negative equality doctrine?
- What practical questions are raised by the practice of consent to intervention?

## **9.6 Case Study Revisited: Was the Saudi-led Bombing of Yemen Legal**

- How do the topics discussed in this chapter help you to understand this case?
- How would *you* answer the legal and political questions that are raised by this case?<sup>2</sup>

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<sup>1</sup> Note: This is an extremely difficult question to answer. There is no inherently correct or incorrect opinion/value, but you should be able to support your answer (and argue against alternative opinions/values) using basic facts and logic.

<sup>2</sup> Note: Some of these questions may require that you express an opinion or make a value judgment. There is no inherently correct or incorrect opinion/value, but you should be able to support your answer (and argue against alternative opinions/values) using basic facts and logic.