

Humanitarian Intervention: Moralism versus Realism?

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Justice, Intervention, and Force in International Relations: Reassessing Just War Theory in the 21st Century. By Kimberly A. Hudson. New York: Routledge, 2009. 192 pp., \$140.00 hardcover (ISBN-13: 978-0-415-49025-2).

Waging Humanitarian War: The Ethics, Law, and Politics of Humanitarian Intervention. By Eric A. Heinze. Albany, NY: State University of New York Press, 2009. 207 pp., \$65.00 hardcover (ISBN-13: 978-0-791-47695-6).

How Do I Save My Honor? War, Moral Integrity, and Principled Resignation. By William F. Felice. Lanham, MD: Rowman and Littlefield, 2009. 223 pp., \$44.95 hardcover (ISBN-13: 978-0-742-56666-8).

First Do No Harm: Humanitarian Intervention and the Destruction of Yugoslavia. By David N. Gibbs. Nashville, TN: Vanderbilt University Press, 2009. 346 pp., \$27.95 paperback (ISBN-13: 978-0-826-51644-2).

The unifying theme of these four books is humanitarian intervention—a paradigm that permits a state to intervene into the territory of another state, by employing military force, for humanitarian reasons: to stop large-scale atrocities committed against innocent human beings—the citizens of the target state.¹ But this paradigm is not to be confused with the practice of *intervention* which violates the non-intervention principle foundational to the modern system of sovereign states. Non-intervention is of crucial concern because it constitutes the flipside of the principle of sovereign autonomy and territorial integrity embraced by realists and by legalists favoring international law—both asserting the stability of the international system and its standing territorial arrangements as a baseline. Non-intervention on these premises is the norm while intervention is the exception that calls for justification (Realists justify intervention as a foreign policy tool by claiming that it serves the national interest). *Humanitarian intervention* is an altogether different concept. Its ground is neither international law nor *realpolitik* but ethics. Its *raison d'être* is protecting the innocent from unjustified violence and its logic is characteristically prescriptive: we *ought* to intervene in Sudan to alleviate on-going human suffering or we *ought* to have intervened in Rwanda to prevent the 1994 genocide. Mastering the humanitarian intervention debate is a demanding task because it presupposes familiarity with theories of ethics that transcend the immediate concerns of International Relations (IR). All four books under review contribute to this debate by elucidating how matters of right and wrong bear on the question of what states and governments do, or ought to do, in their mutual relations in the international realm. They are likely to attract the attention of advanced graduate students, IR theorists, and all those interested in the

¹Key to understanding the contemporary humanitarian intervention debate are the essays collected in Holzgrefe and Keohane (2003), Welsh (2004), and Nardin and Williams (2006).

relationship between intervention, ethical constraints on foreign policy, and interstate war.

My discussion has three focal points. First, I wish to flesh out the basic distinction between intervention and humanitarian intervention. To grasp it we must distinguish motives from goals—the reasons that push the intervening party to take action from the purported objective of intervention. Determining whether an intervention is “humanitarian” or “mere” intervention depends on its motive (and as I will argue below also on certain constraining principles of conduct), not on its goal. While X may claim a right to intervene in the internal affairs of Y to stop a massacre (goal), X’s actual motive may be geopolitical advantage. The language of humanitarianism does not by itself disclose the real reason why a government sends its troops abroad. Consider Vietnam’s 1978 intervention in Cambodia—was its motive realist, territorial aggrandizement, or humanitarian, an attempt to put a halt to the Khmer Rouge genocide? Deciding which one is the case hinges on a justificatory argument.

Second, *justification* is a mode of explanation that refers to *ethical* reasons. To justify is to approve or recommend. If realism is to operate as a theory that recommends a specific foreign policy action (intervention) it must be redefined as an ethical theory—that is, theory concerned with right and wrong, good and bad, obligations and rights, crime, punishment and responsibility. On a crude reading, realism represents ethical skepticism—a doctrine that treats ethical reasoning as irrelevant to politics and IR.² On a more sophisticated reading, realism is itself a theory of ethics, consequentialism, postulating that an action is good only if it produces certain desirable consequences.³ A closely related concept is *prudence*. It adds a further assumption—*self-preservation*—to the key consequentialist premise of goal-oriented action. Prudential reasoning stipulates that there exists a self who must be preserved at any price. In classical realist analysis the “self” in question is the nation; hence, the “national interest” becomes an overriding imperative for the prudent politician. Realists are de facto consequentialists—or exponents of prudential reasoning—who treat the good of their own political community as a primary good. Deontology, the major rival to consequentialism, argues that actions count as good when they comply with absolute moral principles of right and wrong (Kant [1785] 1993: par. 437–438, 445). A principle is *moral* (as opposed to prudential) when it can be stated in absolute terms (“Do not harm the innocent” means “It is always wrong to harm the innocent;” “Do not lie” means “It is always wrong to lie”).⁴ For consequentialists, moral absolutes can be violated for the sake of achieving desirable consequences (The end justifies the means) whereas for deontologists agents must do the right thing regardless of the consequences (Do justice even if heaven falls). Intervention and humanitarian intervention, conceived as ideal types, exemplify these two distinct modes of ethical reasoning: prudential versus moral.

Third, it is methodologically necessary to reformulate realism as an ethical theory to be able to address the problem of humanitarian intervention. Ethics provides a common methodological ground for comparing realist (prudential) and humanitarian (moralist) arguments. Otherwise, if we accept the conventional wisdom that realism is ethically *neutral*, in the sense that it focuses on power and military might while dismissing ethical considerations as irrelevant, but that humanitarian intervention is ethically *charged*, because it urges us to (negatively) prevent human suffering or to (positively) ensure the provision of basic human rights, we will be comparing apples with oranges. Why not use *military force* as a

²On realism as an ethical theory, see Cohen (1984).

³On consequentialism, including its application to politics, see the contributions in Scheffler (1988).

⁴Fried (1978:9–11, 14–5) argues that moral absolutes allow exceptions as well as practical or case-by-case (casuistic) flexibility.

ground of comparison between realism and moralism in this context? The problem with this is that both realists and moralists accept the proposition that the intervening party is permitted to use coercion, including military force, against the target state. So humanitarian intervention is humanitarian not because it shies away from military force but because it justifies the resort to force by absolute moral principles such as “harming the innocent is always wrong.”

Moralism is an age-old tradition and just war theory perhaps its best known strand. All authors under discussion except David Gibbs are engaging it. It is the focus of Kimberly Hudson’s book, *Justice, Intervention, and Force in International Relations* (pp. 1–2), that puts forward a critical reinterpretation of Michael Walzer’s modern version of just war theory expounded in his classic *Just and Unjust Wars* (Walzer [1977] (1992) hereafter abbreviated as “JW”). For just war theorists, the relations of states—including war—are subject to constraints, not in terms of resources but in terms of absolute moral rules that prohibit the arbitrary use of violence. The theory comprises a two-pillar structure: *jus ad bellum* (*jab*) rules laying down the justificatory reasons for going to war and *jus in bello* (*jib*) rules specifying the permissible means for conducting military operations as well as the legitimate targets of attack (principle of non-combatant immunity). Taken together, these rules aim to limit war in duration and degree of destruction on the understanding that warfare ought to be a reluctant activity whose ultimate goal is to preserve human life.

How is just war theory related to humanitarian intervention? The theory permits states to resort to war in two principal cases: (i) legitimate self-defense (key *jab* criterion) and (ii) to protect the innocent (non-combatants) residing in another state (key *jib* criterion). The first comprises a relation between *states* (aggressor and defender state) while the second, a relation between a *state and the citizens of another state*. Humanitarian intervention falls under the second category because its object is the moral standing of human beings (right to life): we ought to intervene to protect the victims of aggression—attacked or abandoned by their own government—who as such are individuals and not states. By its very character this sort of inquiry fits *jib* but Hudson has decided to focus on *jab* (chapters 1, 2, 4, 5). In general the author’s analysis does not show a strong grasp of just war theory. For example, the central hypothesis that *jab* is to be treated in isolation from *jib* (p. 6) is untenable—no war can be just if it is waged by morally unacceptable means. As Walzer writes, while *jab* and *jib* are logically separate criteria, a given war is considered just when it satisfies both at the same time (JW, p. xii, 228) and therefore unjust for failing to satisfy either one (JW, p. 59).

Walzer theorizes intervention as a problem associated with the breaking and making of political communities, secession and civil war, where outsiders enjoy a limited right of intervention or a duty of neutrality (JW, chapter 6). Unlike intervention which depends on a balancing act between political and moral considerations, humanitarian intervention is primarily a moral issue.⁵ As a result Walzer grants a right of intervention to third parties, be it a state or a coalition of states, that are able to deploy resources and will to stop acts that “shock the moral conscience of mankind” (JW, p. 107)—genocide, enslavement, or mass deportation. Hudson’s criticism of Walzer’s argument is very well developed (pp. 11–18, 29–42).

The main contribution of *Justice, Intervention, and Force in International Relations* is the chapter on the responsibility to protect (chapter 3). It argues that each

⁵Unlike the proponents of ethical scepticism, Walzer sees *intervention* as an ethically charged notion justified by reference to the value of communal self-determination. The balancing act between morality and politics is a problem for a non-ideal world of international relations which may require concessions to consequentialism; yet the analytical move is from deontological into consequentialist reasoning and not the other way around.

state must earn a right of non-intervention, conditional on it demonstrating (presumably before the international community) that it is a capable and responsible state. “Capacity” stands for ability to govern and “responsibility” for willingness to protect the citizenry from harm, including grave human rights abuse. Responsible governments which lack capabilities must call in an international force to re-establish local control—in this case the responsibility to protect would devolve onto the intervening party (p. 43, 46). This amounts to a proposal to reverse the foundational norm of non-intervention—intervention, subject to certain limiting conditions, is the key principle now. Hudson’s is an ambitious project setting a much lower threshold for permissible humanitarian intervention than Walzer’s and allowing international actors to intervene in response to a wider array of human rights violations than forcible deportation, massacre or enslavement (p. 5). But there is no need to resort to the complicated apparatus of just war to support this argument—the responsibility to protect is not part of just war theory.

Eric Heinze’s *Waging Humanitarian War* shows a careful engagement with ethics rarely encountered in a standard work on IR. The basic presuppositions of ethical theories such as statism (communitarianism) and cosmopolitanism are articulated in an excellent introductory chapter. Beginning with an examination of the ethical foundations of humanitarian intervention (chapters 1, 2), Heinze considers the extent to which these are, or ought to be, embodied in international law—especially universal jurisdiction conventions on genocide, crimes against humanity and war crimes (chapters 3, 4)—and concludes by discussing the problem of political responsibility or the range of actors that must bear the burden of enforcing the requisite international legal arrangements (chapter 5). Particularly important is the argument that genocide, crimes against humanity, and war crimes, in this order of decreasing stringency, express basic moral demands in the sense that the international community is required to intervene to stop large scale atrocities in troubled political societies. Genocide reflects the most, and war crimes the least, stringent moral requirement in this respect.

Heinze’s proposal to advance a *consequentialist* argument for humanitarian intervention (p. 5, chapter 2), however, is ill-conceived on two fronts. First, the practice of humanitarian intervention implies engagement between distinct political entities—an intervening state (or states) and a target state. Consequentialism, by contrast, postulates a homogenous community of agents. While agents may have different subjective preferences or desire different “goods,” it is assumed that they can be reduced to a single standard or “good.” Alternatively, if the preferences turn out to be subjectively incommensurable, each preference is taken to count as “one and only one” in the overall calculus (Scanlon 1978:98–9). Unless we grant this homogeneity (across goods or numbers) we cannot sum up the consequences of actions affecting multiple individuals. This is most evident when consequentialism becomes a maximization strategy or *utilitarianism*. Yet it is a pervasive feature of international relations that states espouse divergent and sometimes irreconcilable conceptions of the good life. Because of value pluralism, the international sphere is destined to be one of radical disagreement and conflict (Wight 1966: 33). Applied to the practice of intervention, this argument points to the fact that the intervening state rarely, if at all, shares the values and institutions of the target state. As Walzer warns us, the practice of intervention—even when it is driven by humanitarian sentiment—carries with it the danger of cultural and value imperialism. So it is odd to presume in a consequentialist manner that all states are agents who want the same basic good.

But let’s assume with Heinze that a common good exists and that most (if not all) states are willing to embrace it. What kind of good is it and how are we to maximize it? Following philosopher Henry Shue (pp. 43–44), Heinze argues that

the good in question comprises a basket of basic human *rights* ultimately reducible to the right to human security (p. 12, pp. 35–41). Humanitarian intervention is provisionally permissible whenever the *intervening state* judges that by crossing the borders of another political community it would maximize the human security (as a basic right) of the local population. The decisive consideration to warrant actual interference on the ground is that the affront to human security be very grave, on-going, and deliberately planned by the local authorities (p. 34, pp. 44–52). Heinze reaches Walzer's conclusion that humanitarian intervention is permissible only in exceptional circumstances—to stop massive human rights abuses—but unlike Walzer's largely deontological leanings, his are consequentialist (p. 33).

Heinze's consequentialist position suggests that *rights* are the same thing as goods (p. 34, 44) and this is the second source of tension in his account. We simply cannot maximize rights the way we maximize goods because rights affect our identity and not merely the scope of available resources. Rights are publically guaranteed opportunities making us the kind of agents we are (a right to vote for example creates a distinct kind of individual: the voter). Holding rights also means that somebody else inside the social system has a corresponding duty to provide us with the object of our rights. If we have a right to human security, then there must be an agent responsible for making us secure. But who is the "we" and who is the agent bearing this responsibility? Is it our own government, the international community, some other authority? How are we to decide? Little in the author's argument suggests even a tentative answer here.

The next two books by Gibbs and William Felice, *First Do No Harm* and *How Do I Save My Honor?*, explore ethical dilemmas provoked by real-world humanitarian intervention operations in Iraq (2003) and Yugoslavia (Bosnia 1995; Kosovo 1999). Invoking the controversy leading up to the war in Iraq led by the Bush administration and supported by the Blair government, Felice analyzes the dissonance between public and private morality, a theme that has divided moralists and realists since the time of Machiavelli. Is there a common morality binding on all citizens, rulers and ruled, or can the rulers resort to a double standard allowing them to get their hands dirty for the greater good of the political community? As Felice argues, individuals occupying public office may be torn between the prudential logic of public policy and the private dictate of moral conscience (p. 13, 45, 63). What ought such individuals to do when they think that their government acts immorally on the international scene? No rulebook can be of help here because the situation constitutes a dilemma where alternatives are available but neither seems an acceptable choice: "Should I betray my government or compromise my honor?"

To examine individual responses to this troubling question Felice uses interviews and memoirs by thirteen British and American civil servants and soldiers involved in the planning, initiating and waging the war in Iraq. Once it became increasingly clear that the rationale for invasion, Iraq's alleged possession of weapons of mass destruction was unfounded, individuals in government positions faced an ethical dilemma: to resign or to stay and "work from within" (p. 6, chapter 1). Former US Secretary of State Colin Powell chose to stay in the system despite his private reservations about Bush's line. For Powell, Iraq was a matter of policy rather than ethics (p. 66, 68). But other public servants and notably British members of parliament (MPs) opted for what Felice calls an ethic of principled resignation (p. 6, 23). To account for this variation he contrasts the UK and US political systems to show that individual choices are institutionally conditioned. In the US members of cabinet are appointed by the President (p. 119) but in the UK ministerial positions depend on parliamentary support—upon resigning a minister continues to be an MP whereas the same decision would cost a US counterpart his or her political career. It is hardly surprising to find a

higher number of civil servants and MPs resigning their post in Britain than in the United States (p. 2). Additional constraints on personal choice are employment security (p. 15, 17), groupthink (pp. 166–167) and institutional loyalty (pp. 118–120). Powell's decision to support Bush over Iraq can be interpreted as a loyalty to an institutional culture, the army, that discourages soldiers from questioning the commander-in-chief's foreign policy. Intriguing is the parallel between top-level military decision makers such as Powell and ordinary soldiers such as Ehren Watada (US Army First Lieutenant) and Aidan Delgado (US Army Reserves). Watada refused to fight in Iraq, risking six years in jail for deliberately missing an order to deploy (p. 15, 128), while Delgado became a conscientious objector, having witnessed atrocities perpetrated against Iraqi detainees in the Abu Ghraib prison (pp. 29–30, p. 126).

Felice's analysis draws our attention to an individual-level morality—virtue and moral integrity—as opposed to concepts such as rules, rights or duties which demarcate the general structure of the moral world. Chapter 3, “Ethical Theory and War,” articulates the limits of this world in an exposition of admirable clarity. Felice concludes that the ethical dilemma of staying in versus resigning one's post is one of personal judgement that entails no corresponding duty for other agents in the political system. But although principled resignation is a personal decision, it constitutes a powerful public statement that can be deployed to criticize ethically controversial governmental policies.

Gibbs' *First Do No Harm* adopts a Marxist standpoint to expose the US-led humanitarian intervention operations in Bosnia and Kosovo as instruments of realist thinking, economic interest, and great power rivalry (p. 8, 139, 202, 212). Both interventions were humanitarian in words only, Gibbs argues. In actuality they represented interferences in the Balkan geopolitical space provoked by America's need to reassert its hegemony (p. 7) against recalcitrant European allies who had sought to establish a European security framework outside NATO together with a zone of relative economic independence based on a new currency standard: the euro. Contrary to traditional interpretations that portray great powers as outside players called upon to intervene into what was considered an isolated Balkan conflict, Gibbs contends that these actors were “deeply involved in the conflict from its very earliest phases” (p. 13). Germany, the United States and NATO emerge as agents directly implicated in the destruction of the Yugoslav federation in the 1990s (p. 11, 13).

First Do No Harm adds to the literature on the Yugoslav conflict by challenging monocausal explanations blaming Milošević as the sole culprit for the tragic events (p. 5) as well as one-sided accounts which lament Serb atrocities perpetrated against Muslims (the Srebrenica massacre) while forgetting to mention similar crimes carried out by Muslim and Croat military forces against Serb minorities (p. 67, 215–217). Gibbs traces the genesis of the conflict as it engulfs Slovenia, Croatia, Serbia (chapter 3) and Bosnia and Herzegovina (chapter 5) at the background of an increasing German (chapter 4) and US interference (chapter 6) through diplomatic, military, and intelligence means. The first part of the book reveals a strong historical method of analysis. But the quality of exposition, including sources, deteriorates in the concluding chapters 7 and 8. For example, the proposition that the US intervention in Kosovo had a major effect on the global market and was a decisive factor for NATO's continued existence after the Warsaw Pact's dissolution (p. 202, pp. 210–211) is far-fetched. In line with Marxist methodology, the argument slides into unfalsifiable hypotheses. The United States is portrayed as having an invariable preference for *realpolitik* over diplomacy and therefore as principally unwilling to find any diplomatic solution to the Kosovo and Bosnia crises. Humanitarian intervention is defined as intervention for hegemonic purposes only—it cannot ever be motivated by morality (p. 139, 207, 214). Hence, the hypotheses are corroborated not

because of the evidence adduced but because no other analytical alternatives are admissible.

As this discussion illustrates, humanitarian intervention constitutes a difficult puzzle in practical and theoretical terms. Practically, we approach it as participants in international affairs engaged in the preparation and carrying out of intervention operations abroad but also as critical observers who may disagree with intervention policies for moral reasons (Felice), especially when these policies serve the interest of hegemonic powers (Gibbs). Humanitarian intervention thus invites us to rethink the ethical foundations of IR theory and the inherent tension between realism and moralism. Above all the changing practice of humanitarian intervention raises questions about the current structure of the international system. If we accept Hudson's and Heinze's argument that states should have a right as well as a duty of humanitarian intervention underwritten by a commitment to basic human rights, does this imply that the non-intervention principle has lost its centrality and that a new model of international system is in the making (where states are no longer principal actors)? Are we prepared to discount the integrity of political communities in favor of the rights of human beings? Where and in the name of what values should we draw the line? The debate is bound to continue.

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