



HUMANITARIAN INTERVENTION

VOCAL DISSENTERS AND TACIT SUPPORT

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Countries, agencies and individuals have often expressed strong opinions condemning humanitarian intervention. Their main argument is based on every single country's right to sovereignty—the idea that no country or agency should interfere in another's affairs. The concern, perhaps, is that the intervening country might only be taking action in order to derive some political benefit in the name of humanitarian intervention. Countering this point, many in favor of humanitarian intervention wish to prevent governments from violating international human rights.

What is humanitarian intervention? J. L. Holzgrefe defines humanitarian intervention as “the threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied.”¹

This paper will summarize the arguments surrounding humanitarian intervention, present a few scenarios, demonstrate how some countries and individuals support humanitarian intervention indirectly.

JUSTIFIED INTRUSION

The issue of sovereignty versus human rights is highly problematic, since a massive violation of human rights is not just an assault on the dignity of persons, but a betrayal of the principle of sovereignty itself. The issue of 'sovereignty versus human rights' should not even exist.

But why? Let's look at two words: *government* and *human being*. Merriam-Webster defines these as follows:

1. A government is “a particular system used for controlling a country, state, etc.”; and
2. In contrast, a human being is “a man, woman, or child of the species *Homo sapiens*, distinguished from other animals by superior mental development, power of articulate speech, and upright stance”.²

These two words are incomparable. A sovereign government should not and cannot be compared with a human being and his/her rights, because a government is only a system; it does not feel physical or emotional pain. It does not experience hunger, it cannot be displaced from its home, and most importantly, it cannot be massacred. We can say exactly

the opposite of a human being.

From this perspective, an individual and his/her rights is superior to any system of government; and humanitarian intervention should be justified in cases of genocide, crimes against humanity, and massacres, no matter the magnitude.

With regard to countries, agencies and individuals who argue against humanitarian intervention on the grounds that interveners might have ulterior motives for violating the sacred right to sovereignty, we must consider that they, too, could be doing so to further their own agendas, political or otherwise. Accusations can be cast all day long, but in the meantime, hundreds of thousands remain captive in their quiet suffering.

BOUND TO PROTECT

In response to a flurry of modern-day genocides and an uptick in slaughter on TV screens around the globe, the Responsibility to Protect (R2P) principle rose to the fore around 2001. Its three pillars are as follows:

1. The State carries the primary responsibility for protecting populations from genocide, war crimes, crimes against humanity and ethnic cleansing, and their incitement;
2. The international community has a responsibility to encourage and assist States in fulfilling this responsibility; and
3. The international community has a responsibility to use appropriate diplomatic, humanitarian and other means to protect populations from these crimes. If a State is manifestly failing to protect its populations, the international community must be prepared to take collective action to protect populations, in accordance with the UN Charter.³

R2P signified a positive step towards protecting humanitarian rights. Its weakness, however, is that it relies upon the international community to take collective action to protect populations. As a result, the strength of the intervening force depends on the willingness of the international community to participate.

Let's look at some scenarios, highlighting the direct and/or indirect support involved.

In 1971, the Pakistani government slaughtered its people and India intervened on the basis of protecting human rights. Nevertheless, this justification was later deleted from the records of the UN Security Council (SC) and replaced by the claim that the intervention was an act of self-defense.⁴ This was clearly an attempt by the SC to distance itself from the intervention, even though the SC did not explicitly express its disapproval.

Less than a decade later, Tanzania and Vietnam performed separate interventions to stop the scourge of dictators in their respective world regions. While Vietnam was strongly criticized for its invasion of Cambodia, Tanzania received no such treatment from the African Union (AU) for its intervention in Uganda. That silence can only mean thing: The member states of the AU supported Tanzania's decision to take action. Historically, disapproving countries are quick to speak out against invaders, as was the case here with regard to Vietnam.

Finally, we turn our gaze to the NATO member states that approved large-scale air strikes in Bosnia and Herzegovina following the Srebrenica massacre of 1995. In this case, the UN neither condemned nor made any move to stop the intervening forces. Again, this lack of pushback was widely interpreted as tacit support.

This time, however, Russia broke the silence. In the resulting vote, the twelve NATO members voted for the intervention, leaving three states opposed. Aside from Russia and China, all members of the SC rejected Russia's proposal to cease fire in Srebrenica.

This demonstrates an important point: While the SC members supported the intervention, they were not initially willing to be transparent about their positions. Likewise, the UN countries that took action overshadowed those that stood opposed.

Kofi Annan, the former Secretary-General of UN, indirectly supported military intervention. This is apparent from his speeches following the Rwandan genocide and the Srebrenica massacre.

In June 1998, for instance, he asserted that "the UN Charter was never meant as a license for governments to trample on

human rights and human dignity." On another occasion, he posed the question: "...If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that offend every precept of our common humanity?"⁵

These public sentiments imply that even Kofi Annan saw humanitarian intervention as the only answer.

CONCLUSION

The aforementioned examples demonstrate that countries, agencies and individuals generally support humanitarian intervention. They are simply not transparent on the matter.

The key word here is silence. How are we to interpret the silence of entire countries—of agencies such as the UN and AU?

Silence is one of our world's most highly utilized mechanisms for supporting humanitarian intervention.

As a civilization, we will always struggle with the issue of humanitarian intervention; but action *must* be taken against those who violate human rights.

When the UN does not move to block a humanitarian intervention, as we saw in the cases of Rwanda and Srebrenica, the international outcry is deafening. It is at these times that we see just how much countries, individuals and agencies honestly support intervention for humanitarian purposes.

As long as we live in a world without a clear, actionable policy that enables the international community to intervene in cases of extreme distress, we will continue to see more cases of international law violations like the cases of Rwanda, Syria and Afghanistan, just to mention a few.

Notes

¹ L. J. Holzgrefe, "The Humanitarian Intervention Debate," in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, eds. L. J. Holzgrefe and Robert O. Keohane (Cambridge: Cambridge University Press, 2003), 18.

² Merriam-Webster Dictionary, "Government" <http://www.merriam-webster.com/dictionary/government> (accessed 27 February 2016).

³ "Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity." See in <http://www.un.org/en/preventgenocide/adviser/pdf/World%20Summit%20Outcome%20Document.pdf#page=30> (accessed 28 February 2016).

⁴ "Rudi Guraziu. "Is Humanitarian Military Intervention in the Affairs of Another State Ever Justified?" Atlantic-Community.Org (January 2008).

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