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Review Essay

Tales of Humanitarian Intervention Gone Awry

The Emergence of Humanitarian Intervention: Ideas and Practice from the Nineteenth Century to the Present

Fabian Klose (ed). Cambridge: Cambridge University Press, 2016. 364pp.

The Conceit of Humanitarian Intervention

Rajan Menon. Oxford: Oxford University Press, 2016. 235pp.

Richard Falk *

Ever since the fall of the Berlin Wall and the subsequent collapse of the Soviet Union there has been an upsurge of international undertakings that have claimed humanitarian justifications for military interventions in foreign societies. A second kind of justification for such interventions all of which are launched by Western countries (especially the United States) was associated in this period with the global “war on terror” initiated during the presidency of George W. Bush in response to the 9/11 attacks of 2001 on the World Trade Center and the Pentagon. In other words, this upsurge in

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interventions draws partly on a normative rationale drawn from religion, morality, and law and partly from a security rationale premised on stretching the law of self-defense to meet the distinctive challenge of transnational mega-terrorism. The central question raised is whether this contemporary practice of intervention has been beneficial from the perspective of either humanitarianism or security.

There are some crucial considerations that bear on the use of force given the hybrid structure of world order as partly state-centric and partly geopolitical. The state-centric part is, by and large, anti-interventionist seeking to safeguard the autonomy of territorial sovereign states based on ideas of juridical equality embedded in the rule of law. The geopolitical part is, by and large, interventionist as a reflection of the international reality that only the more powerful states possess the capabilities and the geopolitical ambition to intervene. As might be expected these two dimensions of world order are often in tension when concrete cases arise. For geopolitical actors that are also states the two ordering principles are reconciled by privileging sovereignty for oneself and maintaining an option to intervene with respect to all other states except those that are themselves geopolitical actors.

One way to resolve this underlying tension is to condition humanitarian intervention on a grant of authority by the UN Security Council (UNSC). However, the UNSC is structured in such a way that only when the dominant members, the permanent five or P-5, are in agreement can an authorizing decision be reached. And even on those rare occasions when such authorization is forthcoming as was the case with the First Gulf War of 1991 or the 2013 NATO intervention against the Qaddafi government in Libya, the UN loses any capacity to supervise what has been authorized because operational control is taken over by the geopolitical actor(s) delegated to use force. In this sense, the tension between statism and geopolitics is not overcome by reliance on the UN even when it is capable of reaching a decision, but merely somewhat disguised. In essence, whenever an intervention occurs, its contours are controlled by geopolitics despite UN authorization and reliance on a humanitarian rationale. Further, the UN is too weak to insist that an intervention be confined to humanitarian ends, and geopolitical actors are not willing to intervene militarily unless they possess strategic and self-interested reasons for doing so.

Against this background it is a pleasure to welcome two excellent books that explore the ins and outs of humanitarian intervention, arriving at the essentially

convergent and unsurprising conclusion that such behavior is more a geopolitical than a normative phenomenon. The Klose edited collection is generally analytic and empirical in tone, with several strong historical chapters, while Menon's book is a tightly argued polemic directed against those liberal internationalists who during the Obama presidency have championed the dawn of a new era of humanitarian intervention resting on the implementation of universally shared values.

The contrary thesis of Menon's book is conveyed by his title, *The Conceit of Humanitarian Intervention*. In effect, he is instructing us on the basis of a very scrupulous consideration of doctrine, cases, and results that claims by the West, especially by the United States, to have engaged in a series of "humanitarian interventions" is a snare and delusion, with a shabby record of performance. Menon associates the word 'conceit' with its dictionary definition of "a fanciful idea" that embodies an "excessive appreciation of one's own opinion or worth." As applied to the controversies about humanitarian intervention, Menon insists that advocates so greatly exaggerate "the worldwide spread of universal norms and their acceptance by the international community" as to make their argument "little more than a conceit" (10). In a rhetorical flourish Menon tells his readers that "[h]umanitarian interventionists are intoxicated by the grandeur and moralism of their transformative program" (178).

Menon develops his case carefully, accurately presenting the arguments with which he disagrees, with his main targets obviously being the liberal internationalists who pushed Barack Obama to intervene in a series of countries in the Middle East with disastrous results. In this regard, it happens to be three influential women—Hilary Clinton, Susan Rice, and Samantha Power—who have been most prominently carrying the torch of humanitarian intervention during the Obama presidency. Menon does not doubt their sincerity, but he is highly critical of their tendency to separate an affirmation of humanitarian goals from any acknowledgement of the relevance of geopolitical motivations and complications.

As he points out, by neglecting the difficulties of achieving the posited humanitarian goals, the weakness of a humanitarian rationale for the use of force is ignored, and disappointing results ensue. Menon points out that sovereign states are deeply reluctant to sacrifice their own citizens for the purpose of promoting positive humanitarian results. Equally discrediting is the startling failures of intervening states to invest sufficiently and effectively in post-intervention reconstruction, thereby leaving in

ruins what they were pledged to fix. As the persisting chaos in Iraq and Libya vividly illustrates, the fact that a dictatorial and abusive regime was replaced does not insure that a society will be better off as a result of the intervention. Especially in Iraq, there is every reason to suppose that the war planners in the Pentagon and the State Department would quietly rejoice if a new strong man emerged who proved capable of imposing order in the manner of Saddam Hussein. In this sense, one of the implicit caveats of the Menon critique is “beware of what you wish for.” In effect, he shows that more often than not, the unintended consequences of intervention create new monsters more formidable than those destroyed. Perhaps, this point can be driven home by pointing out that the American intervention in Iraq led to the formation of ISIS, and its later spread to a series of other countries, including Libya.

Menon also questions the normative argument from two main angles. First of all, he believes that disagreements among major states generally prevent any consensus being formed as to the application of humanitarian norms. And further, that many states in the post-colonial global setting are very reluctant to endorse any right of the West to override sovereignty by way of military intervention. In this regard he views the pretensions of the Responsibility to Protect (R2P) norm with a suspicious eye. The abstractness and vagueness of the norm allows states to interpret its meaning in very self-serving ways, which ensures that its role in conflict situations will be more a reflection of geopolitics than of normative agreement. In Menon’s words “[h]umanitarian intervention can never become an ethically driven pursuit disentangled from power and interests” (11). This assessment rests on Menon’s underlying embrace of realism as the foundation of political behavior involving international uses of force: “Great powers seldom, if ever, surrender their privileges for the greater good” (159). Supposing here that the greater good is the prevention of mass atrocities by demonic governments, Menon is saying that normative considerations to the extent invoked serve as window dressing, and will not generate meaningful action unless reinforced by an accompanying geopolitical motive of sufficient magnitude.

Although Menon does not make the argument, the refusal of liberal democratic states to act collectively to prevent the Nazi persecution of Jews and others is a dramatic confirmation of his underlying argument about the structure of international political life. His main effort is to discredit the liberal claim that after the fall of the Soviet Union there existed a broad humanitarian movement in international society that generated a strong

enough headwind to uphold the contention that atrocities could be prevented and punished through the instrumentalities of humanitarian intervention and R2P. I believe Menon brilliantly explicates the several fallacies of the interventionists, while at the same time keeping the door open for intervention in reaction to atrocities when geopolitical forces are effectively aligned and the likely costs realistically taken into account.

With respect to costs, Menon exhibits further well-reasoned skepticism. He shows that throughout history, those who favored the use of force understated the costs and difficulties of proposed undertakings. In this sense, it is not only that humanitarians are naïve in their enthusiasm but also that the militarists (often the politicians rather than the professional military) view intervention through rose-tinted glasses. Recent experience that confirms the immense difficulties of turning the military superiority enjoyed by an intervening state or coalition of the willing into the desired *political* outcome. This realization alone should give rise to a posture of caution and restraint when it comes to embarking on any military intervention.

Menon sustains his narrow critique of humanitarian intervention with lucid analysis and a scholarly mastery of relevant materials. There are a few red lines he refuses to cross. There is not a single mention of Israel/Palestine, and the prolonged plight of the civilian population of Gaza, nor is there any insight given as to what could be done to protect the people of Syria from the horrifying spectacle of atrocity. Although Menon advocates a kind of pragmatism in shaping responses, he does not discuss the complicity of geopolitical actors in crimes against humanity, genocide. As well, there is no reference to the relevance of neoliberal globalization to decisions bearing on whether to intervene or not.

The Klose volume manages a consistently high quality throughout its fifteen chapters, but it is much harder to review. The book lacks the coherence and focus of the Menon effort. If there is a common theme it is this idea of impurity when it comes to military intervention. In an introductory chapter Klose adopts a strong formulation of this view: “if the purity of humanitarian purposes is the sole criterion defining the concept of humanitarian intervention, then it never existed and will never exist. It is an absolute myth that states would risk or have ever risked the lives of their soldiers just to follow the altruistic call of humanity” (13). While Menon devotes his energy to those who are claiming that intervention for humanitarian purposes has become possible and is desirable, the Klose contributors, mainly Europeans, are trying to set forth the mixed

motives that color many shades of gray when appraising the main instances of humanitarian intervention throughout modern history dating back to the struggle to stop the international slave trade.

There are two contributions of this historical approach to our understanding of humanitarian intervention. The first is to affirm the degree to which past claims of humanitarian intervention were always covering over geopolitical priorities that alone explained why, for instance, Christians were protected if abused in the declining decades of the Ottoman Empire while the victimization of other minorities was ignored. The second is to deepen our historical awareness in ways that stress continuity with the past rather than the contentions of discontinuity, which Menon tries to refute by a largely ahistorical exposure of the inconsistencies, selectivity, and disappointments associated with the post-Cold War practice in humanitarian intervention/R2P.

What neither book confronts clearly is a core discontinuity bearing on the diminished agency of military force as instruments of intervention. The anti-colonial wars as well as the major instances of post-1945 intervention reveal a pattern of political outcomes in which the weaker territorially based resistance side has mostly prevailed over the stronger foreign intervening side. The Vietnam War should have taught this lesson to American policymakers, but failed to do so, probably due to the militarized bureaucracy that now governs in the United States.

Let me end with words of praise. Both of these books are fine works of scholarship that inform and deepen our understanding of the formidable challenges arising from the commission of atrocities in distant countries. Syria illustrates the particularly toxic mixture of a regime repeatedly committing atrocities and involuntarily offering a haven of sorts for planning mega-terrorist operations against the West. In such a situation it is not even clear whether responding to the acute humanitarian concern posed by the Assad regime will have negative spillover effects on efforts to address the ISIS threat. In such circumstances, an agonizing passivity still seems the least bad option for Washington.