“A Long Way Gone:” Child Soldiers and the Paradox of Law and Culture Within the Nation State

By Lisa Mahlum*

“Children, for whom fighting is the only thing they know, for whom war is a normal way of life, or their only way to earn the money they need to survive and to ensure their place in a group, are lost when it comes to the cause for peace and development. They are small time bombs that threaten the stability and growth of their countries, not to mention those of neighboring countries and beyond. Doing nothing to try to address this issue would be morally unacceptable and politically irresponsible.

But what can we do?”
- Philippe Douste-Blazy
Opening Address at “Free Children from War” Conference 2007

* Lisa Mahlum is a graduating senior in the Honors College at University of Washington, majoring in history and minoring in human rights. She is a 2006-2007 Mary Gates Research Scholar and recipient of the 2007 Thomas Powers Prize for Best Undergraduate History Research Paper. She is currently a senior editor for the Washington Undergraduate Law Review. After finishing her undergraduate degree, Lisa plans to take a year off to work before attending law school in Fall 2008, after which she hopes to pursue a career in corporate law. This paper was originally submitted to a class on refugee and asylum law, taught by Arzoo Osanloo at the University of Washington.
In our modern world where international advocacy for human rights protection has arguably reached its historical zenith, a category of children has emerged whose rights are systematically obliterated through violent participation in child warfare. According to the February 2007 “Paris Principles,” which is the most recent international document against children’s involvement in war, “a child associated with an armed force or group refers to any person below 18 years of age who is or has been recruited or used by an armed force or group in any capacity, including but not limited to, children used as fighters, cooks, porters, messengers, spies, or for sexual purposes.”¹ The most recent estimates made by UNICEF in 2006 projected that there were 250,000 to 300,000² children fighting as soldiers for causes that bring little if any peace to the alleged conflict. Despite international protocols that render child warfare illegal, hundreds of thousands of children find themselves without the needed protection from the state, which consequently subjects them to forced armament. How have children become so overlooked by the nation state that they become exploited at such a large scale? Why are children forced to surrender their childhood to illegally and prematurely assume adult responsibilities of becoming coerced soldiers?

The nation state, as a sovereign body and guarantor of human rights, is supposed to be the arbiter between the cultural and legal realms of society ensuring that one realm does not infringe upon the expression of the other. In nations where child warfare exists, the cultural norms amongst social groups that mandate the use of child soldiers eclipse the legal codes of national and international law that protect children from forced armament. Betrayed by their nation state, child soldiers find themselves without legal protection and are consequently summoned to adhere to their country’s cultural standards of necessary wartime conduct despite legal

protocols that render child warfare illegal. This paper will use the account of Ishmael Beah, a rehabilitated child soldier from Sierra Leone, to reveal the process through which the nation state fails to protect the legal rights of children thereby forcing them into violating situations of child warfare. By placing the case of Ishmael Beah within the legal and cultural framework of international children’s rights, this paper will explore the disparity that rests with the nation-state’s ability to protect youth caught between the legal world of innocent childhood and the cultural world of militant adulthood.

I: INTERNATIONAL DISCOURSE ON CHILDREN’S RIGHTS AND THE EFFORTS TO PROTECT THE RIGHTS OF CHILD SOLDIERS

With the emergence of the nation state dating back to the Treaties of Westphalia in 1648, people have since been enamored with the idea of state sovereignty based upon territorial borders and personal sovereignty based upon citizenship within an established nation state. As the wheels of modernity inspired a proliferation of revolutions in the 17th and 18th centuries, people became increasingly tied to the idea of personal rights based upon secular ideals of intrinsic humanness instead of religious ideals of God’s ‘natural’ hierarchy. Living in a world where the sovereign nation state defines the essence of international law, people have synonymously linked democracy with personal liberty and have interpreted the nation state as the almighty enabler of these precious things we now call “human rights.” However, human rights themselves are not at all human; they are political rights engendered to protect the physical safety of one’s life and to allow for the freedom for one to control his or her own life without fear or actual threat of persecution.

Even though the concept of “inalienable” human rights suggests that man was the source as well as ultimate goal of human rights, they remain a product of the nation state’s polity and are only theoretically grounded in a philosophical concept of humanity. Rights only exist as long as someone is willing to grant them; the only way human rights gain any sort of legal ramifications is for a governing nation state to take responsibility for protecting its citizens against persecution. Without legal and political backing by the nation state, human rights (as internationally recognized in the UDHR) have no legal enforceability—they are simply a statement of utopian ideals recognized by drafters as a hopeful goal. In the case of the modern world, the nation state becomes the source for rights whereby members of the state are granted

protection from the state “against the sovereignty of the state.” In other words, the very body that grants human rights is the same body against which protection is granted. But what happens when children, who are legal citizens without legal responsibility, fail to get protection from the state against the harm of the state? In some states, these children suffer rights violations and become enslaved as child soldiers.

Ever since children were written into Article 5 of the 1948 Universal Declaration of Human Rights (UDHR) as a specific social group that deserved “social protection” for the maintenance of a “standard of living adequate for the health and well-being of himself,” children’s rights have become a particularly challenging component of international discourse as legislators, politicians, representatives, and NGO officers have struggled with how to protect and enforce rights for such a young population of minors. Children’s rights violations through forced participation in warfare have been foisted into the international political arena over the past fifty years and have gained particular attention over the past decade following Ms. Graça Machel’s 1996 report, “The Impact of Armed Conflict on Children.” As noted by Mauel Fontaine from the UNICEF Child Protection Division, “the use of children in war is not a new thing, but it is perpetuated in today’s conflicts, despite breakthroughs in children’s rights.” Constantly confronting the red-tape boundaries of “culture” and the “nation state,” the international community has struggled to provide children with the needed protection without overstepping the boundaries and rights of national sovereignty.

Despite extensive amounts of international legislation regulating the recruitment and coercion of child soldiers, the protection children’s rights continues to present challenges to legislators, as seen by the high number of child soldiers fighting in the 21st century. Over the past fifty years, the internationally community has drafted several documents—some with legal implications and some without—to protect children’s rights, particularly regarding the protection of children against involvement in armed conflict. The first motion to specifically include children as their own group in need of protection happened with the drafting of the fourth Geneva Convention of 1949 and its additional Protocols in 1977; the most recent international efforts against recruitment and use of children in warfare took place at the “Free Children from War” Conference on February 5-6, 2007 where international
community members drafted the Paris Commitments and Paris Principles under the auspices of UNICEF to further augment and redefine the 1997 Cape Town Principles based upon enlightened perspectives over the past ten years. By looking closely at the legal ramifications of the most significant pieces of international policy drafted from 1949-2007 with the intention of protecting children’s rights, one can juxtapose the legal responsibilities of cosigning nation states against the reality of the nation state’s betrayal as children who legally have ‘human rights protections’ continue to find themselves at the behest of forced warfare.

As the most prolifically distributed and ratified international human rights instrument in the world with 191 cosigners (as of the most recently published data in 2000), the 1989 Convention on the Rights of the Child (CRC89) defines a child as anyone less than eighteen years of age and proscribes various principles to help governments protect their children’s best interests and welfare. Aside from the brief mention of children in Article 25 of the UDHR, the CRC89 was the first piece of international legislation to address children’s rights specifically. The CRC89 specifies ways in which national governments should respect the best interest of a child by protecting certain provisions including the rights to life, survival, development, and non-discrimination. Reiterating the ban made by the Geneva Conventions Additional Protocols of 1977, which forbade the recruitment or use of children less than fifteen years of age in armed conflict, the CRC89 also prohibits the recruitment and use of children younger than fifteen in warfare. Consequently, the CRC89 makes coerced or forced child warfare illegal for the countries that cosigned to the document. The Optional Protocols to the CRC89 added specificities regarding children’s involvement in armed conflict by making eighteen years of age the minimum age for either compulsory or forced services in an armed force; fifteen years of age remained the legal age for voluntary enlistment in the military. In February 2002, the Optional Protocols were enforced and are currently ratified by 110 countries.

The 1998 Rome Statute of the International Criminal Court (ICC) iterated, inter alia, that conscripting or enlisting children less than fifteen years of age to fight actively in warfare is a war crime and consequently falls under the war

12 Id.
14 U.N., supra note 11.
16 UNICEF, supra note 8.
crime jurisdiction of the ICC. With the creation of the ICC and the definition of the child soldier war crime, those who were caught committing this crime could now be subject to international trial. Although a substantial motion forward, the actual effectiveness of the ICC in catching and persecuting war criminals remains overwhelmingly ineffective, as the number of child soldiers continues to grow. The adoption of Convention 182 by the International Labor Organization (ILO) cites forced child militancy as one of “the worst forms of child labor” and calls for each member of the convention to take immediate measures to prevent such exploitation. As of 2007, 163 states have ratified the Convention. While all the legislation discussed thus far has had an international scope, there are two crucial documents of local importance to African nation states.

In 1997, UNICEF and several NGOs drafted and adopted the Cape Town Principles at the “Symposium on the Prevention of Recruitment of Children Into the Armed Forces and on Demobilization and Social Reintegration of Child Soldiers in Africa.” Within the Cape Town Principles are fifteen articles that define a child as any person less than eighteen years of age, stress the importance for African nations to adopt and ratify the Optional Protocols to the CRC as well as other internationally pertinent legislation, encourage programs to rehabilitate ex-child soldiers, and ask the international community to recognize the need for protection of displaced soldiers. In the African Charter on the Rights and Welfare of the Child, the document defines a child as any person less than eighteen years of age, stresses the crucial and privileged position of children within African society, and delineates a lengthy list of rights of African children ranging from rights to fair forms of justice to education to sustenance to privacy etc. The Charter also prohibits the recruitment of child soldiers and establishes a Committee on the Rights and Welfare of the Child, engendered to oversee the upholding of children’s rights.

One culturally significant clause within the Charter is Chapter 1, Article 1, which states that “Any custom, tradition, cultural or religious practice that is inconsistent with the rights, duties and obligations contained in the present Charter shall to the extent of such inconsistency be discouraged.” The language of this Article makes the legal stipulations contained within the Charter paramount to

22 *Id.* at § 1, Article 1
cultural practices that would otherwise violate a child’s right. Such implications that cross cultural and legal boundaries are particularly significant when considering the fate of child soldiers, since child warfare is often construed as a necessary cultural wartime practice within countries that espouse the use of child soldiers.\(^\text{23}\) Theoretically, the nations who have cosigned to the African Charter should be especially aware of the illegality of child warfare despite perceived cultural needs; in reality, the number of child soldiers continues to grow.

To more effectively monitor the fate of children involved in wars, the United Nations has adopted six resolutions pertaining to child soldiers. Resolutions 1261 (1999)\(^\text{24}\) and 1314 (2000)\(^\text{25}\) ask parties involved in conflicts to be mindful of international law relating to children, particularly to the exploitation of girls. In 2001, Resolution 1379 requires that the UN Security General create a blacklist of all countries that continue to recruit child soldiers.\(^\text{26}\) Resolutions 1460 (2003)\(^\text{27}\) and 1539 (2004)\(^\text{28}\) make country-specific mandates relating to child soldiers by including all the children in the DDR and by imposing country-specific measures for countries in conflict with international law. Most recently, Resolution 1612 provides the most detailed form of international tracking of child soldier violations by proposing a monitoring system for six types of child rights violations; this resolution also creates a Security Council Working Group that recommends directives on a case by case basis of violations.\(^\text{29}\) With these recent resolutions in the past five years, the international community hopes to more effectively enforce the legislation in place.

The most recent international effort to end child rights violations happened in February 2007 with the creation of the Paris Protocols, which attempt to make clarifications to the 1997 Cape town Principles to allow for more effective interventions for countries that violate international protocols that ban the usage of child soldiers.\(^\text{30}\) Furthermore, the Paris Protocols will serve as the foundation for developing effective protection, release, and rehabilitation programs for children who have suffered as child soldiers.\(^\text{31}\) This matrix of international protocols designed to protect the inherent rights of children provides the backdrop against which countries, most of which are cosigners of the mentioned protocols, allow child exploitation through forced military participation to occur. By looking at

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23 Gallagher, supra note 10, at 330-332.
30 UNICEF, supra note 8.
Ishmael Beah’s story specifically, one can more clearly understand how despite such extensive legislation forbidding the practice of child soldiers, individual children can fall outside the protection of not only the nation state, but also of the international community.

II: A CASE STUDY OF ISHMAEL BEAH WITHIN THE CONTEXT OF LAW, CULTURE, AND THE NATION STATE

Born in 1980 in Sierra Leone, Ishmael Beah was always a “troublesome” child. His parents separated when he was young and he spent his childhood without guidance from his mother. Beah participated in ‘normal’ childhood activities like going to school and playing with his friends. Particularly fond of rap music, Beah and his friends would spend their free time perfecting their singing and dancing moves and would perform them for audiences around the community. For Beah, life seemed normal until the Revolutionary United Front (RUF) rebels attacked his village and forced him to leave his hometown at the age of twelve. After spending months running from village to village and surviving only because of strangers’ generosity, Beah was coerced by a government army of Kamajors and before long, had become an expert child soldier. For three years he fought alongside the army until UNICEF officers rescued Beah from the war at age sixteen. After undergoing a rehabilitation program, Beah learned how to rediscover his childhood and came to the United States in 1998 to finish his education.32

How did Beah become a child soldier? How as a citizen of Sierra Leone did Beah lose protection from the state? Where is the discrepancy that allows children who have protection under the international protocols described in Part I of this essay to become subjected to coerced armed militancy? This paper will use Beah’s story, as told in his memoir, “A Long Way Gone: Memoirs of a Child Soldier,” to uncover the tensions between the legal and cultural understanding of childhood in Sierra Leone and to elucidate how lack of protection from the nation-state rendered Beah stuck between two worlds of being an adult and a child—the troubling position of a child soldier.

According to the international definition of a child from CRC89, Beah was legally considered a child when he began fighting as a child soldier because he was under eighteen years old;33 under Sierra Leonean law, he was also still considered a child because he was younger than twenty-one—the age when Sierra Leonean citizens become legal adults.34 Since Beah fit the legal status of a child and because

32 Ishmael Beah, A Long Way Gone: Memoirs of a Boy Soldier (Farrar, Straus and Giroux 2007)
33 U.N., supra note 11.
34 Gallagher, supra note 10, at 325.
Sierra Leone was a signatory of the 1989 Convention on the Rights of a Child, Beah, in theory, was legally granted protection from becoming a child soldier. However, Beah experienced a discrepancy in the system when despite his legal status as a child, he culturally became an adult when he became a soldier.

In the case of Beah, he found himself stranded as a child without the protection of his parents (for Beah’s family had been separated once the rebels came to his village), and since he lived in a nation wrought with civil war, he failed to gain protection from the state. After the soldiers captured Beah and his friends from the woods, they were forced to decide between leaving the village alone to face the rebels in the woods without food and or supplies, or staying under the command of the lieutenant, becoming a soldier, and having access to food and water. In a harsh speech directed at all the captured children, the lieutenant presented the children with a life or death ultimatum: “‘If you do not want to fight or help, that is fine. But you will not have rations and will not stay in this village. You are free to leave, because we only want people here who can help cook, prepare ammunition, and fight.’”\textsuperscript{35} For Beah and his friends, “[they] had no choice. Leaving the village was as good as being dead.”\textsuperscript{36} In an effort to save his own life, Beah became a child soldier. Beah’s nation state of Sierra Leone, the body politic trusted in international discourse to be the arbiter of human rights and the enforcer of its international pledges, no longer upheld its responsibility as the guarantor of human rights, so Beah was left with nothing but his inherent humanness with which to seek protection. For soldiers looking to win a conflict against the rebels, Beah’s humanness became a valuable asset to the army and Beah’s cooperation with the army became his only token to survival. Beah’s experience with losing his rights illustrates what I term the paradox humanness, whereby the humanness that provides the inherent justification for getting “human rights” becomes an irrelevant consideration without the protection of the state.\textsuperscript{37}

Ironically, by being stripped of his rights to avoid forced armament and participation in military conflict, Beah was in turn granted rights from the army that were taken away from the state’s protection with the unrest of civil war—the right to “social protection”\textsuperscript{38} and basic survival amenities like food and water—essentially, the right to live without the threat of constant violence. Without any stable state to protect Beah from becoming a child soldier, Beah fell subject to the exploitation of those around him, namely the lieutenant of the army, who forced Beah to bargain for his life in an exchange for rights. As long as Beah surrendered his right to be

\textsuperscript{35} Beah, \textit{supra} note 2, at 106.
\textsuperscript{36} Beah, \textit{supra} note 2, at 107.
\textsuperscript{37} This phenomenon that I have termed the “Paradox of Humanness” can be further explored in Hannah Arendt’s essay, “The Decline of the Nation State and the End of the Rights of Man.”
\textsuperscript{38} U.N., \textit{supra} note 6, at Article 25.
a child, the lieutenant would grant him the right to live under the protection of the army’s resources. To this end, the lieutenant, rather than the nation state, became the guarantor of Beah’s rights.

By turning to criminal behavior as a mode of desperation, Beah was not only given the chance to survive, but he was also provided with a renewed sense of identity and protection that was left a void by the state. In Sierra Leone, the crisis of civil war, which began in 1991, rendered the nation-state unable to offer protection to its citizens,\(^39\) so citizens turned to themselves to create protective allies and avoid harm by destroying commonly identified enemies. The Kamajor army saw the RUF rebels as enemies and the RUF rebels saw the Kamajor army as the enemy; both parties believed they were fighting for a restored sense of freedom and economic equality.\(^40\) For Beah and many other child soldiers alike who had no family, no home, no state protection, and no real sense of identity, the only source of protection came from becoming a warrior and embracing criminal behavior. In Hannah Arendt’s article, “The Decline of the Nation State and the End of the Rights of Man,” she asserts that perhaps the best criteria to judge whether or not someone is “outside the pale of the law,” is to ascertain whether he or she would gain more rights by being a criminal.\(^41\) Because Beah and other child soldiers gained protection, sustenance, and a mode of survival from embracing criminal behavior of child warfare, one can conclude Beah gained more rights as a soldier than he did as an innocent boy.

When violent attacks on his village forced Beah to flee his home and his family, he was consequently forced to flee his entire sense of existence. Without a societal structure to define his identity within the context of typical childhood activities, Beah was stripped down to his naked humanness whereby he was left with qualities that only gained meaning in the context of society.\(^42\) Without “expression within and action upon a common world,” one’s “unique individuality” as defined through school, work, citizenship, family, etc. loses all significance.\(^43\) Since Beah no longer had a community to define his status as a child through activities like going to school, socializing with friends, performing chores, etc. he was forced to define his own existence within the context of wartime survival. As ball games were replaced with shooting games and dancing to rap music was replaced with fighting to the sound of gunshots, Beah’s childhood lost all relevance when he became a soldier.

Once army soldiers captured Beah and explained to him his choice to


\(^{41}\) Arendt, *supra* note , at 286.

\(^{42}\) Id. at 01

\(^{43}\) Id. at 02
join the army and survive, or flee the army and die, Beah had new source around which to affix his identity—his culturally adult identity of being a soldier. The transformation from child to soldier was not immediate and in fact took time for Beah to embrace. Striving to indoctrinate innocent children with the gumption to fight and the desire to kill, the lieutenant would scream to the children over and over again the following phrase: “Visualize the enemy, the rebels who killed your parents, your family, and those who are responsible for everything that has happened to you.”44 At first, this phrase meant nothing to Beah who still got queasy when he saw dead bodies. However, after hearing the phrase multiple times a day and witnessing rebels kill his friends, the lieutenant’s phrase soon resonated with a deep level of truth that inspired Beah to further embrace his identity as a soldier. Once Beah and the other children were given their guns and began fighting with the army, they started mingling with the other officers and embracing their social life. Before long, Beah was addicted to cocaine, smoked marijuana constantly, and watched war movies for fun—he could not consume enough violence for his satisfaction.45 One day, for fun, Beah and other soldiers lined up a group of rebels and had a contest to see who could kill their rebel fastest. After slitting the rebel’s Adam’s apple with a bayonet in one smooth gesture, Beah was proclaimed the winner of the game.46 After spending months running from rebels and fearing for his life, Beah now had a sense of community and a reason for being; he “felt special because [he] was part of something that took [him] seriously and [he] was not running from anyone anymore.”47 For Beah, “the squad was my family, my gun was my provider and protector, and my rule was to kill or be killed […] I felt no pity for anyone. My childhood had gone by without my knowing, and it seemed as if my heart had frozen.”48 Fully entrenched in violent warfare, Beah was no longer a child.

Not only did Beah’s actions change to reflect those of a warrior, but his demeanor also changed to reflect a person stripped of his innocence and jaded by violence. After walking from village to village in an effort to escape the rebels, Beah and his young companions finally found a familiar face in one of their village stops—a man named Ngor Gasemu who used to live in their village of Mattru Jong before the insurgence of rebels overtook it. When Gasemu saw Beah, he noticed a change in Beah’s physical demeanor, and told him, “I see that you look very sad. Your forehead used to glow naturally when you were just a child […] And here you are, it isn’t shining any more.”49 Yes, Beah was in the body of a child and was the

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44 Beah, supra note 2, at 112
45 Id. at 121
46 Id. at 125
47 Id. at 124
48 Id. at 126
49 Id. at 92
age of a child, but he no longer emanated the presence of a child. Having witnessed extreme violence and the utter destruction of his friends and family and having endured extreme conditions of starvation, exhaustion, and loneliness, Beah could no longer be a child if he wanted to survive. His naivety was usurped by the violence of civil war, and his childhood was surrendered to the human need for survival. Not only did others, such as Gasemu, witness this premature transformation from childhood to adulthood, but Beah also realized it within himself.

Although Beah was not presently aware of his transformation from childhood to adulthood as marked by the acceptance of becoming a coerced soldier, he recognized an incongruous divide between his life before becoming a soldier and his life after. In a speech given at the UN Economic and Social Council (ECOSOC), Beah recounted the following:

> It was not easy being a soldier, but we just had to do it. I have been rehabilitated now, so don’t be afraid of me. I am not a soldier anymore; I am a child. We are all brothers and sisters. What I have learned from my experiences is that revenge is not good. I joined the army to avenge the deaths of my family and to survive, but I’ve come to learn that if I am going to take revenge, in that process I will kill another person whose family will want revenge; then revenge and revenge and revenge will never come to an end.\(^{50}\)

From Beah’s honest testimony, one can see that transforming into a soldier meant becoming an adult. He was thirteen years old when he joined the army, became a soldier, and surrendered his childhood; he was thirteen years old when he became an adult. Given the harsh realities of civil war brutality in Sierra Leone, Beah could not be a child and a soldier at the same time—the two states of identity were incongruous.

Only after he underwent his rehabilitation process did Beah regain his sense of childhood. Ironically, the process through which Beah rediscovered his childhood at the rehabilitation center mirrors exactly the process through which he lost it, only in reverse. For example, the nurses would try to encourage Beah to do activities he did before he became a soldier. Since Beah loved to rap and sing, his nurse, Esther, would make him cassettes with songs from artists like LL Cool J and Bob Marley. Esther would spend time with Beah learning the lyrics to songs and learning how to dance; at the end of the program, she even got Beah to perform his music at the talent show. Slowly, Beah’s craving for violence was soon replaced with his rediscovered affinity for music—an activity that marks the identity of a

\(^{50}\text{Id. at 199}\)
child instead of that of a soldier. Instead of infusing Beah with statements about bloodthirsty revenge as the soldiers did, the staff at the center told him over and over again “None of these things are your fault.” Although Beah was at first infuriated with the staff’s constant parroting of this phrase, he finally began to believe it and let it “sink into [his] mind and heart.” By replacing Beah’s network of violence with a group of support and by reacquainting him with surviving members of his extended family, the staff at the rehabilitation center introduced Beah into society as a child. By surrendering his role as a soldier, Ishmael Beah once again discovered his role as a child.

**Conclusion**

As one child in hundreds of thousands who have suffered an illegal violation of human rights by being either forced or coerced into being a child soldier, Ishmael Beah is one survivor who suffered betrayal from his nation-state. Placed against the backdrop of international law directed towards the prevention of child warfare, Beah’s story reveals the complex way in which children find themselves without legal protection from the state and consequently become forced to seek protection elsewhere, sometimes through becoming a soldier. Despite international protocols like the 1989 Convention on the Rights of the Child, the Convention’s Protocols of 2000, and the most recent Paris Protocols of 2007, nation states such as Sierra Leone, who have cosigned to such protocols, still betray their children by failing to offer legal protection through the state, thus rendering human rights nothing more than a utopian philosophy. In many nations where child warfare thrives, the country is wrought with civil war and consequently suffers from grave civil unrest. In such cases, the cultural mandates of the country, which justify the exploitation of children as soldiers, become paramount to the legal stipulations that ban the recruitment and use of child soldiers. Since essentially no one in Sierra Leone receives protection from the state during this time of civil war—neither adults nor children—the broken infrastructure of the nation-state by default favors cultural interpretations of the law by adults who deem child exploitation appropriate to the further of the civil war. Again, we find ourselves at a paradoxical impasse with the role of the nation state as the principles that founded the concept of protecting individual sovereignty have rendered the state’s legal organs completely useless. When the nation state fails to protect not only itself, but also to protect its citizens, whose job is it to fix the broken state?

In international discourse, national sovereignty and the ability for a nation-
state to govern its body politic according to its national and cultural ideals form the basis for international relations. Not wanting to overstep the freedom of the nation-state to govern according to its own will, the international community is frequently hesitant to intervene, lest the international respect for national sovereignty is disturbed. One rationale that frequently justifies a lack from intervention is the appeal to culture. Hesitant to impose one nation’s “correct” cultural beliefs upon another nation’s “incorrect” cultural beliefs, the international community often allows human rights violations to take place under the guise of “cultural difference.” Only when violations get severe enough does the international community justify intervention as an allowable solution. The case of child soldiers has proven to be one such practice recognized almost universally as an extreme violation of human rights. The large number of signatories to the 1989 Convention on the Rights of the Child illustrates the widespread motion to protect the rights of children against violations like forced armament.  

Despite near international consensus on the human rights violations entailed with becoming a child soldier, the international community has not done enough to stop the problem. In Philippe Douste-Blazy’s opening address at the 2007 “Free Children From War” Conference, he proposes the following to his question, “But what can we do:"

First, gather up these lost children, listen to them tirelessly try to find a sign of their former selves buried so very deep inside. Then, offer them possibilities for the future, show them that they can have a life after war, a life without AK-47s. Give them a family, teach them a trade. Lastly, bring this issue to the forefront in the international arena to the attention of political decision-makers.

Perhaps with the awakened spirit of the Free Children From War Conference of 2007, the international community will find some way to protect children, who legally have no pull within their country’s political discourse, from the betrayal of their nation state.

54 Douste-Blazy, supra note 2.