

Power, rules and argument: new approaches to humanitarian intervention¹

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Chesterman, Simon, *Just Wars or Just Peace: Humanitarian Intervention and International Law*, Oxford: Oxford University Press, 2002. 295 pp. Hbk. ISBN 0-19-9257-9

Crawford, Neta, *Argument and Change in World Politics: Ethics, Decolonization and Humanitarian Intervention*, Cambridge: Cambridge University Press, 2002. 466pp. Pbk. 0-521-80244

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Disagreements about the legitimacy of humanitarian intervention reflect two different conceptions of international society that were first identified by Hedley Bull: pluralism and solidarism (Bull 1966). Both conceptions agree that the states system is actually a society of states, which includes commonly agreed values, rules and institutions. There is disagreement, however, about the normative content of this society, and this shapes the two different views about the legitimacy of humanitarian intervention. Recently, there has been growing awareness that the debate between pluralist and solidarist approaches provides an unsatisfactory way of assessing the changing legitimacy of humanitarian intervention and the impact this has on international order (see Bellamy 2002, 2003a). The volumes considered here adopt four different ways of approaching the subject with a view to overcoming the impasse in the pluralist-solidarist debate. Chesterman returns to international law to suggest that the tension between sovereignty and human rights that forms the basis of the pluralism-solidarism debate is often overplayed. Crawford and Lang focus on the historical evolution of norms that frame international political action and are interested in uncovering why norms change. Chandler, meanwhile, questions the legitimacy of using force to enforce a liberal style of governance. Although some of the volumes are more successful than others, they all

recognise the need for fresh thinking about humanitarian intervention based on a variety of different moral, legal, political and philosophical perspectives and point the study in a variety of new directions. In particular, it is important to understand the wider role of humanitarian intervention in global politics, the full panoply of moral reasoning about the relationship between humanitarianism and war, and to take the perennial problems of 'abuse' and 'selectivity' more seriously.

Pluralist and solidarist approaches to humanitarian intervention

Pluralists insist that society is founded on acceptance of a plurality of actors and the existence of a constitution as the best guarantor of the protection of the actor (Rengger 2000: 105). International society permits the diffusion of power to peoples via the plurality of states, allowing each nation and state to develop its own way of life. The normative content of such an international society is limited to a mutual interest in the continued existence of the society. Thus, pluralist international society rests on mutual recognition of the component units' right to exist. This is manifested in the reciprocal recognition of state sovereignty and the norm of non-intervention. For pluralists, states are unable to agree about substantive issues such as human rights but do recognise that they are bound by the rules of sovereignty and non-intervention (Dunne 1998: 100, Linklater 2000: 20). State sovereignty and non-intervention are powerful norms that combine state interests, moral principles, and formal laws. Pluralist international society, then, 'establishes a legal and moral framework which allows national communities to promote their diverse ends with the minimal of outside interference' (Linklater 1998: 59).

This minimalist conception of international society prompts pluralist writers to doubt the legitimacy of humanitarian intervention. Pluralists argue that there is no agreement—nor any possibility of agreement—about what constitutes a supreme humanitarian emergency that may necessitate the use of force. They argue that human rights are constructed within a specific cultural context and are not universal. Moreover, proposals for universal ethics or common standards of humane governance are always culturally biased. Pluralists argue that sovereignty is often the only protection that weak states have against the strong and that interventionism is illegal and illegitimate because it offends against the foundational norms of international society. Finally, pluralists reject both the empirical claim that a legitimate right of humanitarian intervention is developing in customary practice and the normative claim that such a right *should* be developed. Interventionist practices, even well-intentioned interventionism, threatens international order, they argue.

In contrast, the solidarist conception of international society holds that diverse communities can and do reach agreement about substantive moral standards and that international society has moral agency to uphold those standards. A solidarist international society is one in which states have a

responsibility to protect the citizens of other states. The use of force in such a society would be considered legitimate if it fulfilled either one of two purposes: the defence of a state against the crime of aggression (collective security) and the upholding of the society's moral purpose (Dunne 1998: 100–1). Solidarists therefore claim that there is agreement in international society about what constitutes a supreme humanitarian emergency. They find evidence for this in the sophisticated contemporary human rights regime that includes agreed and detailed standards of humane behaviour, accepted methods of governmental and non-governmental surveillance, and increasing acknowledgement of universal criminal culpability. Just as this consensus has grown over time, so too has state practice developed towards a growing recognition that there is indeed a right of intervention in extreme cases. Solidarists argue that a precedent was set after the Gulf War by Operation *Provide Comfort* in northern Iraq (Wheeler 2000). They argue that this operation was authorised by UN Security Council Resolution 688, which itself marked a revolutionary moment in international society because it implied that human suffering could constitute a threat to international peace and security and hence warrant a collective armed intervention by the society of states. Solidarists argue that the subsequent interventions in Bosnia, Somalia and Rwanda reinforced this new norm. Sovereignty, they argue, is not a veil that human rights abusers can hide behind. They insist that extreme cases of human suffering constitute a legitimate exception to the rule of non-intervention when states fail to live up to these obligations and create human suffering on a massive scale.

Debates between pluralists and solidarists are primarily concerned with three issues. First, the extent to which there is agreement on what constitutes a supreme humanitarian emergency. Second, is there a legitimate right of intervention in situations of supreme humanitarian emergency? Third, how should states and militaries conduct themselves when intervening? These concerns have produced a burgeoning literature on the legality and legitimacy of humanitarian intervention. As it has developed, each debate has become more sophisticated but also more self-referential. For instance, the debate about the legality and legitimacy of humanitarian intervention has become a sophisticated struggle over whether humanitarian claims constitute a legitimate exception to the non-intervention principle. The debate comes down to nuanced assessments of who argued what in Security Council debates and how those assessments were received by the society of states. Convincing cases can, and have, been put forward by pluralists and solidarists alike to support their particular perspectives on these issues.

Despite the proliferation of pluralist and solidarist engagement with humanitarian intervention an impasse has been reached. Pluralist and solidarist conceptions of international society have done little to resolve the four paradoxes that lay at its heart. First, there remains a disjunction between discourses of human rights and continuing practices of human wrongs.

Second, there is a deep contradiction between the supposed norm of non-intervention and the consistent interventionist practices of states. Third, the normative quality of state sovereignty as presented in these approaches is itself paradoxical. On the one hand, pluralists tell us that states are a moral good in themselves because the *raison d'état* is the guaranteeing of human welfare and security. On the other hand, the non-intervention rule effectively protects the state even if it threatens its citizens' welfare and security. Finally, states are inconsistent in the way they interpret the relationship between sovereignty and human rights. In some cases, some states argue that massive human rights abuse creates a legitimate exception to the non-intervention rule. In other similar cases, those same states will argue that sovereign prerogatives deny the possibility of armed intervention.

The debate about humanitarian intervention has therefore reached something of an impasse. Three central questions remain the focal points for debate:

- . Is intervening militarily to alleviate the suffering of strangers legitimate?
- . Is it effective?
- . What impact does it have on international order?

The four books discussed here implicitly recognise this impasse and seek to overcome it by adopting a variety of different methods. As we will see at the conclusion, although some volumes are more successful in accomplishing this task than others, the overall outcome points towards a fresh agenda for the theory and practice of humanitarian intervention.

Return to international law

Simon Chesterman's *Just War or Just Peace* provides a *tour de force* on the legal aspects of the humanitarian intervention. His conclusions make a profound contribution to the debate about the legitimacy and legality of humanitarian intervention, outlined above. In particular, he points out that the current debate is premised on 'the suggestion that the present normative order [an international society of states predicated on the principle of non-intervention] is preventing interventions that should take place' (p. 231). This assumption, Chesterman points out, 'is simply not true. Interventions do not take place because states do not want them to take place' (p. 231). Indeed, the previous two hundred or so pages contain a litany of cases where states have used force for ostensibly humanitarian reasons without the sanction of international agencies.

One of Chesterman's main arguments is that the rule banning states from unilaterally using force to achieve their purposes, moral or otherwise, is relatively recent. It was not until 1945 and the birth of the UN Charter that the use of force was formally proscribed. The Covenant of the League of Nations—derided since E. H. Carr as a utopian leviathan—did not outlaw

war, it merely stated that war was a concern for all members of the league. As a result, the Covenant did not proscribe humanitarian intervention but left it up to the League Council to decide its legitimacy. It is arguable, as Chesterman points out, that the cases of ‘international dispute’ that came under the Council’s purview could have included massive human rights abuse within a state. However, the Covenant also included a provision ruling out interference in the domestic affairs of other states. Interestingly, the UN Charter contains a similar prohibition (Article 2(7)), with an important difference. Article 2(7) rules out interference in matters ‘essentially within’ the domestic jurisdiction of states. That is, areas where the state in question has not signed an international treaty. As soon as a state signs an international treaty such as the Universal Declaration of Human Rights, human rights issues can no longer be considered ‘essentially within the domestic jurisdiction of states’.

Dwelling on the law before the UN helps us to understand two key ideas that ought to shape contemporary debates about humanitarian intervention. Firstly, the law banning the use of force in international relations is relatively recent and hence more fragile than we suppose. If it is not supported by powerful states it is likely to erode. Why is this a problem? Because, as Robert Jackson has pointed out, it risks undermining centuries of work on limiting recourse to war by restricting the authority to wage war. These rules have had an empirical effect on the incidence of war—with a constant decline over the last three hundred years (Jackson 2000). The idea of codifying humanitarian intervention by either creating an exception to the ban on force contained in Article 2 (4) of the UN Charter or agreeing criteria that, if fulfilled, would legitimise interventions without the authorisation of the Security Council (see Wheeler 2002) risks widening exceptions to the general ban on force to such an extent that the general ban itself is undermined. It is this worry that has guided pluralist scepticism towards humanitarian intervention. Such interventions are, after all, military attacks on states by other states and risk undermining international order and reversing centuries-long trends towards the limitation of warfare.

This challenge poses a further problem that is also a recurring theme of Chesterman’s excellent book: the problem of abuse. Chesterman and others point out that codifying a legitimate humanitarian exception to the ban on force would prompt states to use humanitarian justifications for military acts that were in fact designed to secure their narrow national interests. As Chesterman skilfully demonstrates, this danger is not a new one. Most tellingly, on 15 March 1939 Hitler used expressly humanitarian arguments to justify the German invasion of Czechoslovakia. He argued that war was justified as a response to ‘assaults upon life and liberty’ by the ‘intolerable terroristic regime of Czecho-Slovakia’ and that German troops were ordered to ‘disarm the terrorist bands and the Czech troops who are shielding them: they will take under their protection the lives of all who are threatened’

(quoted on p. 27). Similar claims were made by the Japanese to justify their invasion of Manchuria. In more recent years, the French intervention at the end of the genocide in Rwanda (*Operation Turquoise*), which in hindsight seemed to be more about protecting the Francophone Hutu (including many *génocidaires*) than halting the genocide of Tutsis, and the humanitarian arguments belatedly employed by the coalition that invaded Iraq. That is, in all three cases humanitarian justifications were used to legitimise a war that was not inspired by humanitarian concern. Given this backdrop, Chesterman is surely right when he concludes that ‘interventions would be far *more* likely if any such norm [of legitimate humanitarian intervention] were formalised, but state practice to date suggests that it is unlikely that these would be interventions where humanitarian concerns were “paramount”¹ (p. 231).

Compare, for instance, Australian responses to East Timor and Iraq. For almost three decades, Australia legitimised the Indonesian occupation of East Timor and turned a blind eye to the unfolding genocide. Even after the 1999 referendum and the outbreak of militia violence that created a supreme humanitarian emergency Australia still insisted that intervention could only take place with a Security Council mandate and Indonesian consent. The cost of this delay can be measured in East Timorese lives and property. Four years later, the same government showed no such reticence in confronting Iraq. In this second case, humanitarian concerns were not paramount. Indeed, before the war John Howard went on record as saying that war could be avoided if Saddam Hussein complied with Security Council Resolution 1441 and disarmed. Resolution 1441 made no human rights or humanitarian demands on Iraq. The use of humanitarian arguments by Howard and others immediately before, during and after the war cannot therefore be convincing. In the space of four years Australia has gone from ‘good international citizen’ who would not intervene without the sanction of the UN in a case where humanitarian concerns were paramount to ‘abuser’ of humanitarian arguments to justify a war not primarily motivated by humanitarian concern.

Chesterman leaves us with two pertinent parting shots. First, he reminds those who call for a ‘humanitarian exception’ to the ban on force that there already is a mechanism for legitimising breaches of Article 2(4) in response to supreme humanitarian emergencies: Chapter VII of the Security Council. Oddly, ‘it was precisely in the decade that saw this mechanism start to operate [the 1990s] that calls for an independent right of humanitarian intervention became more strident’ (p. 227). We can add to this that history does not provide us with a single example of a state with the military capacity to intervene to halt human wrongs elsewhere choosing not to do so because of sovereignty concerns of Article 2(4). As Chesterman concludes, ‘states have demonstrated their willingness to intervene on any number of dubious bases’ (p. 236). We are therefore left with scepticism about not only the legality of humanitarian intervention but also its legitimacy, particularly in light of the abuse problem and the apparent fragility of the legal ban on the use of

force—both of which have come to the fore in 2003 with the war on Iraq. International law and sovereign prerogatives, it is clear, do not inhibit forceful humanitarianism but are designed to mitigate the threat of abuse. It is political will rather than international law that prompts states to stand aside in times of genocide.

Norms and argument

The centrality of political will points us towards the importance of interests and identities. As constructivist literature tells us, identities are crucial in framing political action. They tell us who ‘we’ are and who ‘they’ are. More importantly, for our purposes, identity frames our interests by telling us what we want and how we think we ought to go about getting it (Wendt 1999). As a result, to understand the way that political will frames humanitarian intervention it is important to understand how identities, interests and therefore political agency are constructed and how—and why—they change over time. These are the problems that Neta Crawford’s epic *Argument and Change in World Politics* and Anthony Lang’s *Agency and Ethics* attempt to address.

Despite its subtitle, Crawford’s book is not about humanitarian intervention. Although she does address the subject in Chapter 9, it is not self-evident why she includes this chapter at the end of a book ostensibly about decolonisation. Her primary justification is that debates about humanitarian intervention are a continuation of ethical debates about colonialism and decolonisation. This similarity stems from the fact that today’s intervening states tend to use moral and religious justifications to legitimise their actions, as did the colonisers of the late nineteenth century (p. 400). This is a rather tenuous link, not least because any number of social practices are legitimised by reference to moral and religious codes. More helpful, is her second reason for incorporating a chapter on humanitarian intervention: ‘the possibility and practice of humanitarian intervention raises the question of how to reconcile clashing normative beliefs’ (p. 401). According to Crawford, these clashing normative beliefs were products of decolonisation and the globalisation of the Western states system with seemingly paradoxical insistence on the sanctity of state sovereignty and the centrality of individual human rights. As we noted earlier, however, this paradox may not be central to the legal debate and—as Christian Reus-Smit has argued—sovereignty and human rights may be two sides of the same coin rather than polar opposites (Reus-Smit 2001).

Crawford’s main contribution to our understanding of humanitarian intervention comes in her detailed discussion of how ‘clashing normative beliefs’ are expressed and sometimes worked out through argument. There has been a considerable amount of recent work on the power of argument in shaping norms and outcomes in world politics (see Risse 2000). What Crawford adds is a detailed explanation of precisely how argument contributes to both broad

normative change (by framing what is considered to be legitimate) and immediate political practice (by shaping calculations of interests and capabilities within an established normative order). She insists that political argument, persuasion and practical reason are fundamental processes that shape outcomes in world politics. Such arguments find resonance in dominant beliefs and in culture. These background ideas frame knowledge about who is considered to be a legitimate actor and what types of argument are considered 'proper'.

Successful arguments (i.e. those that persuade others to see our actions as legitimate or persuade others to adopt a particular course of action) fulfil four conditions. First, to be successful an argument must be heard. Because politics is not an ideal speech community, many valid arguments will never be heard by the wider political community. Powerful actors will 'squash' or delegitimise the arguments of the less-powerful (p. 36). Second, successful arguments are articulated by political entrepreneurs who are able to mobilise support through good organisation. Bad arguments presented in an organised fashion tend to do better than good arguments poorly organised. Third, the success of some arguments over others is partly explained by chance events such as timing. For example, the timing of the decision on what type of peacekeeping force should be deployed to Rwanda before the genocide that proved crucial and tragic. The decision was taken one week after eighteen US soldiers were killed in Mogadishu, prompting the US to lobby for a small and cheap operation that would prove to be incapable of preventing or halting the genocide. Had that decision been made six months earlier, the argument for a large force would have had more credence and more Rwandans would be alive today. This points to the final condition: context. As Crawford puts it 'arguments are less likely to be persuasive if the social and material context do not align with the argument' (p. 37). For example, during the Yugoslav wars, Croatian nationalists were more persuasive in their anti-Serb rhetoric in frontline regions directly affected by Serb attacks than in regions where the costs of war were more indirect (Bellamy 2003b).

The power of such normative change can clearly be seen in the legitimacy of humanitarian arguments to justify war. During the Cold War, humanitarian arguments were not considered to be legitimate justifications for breaching Article 2 (4). Thus, in the cases of India's intervention in East Pakistan, Tanzania's intervention in Uganda and Vietnam's intervention in Cambodia, all three states used non-humanitarian justifications even though all three interventions put an end to massive human suffering. The primary reason for this was that during the Cold War humanitarian interventions were not considered to be legitimate exceptions to the non-intervention rule. Since 1991, however, the normative context has changed to such an extent that wars of self-defence (Operation *Enduring Freedom* in Afghanistan) and pre-emptive self-defence (Iraq) are justified on humanitarian grounds.

Crawford argues that such normative change is not merely rhetorical but

shapes the way that agents act by framing the scope of what is considered to be legitimate. Thus, the humanitarian justifications for war in Afghanistan and Iraq were not purely semantic devices. Although the US deployed the arguments in order to persuade others, a number of points can be read into these speech-acts. First, the humanitarian arguments deployed in both cases suggest the emergence of a shared normative background in which such arguments have resonance. That shared background covered both the domestic societies of Western states and the representatives of non-Western states. Second, once deployed, such arguments have an important constraining effect on the way that war is conducted. A state that plausibly argues that it is liberating a people must ensure that its forces conduct themselves with due respect for the principles of proportionality and discrimination. Failure to do so risks undermining the basis of the war's legitimacy.

In his rather eclectic book, Anthony Lang agrees that interventions are sites of contestation over competing rules, norms and ideas about how the world should work (p. 2). He argues that the key problem with military intervention is precisely the clash of normative goals. Indeed, 'norms' are the problem as far as Lang is concerned because they lead more often to conflict than to cooperation (p. 23). However, this claim is both theoretically and empirically flawed. On the empirical level it is clearly untrue that shared norms produce more conflict than cooperation, particularly if we include the international economic dimension (Buzan, forthcoming). At the theoretical level, despite his claim to be clearly articulating what norms are, he is actually quite confusing. For instance, the policy of disarming belligerents in Somalia is oddly labelled as a 'norm' (p. 168). While it is true that states disagree about things, the removal of 'norms' from world politics would merely remove the framework of rules, institutions and expectations that allows states to work out their differences. Lang attempts to build a new theory of agency upon political realism, Hannah Arendt and constructivism. The outcome is rather confusing.

The main strength of Lang's volume is his first case study on the Western intervention in Russia immediately after the revolution there. He shows how western leaders deployed a range of humanitarian and political arguments to legitimise their actions but that on-going debates about the relative merits of interventionism and the emerging doctrine of non-intervention undermined the efficacy of the intervention. His second case study, the Anglo-French Suez intervention is also interesting though the link to humanitarian intervention is rather tenuous. The final study, on the US intervention in Somalia has been done more thoroughly elsewhere and this chapter does not offer anything new. Perhaps the book's most interesting insight comes right at the end where Lang points out that in the 1990s, 'humanitarian sentiments in an intervention focus more on saving the state than on saving persons' (p. 204). The purpose is not to create any old state, but a state in the image of the intervener, thereby fulfilling the intervener's rather than the target's political interests.

The question of whose interests are fulfilled by humanitarian intervention-

ism is an important one that springs from understanding intervention in terms of norms, interests and identities. It is precisely the question investigated by David Chandler.

The new liberal politics: a critique

In *From Kosovo to Kabul*, Chandler's basic argument is that Western states are sponsoring and enforcing a new human rights regime for purely domestic political reasons. As Chandler puts it, 'the liberal preoccupation today with genocide, war crimes and barbarism has little to do with either the genocide and ethnic cleansing of the Holocaust or with the recent civil conflicts in Africa and the Balkans' (p. 220). Instead, the 'new military humanism', as Chomsky labelled it, was prompted by a need for Western governments to relegitimise their rule and award it a moral purpose now that liberalism can no longer justify itself as a preferable alternative to communism. In order to rebuild the link between government and society that was shattered by the end of the Cold War and heightened globalisation, Western governments have attempted 'to define themselves through taking the moral high ground and this process has led to a more active foreign policy' (p. 221). For Chandler, the moralisation of foreign policy has a number of negative consequences. These include the removal of politics and its replacement with morality, the supplanting of law with morals, a reduction of political autonomy for non-western peoples, and the legitimisation of war and the 'carpet bombing' (as Chandler puts it) of states such as Kosovo and Afghanistan. This is an important set of arguments because it challenges many of the assumptions that underpin contemporary discourses of human rights and state practice. However, it does so in a way that is deeply problematic and internally inconsistent.

Chandler's argument is based on a withering critique of new importance given to human rights in the foreign policies of Western states. As Chandler puts it, 'the transformation of humanitarianism from the margins to the centre of the international policy agenda has been achieved through the reinterpretation of humanitarian policy and practice and its integration into the fast-growing agenda of human rights' (p. 21). His argument begins with a history of humanitarianism reminiscent of Mark Duffield's account (2001). Traditionally, humanitarianism and humanitarian practices were based on the principle of neutrality, impartiality and discrimination only according to need. Humanitarian relief, as pioneered by the Red Cross (ICRC), was solely concerned with the preservation of human life and providing assistance to all whose life was threatened by famine or war. As Chandler rightly points out, such humanitarianism was widely seen as apolitical (p. 23).

The separation of humanitarian aid and development assistance was shattered by the end of the Cold War, with the 'broadening' and 'deepening' of humanitarianism. It was deepened through a new language of 'morals and ethics rather than politics'. New groups, such as Médecins Sans Frontières

(formed by defectors from the ICRC led by Bernard Kouchner), argued that humanitarian assistance should be directed towards the victims of human wrongs rather than to all on the basis of need and that humanitarian organisations should take political stands. The 'broadening' of humanitarianism refers directly to the merging of humanitarian relief and development assistance. This convergence led to closer cooperation between non-state humanitarian organisations and state-led development programs to the extent that the biggest donors to many of the world's largest non-governmental humanitarian organisations are in fact states. This approach insists that short-term relief is ineffective because it does not tackle the root causes of humanitarian problems, which often lay in poor governance. The aim, then, is to fund measures to build the capacity of civil society to act as a counterweight to illegitimate governance and to foster economic, social, and political development (p. 34). Such an approach, Chandler argues, 'tended to portray the non-Western subject as incapable of self-government and in need of long-term external assistance' (p. 36).

According to Chandler, the effect of this broadening and deepening of humanitarianism is wholly negative and operates in three primary ways. First, the new human rights agenda challenges the assumption that there is a universal right to relief in times of disaster. Second, it diminishes the importance of politics and replaces it with a one-sided Western morality. Third, it reflects a diminished view of the non-Western as being incapable of self-government. These three factors combined to create the militarisation of humanitarianism, a phenomenon described by Noam Chomsky as the 'new military humanism' (Chomsky 1999).

There is much evidence to commend the central thrust of Chandler's account of the merging of humanitarianism and developmentalism and the consequent militarisation of both. However, his account is laden with problems. For instance, the move towards 'aid conditionality' that Chandler identifies quite clearly indicates a politicisation of aid and has generated an important debate about whether relief, military and otherwise, is a universal right or not. Nevertheless, Chandler suggests that this reflects the moralisation of aid and a denigration of politics. This prompts him to suggest, on the one hand, that there are no universal criteria that we can use to judge human wrongs, while on the other hand he claims that there is a universal and somehow pre-political right to humanitarian relief. The work of the ICRC notwithstanding, it is very difficult to demonstrate the empirical or philosophical foundations of such a right.

On the one hand, the historical record is laden with the selective application of humanitarian assistance offered, as often as not, on the basis of the political preferences of donors. For instance, in 1979 Oxfam was the only Western humanitarian organisation to send a relief mission to Cambodia in the aftermath of the Vietnamese intervention and the ousting of the Khmer Rouge. Other organisations chose to stay away, not on humanitarian grounds but

because there was a pervasive belief that offering aid meant providing succour to communism—a charge that was frequently levelled against Oxfam at the time. Selectivity is not new amongst humanitarian agents and development donors. On other hand there is also a philosophical inconsistency at the heart of Chandler's critique of the new politics of selectivity that emerges from his conception of politics.

Chandler buys into the idea that neutral humanitarianism can be apolitical. However, to be 'neutral' is not to be apolitical. Being neutral involves taking a particular political and moral stance on an issue. Such neutrality therefore has to be justified because it is not a self-evident good. Although Chandler criticises the 'public undermining' (p. 42) of neutrality, questioning the legitimacy of neutrality and the conservative political values it reflects, particularly in the face of genocide in places such as Bosnia and Rwanda, is a legitimate and important political and philosophical endeavour. Chandler justifies neutral humanitarianism by reference to 'the universal right of every man, woman and child to relief at times of disaster which is enshrined in international law' (p. 47).

There are three principal problems with this claim. First, it is not clear that these rights *are* enshrined in international law or even the customs of states and humanitarian organisations. Second, the idea that there is an apolitical humanitarian responsibility to provide subsistence relief is inconsistent with Chandler's subsequent denunciation of universal human rights, which, he argues, lack 'plausible fundamental principles' (p. 103). Finally, being neutral does not mean doing no harm or having no effect on the political and military situation in an emergency area—quite the opposite. Chandler mentions the principle of 'do no harm' in passing and glosses over the substantial amount of evidence that the very presence of 'neutral' humanitarian relief agencies may have deeply profound political consequences. Such unintentional consequences include the legitimisation of warlords, the provision of material support for ethnic cleansing, and the direct and indirect provision of food, drugs, cash, vehicles and other assets to the perpetrators of human wrongs.

Chandler therefore sees humanitarian intervention as a by-product of the new Western consensus about the causes of humanitarian problems and their solution. The solution, he argues, is to enforce the spread and reproduction of liberal polities and economies, through the use of force as necessary. The militarisation of humanitarianism exposes the latter as simply a new form of rhetoric designed to mask the hegemonic pretensions of the interveners, which serves to denigrate the political agency of individuals in the developing world. To answer the three questions outlined earlier, Chandler asserts that humanitarian intervention is illegitimate, ineffective and promises to create a world dominated by Western political practices in which alternatives are suppressed by the use of military force if necessary. Although Chandler provides a withering critique of humanitarian interventionism, he misses the mark in several important respects. Not least, he overlooks the inherently *political*

nature of humanitarianism: a point that the other three authors discussed here focus on.

Conclusion: towards a new politics of intervention?

These four volumes attempt to address the impasse in the humanitarian intervention identified debate from a variety of angles. Chesterman suggests that the pluralist-solidarist divide is flawed and that sovereignty does not in fact inhibit humanitarian interventionism. The crux, as Chesterman sees it, is political will. We did not halt the genocide in Rwanda because we chose not to, not because of sovereignty rules. This then raises the question of how political will is framed in relation to humanitarian intervention. According to Neta Crawford political will and action are framed by the articulation of successful arguments. Thus, we can speculate that intervention is more likely when Crawford's four conditions for a successful argument are met. However, as Lang points, out this suggests that it is the interests of the interveners rather than the needs of the victims that shape interventionist practices, an issue taken up more fully by David Chandler.

Where do we go from here? It is important to recognise that an impasse has been reached in the humanitarian intervention debate and to identify new approaches and political practices to address the problem of humanitarian suffering. Four avenues of investigation emerge from these studies. First, intervention should not be seen as a discrete act but instead as part of wider patterns of international relations. The legitimacy of an intervention should therefore be framed by the extent to which the interveners attempted to prevent the humanitarian catastrophe they are responding too. In many cases, the historical record shows that interveners are implicated in the violence either directly or indirectly. Second, although international law is important, we should recognise that it does not cover the whole spectrum of moral reasoning about the use of force in world politics. Third, the perennial problem of 'abuse' needs to be tackled by both intellectuals and policy-makers if practice is to move forward. Finally, and related to this, we need to understand better the politics of selective response.

Note

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