

ST. ANDREW'S JUNIOR COLLEGE
JC 2 Preliminary Examinations
HISTORY H1 and H2

8814 & 9731/1

Paper 1 International History, 1945-2000

Additional Materials:
Writing Paper
Cover Sheet

TIME: 3 Hours

INSTRUCTIONS TO CANDIDATES

Section A

Answer **Question 1**.

Section B

Answer any **three** questions.

INFORMATION FOR CANDIDATES

Begin each question on a separate piece of paper.

At the end of the examination, fasten all your work securely together in order.

DO NOT spend more than **45** minutes on any question.

All questions on this paper carry equal marks of 25 marks each.

You are reminded of the need for good English and clear presentation in your answers.

Section A

You must answer Question 1.

THE UNITED NATIONS AND THE UPHOLDING OF INTERNATIONAL LAW

1. Read the sources, and then answer the question which follows. When answering Question 1 candidates are advised to pay particular attention to the interpretation and evaluation of the Sources both individually and as a group.

Source A

The system of international justice has made several singular advances. At the same time, the ad hoc international tribunals have not been as effective or as efficient as envisioned. The achievements of the courts in Kosovo and East Timor have been similarly mixed.

International criminal tribunals, as global institutions, face their own unique institutional challenges. Bringing together judges, prosecutors, and other court personnel from different backgrounds and legal cultures creates obstacles to efficient trials. Reconciling the civil and common law traditions to establish and implement rules of procedure and evidence is time-consuming and costly. The Yugoslav and Rwandan tribunals are illustrative of some of these problems. After approximately seven years of work, the International Criminal Tribunal for Rwanda has completed only fifteen trials. This is due to a variety of factors including an overly ambitious prosecution strategy that pursued too many suspects; poor coordination between investigators and prosecutors; and failure to fill some long vacant posts. The slow pace of trials has resulted in unusually long pre-trial detentions that raise human rights concerns.

www.globalpolicy.org

Source B

A still more fundamental problem concerns the lack of enforcement power available to the Court to secure compliance when it does make judgements. The Security Council can 'decide upon measures' to be taken to give effect to 'the judgements' of the Court, but has never done so. This leads to a situation where many deride the usefulness of bringing disputes to the Court, doubting, with some reason, not only whether the other government involved will accept the jurisdiction in the first place, but whether it will comply with any judgement obtained. If Albania can defy the Court with impunity, who cannot?

Evan Luard, The United Nations: How It Works and What It Does, 1985

Source C

Although international law has developed markedly since 1945, both within and without the auspices of the UN, several fundamental problems remain unsolved. These relate especially to conflicts between international law principles, to gaps within the current body of international law, to regrettably frequent divergences between principles and practice, and to problems of implementation and enforcement.

Nagendra Singh, The UN and the Development of International Law, 1993.

Source D

Assessments of the court frequently dwell on its relatively light case load due to the reluctance of states to submit disputes, but other opinions stress its contributions to “the process of systematizing, consolidating, codifying and progressively developing international law”...Thus, the ICJ has contributed to peaceful settlement of disputes of several different kinds, most particularly involving land and maritime boundaries, and to restoring peace between parties, although governments still prefer to use political methods in many cases

Karen A. Mingst and Margaret P. Karns, International Organisations, 2004.

Source E

The development of international law in the second half of the 20th century is one of the outstanding achievements of the United Nations. But debate centres around a contradiction that no one disputes: virtually the entire body of international law has been created and enforced by those who stand most to gain from breaking it. It is governments that must monitor their own compliance with international law and the extent to which it is respected by other states. Yet the very nature of politics makes it inevitable that it will be those same governments that seek to circumvent these obligations and in many cases openly flout them. But in the eyes of those who look upon international law as the only long-term underpinning for civilized behaviour among nations, the very fact that governments have begun progressively to commit themselves to common standards of decent behaviour is a remarkable and ultimately helpful accomplishment

Adapted from a UN publication, A Vision of Hope: The Fiftieth Anniversary of the United Nations, 1995.

Now answer the following question:

How far do Sources A to E support the view that, in the period 1945-2000, the UN was ineffective in upholding international law?

Section B

You must answer **three** questions from this section.

2. "The origins of the Cold War are to be found in the differing interests of the superpowers." Comment on the validity of this statement.
3. Has the role of the United States been a positive one for the global economy, in the years 1945 – 2000?
4. To what extent were Deng's reforms central to the China's economic growth from 1978?
5. To what extent is Islamic Fundamentalism a destabilising force in regional politics?
6. "The Arab-Israeli conflicts are the results of external intervention." To what extent is this statement true?

END