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SPECIAL FEATURE— Restraints on the Unilateral Use of Force: A Colloquy

Introduction

The fortieth anniversary of the United Nations has occasioned both celebration and sober reassessment. This year provides an opportunity for a timely examination of the continuing vitality and usefulness of the principles and ideals embodied in the UN Charter. One of its fundamental goals was to restrict the unilateral use of force in international disputes. Article 2(4) of the UN Charter expressed this ideal:

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, or in any manner inconsistent with the Purposes of the United Nations.

Forty years and innumerable armed conflicts later, the United Nations and Article 2(4) survive amid a rising chorus of criticism and debate. Whether their continued existence serves any useful purpose is in dispute. In light of present circumstances—the seeming incongruity between state practice and the expressed ideal of Article 2(4)—the Board of Editors of the *Yale Journal of International Law* posed the following question to five distinguished international legal scholars:

Under what circumstances and for what objectives, if any, may states lawfully resort to the unilateral use of force?

In presenting the personal views of the distinguished participants in the format of a colloquy, the editors hope to stimulate a lively and informative discussion on whether the Charter regime continues to provide meaningful guidelines for contemporary policymakers. Their responses

form this colloquy and provide instructive analyses of the present status of Article 2(4).

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