

UNITED STATES MILITARY ACADEMY

THE INEFFECTIVENESS OF ARMED HUMANITARIAN INTERVENTION AND THE NEED FOR
REFORM OF GLOBAL POLITICS TO PREVENT HUMAN RIGHTS VIOLATIONS

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ABSTRACT

With the intention of proving the premise that armed humanitarian intervention is an inappropriate approach to addressing atrocities, this assessment of intervention first aims to achieve an understanding of political belief regarding armed humanitarian intervention through the discussion of history and current policy. Several shortcomings of armed humanitarian intervention are highlighted through case studies of intervention in Somalia, East Timor and Kosovo. The principle of armed humanitarian intervention and the principle of the Responsibility to Protect are discussed in terms of the widely accepted criterion of Jus Ad Bellum. Subsequently, issues of the practical implementation of intervention, such as violations of sovereignty, indeterminable motive of the intervening nation and contractual duty of soldiers will be discussed and elaborated on. Finally, perspectives that support for humanitarian intervention, specifically the view of Immanuel Kant, are addressed. The paper concludes with the idea that rather than focusing political effort on improving the execution of humanitarian intervention, a restructuring of international government should take place in order to prevent human rights violations from occurring.

INTRODUCTION

Armed humanitarian intervention is a problematic method of addressing cases of injustice and there are many issues that surround the practice. It is truly a paradox in which nations must decide between allowing atrocities and attempting to prevent them through military involvement. The prevention of human rights violations through intervention may require the intervening nation to both sacrifice and deliberately take lives as a part of their efforts. Intervention has the potential to violate more rights than it protects and outcomes can seldom be predicted with any accuracy. Overall, armed humanitarian intervention is an inappropriate approach to addressing human rights violations.

Is armed humanitarian intervention moral? Does it have potential to be successful at ending rights violations? If it should be done, then what is the threshold for action? The answers

to these questions are not only difficult to reach in their singular context, but the questions also lack individual distinction from one another. The potential for success in a case of armed humanitarian intervention plays into the morality of the act, while morality contributes to the determination of whether or not intervention should occur and so on. The morality of armed humanitarian intervention is best assessed when considered within the context of established moral principles that address political action and violence. This leads to a fair assessment of an issue that, for many people, is strongly tied to emotions and the perception of doing the right thing.

In an attempt to prove the premise that armed humanitarian intervention is an inappropriate approach to addressing atrocities, this assessment will first attempt to achieve an understanding of political belief regarding armed humanitarian intervention through the discussion of history and current policy. Several shortcomings of armed humanitarian intervention will be highlighted through case studies of intervention in Somalia, East Timor and Kosovo. Following that, the principle of armed humanitarian intervention will be discussed in terms of the widely accepted qualifications of Just War theory. Subsequently, issues of the practical implementation of intervention, including violations of sovereignty and indeterminable motive of the intervening nation will be elaborated upon and discussed. Finally, alternative perspectives that advocate for humanitarian intervention, specifically the view of Immanuel Kant, will be addressed.

HISTORICAL CONTEXT

Armed humanitarian intervention is a novel concept in title alone. The principle of defending the innocent from wrongful infringement on natural freedoms can be seen throughout

history, easily tracing back to the era of chivalry and even the biblical age. The issue is more complex today than it was in those times because defense of the innocent within armed humanitarian intervention is on the international rather than individual scale. In relatively recent times, instances have arisen where attempts at armed humanitarian intervention were deemed necessary. The analysis of events in Kosovo, Somalia, East Timor and Syria serve as case studies that help to identify key practical issues of intervention.

The War of Kosovo in 1999 was one of the first wars to be highly televised. Everyone around the world witnessed the imbalance of the war through their televisions. Footage revealed that deaths were grossly concentrated on one side of the conflict. The Kosovo war began when Kosovo, one of two territories of Serbia, was mistreated by the Serbian military and the Yugoslavian government. The motivation for NATO countries to become involved in the defense of Kosovo is questioned and many believe in retrospect that some type of national interest on the part of the intervening countries played a role in the decision to intervene. Potential reasons for NATO involvement include preserving the oil pipeline that runs through Kosovo from the Caspian Sea and obtaining U.S. construction firm contracts.¹ The conflict in Kosovo highlights several factors that play an important role in armed humanitarian intervention and the decision to intervene. First is the influence of the media. Were it not for the TV broadcasts of the emerging conflict in Kosovo, the public awareness of the events would not have extended as far, but awareness also would have been less misconstrued as a result of media bias. A second issue of intervention demonstrated by the case of Kosovo is the lack of clarity from intervening nations on their motivation for intervention.

¹ Schwabach, Aaron. "Kosovo: Virtual War and International Law." *Law and Literature* 15.1 (2003): 1-22. *JSTOR*. Web. 9 Dec. 2013. <<http://www.jstor.org/stable/10.1525/lal.2003.15.1.1>>.

Somalia is a case where the extent of the emergency of the situation that prompted intervention is almost entirely undisputed. In the 1920's when Somalia was weakened by damage from British aerial bombardments, the fascist government of Italy occupied the nation along with two other African nations to help establish a stronghold on the continent. The Italian dictator Mussolini publicly initiated a takeover of the nation. Somalia's military was unprepared to respond in self defense. Rebellion and revolt after the takeover resulted in a violent state of turmoil in Somaliland. In America, the crisis in Somalia served as an instigator for the U.S. government to turn toward isolationism. The United Nations and the United States did very little in defense of Somalia. The action that did occur succeeded in saving lives, but it is reasonable to ask why more action did not occur when there seemed to be justification and a necessity for full scale military intervention. The key problems of humanitarian intervention that arose in Somalia are the lack of a standard regarding when to apply armed humanitarian intervention and the need to account for the state of a nation post intervention to ensure that proper government structure has been put in place to protect human rights in the future.²

A United Nations mission was established in East Timor in June 1999. East Timor was amidst debate with Portugal and Indonesia on the future of East Timor as a nation. During the discussions, political divisions and conflicting loyalties between Portugal and Indonesia placed East Timor in a position of impending civil war. Ultimately, the annexation of East Timor was dismissed and East Timor became an autonomous state. The case of East Timor in the 90's

² Clarke, Walter, and Jeffrey Herbst. "Learning from Somalia; the Lessons of Armed Humanitarian Intervention." *The Journal of Modern African Studies* 37.2 (1999): 370-71. *JSTOR*. Web. 17 Oct. 2013. <<http://www.jstor.org/stable/161866>>.

represents a drastic shift in global attitude toward intervention. When Indonesia originally invaded and annexed East Timor in the 70's, the rest of the world went along with suppression of East Timor's independence movement. However in 1999 the timing was right for the intervention in East Timor. Actions of the United Nations prevented a significant outbreak of international violence from occurring. Troops from Australia, New Zealand and Malaysia were able to conduct what was essentially a peacekeeping mission. The 1999 intervention is generally classified as reasonably successful. East Timor went on to gain its independence in 2002. Despite successes at the beginning of the century, a culture of civil unrest persisted in East Timor with a second intervention in 2006 and ongoing violence through 2013. The lack of resolve in a case of intervention such as East Timor 1999 which initially appeared to be a success, suggests that armed humanitarian intervention is not a truly effective means of eliminating human rights violations.³

All of these instances- Kosovo, Somalia, East Timor- are typical of armed humanitarian intervention in that none of them exemplify a purely right or wrong decision to intervene. Both a decision to intervene and a decision against intervention would have been controversial. The same is true of any occurrence of intervention. Definitively good and bad cases of armed humanitarian intervention don't seem to exist. All instances fall somewhere in the middle of a spectrum with failure and success at either extreme.

CURRENT POLICY

³ Sebastian, Leonard C., and Anthony L. Smith. "The East Timor Crisis: A Test Case for Humanitarian Intervention." *Southeast Asian Affairs* (2000): 64-83. *JSTOR*. Web. 20 Oct. 2013.

<<http://www.jstor.org/stable/27912244>

In addition to the historical perspective, an understanding of the current legal status of humanitarian issues is essential to establishing the context of the debate on armed humanitarian intervention. The international policy that concerns humanitarian intervention is known as the Responsibility to Protect, often referred to hereafter as RtoP. The Responsibility to Protect is a doctrine that originated in 2001 when the International Commission on Intervention and State Sovereignty determined that sovereignty is not a right of all states, but rather a privilege that entails the responsibility of protecting human rights.⁴ Since its 2001 introduction, the Responsibility to Protect was adopted by world leaders as a part of the 2005 World Summit Outcomes document and reaffirmed by the United Nations in 2006 and 2009.⁵

The International Commission on Intervention and State Sovereignty Report on the Responsibility to Protect established three key standards of a state's responsibility to protect human rights.⁶ First, a state must protect its own people from atrocities. This overarching term, atrocities, encompasses four primary violations of human rights that RtoP targets including genocide, ethnic cleansings, war crimes and crimes against humanity. Secondly, should a state fail to meet the standards of human rights protection, the international community should then assist the state in fulfilling their responsibility to protect. Finally, the international community has a duty to carry out the assistive action in a timely and decisive manner. Included in the third

⁴ International Commission on Intervention and State Sovereignty . *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*. Canada: International Development Research Centre, 2001. Print. December 2001

⁵ Bellamy, Alex J., Sara E. Davies, and Luke Glanville. *The Responsibility to Protect and International Law*. Leiden, The Netherlands: Hotei Publishing, 2011. Print.

⁶ International Commission on Intervention and State Sovereignty . *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*. Canada: International Development Research Centre, 2001. Print. December 2001

point of the RtoP doctrine is the idea that once peaceful measures of addressing atrocities have failed, coercive intervention is permitted. The third point of RtoP is the most controversial because it frames intervention in protection of positive human rights for individuals as more important than the negative right of states to non intervention.⁷

In the absence of an international sovereign to regulate armed humanitarian intervention, several organizations, most notably the United Nations, ICRC and Human Rights Watch, assume various roles in advocating for and regulating intervention. The ICRC, International Committee of the Red Cross, is responsible for impartially reporting on the treatment of victims of conflicts and violence and providing aid to those individuals.⁸ Similarly, Human Rights watch attempts to address issues of human rights injustice through objective investigations and advocacy.⁹ The United Nations, as mentioned previously, adopted the Responsibility to Protect doctrine. The U.N. cannot strictly enforce human rights for reasons including a lack of international legal rights and the absence of its own military force. However, a main body of the United Nations organization is the U.N. Security Council. The Security Council is a group of fifteen member states that hold power of approval over use of force decisions. No nation can legally intervene on behalf of another nation or group without approval of the council.

⁷ International Commission on Intervention and State Sovereignty . *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*. Canada: International Development Research Centre, 2001. Print. December 2001

⁸ The ICRC mission is found at <http://www.icrc.org/eng/who-we-are/mandate/index.jsp>

⁹ The Human Rights watch mission is found at <http://www.hrw.org/about>

JUST WAR AND ARMED HUMANITARIAN INTERVENTION¹⁰

Is armed humanitarian intervention moral? Politically, Responsibility to Protect is the guiding principle on issues of humanitarian intervention. Therefore, the just war analysis component of this paper will analyze RtoP with the understanding that RtoP is closely related to the broader topic of armed humanitarian intervention. RtoP grounds its permission of military force in Just War theory and also incorporates rules that attempt to address the shortcomings and ambiguities of Just War theory. Just War theory is a western principle which has developed strong international relevance. Proponents of Just War theory include well known philosophers such as Grotius, Locke and Kant. Brian Orend, a prolific philosophy writer, describes just war theory as “a coherent set of values which enables moral judgment in wartime”¹¹ The most basic tenant of just war theory is that under certain circumstances, the use of military force is permissible. Similarly, RtoP makes the claim that when mass atrocities are committed and a state fails to protect its people from those atrocities, military force by other states is permitted. Just War theory requires that certain standards be met before military force can be used and RtoP parallels the Just War theory requirement of the satisfaction of those standards.

There are six standards that are required to justify military action under Just War theory. The Responsibility to Protect doctrine has corresponding requirements as well as additional caveats that protect the doctrine from objections that commonly arise in response to just war theory.

¹⁰ This section of the paper is adapted from a paper that was previously written for PY201.

¹¹ Orend, Brian. *The Morality of War*. Canada: Broadview Press, 2006. Print. p. 9-10.

The first requirement of Just War theory before military action can take place is that a just cause exists.¹² In terms of RtoP, just cause is the occurrence of serious and irreparable harm to human beings.¹³ As discussed, the criteria for the invocation of RtoP are defined to include genocide, ethnic cleansings, war crimes and crimes against humanity. Under these limitations, which are given greater distinction in the ICISS report on The Responsibility to Protect, it is clear that intervention is only encouraged by RtoP when a state has itself failed to maintain a standard of minimal justice.

The second criterion of just war theory is that a state considering military intervention has right intention.¹⁴ Essentially, the objective of this criterion is to ensure that the act of military intervention in the case of RtoP is intended to prevent human suffering. Another criteria that will be discussed shortly, public declaration by proper authority, attempts to act as insurance that this criteria is met. Intention is the most delicate point of conflict in arguments against RtoP. It would be difficult to prevent a nation from enacting RtoP in a case where just cause exists but they also stand to make political gains through intervention with military force. This issue has arisen in recent examples of the Responsibility to Protect, such as Kosovo.

The third criterion that must be met to satisfy just war theory is public declaration by proper authority.¹⁵ This requirement is a question of whether or not the military intervention is approved by a legitimate authority that can objectively assess that the five additional criteria of

¹² Ibid.

¹³ Evans, G. "From Humanitarian Intervention to the Responsibility to Protect." *Wisconsin International Law Journal* 3.2 (2006): p. 710.

¹⁴ Ibid. 45-50

¹⁵ Ibid. 50-57

just war theory have been met. There is some debate as to whether public declaration by proper authority is important to just war theory. Regardless of whether public declaration is a critical consideration in other types of war, it is an essential component of ensuring that RtoP satisfies right intention. The legitimate authority, which for RtoP is the UN Security Council, should hold every nation to the same standard of assessment and be politically neutral. It is possible that a case could arise where a nation wants to protect human rights and prevent human suffering while they also would benefit politically in doing so. However in its current role, the Security Council lacks authority closely regulate RtoP actions the intervening state. Additionally, effective means of correcting the intervening state should their intentions or actions go amiss do not exist.

Last resort is the fourth requirement of Just War theory.¹⁶ The adherence of RtoP to the satisfaction of the last resort criterion is dependent on one's definition of last resort. If, last resort is defined as having implemented but failed at all other means of correcting violations of human rights, then RtoP does not satisfy the criterion. However, a more practical definition of the last resort requirement is that all measures apart from military intervention have either been attempted or taken into account. With this definition it is not necessary that every action has been applied, but rather military action can reasonably be said to be the only effective means of success given the situation.¹⁷ Given the nature of mass atrocities, it is essential that states take action against them in a timely manner. Under RtoP, the analysis and approval of the Security Council is again essential in the determination of the satisfaction of the criterion of last resort.

¹⁶ Ibid. 57-58.

¹⁷ Evans, G. "From Humanitarian Intervention to the Responsibility to Protect." *Wisconsin International Law*

Probability of success and proportionality are the fifth and sixth just war criteria.¹⁸ The first four principles of just war theory categorically hold the most weight in the arguments for and against the Right to Protect, but probability of success and proportionality are important to discuss nonetheless. Probability of success with respect to RtoP differs slightly from the implications of probability of success in terms of war. In war, probability of success is the likelihood that the conflict will be won. In humanitarian intervention, probability of success can more accurately be described as reasonable prospect. In RtoP, the goal is not to win rather than lose, but to conduct military action that will succeed in protecting human rights and incite consequences that are better than having taken no action at all.¹⁹ Unlike war, RtoP does not require that a total victory is probable in order for probability of success to be satisfied. Rather, RtoP requires only that the status of human rights in the state where intervention occurs be better off as a result of that intervention. Because of the far reaching nature of the characterization of probability of success when it comes to the Responsibility to Protect, the criterion is fairly easy to satisfy.

The sixth piece of criteria, proportionality, is very closely related to last resort and the requirement that the evocation of the Responsibility to Protect be approved by the United Nations Security Council. Proportionality requires that the benefits gained from military intervention are equal to or greater than the costs and casualties that the military action may

¹⁸ Orend, Brian. *The Morality of War*. Canada: Broadview Press, 2006. Print. p. 58-60.

¹⁹ Evans, G. "From Humanitarian Intervention to the Responsibility to Protect." *Wisconsin International Law*

produce.²⁰ With regard to RtoP, proportional action takes place when the minimum necessary means to secure the protection of human rights are employed. In terms of war, proportionality can be a challenging criterion because of the difficulty of weighing costs and benefits. This challenge is somewhat mitigated under Responsibility to Protect because of the checks and balances that theoretically occur as a result of the Security Council approval of RtoP as a last resort before any humanitarian intervention can occur. If a situation exists where the Security Council determined that military intervention is the last resort in protecting human rights, it should follow that military intervention is the minimum necessary means to secure the protection of those rights.

As demonstrated through the assessment of RtoP and just war theory, the thorough consideration of ethics that RtoP takes great care to incorporate greatly limits possible objections to RtoP, and armed humanitarian intervention, on strictly theoretical moral grounds. The issues that surround the responsibility to protect arise in the practical application of the doctrine. Examples of supposed humanitarian intervention under the basic tenants of the Responsibility to Protect inevitably highlight many issues of the Just War theory justification of RtoP. Additionally, there are severe credibility implications of not implementing the Responsibility to Protect when a case exists where it technically should be implemented.²¹ So although the theoretical moral argument for the Responsibility to Protect is relatively well-built, the translation of the doctrine to reality is insecure, which raises valid criticisms. Is RtoP, and by consequence armed humanitarian intervention, moral? By the standards of Just War theory, a

²⁰ Orend, Brian. *The Morality of War*. Canada: Broadview Press, 2006. Print. p. 59-60.

²¹ Gesner, Jared and Irwin Cotler. *The Responsibility to Protect: The Promise of Stopping Mass Atrocities in Our Time*. United States of America: Oxford University Press, 2012. Print. p. 236-271.

hypothetical morality exists. However, the unavoidable practical failure of armed humanitarian intervention in meeting the standards that stipulate the morality of RtoP raises serious concern as to whether it should be done.

Although the practical applications of RtoP have so far proved to be faulty, RtoP is morally sound and also has the potential to be more than just an aspirational doctrine. Hugo Grotius, one of the original supporters of just war theory said that the point of law is to bring to fruition the ideas of morality.²² The Responsibility to Protect takes an initial step in the fulfillment of this idea that international law is important not only for peace and political stability, but also for the realization of universal moral principles. Although people often differ in opinion on the means and the details, human rights is an important element of society. Whether people believe that a commitment to human rights stems from human nature,²³ it has developed into a moral norm whose importance the vast majority of people can collectively agree upon. The conflict surrounding the Responsibility to Protect concerns the implementation of the principle and the faults that arise during its execution rather than the ethics of the doctrine itself. Based on the discussion of RtoP and just war theory, the Responsibility to Protect and the use of military force in the protection of human rights is justified. However, considering real examples of the implementation of Responsibility to Protect, it is often ineffective in protecting human rights because of incorrect adherence to the standards that the doctrine outlines. This assertion affirms a nearly parallel statement regarding armed humanitarian intervention; Intervention is a justifiable

²² Orend, Brian. *The Morality of War*. Canada: Broadview Press, 2006. Print. p. 17-18.

²³ Belief in human rights as an element of human nature is a claim that was carefully considered. Opinions on human nature can largely be split into two camps that correspond with the views of Locke and Hobbes. Locke's incorporates a level of human rights in his definition of state of nature. The possible contradiction to the argument for a belief in human rights as a part of human nature comes from Hobbes. Hobbes state of nature is nasty, brutish and short, however sovereignties emerge from that state and put in place measures that protect people. Because Hobbes includes the emergence of sovereignties and protection in his theory, I include rights as a component of human nature.

means of protecting human rights in some instances, but humanitarian intervention often violates more rights than it protects. RtoP, imperfect as it currently is, may hold potential in correcting the issue of humanitarian intervention as a violator of human rights. Because Responsibility to Protect is itself a moral principle, the continuation of streamlining regulations to improved implementation of the Responsibility to Protect could improve the global protection of human rights. However, a perfect form of RtoP could not be achieved without significant reforms in international politics.

DISCUSSION: PRACTICAL FAILURES OF ARMED HUMANITARIAN INTERVENTION

In its current form under the regulation of Responsibility to Protect, armed humanitarian intervention is subject to a number of practical failures. These failures weaken the hypothetically just principle of responsibility to protect and are reason to work toward international political reform rather than solely a more perfect execution of RtoP. The primary objections to the Responsibility to Protect that arose during the analysis of RtoP and just war theory are protecting the rights of sovereign nations, the use of military force in order to achieve political goals under the guise of Responsibility to Protect, the shortcomings of the United Nations Security Council as a legitimate authority and the catch twenty-two that humanitarian intervention in RtoP is required to be the last resort but must also be done in a timely manner. Additional practical failures that were mentioned previously in this paper include violations of the contractual duties of soldiers and unproven long term effectiveness of armed humanitarian intervention.

A point that often presents itself in opposition to RtoP is the question of state sovereignty. Doesn't intervention infringe on the rights of a state as a sovereign nation? The professor of philosophy Alex Bellamy maintains that the rights of humans surpass the rights of states and

must be protected first and foremost.²⁴ Though Bellamy's argument is naturally disputed, it is still a consideration. In addition to Bellamy's view, the argument also exists that if a state does not make every effort to protect their citizens or violates the rights of other nations, the state is no longer a minimally just society and has therefore given up their right to sovereignty.²⁵ In Right to Protect situations, it is often the case that states are not meeting the requirements of minimal justice and therefore, as long as the criteria of just cause is met and the state is not minimally just, state sovereignty becomes less of an issue. This idea points toward the most fundamental problem of RtoP and generally of the political framework for armed humanitarian intervention; there is no organization in place to objectively judge the satisfaction of intervention criteria.

Right intention is another element of armed humanitarian intervention that raises the question of who determines right and wrong with regard to RtoP. The U.N. Security council is not impervious to the interests of states, it being made of state representatives. The potential for subjectivity in determining right intention of an intervening state actor is overwhelming. There is a possibility of states taking advantage of the RtoP system by claiming human rights as justification for establishing military presence in another nation. In reality, the true or even parallel motivation for intervention could be a result of self interest. If other Security Council states would also benefit from that nation's self interested action, directly or indirectly, that may sway the Council decision on the justice of enacting RtoP. This idea is compounded by the fact

²⁴ Bellamy, Alex J., Sara E. Davies, and Luke Glanville. *The Responsibility to Protect and International Law*.

Leiden, The Netherlands: Hotei Publishing, 2011. Print.

²⁵ Orend, Brian. *The Morality of War*. Canada: Broadview Press, 2006. Print. p. 35-37.

that violations of human rights often occur without intervention.²⁶ A way to ensure that nations do not take advantage of the RtoP is to have a strong governing body to regulate declaration by proper authority. Doing so would increase the prospects of enforcing RtoP with objective consistency rather than only in situation where a political advantage could be gained.

Certainly, there are more issues than these that potentially arise in cases of armed humanitarian intervention. The issues discussed establish a general idea of the shortcomings of intervention in practice; although in a similar manner to traditional war, every instance of armed humanitarian intervention differs in some ways from the others. War and intervention are related in their use of military force, but they are also separated by the existential risk of intervention to potentially violate human rights in order to protect them. The existence of this hazard invites a need for more extensive regulation to overcome the element of hypocrisy. Although means to effectively control armed humanitarian intervention don't presently exist, the protection of human rights is important enough that some still support the idea of intervention.

ADDRESSING ARGUMENTS IN SUPPORT OF AHI

Immanuel Kant was a philosopher who lived from 1724 to 1804. Kantian philosophy, similar in many ways to a Hobbesian view point, promotes the intervention of humanity on a lawless state of nature. Kant outlined his view in the book *Toward Perpetual Peace*. *Perpetual Peace* proposes a gradual reorientation toward a global yet distant international republic where freedoms are enforced by a global agency²⁷. Kant does not directly address the question of

²⁶ This statement is made while also acknowledging that lack of political interest is not necessarily the only reason for non-intervention.

²⁷ Kant, Immanuel. *Toward perpetual peace and other writings on politics, peace, and history*. New Haven: Yale University Press, 2006. Print.

humanitarian intervention; During Kant's time the idea of intervention would likely not have been referred to under the same modern title. However, it can be argued that the inference can be made from Kant's work in *Toward Perpetual Peace* that he would have supported armed humanitarian intervention. Before outlining Kant's beliefs, it should be established that Kant would likely fundamentally approve of armed humanitarian intervention because of it is a form of authorized coercion. Kant considered authorized coercion a just practice as a part of his proposal for a secure and peaceful global republic.²⁸ Authorized coercion involves coercing citizens in a manner rooted in legality rather than moral or ethical impulse. Again, Kant would fundamentally support armed humanitarian intervention because it is a form of authorized coercion and a practice based in law, similar to what he proposes for the establishment of a global republic. This analysis of Kant's potential perspective holds that comparing the idea of armed humanitarian intervention to components of Kant's "humanity intervention"²⁹ reveals Kant's support for armed humanitarian intervention. This claim is potentially less certain than it originally seems.

One component of Kant's reasoning within *Perpetual Peace* is titled *Metaphysics and Morals*. The section is best summarized by the following quote;

"implicit a priori in the idea of reason of such a (nonjuridical) condition is the notion that, before a public legal condition can be established, individual people, peoples, and states cannot be secure against violence from one another, due specifically to the right of each

²⁸ IBID

²⁹ A phrase used by Kant as a lays the framework for the transition from state of nature to peaceful global republic in *Perpetual Peace*.

to do *what he believes is right and good* and not to be dependent on the opinion of others.”³⁰

Kant qualifies it as a duty to leave the state of nature where individuals try to coerce each other and to enter an existence where states willingly, although gradually, cede to a global republic. This may seem contradictory to the original assertion that Kant supports authorized coercion. The key is Kant’s emphasis that the process of moving toward perpetual peace in a global republic is a gradual one. This is so because ultimately, coercing states into the republic defeats the aims of the republic as an organization whose members are equal and free. Yet, some level of coercion is acceptable and even necessary along the path toward a global republic.³¹ More simply, Kant blatantly supports political non-intervention, but not necessarily non-intervention during humanitarian crisis.

Despite this framework for Kant’s potential support, it is most important to note that for Kant, successful humanitarian intervention is not the end goal. Kant would likely provide unenthusiastic approval of armed humanitarian intervention even specifically within today’s political climate. However, rather than establishing ways to effectively intervene to prevent human rights violations, Kant’s primary focus would be on creating a new dynamic in international politics where humanitarian intervention is no longer necessary.

Generally, public supporters of armed humanitarian intervention cite an emotionally backed need to defend human rights, rather than thoughtful arguments regarding the effectiveness of the practice of intervention. Even academic papers that highlight the positive

³⁰ Kant, "Metaphysics of Morals," P.45, 112.

³¹ Emphasis remains on the idea that states should not be coerced into becoming members of a global republic. There is a distinction between coercion during the gradual process of globalization and coercion into entering the republic.

aspects of intervention deny that armed humanitarian intervention is always the right thing to do. For example, Jennifer Welsh discussed the book of non-interventionist John Welsh and proposed that his strict stance is erroneous.³² In fact, it could be said that although Welsh is arguing in favor of armed humanitarian intervention, the underlying premise is that human rights are important and something should be done to protect them. It is unlikely that many people would dispute that claim, be they in favor of armed humanitarian intervention or not.

Armed humanitarian intervention is one of the few methods currently available to address violations of human rights and certainly the option that provides the largest amount of immediate influence. However, it is important to keep in mind that the intervention debate is not one over how the world should be, but rather an argument over the means best suited to attaining and protecting human rights throughout the world. Intervention itself is concerning because within the current political framework it inevitably violates the principle of sovereignty, inescapably provides an opportunity for intervening nations to abuse power under the guise of protecting human rights and most importantly because adequate legal provisions for intervention do not exist.

CONCLUSION

The world is currently focused on how human rights can be properly protected. Armed humanitarian intervention plays a significant role in the discussion because it is the most visible and immediate form of correcting violations of human rights within the current global political

³² Welsh, Jennifer M. "A normative case for pluralism: reassessing Vincent's views on humanitarian intervention." *International Affairs (Royal Institute of International Affairs 1944-)* 87.5 (2011): 1193-204. *JSTOR*. Web. 18 Oct. 2013. <<http://www.jstor.org/stable/41306949>>.

structure. However, armed humanitarian intervention possesses complicated if not insurmountable flaws that should disqualify the practice. Rather than attempting to adjust international governance to make ethical intervention a possibility, it would ultimately be most effective to discuss and reform the structure of international government itself in accordance with Kant's ideas for a world republic. Armed humanitarian intervention, an imprecise and inappropriate means of impeding human rights atrocities, would become irrelevant under such a system. The founding principles of the Responsibility to Protect can also be interpreted in support of such a reform. A restatement of the questions originally posed in regard to armed humanitarian intervention emphasizes the credibility of dismissing the notion of intervention as the ultimate means of human rights protection. Is armed humanitarian intervention moral? Does it have potential to be successful at ending human rights violations? If it should be done, then what is the threshold for action? With the focus of human rights protection shifted toward prevention of atrocities rather than correction of violations, these inconclusive questions no longer need to be answered.

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