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International law, armed conflict and the construction of otherness : a critical reading of Dr. Seuss's "The butter battle book" and a renewed call for global citizenship / John Hursh

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Abstract:	<p>While certainly a powerful critique of nuclear arms proliferation, The Butter Battle Book is perhaps even more valuable for its description of how societies progress toward armed conflict. This article examines that process through an international legal framework, questioning when — and even whether — international law generally, or international humanitarian law specifically, could intervene as two states march toward self-annihilation. This article argues that current international law fails to prevent states from reaching such military standoffs. To address this failing, it calls for a progressive international law concerned foremost with human dignity and global citizenship, and less so with strong state sovereignty. Part II provides a concise history of the Yook-Zook conflict, examining the conflict's root cause, its escalation, and its unresolved conclusion. Part III discusses international law in relation to the Yook-Zook conflict. Focusing on the U.N. Charter and international humanitarian law, this Part addresses whether an armed conflict exists, the crime of aggression, and the legality of nuclear weapons. Part IV discusses the construction of otherness. This Part examines the process of constructing the other in relation to international law. In addition, this Part asks how a more progressive international law could address the problem of otherness by looking to the Global Peoples Assembly proposed by Richard Falk and Andrew Strauss and the jurisprudential approach of former International Court of Justice Judge Christopher Weeramantry as possible solutions. Part V concludes.</p>
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