[3]

Changing Norms of Humanitarian Intervention

Since the end of the cold war states have increasingly come under pressure to intervene militarily and, in fact, *have* intervened militarily to protect citizens other than their own from humanitarian disasters. Recent efforts by NATO to protect Albanian Kosovars in Yugoslavia from ethnic cleansing, efforts to alleviate starvation and establish some kind of political order in Somalia, endeavors to enforce protected areas for Kurds and no-fly zones over Shiites in Iraq, and the huge UN military effort to disarm parties and rebuild a state in Cambodia are all instances of military action whose primary goal is not territorial or strategic but humanitarian.

Realist and neoliberal theories do not provide good explanations for this behavior. The interests these theories impute to states are geostrategic or economic or both, yet many or most of these interventions occur in states of negligible geostrategic or economic importance to the intervenors. Thus no obvious national interest is at stake for the states bearing the burden of the military intervention in most if not all these cases. Somalia is, perhaps, the clearest example of military action undertaken in a state of little or no strategic or economic importance to the principal intervenor. Similarly, in Cambodia, the states that played central roles in the UN military action were, with the exception of China, not states that had any obvious geostrategic interests there by 1989; China, which did have a geostrategic interest, bore little of the burden of intervening. Realism and neoliberalism offer powerful explanations of the Persian Gulf War but have little to say about the extension of that war to Kurdish and Shiite protection through the enforcement of UN Resolution 688. The United States, France, and Britain have been allowing abuse of the Kurds for centuries. Why they should start caring about them now is not clear.

The recent pattern of humanitarian interventions raises the issue of what interests intervening states could possibly be pursuing. In most of these cases, the intervention targets are insignificant by any usual measure of geostrategic or economic interest. Why, then, do states intervene? This chapter argues that the pattern of intervention cannot be understood apart from the changing normative context in which it occurs. Normative context is important because it shapes conceptions of interest and gives purpose and meaning to action. It shapes the rights and duties states believe they have toward one another, and it shapes the goals they value, the means they believe are effective and legitimate to obtain those goals, and the political costs and benefits attached to different choices.

In this chapter I examine the role of humanitarian norms in shaping patterns of humanitarian military intervention over the past 180 years and the ways those norms have changed over time creating new patterns of intervention behavior. Three factors, in particular, have changed. Who is human has changed, that is, who can successfully claim humanitarian protection from strong states has changed. In the nineteenth century, only white Christians received protection; mistreatment of other groups did not evoke the same concern. By the end of the twentieth century, however, most of the protected populations were non-white, non-Christian groups. How we intervene has changed. Humanitarian intervention now must be multilateral in order to be acceptable and legitimate. Since 1945 states have consistently rejected attempts to justify unilateral interventions as "humanitarian"; in the nineteenth century, however, they were accepted. Our military goals and definitions of "success" have also changed. Powerful states in the nineteenth century could simply install a government they liked as a result of these operations. Today we can only install a process, namely, elections. Given that elections often do not produce humane and just leaders (despite occasional attempts to manipulate them to do so), this may not be a particularly functional change, but it is a necessary one in the current international normative context.

By "humanitarian intervention" I mean deploying military force across borders for the purpose of protecting foreign nationals from man-made violence. Interventions to protect foreign nationals from natural disasters are excluded from the analysis. I am interested in the changing purpose of force, and, in such cases, militaries are not using force but are deployed in a completely consensual manner for their logistical and technical capabilities. Similarly interventions to protect a state's *own* nationals from abuse are excluded in this analysis. Although international legal scholars once categorized such interventions as humanitarian, these do not present the same intellectual puzzles about interests since protecting

one's own nationals is clearly connected to conventional understandings of national interest.[1]

The analysis proceeds in five parts. The first shows that realist and neoliberal approaches to international politics do not provide good explanations of humanitarian intervention as a practice, much less how they have changed over time, because the interests they emphasize do not seem to correlate with these interventions. A more inductive approach that attends to the role of normative and ethical understandings can remedy this by allowing us to problematize interests and the way they change. In the second section I demonstrate that change has, indeed, occurred by examining humanitarian intervention practices in the nineteenth century and inducing a sketch of the norms governing behavior in that period from both the military actions taken and the way leaders spoke of them. Among the findings is the sharply circumscribed understanding of who was "human" and could successfully claim protection from powerful states. The third section traces the expansion of this definition of "humanity" by examining efforts to abolish slavery, the slave trade, and colonization. Although these were not the only arenas in which people fought to expand the West's definition of "humanity," they were important ones that involved military coercion, and thus they provide insight into intermediate stages in the evolution of links between humanitarian claims and military action. The fourth section briefly reviews humanitarian intervention as a state practice since 1945, paying particular attention to non-cases, that is, cases where humanitarian action could or should have been claimed but was not. These cases suggest that sovereignty and self-determination norms trumped humanitarian claims during the cold war, a relationship that no longer holds with consistency. They further suggest that unilateral intervention, even for humanitarian purposes, is normatively suspect in contemporary politics and that states will work hard to construct multilateral coalitions for this purpose. The chapter concludes by comparing the goals or end states sought by intervenors in the nineteenth century versus the twentieth and argues that contemporary intervention norms contain powerful contradictions that make "success" difficult to achieve, not for material or logistical reasons but for normative ones.

1. Scholars of international law have increasingly made the distinction I make here and have reserved the term "humanitarian intervention" for military protection of foreign citizens, as I do, in order to follow changing state practice. See Anthony Clark Arend and Robert J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (New York: Routledge, 1993), esp. chap. 8; and Fernando Tesón, *Humanitarian Intervention: An Inquiry into Law and Morality* (Dobbs Ferry, N.Y.: Transnational, 1988).

Understanding Humanitarian Action

Humanitarian intervention looks odd from conventional perspectives on international politics because it does not conform to the conceptions of interest that they specify. Realists would expect to see some geostrategic or political advantage to be gained by intervening states. Neoliberals might emphasize economic or trade advantages for intervenors. These are hard to find in most post-1989 cases. The 1992–93 U.S. action in Somalia was a clear case of intervention without obvious interests. Economically Somalia was insignificant to the United States. Security interests are also hard to find. The United States had voluntarily given up its base at Berbera in Somalia, because advances in communications and aircraft technology made it obsolete for the communications and refueling purposes it once served. Further, the U.S. intervention in that country was not carried out in a way that would have furthered strategic interests. If the United States truly had had designs on Somalia, it should have welcomed the role of disarming the clans. It did not. The United States resisted UN pressure to "pacify" the country as part of its mission. In fact, U.S. officials were clearly and consistently interested not in controlling any part of Somalia but in getting out of the country as soon as possible—sooner, indeed, than the UN would have liked. That some administration officials opposed the Somalia intervention on precisely the grounds that no vital U.S. interest was involved underscores the realists' problem.

The massive intervention under UN auspices to reconstruct Cambodia in the early 1990s presented similar anomalies. Like Somalia, Cambodia was economically insignificant to the intervenors and, with the cold war ended, was strategically significant to none of the five powers on the Security Council except China, which bore very little of the intervention burden. Indeed, U.S. involvement appears to have been motivated by domestic opposition to the return of the Khmers Rouges on moral grounds—another anomaly for these approaches—rather than by geopolitical or economic interests. Kosovo and Bosnia touched the security interests of the major intervenor, the United States, only derivatively in that those states are in Europe. However, events in these places did not prompt intervention from major European powers, whose interests would presumably be much more involved, despite much U.S. urging. These targets are outside the NATO alliance and hence trigger none of that alliance's security guarantees; in both cases, moreover, intervention served no strong domestic constituency and was militarily and politically risky.

Liberals of a more classical and Kantian type might argue that these interventions were motivated by an interest in promoting democracy and liberal values. After all, the UN's political blueprint for reconstructing these states after intervention has occurred is a liberal one. However, these arguments run afoul of the evidence. The United States consistently refused to take on the state building and democratization mission in Somalia, which liberal arguments would have expected to have been at the heart of U.S. efforts. Similarly the UN stopped short of authorizing an overthrow of Saddam Hussein in Iraq in 1991, even when this was militarily possible and was supported by many in the U.S. armed forces. The United Nations, NATO, and especially the United States have emphasized the humanitarian rather than democratizing nature of these interventions, both rhetorically and in their actions on the ground.

None of these realist or liberal approaches provides an answer to the question: "What interests are intervening states pursuing?" A generous interpretation would conclude that realism and liberalism simply are not helpful in understanding these interventions, since the specification of interests is outside their analysis. To the extent that these approaches *do* specify interests, however, those specifications appear wrong in these cases.

The failure of these approaches leads me to adopt another method of analysis. Lacking any good alternative explanation that casts doubt on them, I take the intervenors' humanitarian claims seriously and try to untangle what, exactly, they mean by "humanitarian intervention," what makes those claims compelling to states, and what constraints exist on this kind of behavior. When intervenors claim humanitarian motives, I want to know what it means to them to be "humanitarian"—what action does that entail (or not entail). I want to know what kinds of claims prompt a humanitarian intervention (and what claims do not). I want to know the extent to which and the ways in which "humanitarianism" competes with (or complements) other kinds of incentives states might have to intervene (or not to intervene). This last point is important. Although there have been a rash of interventions since 1989 that look particularly altruistic, all interventions are prompted by a mixture of motivations in some way. Even if the principal decision maker had only one consideration in mind (which is unlikely), the vast number of people involved in these operations, often people from different intervening states, bring different motivations to bear on the intervention as it unfolds. Humanitarian motivations will interact differently with other state goals, depending on how humanitarian action is defined and what other kinds of goals states have. These definitions may change over time. For example, antidemocratic human rights abusers have now been defined as threats to international

peace and security, which might explain why many more humanitarian interventions were undertaken in the 1990s than in any previous ten-year period.[2]

The empirical evidence presented here consistently points to the interwoven and interdependent character of norms that influence international behavior. Humanitarianism—its influence and definition—is bound up in other normative changes, particularly sovereignty norms and human rights norms. Mutually reinforcing and consistent norms appear to strengthen one another; success in one area (such as abolishing slavery) strengthens and legitimates new claims in logically and morally related norms (such as human rights and humanitarian intervention). The relationship identified here between slavery, sovereignty, and humanitarian intervention suggests the importance of viewing norms not as individual "things" floating atomistically in some international social space but rather as part of a highly structured social context. It may make more sense to think of a fabric of interlocking and interwoven norms rather than to think of individual norms concerning a specific issue, as current scholarship, my own included, has been inclined to do. Change in one set of norms may open possibilities for, and even logically or ethically require changes in, other norms and practices. Without attending to these relationships, we will miss the larger picture.[3]

2. For more on the way that respect for human rights has become an integral part of contemporary definitions of "security" and how this was accomplished, most visibly at the UN in the 1970s during the anti-apartheid movement, see Audie Klotz, "Norms Reconstituting Interests: Global Racial Equality and U.S. Sanctions against South Africa," *International Organization* 49, no. 3 (summer 1995): 451–78; Michael Barnett, "Bringing in the New World Order: Liberalism, Legitimacy, and the United Nations," *World Politics* (July 1997): 526–51; and Michael Barnett and Martha Finnemore, "The Politics, Power, and Pathologies of International Organizations," *International Organization* 53, no. 4 (1999): 699–732.

3. That the regimes literature, which brought norms back into the study of international politics in the 1980s, defined norms in issue-specific terms probably influenced this orientation in the scholarship. Arguments about interrelationships between norms and the nature of an overarching social normative structure have been made by sociological institutionalists, legal scholars, and, to a lesser extent, scholars of the English school like Gerrit Gong in his discussion of standards of "civilisation" (Gerrit Gong, *The Standard of "Civilisation" in International Society* [Oxford: Clarendon, 1984]). See the discussion of the content of the world polity in George Thomas, John Meyer, Francisco Ramirez and John Boli, eds., *Institutional Structure: Constituting State, Society, and the Individual* (Newbury Park, Calif.: Sage, 1987), esp. chap. 1; John Boli and George M. Thomas, eds., *Constructing World Culture: International Nongovernmental Organizations since 1875* (Stanford: Stanford University Press, 1999), esp. chaps. 1–2 and the conclusion. On the kinds of norm relationships that contribute to legitimacy and fairness, see Thomas M. Franck, *The Power of Legitimacy among Nations* (New York: Oxford University Press, 1990); Thomas M. Franck, *Fairness in International Law and Institutions* (New York: Oxford University Press, 1995); and Gong, *The Standard of "Civilisation."*

Before the twentieth century virtually all instances of military intervention to protect people other than the intervenor's own nationals involved protection of Christians from the Ottoman Turks.[4] In at least four instances during the nineteenth century European states used humanitarian claims to influence Balkan policy in ways that would have required states to use force—the Greece War for Independence (1821–27); in Syria/Lebanon (1860–61); during the Bulgarian agitation of 1876–78; and in response to the Armenian massacres (1894–1917). Although not all these instances led to a full-scale military intervention, the claims made and their effects on policy in the other cases shed light on the evolution and influence of humanitarian claims during this period. I give a brief account of each incident below, highlighting commonalities and change.

Greek War for Independence (1821–1827)

Russia took an immediate interest in the Greek insurrection and threatened to use force against the Turks as early as the first year of the war. In part its motivations were geostrategic; Russia had been pursuing a general strategy of weakening the Ottomans and consolidating control in the Balkans for years. But the justifications Russia offered were largely humanitarian. Russia had long seen itself as the defender of Orthodox Christians under Turkish rule. Atrocities, such as the wholesale massacres of Christians and sale of women into slavery, coupled with the Sultan's order to seize the Venerable Patriarch of the Orthodox Church after mass on Easter morning, hang him and three Archbishops, and then have the bodies thrown into the Bosphorus, formed the centerpiece of Russia's complaints against the Turks and the justification of its threats of force.[5]

4. Intervention in the Boxer Rebellion in China (1898–1900) is an interesting related case. I omit it from the analysis here because the primary goal of intervenors was to protect their own nationals, not the Chinese. But the intervention did have the happy result of protecting a large number of mostly Christian Chinese from slaughter.

5. J. A. R. Marriott, *The Eastern Question: An Historical Study in European Diplomacy* (Oxford: Clarendon, 1917), 183–85. Atrocities continued through the more than five years of the conflict and fueled the Russian claims. Perhaps the most sensational of these were the atrocities Egyptian troops committed under Ibrahim when they arrived to quell the Greek insurrection in 1825 for the Sultan (to whom they were vassals). Egyptian troops began a process of wholesale extermination of the Greek populace, apparently aimed at recolonization of the area by Muslims. This fresh round of horrors was cited by European powers for their final press toward a solution.

Other European powers, with the exception of France, opposed intervention largely because they were concerned that weakening Turkey would strengthen Russia.[6] However, although the governments of Europe seemed little affected by these atrocities, significant segments of their publics were. A Philhellenic movement had spread throughout Europe, especially in the more democratic societies of Britain, France, and parts of Germany. The movement drew on two popular sentiments: the European identification with the classical Hellenic tradition and the appeal of Christians oppressed by the Infidel. Philhellenic aid societies in Western Europe sent large sums of money and even volunteers, including Lord Byron, to Greece during the war. Indeed, it was a British Captain Hastings who commanded the Greek flotilla that destroyed a Turkish squadron off Salona and provoked the decisive battle at Navarino.[7] Russian threats of unilateral action against the Sultan eventually forced the British to become involved, and in 1827 the two powers, together with Charles X of France in his capacity as "Most Christian King," sent an armada that roundly defeated Ibrahim at Navarino in October 1827.

It would be hard to argue that humanitarian considerations were the only reason to intervene in this case; geostrategic factors were also very important. However, humanitarian disasters were the catalyst for intervention, galvanizing decision makers and powerful domestic elites. Humanitarianism also provided the public justification for intervention, and the episode is revealing about humanitarian intervention norms in several ways. First, it illustrates the circumscribed definition of who was "human" in the nineteenth-century conception. Massacring Christians was a humanitarian disaster; massacring Muslims was not. There were plenty of atrocities on both sides in this conflict. Many of the massacres of Christians by Ottomans were in response to previous massacres of Muslims at Morea and elsewhere in April 1821. For example, Greek Christians massacred approximately eight thousand Turkish Muslims in the town of Tripolitza in 1821. In all, about twenty thousand Muslims were massacred during the war in Greece without causing concern among the Great Powers. Since, under the law of the Ottoman Empire, the Christian Patriarch of Constantinople was responsible for the good behavior of his

6. France had a long-standing protective arrangement with eastern Christians, as described below, and had consistently favored armed intervention (*Cambridge Modern History*, 10:193).

7. William St. Clair, *That Greece Might Still Be Free* (London: Oxford University Press, 1972), 81; C. W. Crawley, *The Question of Greek Independence* (New York: Fertig, 1973), 1; *Cambridge Modern History*, 10:180, 196. In addition to St. Clair, two other sources on the Philhellenic movement are Douglas Dakin, *British and American Philhellenes during the War of Greek Independence, 1821–1833* (Thessaloniki, 1955); and Theophilus C. Prousis, *Russian Society and the Greek Revolution* (DeKalb: Northern Illinois University Press, 1994).

flock, his execution was viewed justified on grounds of these atrocities against Muslims.[8] The European Powers, however, were impressed only by the murder of Christians and less troubled about the fact that the initial atrocities of the war were committed by the Christian insurgents (admittedly after years of harsh Ottoman rule). The initial Christian uprising at Morea "might well have been allowed to burn itself out 'beyond the pale of civilization'"; it was only the wide-scale and very visible atrocities against Christians that put the events on the agenda of major powers.[9]

Second, intervening states, particularly Russia and France, placed humanitarian factors together with religious considerations at the center for their continued calls for intervention and application of force. As will be seen in other nineteenth-century cases, religion was important in both motivating humanitarian action and defining who is human. Notions about Christian charity supported general humanitarian impulses, but specific religious identifications had the effect of privileging certain people over others. In this case Christians were privileged over Muslims. Elsewhere, as later in Armenia and Bulgaria, denominational differences within Christianity appear important both in motivating action and in restraining it.

Third, the intervention was multilateral. The reasons in this case were largely geostrategic (restraining Russia from temptation to use this intervention for other purposes), but, as subsequent discussion will show, multilateralism as a characteristic of legitimate intervention becomes increasingly important.

Fourth, mass publics were involved. Not only did public opinion influence policy making in a diffuse way, but publics were organized transnationally in ways that strongly foreshadow humanitarian activity by nongovernmental organizations (NGOs) in the late twentieth century. Philhellenism was a more diffuse movement than the bureaucratized NGOs we have now, but the individual Philhellenic societies communicated across national borders and these groups were able to supply both military and financial aid directly to partisans on the ground, bypassing their governments.

Lebanon/Syria (1860–1861)

In May 1860 conflict between Druze and Maronite populations broke out in what is now Lebanon but at the time was Syria under Ottoman rule.

8. Eric Carlton, *Massacres: An Historical Perspective* (Aldershot, Hants., England: Scolar, 1994), 82. Marriott, *The Eastern Question*, 183; *Cambridge Modern History*, 10:178–83.

9. *Cambridge Modern History*, 10:178–79.

Initial rioting became wholesale massacre of Maronite populations, first by the Druze and later by Ottoman troops. The conflict sparked outrage in the French popular press. As early as 1250, Louis IX signed a charter with the Maronite Christians in the Levant guaranteeing protection as if they were French subjects and, in effect, making them part of the French nation. Since then, France had styled itself as the "protector" of Latin Christians in the Levant. Napoleon III thus eagerly supported military intervention in the region at least in part to placate "outraged Catholic opinion" at home. Russia was also eager to intervene, and Britain became involved in the intervention to prevent France and Russia from using the incident to expand.[10]

On August 3, 1860, the six Great Powers (Austria, France, Britain, Prussia, Russia, and Turkey) signed a protocol authorizing the dispatch of twelve thousand European troops to the region to aid the Sultan in stopping violence and establishing order. A letter from the French foreign minister, Thouvenal, to the French ambassador in Turkey stressed that "the object of the mission is to assist stopping, by prompt and energetic measures, the effusion of blood, and [to put] an end to the outrages committed against Christians, which cannot remain unpunished." The protocol further emphasized the lack of strategic and political ambitions of the Powers acting in this matter.[11]

France supplied half of the twelve thousand troops immediately and dispatched them in August 1860. The other states sent token warships and high-ranking officers but no ground troops, which meant that, in the end, the six thousand French troops were the sum total of the intervention force. The French forces received high marks for their humanitarian conduct while in the region, putting a stop to the fighting and helping villagers to rebuild homes and farms. They left when agreement was reached among the Powers for Christian representation in the government of the region.[12]

This case repeats many of the features of the Greek intervention. Again, saving Christians was central to the justification for intervention. Public opinion seems to have some impact, this time on the vigor with which Napoleon pursued an interventionist policy. The multilateral character of the intervention was different, however, in that there was multilateral

10. R. W. Seton-Watson, *Britain in Europe, 1789 to 1914* (New York: Macmillan, 1937), 419–21; Marc Trachtenberg, "Intervention in Historical Perspective," in *Emerging Norms of Justified Intervention*, ed. Laura W. Reed and Carl Kaysen (Cambridge, Mass.: American Academy of Arts and Sciences, 1993), 23.

11. Louis B. Sohn and Thomas Buergenthal, *International Protection of Human Rights* (Indianapolis: Bobbs-Merrill, 1973), 156–60.

12. A. L. Tiwabi, *A Modern History of Syria* (London: Macmillan, 1969), 131; Seton-Watson, *Britain in Europe*, 421.

consultation and agreement on the intervention plan but execution was essentially unilateral.

The Bulgarian Agitation (1876–1878)

In May 1876 Ottoman troops massacred unarmed and poorly organized agitators in Bulgaria. A British government investigation put the number killed at twelve thousand with fifty-nine villages destroyed and an entire church full of people set ablaze after they had already surrendered to Ottoman soldiers. The investigation confirmed that Ottoman soldiers and officers were promoted and decorated rather than punished for these actions.[13] Accounts of the atrocities gathered by American missionaries and sent to British reporters began appearing in British newspapers in mid-June. The reports inflamed public opinion, and protest meetings were organized throughout the country, particularly in the North where W. T. Stead and his paper, the *Northern Echo*, were a focus of agitation.[14]

The result was a split in British politics. Prime Minister Disraeli publicly refused to change British policy of support for Turkey over the matter, stating that British material interests outweighed the lives of Bulgarians.[15] However, Lord Derby, the Conservative foreign secretary, telegraphed Constantinople that "any renewal of the outrages would be more fatal to the Porte than the loss of a battle."[16] More important, former prime minister Gladstone came out of retirement to oppose Disraeli on the issue, making the Bulgarian atrocities the centerpiece of his anti-Disraeli campaign.[17] Although Gladstone found a great deal of support in various public circles, he did not have similar success in government. The issue barely affected British policy. Disraeli was forced to carry out the investigation mentioned above, and did offer proposals for internal Ottoman reforms to protect minorities—proposals Russia rejected as being too timid.[18]

Russia was the only state to intervene in the wake of the Bulgarian massacres. The treaty that ended the Crimean War was supposed to protect

13. Mason Whiting Tyler, *The European Powers and the Near East, 1875–1908* (Minneapolis: University of Minnesota Press, 1925), 66 n.; Seton-Watson, *Britain in Europe*, 519–20; Marriott, *The Eastern Question*, 291–92; *Cambridge Modern History*, 12:384.

14. Seton-Watson, *Britain in Europe*, 519.

15. Mercia Macdermott, *A History of Bulgaria, 1393–1885* (New York: Praeger, 1962), 280.

16. *Cambridge Modern History*, 12:384.

17. Tyler, *European Powers and the Near East*, 70. Gladstone even published a pamphlet on the subject, *The Bulgarian Horrors and the Question of the East*, which sold more than two hundred thousand copies. Seton-Watson, *Britain in Europe*, 519; Marriott, *The Eastern Question*, 293.

18. Macdermott, *History of Bulgaria*, 277; Tyler, *European Powers and the Near East*, 21.

Christians under Ottoman rule. Russia justified her threats of force on the basis of Turkey's violation of these humanitarian guarantees. In March 1877 the Great Powers issued a protocol reiterating demands for the protection of Christians in the Ottoman Empire guaranteed in the 1856 treaty ending the Crimean War. After Constantinople rejected the protocol, Russia sent in troops in April 1877. Russia easily defeated the Ottoman troops and signed the Treaty of San Stefano, which created a large independent Bulgarian state—an arrangement that was drastically revised by the Congress of Berlin.

As in the previous cases, saving Christians was an essential feature of this incident, and Gladstone and Russia's justifications for action were framed in this way. However, military action in this case was not multilateral; Russia intervened unilaterally and, although other powers worried about Russian opportunism and how Russian actions might alter the strategic balance in the region, none said that the intervention was illegitimate or unacceptable because it was unilateral. Public opinion and the media, in particular, were powerful influences on the politics of this episode. Transnational groups, mostly church and missionary groups, were a major source of information for publics in powerful states about the atrocities being committed. These groups actively worked to get information out of Bulgaria and into the hands of sympathetic media outlets in a conscious attempt to arouse public opinion and influence policy in ways that resemble current NGO activist tactics. Although public opinion was not able to change British policy in this case, it was able to make adherence to that policy much more difficult for Disraeli in domestic terms.

Armenia (1894–1917)

The Armenian case offers some interesting insights into the scope of Christianity requiring defense by European powers in the last century. Unlike the Orthodox Christians in Greece and Bulgaria and the Maronites in Syria, the Armenian Christians had no European champion. The Armenian Church was not in communion with the Orthodox Church, hence Armenian appeals had never resonated in Russia; the Armenians were not portrayed as "brothers" to the Russians as were the Bulgarians and other Orthodox Slavs. Similarly, no non-Orthodox European state had ever offered protection nor did they have historical ties as the French did with the Maronites. Thus many of the reasons to intervene in other cases were lacking in the Armenian case.

That the Armenians were Christians, albeit of a different kind, does seem to have had some influence on policy. The Treaty of Berlin explicitly

bound the Sultan to carry out internal political reforms to protect Armenians, but the nature, timing, and monitoring of these provisions were left vague and were never enforced. The Congress of Berlin ignored an Armenian petition for an arrangement similar to that set up in Lebanon following the Maronite massacres (a Christian governor under Ottoman rule). Gladstone took up the matter in 1880 when he returned to power but dropped it when Bismarck voiced opposition.[19]

The wave of massacres against Armenians beginning in 1894 was far worse than any of the other atrocities examined here in terms of both the number killed or the brutality of their executions. Nine hundred people were killed and twenty-four villages burned in the Sassum massacres in August 1894. After this the intensity increased. Between fifty thousand and seventy thousand were killed in 1895. In 1896 the massacres moved into Constantinople where, on August 28–29, six thousand Armenians were killed in the capital.[20]

These events were well known and highly publicized in Europe.[21] Gladstone came out of retirement yet again to denounce the Ottomans and called Abd-ul-Hamid the "Great Assassin." French writers denounced him as "the Red Sultan." The European Powers demanded an inquiry, which produced extensive documentation of "horrors unutterable, unspeakable, unimaginable by the mind of man" for European governments and the press.[22] Public opinion pressed for intervention, and both Britain and France used humanitarian justifications to threaten force. However, neither acted. Germany by this time was a force to be reckoned with, and the Kaiser was courting Turkey. Russia was nervous about nationalist aspirations in the Balkans generally and had no special affection for the Armenians, as noted above. Their combined opposition made the price of intervention higher than either the British or French were willing to pay.[23]

These four episodes are suggestive in several ways. They make it very clear that humanitarian intervention is not new in the twentieth century. The role played by what we now call "transnational civil society" or

19. *Cambridge Modern History*, 12:415–17; Marriott, *The Eastern Question*, 349–51.

20. Of course, these events late in the nineteenth century were only the tip of the iceberg. More than a million Armenians were killed by Turks during World War I, but the war environment obviates discussions of military intervention.

21. Indeed, there were many firsthand European accounts of the Constantinople massacres since execution gangs even forced their way into the houses of foreigners to execute Armenian servants (*Cambridge Modern History*, 12:417).

22. The quotation is from Lord Rosebery as cited in *Cambridge History of British Foreign Policy*, 3:234.

23. *Cambridge Modern History*, 12:417–18; Sohn and Buergenthal, *International Protection of Human Rights*, 181.

NGOs is also not new. There certainly were far fewer of these organizations and the networks of ties were much thinner, but they did exist and have influence even 180 years ago.

These episodes also say something about the relationship of humanitarian goals to other foreign-policy goals in the period. Humanitarian action was never taken when it jeopardized other articulated goals or interests of a state. Humanitarians were sometimes able to mount considerable pressure on policy makers to act contrary to stated geostrategic interests, as in the case of Disraeli and the Bulgarian agitation, but they never succeeded. Humanitarian claims did succeed, however, in creating new interests and new reasons for states to act where none had existed. Without the massacre of Maronites in Syria, France would almost certainly not have intervened. It is less clear whether there would have been intervention in the Greek war for independence or in Bulgaria without humanitarian justifications for such interventions. Russia certainly had other reasons to intervene in both cases, but Russia was also the state that identified most with the Orthodox Christians being massacred. Whether the humanitarian claims from fellow Orthodox Christians alone would have been sufficient for intervention without any geostrategic issues at stake is impossible to know. The role of humanitarian claims in these cases thus seems to be constitutive and permissive rather than determinative. Humanitarian appeals created interests where none previously existed and provided legitimate justifications for intervention that otherwise might not have been taken; however, they certainly did not require intervention or override alliance commitments or realpolitik understandings of national security and foreign policy making.

Humanitarian intervention in the nineteenth century could be implemented in a variety of ways. Action could be multilateral, as in the case of Greek independence, unilateral, as when Russia intervened in Bulgaria, or some mixture of the two, as in Lebanon/Syria where intervention was planned by several states but execution was unilateral. As shown below, this variety of forms for intervention changes over time. Specifically the unilateral option for either the planning or execution of humanitarian intervention appears to have disappeared in the twentieth century, and multilateral options have become more elaborate and institutionalized.

Finally, and perhaps most significant, intervenors found reasons to identify with the victims of humanitarian disasters in some important and exclusive way. The minimal rationale for such identification was that the victims to be protected by intervention were Christians; there were no instances of European powers considering intervention to protect non-Christians. Pogroms against Jews did not provoke intervention. Neither

did Russian massacres of Turks in Central Asia in the 1860s.[24] Neither did mass killings in China during the Taiping Rebellion against the Manchus.[25] Neither did mass killings by colonial rulers in their colonies.[26] Neither did massacres of Native Americans in the United States. Often a more specific identification or social tie existed between intervenor and intervened, as between the Orthodox Slav Russians and the Orthodox Slav Bulgarians. In fact, as the Armenian case suggests, the lack of an intense identification may contribute to inaction.

Over time, these exclusive modes of identification changed in European powers. People in Western states began to identify with non-Western populations during the twentieth century with profound political consequences, among them a greater tendency to undertake humanitarian intervention. Longer-standing identifications with Caucasians and Christians continue to be strong. That non-Christians and non-whites are now sometimes protected does not mean that their claims are equally effective as those of Christians and whites. But that their claims are entertained at all, and that these people are sometimes protected, is new. It is not the fact of humanitarian behavior that has changed but its focus. The task at hand is to explain how extending and deepening this identification to other groups changed humanitarian intervention.

The Expansion of "Humanity" and Sovereignty

The expansion of "humanity" between the nineteenth and late twentieth centuries drives much of the change we see in humanitarian intervention behavior, both directly and indirectly. It does this directly by creating identification with and legitimating normative demands by people who previously were invisible in the politics of the West. It contributes to change indirectly through the role it plays in promoting and legitimating new norms of sovereignty, specifically anticolonialism and

24. For more on this topic, see Stanford J. Shaw and Ezel Kural Shaw, *History of the Ottoman Empire and Modern Turkey*, vol. 2, *Reform, Revolution, and Republic: The Rise of Modern Turkey* (Cambridge: Cambridge University Press, 1977).

25. Christopher Hibbert, *The Dragon Wakes: China and the West, 1793–1911* (Newton Abbot, Devon, England: Reader's Union, 1971). Hibbert estimates that the three-day massacre in Nanking alone killed more than one hundred thousand people (*The Dragon Wakes*, 303).

26. In one of the more egregious incidents of this kind the Germans killed sixty-five thousand indigenous inhabitants of German Southwest Africa (Namibia) in 1904. See Barbara Harff, "The Etiology of Genocides," in *Genocide and the Modern Age: Etiology and Case Studies of Mass Death*, ed. Isidor Wallimann and Michael N. Dobkowski (New York: Greenwood, 1987), 46, 56.

self-determination. These changes in understandings about humanity and sovereignty obviously do much more than change humanitarian intervention. They alter the purpose of force broadly in world politics, changing the way people think about legitimate and effective uses of state coercion in a variety of areas. Understandings that shape social purpose do not exist, after all, in a vacuum. Social purpose is formed by a dense web of social understandings that are logically and ethically interrelated and, at least to some degree, mutually supporting. Thus changes in one strand of this web tend to have wide effects, causing other kinds of understandings to adjust. Social psychological mechanisms, such as cognitive dissonance, contribute to this process, but so, too, do institutional processes. People who are confronted with the fact that they hold contradictory views will try to adjust their beliefs to alleviate dissonance between them. Similarly lawyers and judges recognize "logical coherence" as a powerful standard for arbitrating between competing normative claims within the law; norms that no longer "fit" within the larger normative fabric of understandings are likely to be rejected in judicial processes and lose the support of associated social institutions.[27]

Like humanitarian intervention, slavery and colonialism were two large-scale activities in which state force intersected with humanitarian claims in the nineteenth century. In many ways slavery was the conceptual opposite of humanitarian intervention: It involved the use of state force to deny and suppress claims about humanitarian need rather than to provide protection. The effort to stamp out the slave trade raises cross-border humanitarian issues that reveal the limits in when states would use force and provides an interesting comparison with our intervention cases. Colonialism connects views about humanity with understandings about legitimate sovereignty and political organization. Colonialism was justified initially, in part, as a humane form of rule. The West was bringing the benefits of civilization to those in need. Decolonization involved turning this understanding of "humane" politics on its head, and the sovereignty norms that emerged from that struggle are extremely important to the subsequent practices of humanitarian intervention. If, indeed, changes in understandings about "humanity" have broad, interrelated effects, we should expect to see these transformed understandings reshaping states' policies and their use of force in dealing with colonialism.

27. For more social psychological underpinnings, see Alice Eagly and Shelly Chaiken, *The Psychology of Attitudes* (Fort Worth, Tex.: Harcourt Brace Jovanovich, 1993). For more on logical coherence in law, see Franck, *The Power of Legitimacy*, esp. chap. 10.

Abolition of Slavery and the Slave Trade

The abolition of slavery and the slave trade in the nineteenth century were essential to the universalization of "humanity." European states generally accepted and legalized both slavery and the slave trade in the seventeenth and eighteenth centuries, but by the nineteenth century these same states proclaimed these practices "repugnant to the principles of humanity and universal morality."[28] Human beings previously viewed as beyond the edge of humanity—as being property—came to be viewed as human, and with that status came certain, albeit minimal, privileges and protections. For example, states did use military force to suppress the slave trade. Britain was particularly active in this regard and succeeded in having the slave trade labeled as piracy, thus enabling Britain to seize and board ships sailing under non-British flags that were suspected of carrying contraband slaves.[29]

Although in some ways this is an important case of a state using force to promote humanitarian ends, the fashion in which the British framed and justified their actions also speaks to the limits of humanitarian claims in the early to mid-nineteenth century. First, the British limited their military action to abolishing the *trade* in slaves, not slavery itself. No military intervention was undertaken on behalf of endangered Africans in slavery as it had been on behalf of endangered white Christians. Further, although the British public and many political figures contributed to a climate of international opinion that viewed slavery with increasing distaste, the abolition of slavery as a domestic institution of property rights was accomplished in each state where it had previously been legal without other states intervening militarily.[30] Moreover, the British government's

28. Quotation comes from the Eight Power Declaration concerning the Universal Abolition of the Trade in Negroes, signed February 8, 1815, by Britain, France, Spain, Sweden, Austria, Prussia, Russia, and Portugal; quoted in Leslie Bethell, *The Abolition of the Brazilian Slave Trade* (Cambridge: Cambridge University Press, 1970), 14.

29. Bethell, *Abolition of the Brazilian Slave Trade*, chap. 1. In 1850 Britain went so far as to fire on and board ships in Brazilian ports to enforce anti-slave trafficking treaties (Bethell, *Abolition of the Brazilian Slave Trade*, 329–31). One might argue that such action was a violation of sovereignty and thus qualifies as military intervention, but, if so, they were interventions of a very peripheral kind. Note, too, that British public opinion on abolition of the slave trade was not uniform. See Chaim D. Kaufmann and Robert A. Pape, "Explaining Costly International Moral Action: Britain's Sixty-Year Campaign against the Atlantic Slave Trade," *International Organization* 53, no. 4 (1999): 631–68.

30. The United States is a possible exception. One could argue that the North intervened militarily in the South to abolish slavery. Such an argument would presume that (a) there were always two separate states such that the North's action could be understood as "intervention," rather than civil war, and (b) that abolishing slavery rather than maintaining the Union was the primary reason for the North's initial action. Both assumptions are open to serious question. (The Emancipation Proclamation was not signed until 1863 when the war was already half over.) Thus, although the case is suggestive

strategy for ending the slave trade was to label such trafficking as piracy, which in turn meant the slaves were "contraband," that is, still property. The British justified their actions on the basis of Maritime Rights governing commerce. The practices of slavery and slaveholding themselves did not provoke the same reaction as Ottoman abuse of Christians. This may be because the perpetrators of the humanitarian violations were "civilized" Christian nations (as opposed to the infidel Turks).[31] Another reason was probably that the targets of these humanitarian violations were black Africans, not "fellow [i.e., white] Christians" or "brother Slavs." Thus it appears that by the 1830s black Africans had become sufficiently "human" that enslaving them was illegal inside Europe, but enslaving them outside Europe was only distasteful. One could keep them enslaved if one kept them at home, within domestic borders. Abuse of Africans did not merit military intervention inside another state.

Slavery itself was thus never the cause of military intervention, and, although trade in slaves did provoke some military action, it was limited in both scope and justification. The abolition of slavery was accomplished in most of the world through either domestic mechanisms (sometimes violent ones, as in the United States) or through the transnational advocacy networks that have been described elsewhere or by both these means.[32] Once accomplished, however, the equality norms that defeated slavery norms fed back into later decisions about humanitarian intervention in interesting ways. For example, accusations of racism aimed at Western states that had provided much more attention and aid to Bosnia than Somalia in the early 1990s were important factors in mobilizing support for the intervention in Somalia, particularly from the U.S. government.[33]

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of the growing power of a broader conception of "humanity," I do not treat it in this analysis.

31. For an extended treatment of the importance of the categories "civilized" and "barbarian" on state behavior in the nineteenth century, see Gong, *The Standard of "Civilisation."*

32. Margaret Keck and Kathryn Sikkink, *Activists beyond Borders* (Ithaca, N.Y.: Cornell University Press, 1998), chap. 2; James Lee Ray, "The Abolition of Slavery and the End of International War," *International Organization* 43, no. 3 (1989): 405–39.

33. See Boutros-Ghali's comment in the July 22, 1992, Security Council meeting. Rep. Howard Wolpe made a similar comment in the House Africa Subcommittee hearings on June 23, 1992, about double standards in policy toward Bosnia and Somalia. The black caucus became galvanized around this "double standard" issue and became a powerful lobbying force in the administration, and its influence was felt by General Colin Powell, then chairman of the Joint Chiefs of Staff, among others. For details of the U.S. decision-making process on Somalia, see John G. Sommer, *Hope Restored? Humanitarian Aid in Somalia, 1990–1994* (Washington, D.C.: Refugee Policy Group, 1994). For a discussion of Boutros-Ghali and Wolpe, see Sommer, *Hope Restored?* 22 n. 63; for a discussion of Powell, see 30 n. 100.

Colonization, Decolonization, and Self-determination

Justifications for both colonization and decolonization offer additional lenses through which to examine changing understandings of who is "human" and how these understandings shape uses of force. Both processes—colonization and its undoing—were justified, at least in part, in humanitarian terms. However, the understanding of what constituted humanity was different in the two episodes in ways that bear on the current investigation of humanitarian intervention norms.

The vast economic literature on colonization often overlooks the strong moral dimension that many of the colonizers perceived and articulated. Colonization was a crusade. It would bring the benefits of civilization to the "dark" reaches of the earth. It was a sacred trust, the white man's burden, and was mandated by God that these Europeans venture out to parts of the globe unknown to them, bringing what they understood to be a better way of life to the inhabitants there. Colonization for the missionaries and those driven by social conscience was a humanitarian undertaking of huge proportions and, consequently, of huge significance.

Colonialism's humanitarian mission was of a particular kind, however. The mission of colonialism was to "civilize" the non-European world—to bring the "benefits" of European social, political, economic, and cultural arrangements to Asia, Africa, and the Americas. Until these peoples were "civilized" they remained savages, barbarians, less than human. Thus, in a critical sense, the core of the colonial humanitarian mission was to *create* humanity where none had previously existed. Non-Europeans became human in European eyes by becoming Christian, by adopting European-style structures of property rights, by embracing European-style territorial political arrangements, by entering the growing European-based international economy.[34]

34. Gerrit Gong provides a much more extensive discussion of what "civilization" meant to Europeans from an international legal perspective. See Gong, *The Standard of "Civilisation."* Uday Mehta investigates the philosophical underpinnings of colonialism in Lockean liberalism and the strategies aimed at the systematic political exclusion of culturally dissimilar colonized peoples by liberals professing universal freedom and rights. One of these strategies was civilizational infantilization; treating peoples in India, for example, like children allowed liberals to exclude them from political participation and, at the same time, justified extensive tutelage in European social conventions in the name of civilizing them and preparing them for liberal political life (Uday S. Mehta, "Liberal Strategies of Exclusion," *Politics and Society* 18 [1990]: 427–54).

Of necessity this very abbreviated picture of colonialism obscures the enormous variety in European views of what they were doing. Some social reformers and missionaries no doubt had far more generous notions of the "humanity" of the non-Europeans they came in contact with and treated them with respect. For more racist participants in the colonialist project, no amount of Christian piety or Europeanization would ever raise these

Decolonization also had strong humanitarian justifications.[35] By the mid-twentieth century normative understandings about humanity had shifted. Humanity was no longer something one could create by bringing civilization to savages. Rather, humanity was inherent in individual human beings. It had become universalized and was not culturally dependent as it was in earlier centuries. Asians and Africans were now viewed as having human "rights," and among these was the right to determine their own political future—the right to self-determination.

Like other major normative changes, the rise of human rights norms and decolonization are part of a larger, interrelated set of changes in the international normative web. Norms do not just evolve; they coevolve. Those studying norm change generally, and decolonization and slavery specifically, have noted several features of this coevolutionary process. The first, as indicated above, comes from international legal scholars who have emphasized the power of logical coherence in creating legitimacy in normative structures.[36] Norms that fit logically with other powerful norms are more likely to become persuasive and to shape behavior. Thus changes in core normative structures (in this case, changes toward recognition of human equality within Europe) provided an ethical platform from which activists could work for normative changes elsewhere in society and a way to frame their appeals that would be powerful. Mutually reinforcing and logically consistent norms appear to be harder to attack and to have an advantage in the normative contestations that occur in social life. In this sense, logic internal to norms themselves shapes their development and, consequently, shapes social change.

Applied to decolonization, the argument would be that the spread of these decolonization norms is the result, at least to some extent, of their "fit" within the logical structure of other powerful preexisting European norms. As liberal beliefs about the "natural" rights of man spread and gained power within Europe, they influenced Europe's relationship with non-European peoples in important ways. The egalitarian social movements sweeping the European West in the 18th and 19th centuries were justified with universal truths about the nature and equality of human

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non-Europeans to a level of humanity comparable to that of Europeans. My goal in this sketch is to emphasize the effort to create humanity, so that readers will see the connections with decolonization.

35. To reiterate, I am making no claims about the causes of decolonization. These causes were obviously complex and have been treated extensively in the vast literature on the subject. I argue only that humanitarian norms were central in the justification for decolonization.

36. For an excellent exposition, see Franck, *The Power of Legitimacy*, esp. chap. 10.

beings. These notions were then exported to the non-European world as part of the civilizing mission of colonialism. Once people begin to believe, at least in principle, in human equality, there is no logical limit to the expansion of human rights and self-determination.[37]

The logical expansion of these arguments fueled attacks on both slavery and colonization. Slavery, more blatantly a violation of these emerging European norms, came under attack first. Demands for decolonization came more slowly and had to contend with the counter claims for the beneficial humanitarian effects of European rule. However, logic alone could not dismantle these institutions. In both cases former slaves and Western-educated colonial elites were instrumental in change. Having been "civilized" and Europeanized, they were able to use Europe's own norms against these institutions. These people undermined the social legitimacy of both slave holders and colonizers simply by being exemplars of "human" non-Europeans who could read, write, worship, work, and function in Western society. Their simple existence undercut the legitimacy of slavery and colonialism within a European framework of proclaimed human equality.

Another feature that channels contemporary normative coevolution is the rational-legal structure in which it is embedded. Increasingly since the nineteenth century international normative understandings have been codified in international law, international regimes, and the mandates of formal international organizations. To the extent that legal processes operate, the logical coherence processes described above will be amplified, since law requires explicit demonstrations of such logical fit to support its claims. International organizations, too, can amplify the power of new normative claims if these are enshrined in their mandates, structure, or operating procedures. For example, the United Nations played a significant role in the decolonization process and the consolidation of anticolonialism norms. Self-determination norms are proclaimed in the UN Charter, but the organization also contained Trusteeship machinery and one-state-one-vote voting structures that gave majority power to the weak, often formerly colonized states, all of which contributed to an international legal, organizational, and normative environ-

37. Neta Crawford, "Decolonization as an International Norm: The Evolution of Practices, Arguments, and Beliefs," in *Emerging Norms of Justified Intervention*, ed. Laura Reed and Carl Kaysen (Cambridge, Mass.: American Academy of Arts and Sciences, 1993), 37–61 at 53; Neta Crawford, *Argument and Change in World Politics: Ethics, Decolonization, and Humanitarian Intervention* (New York: Cambridge University Press, 2002). David Lumsdaine makes a similar point about the expanding internal logic of domestic welfare arguments that led to the creation of the foreign aid regime in his *Moral Vision in International Politics: The Foreign Aid Regime, 1949–1989* (Princeton, N.J.: Princeton University Press, 1993).

ment that made colonial practices increasingly illegitimate and difficult to carry out.[38]

Humanitarian Intervention since 1945

Unlike humanitarian intervention practices in the nineteenth century, virtually all the instances in which claims of humanitarian intervention have been made in the post-1945 period concern military action on behalf of non-Christians, non-Europeans, or both. Cambodia, Somalia, Bosnian Muslims, Kurds in Iraq, Albanian Muslims in Kosovo all fit this pattern. The "humanity" worth protecting has widened as a result of the normative changes described above. However, humanitarian intervention practices have also become more limited in a different dimension: Intervening states often shied away from humanitarian claims during the cold war when they could have made them. One would think that states would claim the moral high ground in their military actions whenever it was at all credible, and strong humanitarian claims were certainly credible in at least three cases: India's intervention in East Pakistan in the wake of massacres by Pakistani troops; Tanzania's intervention in Uganda toppling the Idi Amin regime; and Vietnam's intervention in Cambodia ousting the Khmers Rouges. Amin and Pol Pot were two of the most notorious killers in a century full of infamous brutal leaders. If states could use humanitarian claims anywhere, it should have been in these cases, yet they did not. In fact, India initially claimed humanitarian justifications on the floor of the United Nations but quickly retracted them, expunging statements from the UN record. Why?

The argument here is that this reluctance stems not from norms about what is "humanitarian" but from norms about legitimate intervention. Although the scope of who qualifies as human has widened enormously and the range of humanitarian activities that states routinely undertake has expanded, norms about intervention have also changed, albeit less drastically. Humanitarian military intervention now must be *multilateral* to be legitimate; without multilateralism, claims of humanitarian motivation and justification are suspect.[39] As we saw in the nineteenth century,

38. Crawford, "Decolonization as an International Norm," 37–61; Crawford, *Argument and Change in World Politics*; Michael Barnett, "The United Nations and the Politics of Peace: From Juridical Sovereignty to Empirical Sovereignty," *Global Governance* 1 (1995): 79–97.

39. Other authors have noted a similar trend in related areas. David Lumsdaine discusses the role of multilateral versus bilateral giving of foreign aid in his *Moral Vision in International Politics*.

multilateralism is not new; it has often characterized humanitarian military action. However, states in the nineteenth century still invoked and accepted humanitarian justifications even when intervention was unilateral (for example, Russia in Bulgaria during the 1870s, and, in part, France in Lebanon). That did not happen in the twentieth century nor has it happened in the twenty-first century. Without multilateralism, states will not and apparently cannot successfully claim humanitarian justification.[40]

The move to multilateralism is not obviously dictated by the functional demands of intervention or military effectiveness. Certainly multilateralism had (and has) important advantages for states. It increases the transparency of each state's actions to others and so reassures states that opportunities for adventurism and expansion will not be used. It can be a way of sharing costs and thus be cheaper for states than unilateral action. However, multilateralism carries with it significant costs of its own. Cooperation and coordination problems involved in such action, an issue political scientists have examined in detail, can make it difficult to sustain multilateral action.[41] Perhaps more important, multilateral action requires the sacrifice of power and control over the intervention. Further, it may seriously compromise the military effectiveness of those operations, as recent debates over command and control in UN military operations suggest.

40. An interesting exception that proves the rule is the U.S. claim of humanitarian justifications for its intervention in Grenada. First, the human beings to be protected by the intervention were not Grenadians but U.S. nationals. Protecting one's own nationals can still be construed as protecting national interests and is therefore not anomalous or of interest analytically in the way that state action to protect nationals of *other* states is. Second, the humanitarian justification offered by the United States was widely rejected in the international community, which underscores the point made here that states are generally suspicious of unilateral humanitarian intervention. See the discussion in Tesón, *Humanitarian Intervention*, 188–200; and Arend and Beck, *International Law and the Use of Force*, 126–28.

The apparent illegitimacy of unilateral humanitarian intervention is probably related to two broad issues that cannot be treated adequately in this limited space, namely, the expansion of multilateralism as a practice and the strengthening of juridical sovereignty norms, especially among weak states. On multilateralism, see John Ruggie, ed., *Multilateralism Matters* (New York: Columbia University Press, 1993). Concerning the strengthening of sovereignty norms among weak states, see Stephen D. Krasner, *Structural Conflict* (Berkeley: University of California Press, 1985). For an empirical demonstration of the increased robustness of sovereign statehood as a political form in the periphery, see David Strang, "Anomaly and Commonplace in European Political Expansion: Realist and Institutional Accounts," *International Organization* 45, no. 2 (spring 1991): 143–62.

41. Significantly, those who are more optimistic about solving these problems and about the utility of multilateral action rely on norms and shared social purpose to overcome these problems. Norms are an essential part both of regimes and multilateralism in the two touchstone volumes on these topics. See Stephen D. Krasner, ed., *International Regimes* (Ithaca, N.Y.: Cornell University Press, 1983); and Ruggie, *Multilateralism Matters*.

There are no obvious efficiency reasons for states to prefer either multilateral or unilateral intervention to achieve humanitarian ends. Each type of intervention has advantages and disadvantages. The choice depends, in large part, on perceptions about the political acceptability and political costs of each, which, in turn, depend on the normative context. As is discussed below, multilateralism in the present day has become institutionalized in ways that make unilateral intervention, particularly intervention not justified as self-defense, unacceptably costly, not in material terms but in social and political terms. A brief examination of these "non-cases" of humanitarian intervention and the way that states debated and justified these actions provides some insight into the normative fabric of contemporary intervention and the limitations these impose on humanitarian action.

Unilateral Interventions in Humanitarian Disasters[42]

a. India in East Pakistan (1971). Pakistan had been under military rule by West Pakistani officials since partition. When the first free elections were held in November 1970, the Awami League won 167 out of 169 parliamentary seats reserved for East Pakistan in the National Assembly. The Awami League had not urged political independence for the East during the elections but did run on a list of demands concerning one-man-one-vote political representation and increased economic autonomy for the East. The government in the West viewed the Awami League's electoral victory as a threat. In the wake of these electoral results, the government in Islamabad decided to postpone the convening of the new National Assembly indefinitely, and in March 1971 the West Pakistani army started killing unarmed civilians indiscriminately, raping women, burning homes, and looting or destroying property. At least one million people were killed, and millions more fled across the border into India.[43] Following months of tension, border incidents, and increased pressure from the influx of refugees, India sent troops into East Pakistan. After twelve days the Pakistani army surrendered at Dacca, and the new state of Bangladesh was established.

42. These synopses are drawn, in large part, from Tesón, *Humanitarian Intervention*, chap. 8; Michael Akehurst, "Humanitarian Intervention," in *Intervention in World Politics*, ed. Hedley Bull (Oxford: Clarendon, 1984), 95–118; and Arend and Beck, *International Law and the Use of Force*, chap. 8.

43. Estimates of the number of refugees vary wildly. The Pakistani government put the number at two million; the Indian government claimed ten million. Independent estimates have ranged from five to nine million. See Tesón, *Humanitarian Intervention*, 182, including n. 163 for discussion.

As in many of the nineteenth-century cases, the intervenor here had an array of geopolitical interests. Humanitarian concerns were not the only reason, or even, perhaps, the most important reason, to intervene. However, this is a case in which intervention could be justified in humanitarian terms, and initially the Indian representatives in both the General Assembly and the Security Council did articulate such a justification.[44] These arguments were widely rejected by other states, including many with no particular interest in politics on the subcontinent. States as diverse as Argentina, Tunisia, China, Saudi Arabia, and the United States all responded to India's claims by arguing that principles of sovereignty and noninterference should take precedence and that India had no right to meddle in what they all viewed as an "internal matter." In response to this rejection of its claims, India retracted its humanitarian justifications, choosing instead to rely on self-defense to defend its actions.[45]

b. Tanzania in Uganda (1979). This episode began as a straightforward territorial dispute. In the autumn of 1978 Ugandan troops invaded and occupied the Kagera salient—territory between the Uganda-Tanzania border and the Kagera River in Tanzania.[46] On November 1 Amin announced annexation of the territory. Nyerere considered the annexation tantamount to an act of war and, on November 15, launched an offensive from the south bank of the Kagera River. Amin, fearing defeat, offered to withdraw from the occupied territories if Nyerere would promise to cease support for Ugandan dissidents and agree not to attempt to overthrow his government. Nyerere refused and made explicit his intention to help dissidents topple the Amin regime. In January 1979 Tanzanian troops crossed into Uganda, and, by April, these troops, joined by some Ugandan rebel groups, had occupied Kampala and installed a new government headed by Yusef Lule.

As in the previous case, there were nonhumanitarian reasons to intervene; but if territorial issues were the only concern, the Tanzanians could have stopped at the border, having evicted Ugandan forces, or pushed them back into Uganda short of Kampala. The explicit statement of intent to topple the regime seems out of proportion to the low-level territorial squabble. However, humanitarian considerations clearly compounded other motives in this case. Tesón makes a strong case that Nyerere's

44. See ibid., 186 n. 187, for the text of a General Assembly speech by the Indian representative articulating this justification. See also Akehurst, "Humanitarian Intervention," 96.

45. Akehurst concludes that India actually had prior statements concerning humanitarian justifications deleted from the Official Record of the UN ("Humanitarian Intervention," 96–97).

46. Amin attempted to justify this move by claiming that Tanzania had previously invaded Ugandan territory.

intense dislike of Amin's regime and its abusive practices influenced the scale of the response. Nyerere had already publicly called Amin a murderer and refused to sit with him on the Authority of the East African Community.[47] Tesón also presents strong evidence that the lack of support or material help for Uganda in this intervention from the UN, the Organization of African Unity (OAU), or any state besides Libya suggests tacit international acceptance of what otherwise would have been universally condemned as international aggression because of the human rights record of the target state.[48]

Despite evidence of humanitarian motivations, Tanzania never claimed humanitarian justification. In fact, Tanzania went out of its way to disclaim responsibility for the felicitous humanitarian outcome of its actions. It claimed only that it was acting in response to Amin's invasion and that its actions just happened to coincide with a revolt against Amin inside Uganda. When Sudan and Nigeria criticized Tanzania for interfering in another state's internal affairs in violation of the OAU charter, it was the new Ugandan regime that invoked humanitarian justifications for Tanzania's actions. The regime criticized the critics, arguing that members of the OAU should not "hide behind the formula of non-intervention when human rights are blatantly being violated."[49]

c. Vietnam in Cambodia (1979). In 1975 the Chinese-backed Khmers Rouges took power in Cambodia and launched a policy of internal "purification" entailing the atrocities and genocide now made famous by the 1984 movie *The Killing Fields*. This regime, under the leadership of Pol Pot, was also aggressively anti-Vietnamese and engaged in a number of border incursions during the late 1970s. Determined to end this border activity, the Vietnamese and an anti–Pol Pot army of exiled Cambodians invaded the country in December 1978, succeeded in routing the Khmers Rouges by January 1979, and installed a sympathetic government under the name People's Republic of Kampuchea (PRK).

Again, humanitarian considerations may not have been central to Vietnam's decision to intervene, but humanitarian justifications would seem to have offered some political cover to the internationally unpopular Vietnamese regime. However, like Tanzania, the Vietnamese made no appeal to humanitarian justifications. Instead, they argued that they were only helping the Cambodian people to achieve self-determination against the neo-colonial regime of Pol Pot, which had been "the product of the hegemonistic and expansionist policy of the Peking authorities."[50] Even if

47. Tesón, *Humanitarian Intervention*, 164.
48. Ibid., 164–67.
49. As quoted in Akehurst, "Humanitarian Intervention," 99.
50. As quoted ibid., 97 n. 17.

Vietnam *had* offered humanitarian justifications for intervention, indications are that other states would have rejected them. A number of states mentioned Pol Pot's appalling human rights violations in their condemnations of Vietnam's action but said, nonetheless, that these violations did not entitle Vietnam to intervene. During the UN debate no state spoke in favor of the right to unilateral humanitarian intervention, and several states (Greece, the Netherlands, Yugoslavia, and India) that had previously supported humanitarian intervention arguments in the UN voted for the resolution condemning Vietnam's intervention.[51]

Multilateral Intervention in Humanitarian Disasters

To be legitimate in contemporary politics, humanitarian intervention must be multilateral. The cold war made such multilateral efforts politically difficult to orchestrate, but, since 1989, several large-scale interventions have been carried out claiming humanitarian justifications as their raison d'être. All have been multilateral. Most visible among these have been the following:

- the U.S., British, and French efforts to protect Kurdish and Shiite populations inside Iraq following the Gulf War;
- the United Nations Transitional Authority in Cambodia (UNTAC) mission to end civil war and to reestablish a democratic political order in Cambodia;
- the large-scale U.S. and UN effort to end starvation and to construct a democratic state in Somalia;
- deployment of UN and NATO troops to protect civilian, especially Muslim, populations primarily from Serbian forces in Bosnia;
- NATO's campaign to stop the ethnic cleansing of Albanian Muslims in the province of Kosovo, Yugoslavia.

Although these efforts have attracted varying amounts of criticism concerning their effectiveness, their legitimacy has received little or no criticism. Further, and unlike their nineteenth-century counterparts, all have been organized through standing international organizations—most often the United Nations. Indeed, the UN Charter has provided the normative framework in which much of the normative contestation over interven-

51. One reason for the virtual absence of humanitarian arguments in this case, compared to the Tanzanian case, may have been the way the intervention was conducted. Tanzania exerted much less control over the kind of regime that replaced Amin, making the subsequent Ugandan regime's defense of Tanzania's actions as "liberation" less implausible than were Vietnam's claims that it, too, was helping to liberate Cambodia by installing a puppet regime that answered to Hanoi.

tion practices has occurred since 1945. Specifically, the Charter enshrines two principles that at times conflict. On the one hand, Article 2 preserves states' sovereign rights as the organizing principle of the international system. The corollary is a near-absolute rule of nonintervention. On the other hand, Article 1 of the Charter emphasizes human rights and justice as a fundamental mission of the United Nations, and subsequent UN actions (among them, the adoption of the Universal Declaration of Human Rights) have strengthened this claim. Gross humanitarian abuses by states against their own citizens, like those discussed in this chapter bring these two central principles into conflict.

In this struggle between principles, the balance seems to have shifted since the end of the cold war, and humanitarian claims now frequently trump sovereignty claims. States still may not respond to humanitarian appeals, but they do not hesitate because they think such intervention will be denounced internationally as illegitimate. A brief look at the "non-case" of Rwanda illustrates this. Contemporary humanitarian intervention norms do more than just "allow" intervention. The Genocide Convention actually makes action mandatory. Signatories must stop genocide, defined as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group."[52] Although the failure of the West to respond to the Rwandan genocide in 1994 shows that humanitarian claims must compete with other interests states have as they weigh the decision to use force, the episode also reveals something about the normative terrain on which these interventions are debated. In contrast to the cold war cases, no significant constituency was claiming that intervention in Rwanda for humanitarian purposes would have been illegitimate or an illegal breach of sovereignty. States did not fear the kind of response India received when it intervened in East Pakistan. France, the one state to intervene (briefly and with multilateral authorization) was criticized not because the intervention was illegitimate but because its actions aided the *génocidaires* rather than the victims.[53] States understood

52. The definition in Article 2 of the 1948 Genocide Convention lists the following specific acts as included in the term "genocide": "(a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group" (Convention on the prevention and punishment of the crime of genocide, Adopted by Resolution 260 (III) A of the United Nations General Assembly on December 9, 1948. Available at http://www.unhchr.ch/html/menu3/b/p_genoci.htm).

53. For particularly damning accounts, see Philip Gourevitch, *We Wish to Inform You That Tomorrow We Will Be Killed With Our Families* (New York: Farrar, Straus and Giroux, 1998), chap. 11; and Samantha Power, *"A Problem from Hell": America and the Age of Genocide* (New York: Basic Books, 2002), chap. 10.

very well that legally and ethically this case required intervention, and because they did not want to intervene for other reasons, they had to work hard to suppress information and to avoid the word "genocide" in order to sidestep their obligations.[54] When the killing was (conveniently) over, the American president, Bill Clinton, actually went to Rwanda and apologized for his administration's inaction. While the Rwandan case can be viewed pessimistically as a case where ethics were ignored and states did what was convenient, it also reveals that states understood and publicly acknowledged a set of obligations that certainly did not exist in the nineteenth century and probably not during most of the cold war. States understood that they had not just a right but a duty to intervene in this case. That the Americans apologized substantiates this.[55]

In addition to a shift in normative burdens to act, intervention norms now place strict requirements on the ways humanitarian intervention can be carried out. Humanitarian intervention must be multilateral when it occurs. It must be organized under multilateral, preferably UN, auspices or with explicit multilateral consent. Further, it must be implemented with a multilateral force if at all possible. Specifically the intervention force should contain troops from "disinterested" states, usually middle-level powers outside the region of conflict—another dimension of multilateralism not found in nineteenth-century practice.

Contemporary multilateralism thus differs from the multilateral action of the nineteenth century. The latter was what John Ruggie might call "quantitative" multilateralism and only thinly so.[56] Nineteenth-century multilateralism was strategic. States intervened together to keep an eye

54. The suppression of a cable from the United Nations Assistance Mission in Rwanda (UNAMIR) commander in Kigali, Dallaire, to his superiors at the Department of Peace Operations in New York (then run by Kofi Annan) was a scandal when it was uncovered. See Philip Gourevitch, *We Wish to Inform You;* Michael Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda* (Ithaca, N.Y.: Cornell University Press, 2002); Michael Barnett, "The UN Security Council, Indifference, and Genocide and Rwanda," *Cultural Anthropology* 12, no. 4 (1997): 551–78; *Frontline* documentary, "The Triumph of Evil," and accompanying website at www.pbs.org/wgbh/pages/shows/frontline/evil. The U.S. administration's attempts to avoid "the G word" would have been comical if they did not have such tragic effects. See the *Frontline* documentary, "The Triumph of Evil," and interviews with James Woods and Tony Marley at www.pbs.org/wgbh/pages/shows/frontline/evil.

55. Samantha Power would probably be unimpressed with this change. She argues that the United States has known about virtually every genocide in the twentieth century and never acted to stop any of them. I do not dispute her claim; rather, we are investigating a different question. Power wants to know why the United States has not acted to stop genocide; I want to know why the United States has done any humanitarian intervention at all. See Power, *"A Problem from Hell."*

56. John G. Ruggie, "Multilateralism: The Anatomy of an Institution," in Ruggie, *Multilateralism Matters,* 6. Ruggie's edited volume provides an excellent analysis of the sources and power of multilateral norms generally.

on one another and to discourage adventurism or exploitation of the situation for nonhumanitarian gains. Multilateralism was driven by shared fears and perceived threats, not by shared norms and principles. States did not even coordinate and collaborate extensively to achieve their goals. Military deployments in the nineteenth century may have been contemporaneous, but they were largely separate; there was virtually no joint planning or coordination of operations. This follows logically from the nature of multilateralism, since strategic surveillance of one's partners is not a shared goal but a private one.

Recent interventions exhibit much more of what Ruggie calls the "qualitative dimension" of multilateralism. They are organized according to, and in defense of, "generalized principles" of international responsibility and the use of military force, many of which are codified in the UN Charter, in UN Declarations, and in the UN's standard operating procedures. These principles emphasize international responsibilities for ensuring human rights and justice, and dictate appropriate procedures for intervening such as the necessity of obtaining Security Council authorization for action. They also require that intervening forces be composed not just of troops of more than one state but of troops from disinterested states other than Great Powers—not a feature of nineteenth-century action.

Contemporary multilateralism is deeply political and normative, not just strategic. It is shaped by shared notions about when use of force is legitimate and appropriate. Contemporary legitimacy criteria for use of force, in turn, derive from these shared principles, articulated most often through the UN, about consultation and coordination with other states before acting and about multinational composition of forces. U.S. interventions in Somalia and Haiti were not multilateral because the United States needed the involvement of other states for military or strategic reasons. The United States was capable of supplying the forces necessary and, in fact, did supply the lion's share. No other Great Power was particularly worried about U.S. opportunism in these areas so none joined the action for surveillance reasons. These interventions were multilateral for political and normative reasons. To be legitimate and politically acceptable, the United States needed UN authorization and international participation for these operations. Whereas Russia, France, and Britain tolerated one another's presence in operations to save Christians from the infidel Turk, the United States had to beg other states to join it for a humanitarian operation in Haiti.

Multilateral norms create political benefits for conformance and costs for nonconforming action. They create, in part, the structure of incentives states face. Realists or neoliberal institutionalists might argue that in the

contemporary world multilateral behavior is efficient and unproblematically self-interested because multilateralism helps to generate political support for intervention both domestically and internationally. However, this argument only begs the question: *Why* is multilateralism necessary to generate political support? It was not necessary in the nineteenth century. Indeed, multilateralism, as currently practiced, was inconceivable in the nineteenth century. As discussed earlier, nothing about the logic of multilateralism itself makes it clearly superior to unilateral action. Each action has advantages and costs to states, and the costs of multilateral intervention have become abundantly clear in recent UN operations. One testament to the power of these multilateral norms is that states adhere to them even when they know that doing so compromises the effectiveness of the mission. Criticisms of the UN's ineffectiveness for military operations are widespread. That UN involvement continues to be a central feature of these operations, despite the UN's apparent lack of military competence, underscores the power of multilateral norms.[57]

Multilateralism legitimizes action by signaling broad support for the actor's goals. Intervenors use it to demonstrate that their purpose in intervening is not merely self-serving and particularistic but is joined in some way to community interests that other states share.[58] Making this demonstration is often vital in mustering international support for an intervention, as India discovered, and can be crucial in generating domestic support as well. Conversely, failure to intervene multilaterally creates political costs. Other states and domestic constituencies both start to question the aims and motives of intervenors when others will not join and international organizations will not bless an operation. These benefits and costs flow not from material features of the intervention but from the expectations that states and people in contemporary politics share about what constitutes legitimate uses of force. Perceptions of illegitimacy may eventually have material consequences for intervenors, but the motivations for imposing those costs are normative.

57. Contemporary multilateralism is not, therefore, "better" or more efficient and effective than the nineteenth-century brand. I contend only that it is different. This difference in multilateralism poses a particular challenge to neoliberal institutionalists. These scholars have sophisticated arguments about why international cooperation should be robust and why it might vary across issue areas. They cannot, however, explain these qualitative changes in multilateralism, nor can they explain changes in the amount of multilateral activity over time without appealing to exogenous variables (like changes in markets or technology).

58. For a more generalized argument about the ways international organizations enjoy legitimacy of action because they are able to present themselves as guardians of community interests as opposed to self-seeking states, see Michael N. Barnett and Martha Finnemore, *The Power and Pathologies of International Organizations* (Ithaca, N.Y.: Cornell University Press, forthcoming).

Both realist and neoliberal analyses fail to ask where incentives come from. They also fail to ask where interests come from. A century ago the plight of non-white, non-Christians was not an "interest" of Western states, certainly not one that could prompt the deployment of troops. Similarly, a century ago, states saw no interest in multilateral authorization, coordination, and use of troops from "disinterested" states. The argument here is that these interests and incentives have been constituted socially through state practice and the evolution of shared norms through which states act.

Conclusion

Humanitarian intervention practices are not new. They have, however, changed over time in some systemic and important ways. First, the definition of who qualifies as human and is therefore deserving of humanitarian protection by foreign governments has changed. Whereas in the nineteenth century European Christians were the sole focus of humanitarian intervention, this focus has been expanded and universalized such that by the late twentieth century all human beings were treated as equally deserving in the international normative discourse. In fact, states are very sensitive to charges that they are "normatively backward" and still privately harbor distinctions. When Boutros-Ghali, shortly after becoming Secretary-General, charged that powerful states were attending to disasters in white, European Bosnia at the expense of non-white, African Somalia, the United States and other states became defensive, refocused attention, and ultimately launched a full-scale intervention in Somalia before acting in Bosnia.

Second, although humanitarian intervention in the nineteenth century was frequently multilateral, it was not necessarily so. Russia, for example, claimed humanitarian justifications for its intervention in Bulgaria in the 1870s; France was similarly allowed to intervene unilaterally, with no companion force to guard against adventurism. Other states did not contest, much less reject, these claims despite the fact that Russia, at least, had nonhumanitarian motives for intervening. They did, however, reject similar claims by India in the twentieth century. By the twentieth century, not only did multilateralism appear to be necessary to claim humanitarian justifications but sanction by the United Nations or some other formal organization was required. The United States, Britain, and France, for example, went out of their way to find authority in UN resolutions for their protection of Kurds in Iraq.

These changes have not taken place in isolation. Changes in humanitarian intervention behavior are intimately connected with other sweeping changes in the normative fabric that have taken place over the past two centuries. Who counts as human has changed, not just for intervention but in all arenas of social life—slavery, colonialism, but also political participation generally at all levels and in most parts of the world. Similarly multilateralism norms are by no means specific to, or even most consequential for, intervention behavior. As Ruggie and his colleagues have amply documented, these norms pervade virtually all aspects of interstate politics, particularly among the most powerful Western states (which are also the most likely and most capable intervenors).[59] The related proliferation of formal institutions and the ever-expanding use of these rational-legal authority structures to coordinate and implement international decision making are also generalized phenomena. These trends have clear and specific impacts on contemporary humanitarian interventions but are also present and powerful in a wide variety of areas of world politics.[60] These interconnections should not surprise us. Indeed, they are to be expected given both the social psychological and institutional mechanisms at work to resolve normative paradoxes and the ways that these extend normative changes to logically and ethically related areas of social life. Changes as fundamental as the ones examined here, namely, changes in who is human and in the multilateral and rational-legal structure of politics, are logically connected to a vast range of political activity and appear again in other cases of intervention, as we shall see in the next chapter.

59. Ruggie, *Multilateralism Matters.*

60. Barnett and Finnemore, "The Politics, Power, and Pathologies of International Organizations"; Barnett and Finnemore, *The Power and Pathologies of International Organizations.*