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 978-0-521-19027-5 - Humanitarian Intervention: A History  
 Brendan Simms and D. J. B. Trim  
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# 1 Towards a history of humanitarian intervention

*D. J. B. Trim and Brendan Simms*

If it bee objected . . . that God hath appointed limits and boundes to everie nation, and that we may not as it were thrust in our sickle into their harvest, neither is my counsell to the contrarie, that under pretence of ayde we should invade . . . an other nation, or chalenge their jurisdiction . . . but rather that we should cut short . . . any tyrant afflicting his own people, any king throwing downe the props and stayes of his common wealth.

*Vindiciae, contra tyrannos*, first English edition (1588)<sup>1</sup>

It is too late in the day . . . to tell us that nations may not forcibly interfere with one another for the sole purpose of stopping mischief and benefitting humanity.

John Stuart Mill, 1849<sup>2</sup>

Is it permissible to let gross and systematic violations of human rights, with grave humanitarian consequences, continue unchecked?

If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond . . . to gross and systematic violations of human rights that offend every precept of our common humanity?

Kofi Annan, UN Secretary-General, September 2000<sup>3</sup>

The essays in this book sketch out the long-term history of what, since the nineteenth century, has been termed ‘humanitarian intervention’ – that is, action by governments (or, more rarely, by organisations) to prevent or to stop governments, organisations, or factions in a foreign state from violently oppressing, persecuting, or otherwise abusing the human rights of people within that state. The problem of how to protect human rights and safeguard human security is one of the most persistent problems facing the international community; although the

<sup>1</sup> *VCT–Apologie* (1588), sig. B6; see Chapter 2, by D. J. B. Trim, below.

<sup>2</sup> J. S. Mill, ‘Vindication of the French Revolution of February 1848’ (1849); see Chapter 5, by John Bew, below.

<sup>3</sup> Kofi Annan, ‘Two Concepts of Sovereignty’, *The Economist*, 18 Sept. 1999, 49; ‘We the Peoples’: *The Role of the United Nations in the 21st Century*, report to the Millennium Assembly of world leaders, Sept. 2000 (UN, 2000), ch. iv, pt. C, para. 217 (available at [www.un.org/millennium/sg/report/full.htm](http://www.un.org/millennium/sg/report/full.htm)).

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‘dilemma of what to do about strangers who are subjected to appalling cruelty by their governments’ has been particularly pressing in the last hundred years, it is of a truly ancient vintage.<sup>4</sup> Attempts to find answers to this dilemma are also not new. However, until recently humanitarian intervention was treated as though it were a subject without a history.

The chapters that follow examine not only the first episodes that were called ‘humanitarian interventions’ by contemporaries, but also the concepts and practices from which intervention emerged and which, sometimes after considerable evolution, eventually fused to make the modern concept. They also consider concepts that stood in the way of concern for oppressed people groups, including the concept of sovereignty usually associated with the Peace of Westphalia in 1648 (often identified as the starting point for modern international relations), which almost 400 years later was (apparently) to be endorsed uncritically by the Charter of the United Nations. Because this book is a history, fifteen of the sixteen chapters that follow deal with events *before* 1980; one chapter considers the celebrated (or notorious) interventions of the 1990s in historical perspective. Most of the literature on humanitarian intervention, whether by academics, lawyers, activists, or policy-makers, has been focused on recent interventions. It is precisely for this reason that this book turns the spotlight away from recent events, to history.

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The term ‘humanitarian intervention’ lacks clarity, for both conceptual and practical reasons. The literature on intervention reflects a wide range of perspectives, written by scholars of ethics, philosophy, politics, international relations, international law, strategic studies, war studies and peace studies, and by policy practitioners and media commentators. The different presumptions and disciplinary perspectives they bring to the subject are often valuable, but inevitably lead to some conceptual confusion. But the lack of clarity is partly also because, in practice, it can be difficult to distinguish clearly between, for example, coercive diplomacy and ‘gunboat diplomacy’; armed participation in foreign civil wars, revolts, revolutions, and insurgencies; and peace-keeping, peace-enforcement, and armed distribution of humanitarian aid. The different types of involvement in another state’s affairs can blur into each other. As Rosenau observes: ‘So many diverse activities, motives, and consequences are considered

<sup>4</sup> Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2000), 1.

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to constitute intervention that the key terms of most definitions are ambiguous and fail to discriminate empirical phenomena'.<sup>5</sup>

Another common problem is that most definitions of humanitarian intervention, even ones proposed by scholars who take historical examples into account, seem to be primarily concerned with accurately describing interventions since the Second World War. As a result, there can be difficulties in trying to apply their definitions historically. This difficulty is compounded because the meaning of the word 'humanitarian' has changed.

While it has a relatively clear meaning today, it is a rather recent neologism. In the eighteenth century it was used purely theologically, in reference to questions about the humanity or divinity of Christ. In the senses in which it is most often used today, 'concerned with human welfare as a primary or pre-eminent good', or 'with humanity as a whole', and 'action on the basis of [these] concern[s] rather than for pragmatic or strategic reasons', both it and the cognate 'humanitarianism' date only to the mid-nineteenth century.<sup>6</sup> Thus, if by 'humanitarian' one intends to imply a reference to human rights and international human right law, then it self-defines humanitarian intervention as something only carried out since the mid- to late nineteenth century, when the concept of 'human rights' emerged. Yet this cuts it off from the concepts and praxis that gave rise to it – acceptable for a political scientist, perhaps, but not for an historian. In this book, several chapters examine interventions arising from concerns that *today* would be called humanitarian, or relate to what *now* would be called 'human rights' or 'crimes against humanity', but which were not called that in the past. This approach is essential if we are to have a truly historicised understanding of the origins of the modern concept and practice of what, since the nineteenth century, has been termed 'humanitarian intervention'.

In practice, moreover, actions termed (whether formally or informally) 'humanitarian interventions' have usually been undertaken in response to only certain kinds of humanitarian tragedy. When combined with 'intervention', 'humanitarian' typically refers to a response to mortality and brutality inflicted by humans on others, rather than accidentally arising from bacterial, viral, meteorological, or climatic caprice (though it is increasingly being argued that, where human failings in responding to so-called 'acts of God' result in considerably increased mortality, then a humanitarian intervention could be justified). However, if humanitarian, in the context of intervention, generally refers to concern about atrocities,

<sup>5</sup> James N. Rosenau, 'Intervention as a Scientific Concept', *Journal of Conflict Resolution* 13 (1969), 154–5.

<sup>6</sup> *OED*, s.v. 'humanitarian', A.3, B.2.a, 'humanitarianism', 2: the earliest usages it notes are from the 1840s or 1850s.

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the aims of humanitarian interventions can also relate to wider humanitarian concerns: ending tyranny, stopping slavery, or ensuring efficient and equitable delivery of disaster relief or general humanitarian aid.

The term ‘intervention’ has been much examined, especially by social scientists and lawyers, and for the purposes of this history there is no need to go into detail. We have taken a considerable number of definitions into account in defining, or describing, ‘humanitarian intervention’ as considered in this book. Despite their different academic disciplinary origins, most definitions have in common three key definitional aspects.<sup>7</sup> These are, as it were, the site, the subject, and the object of the action in question.<sup>8</sup> A humanitarian intervention is:

1. Carried out in, or intended to affect events within, a foreign state or states – it is an intervention;
2. Aimed at the government of the target state(s), or imposed on and only accepted reluctantly by it/them – it is thus coercive, albeit not necessarily involving use of force;
3. Intended, at least nominally (and at least to some extent actually), to avert, halt, and/or prevent recurrence of large-scale mortality, mass atrocities, egregious human rights abuses or other widespread suffering caused by the action or deliberate inaction of the *de facto* authorities in the target state(s).

Because humanitarian intervention involves at least a degree of compulsion of a state with regards to events within its sovereign territory, it can (at least in theory) be distinguished from wider ‘humanitarian action’ or

<sup>7</sup> Rosenau, ‘Intervention as a Scientific Concept’, 152–6; R. J. Vincent, *Nonintervention and International Order* (Princeton NJ: Princeton University Press, 1974), 3–13; Adam Roberts, *Humanitarian Action in War*, Adelphi Paper 305 (Oxford: Oxford University Press, 1996), 19; S. Neil MacFarlane, *Intervention in Contemporary World Politics*, Adelphi Paper 350 (Oxford and New York: Oxford University Press, 2002), 8–10, 13–16; J. L. Holzgrefe, ‘The Humanitarian Intervention Debate’, in J. L. Holzgrefe and Robert O. Keohane (eds.), *Humanitarian Intervention: Ethical, Legal and Political Dilemmas* (Cambridge: Cambridge University Press, 2003), 18; Thomas G. Weiss, *Humanitarian Intervention* (Cambridge and Malden, MA: Polity, 2007), 5–8; Eric A. Heinze, *Waging Humanitarian War: The Ethics, Law, and Politics of Humanitarian Intervention* (Albany: State University of New York Press, 2009), 2–9 (with explicit definitional statement at p. 7). Cf. Wheeler, *Saving Strangers*, 42–3, citing proposed criteria for legitimate interventions; Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All* (Washington, DC: Brookings Institution Press, 2008), 11–13, defining ‘mass atrocity crimes’; and the introductory comments of Davide Rodogno, in Chapter 7, below.

<sup>8</sup> Vincent identifies six defining features, and MacFarlane four: Vincent, *Nonintervention and International Order*, 4–12 (who intervenes, and the target, activity, types, purpose, and context of intervention); MacFarlane, *Intervention in Contemporary World Politics*, 9 (who intervenes, and where, how, and why they intervene).

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assistance, such as that carried out regularly by a range of religious groups and other non-state actors, as well as by state agencies.<sup>9</sup>

The key element is that one state, or a non-state actor, attempts to impose its will on another state or group within it. When a state acts in another state at the request of its government and with its cooperation, it is rarely controversial (at least internationally, rather than internally). When action in another state's affairs is imposed on its government, or occurs in its despite, then intervention is controversial (and, some argue, illegitimate). In consequence, just as humanitarian *action* can take place in a foreign state without *intervention*, so military action in a foreign state does not necessarily constitute intervention either. Where the government of a state, or a party claiming *de jure* or *de facto* authority in that state, invites a foreign power to provide military assistance to deal with a domestic situation, the response is not an intervention, unless there is a clear, credible rival authority, as in a civil war situation. Thus, the despatch, for example, of US Marines to Lebanon and British paratroopers to Jordan in 1958, of French troops to Gabon in 1964, and of French and Belgian troops to Zaire in 1978, were not interventions, as in each case the deployment of troops was approved and/or requested by the governments of the three states in question and no credible alternative authority existed or emerged.<sup>10</sup> In contrast, the United Nations action in Bosnia was an intervention, for though the Sarajevo government invited the UN in, and was widely recognised as the *de jure* authority, it governed less of Bosnia-Herzegovina than Croatian and Serbian separatists and especially the *de facto* government of the Serbian 'state' of Krajina, which objected to the UN presence. The UN thus effectively intervened in a civil war, rather than helping a state to quell internal dissent.<sup>11</sup>

Humanitarian intervention has almost always been perceived as breaking the 'conventional pattern of international relations'.<sup>12</sup> This has been true even when, as has often been the case, intervention has been regarded as perfectly licit within international law; it was still regarded as a last, rather than first, resort. From the authors of late

<sup>9</sup> Howard Adelman, 'The Ethics of Humanitarian Intervention: The Case of the Kurdish Refugees', *Public Affairs Quarterly* 6 (Jan. 1992), 62.

<sup>10</sup> Vincent, *Nonintervention and International Order*, 6; MacFarlane, *Intervention in Contemporary World Politics*, 13–14; and ICISS, *The Responsibility to Protect*, 2 vols. (Ottawa: International Development Research Centre, 2001), vol. II: *Research, Bibliography, Background: Supplementary Volume to the Report of the International Commission on Intervention and State Sovereignty*, 56–7.

<sup>11</sup> See Matthew Jamison, Chapter 16, below.

<sup>12</sup> Vincent, *Nonintervention and International Order*, 13.

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sixteenth-century treatises on the ‘Law of Nations’, described in Chapter 2, to the European statesman planning the nineteenth-century humanitarian interventions examined in Chapters 7–9, to the Vietnamese contemplating their Cambodian intervention in 1978–9, described in Chapter 15, intervention has been seen as an extreme step, to be taken only in an emergency. Indeed, as R. J. Vincent observes, it is typically carried out in response to ‘extraordinary oppression’ – ordinary oppression, persecution, and state violence have been sufficiently common that it takes the perception of extreme violence to motivate action! By its nature, then, humanitarian intervention is likely to be controversial.

There is a final point. While it is true that generally the literature of ‘intervention focuses on military action’, even scholars who define intervention in military terms concede that it may well involve political and economic, as well as military, action.<sup>13</sup> Economic power can be used to compel, instead of (or as well as) military power (and economic assistance can be supplied by non-state actors). Diplomatic initiatives can be effective. At times the threat *not* to use force on behalf of a state with which an intervening state might otherwise ally can also be an effective instrument to prescribe action. Yet if the Westphalian principles of sovereignty are truly normative, as many political scientists and international lawyers aver, then even diplomatic interference in a nation-state’s affairs could be considered illegitimate. Diplomacy and the threat or use of force are properly conceived not as dichotomous alternatives, but as points on a spectrum.

This view is reinforced by what the chapters in this book indicate about the interrelationship of force and diplomacy.

1. The use of military force has usually been preceded by diplomatic intercession.
2. When a violent, or human rights-abusive, state has halted repressive actions with no coercive force used against it, it has often been partly or wholly because use of force had been threatened.
3. On some occasions military or naval forces have been deployed without hostilities breaking out, though this eventuality was far from certain at the time.

Moreover, even when armed force is used, different types of action are involved; and again, the boundaries between them and diplomatic or economic action may be blurred. These include:

<sup>13</sup> For example, MacFarlane, *Intervention in Contemporary World Politics*, 13; Holzgrefe, ‘The Humanitarian Intervention Debate’, 18.

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- (a) Overt 'humanitarian war' between states, as arguably took place between India and Pakistan in 1971, Tanzania and Uganda in 1978–9, and Vietnam and Cambodia in the same years (the latter the subject of Chapter 15).
- (b) The despatch of expeditionary forces whose objectives include using force to compel cessation of atrocities and oppression, as happened in Greece in the 1820s and Cuba in 1898–9 (see Chapters 5 and 13).
- (c) Deployment of military and/or naval forces *after* atrocities or violence in order to prevent recurrence and maintain peace, as happened for example in Lebanon and Syria in 1860–1 (Chapter 7), in Haiti in 1994, and in Kosovo in 1999 (Chapter 16).
- (d) Employment of military forces to protect and manage distribution of humanitarian aid, as for example in Lebanon and Syria in 1861 (Chapter 7) and Somalia in 1991–2.
- (e) Targeted use of naval or military force against specific actors or types of activity, as in British action against the slave trade in West Africa in the early nineteenth century and in East Africa and the Middle East in the late nineteenth and early twentieth centuries (Chapters 10–11).
- (f) Limited demonstrations of force, as threats to persuade an unwilling government to accept terms, as happened in the Ottoman Empire in 1905 (Chapter 9).
- (g) The provision of military training, supplies and sometimes troops to oppressed and victimised people groups, as by the English government in the Netherlands and France in the sixteenth century (Chapter 2) and some Anglo-American missionary groups in the Sudan in the twentieth century (Chapter 12).

In sum, to confine 'debates about humanitarian intervention to its military dimensions' will be too often to separate 'arbitrarily ... issues that in practice overlap'.<sup>14</sup>

For all these reasons, the chapters that follow consider sustained actions to end oppression, tyranny, persecution, or human rights abuses in another state, where the action was against the will of the government, its ruling elites, or a predominant faction or party, regardless of whether that action was diplomatic, logistical, economic, or military-naval.

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Having set out what is being considered here, it is important to note the way in which it is treated: historically. This is not the definitive

<sup>14</sup> Paul Williams, review of Jennifer Welsh (ed.), *Humanitarian Intervention and International Relations* (Oxford: Oxford University Press, 2004), in *International Affairs* 80 (2004), 541.



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history of humanitarian intervention. But one of its goals is to stimulate more treatment of intervention by historians, in the hopes that soon a definitive synthesis will become possible. For to a great extent, humanitarian intervention has been treated as though it did not have a history.

For a decade after the end of the Cold War, even while humanitarian interventions proliferated, analysts tended to argue that they represented a fundamental breach with the rules that had hitherto governed relations between states, and yet did so largely in the absence of 'systematic historical' analysis.<sup>15</sup> From prominent proponents of intervention, such as Michael Ignatieff, to celebrated opponents, such as Noam Chomsky, to more ambivalent commentators, such as Samantha Power (the distinguished writer on genocide), it was taken for granted that both the term and the very concept of 'humanitarian intervention' were recent inventions without any real history.<sup>16</sup> However, assertions that 'humanitarian intervention' originated after the end of the Cold War, and that interventions on behalf of endangered foreign populations to prevent human rights abuses are a creation of the 1990s, betray an almost astonishing lack of historical awareness.

However, in the last decade there has been an increasing awareness that the history of humanitarian intervention did not begin in the 1990s. The Independent Commission on Intervention and State Sovereignty (ICISS), whose 2001 report originated the influential concept that nation-states individually and collectively have a 'Responsibility to Protect' citizens from a range of crimes against humanity, included in that report explicit recognition of the importance of the 'historical, political and legal context' of 'the long history [of] "humanitarian intervention"'.<sup>17</sup> The Global Centre for the Responsibility to Protect (based at

<sup>15</sup> Herbert K. Tillema, review of Stephen A. Garrett, *Doing Good and Doing Well: An Examination of Humanitarian Intervention* (Westport, CT: Praeger, 1999), in *American Political Science Review* 94 (2000), 990–1.

<sup>16</sup> Ignatieff is explicit that it originated in 1991, then was shaped by events in Bosnia in the next three years: *Empire Lite: Nation-building in Bosnia, Kosovo and Afghanistan* (London: Vintage, 2003), 57–9; cf. *Virtual War: Kosovo and Beyond* (New York: Picador, 2000), 163. In her article, 'Is Humanitarian Intervention Dead? History Offers some Sobering Lessons', *Slate Magazine*, 29 Sept. 2008 ([www.slate.com/id/2200971](http://www.slate.com/id/2200971)), Power concurs with Ignatieff. As for Chomsky, while he rejects the ethicality, much less legality, of intervention, he consistently conducts debate in the same limited chronological terms, occasionally briefly considering the 1960s and 1980s, but remaining focused on the interventions of the 1990s: see his 'Humanitarian Intervention', *Boston Review*, Dec. 1993–Jan. 1994 (copy available at [www.chomsky.info/articles/199401-02.htm](http://www.chomsky.info/articles/199401-02.htm)); and 'Humanitarian Imperialism: New Doctrine of Imperial Right', *Monthly Review*, Sept. 2008 ([www.monthlyreview.org/080908chomsky.php](http://www.monthlyreview.org/080908chomsky.php)).

<sup>17</sup> ICISS, *The Responsibility to Protect*, vol. I: *Report of the International Commission on Intervention and State Sovereignty*, 6, 9 (paras. 1.25, 1.39), cf. 84 (App. B).



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the Ralph Bunche Institute for International Studies, City University of New York) replies to the question 'Is R2P really new?' with the statement 'No. The core underlying idea that states have an obligation to protect men and women from the worst atrocities is well established.' It then goes on to cite the UN Convention on Genocide of 1948, and the body of international human law governing the treatment of civilians during armed conflict. What R2P added, the Centre continues, was simply the acceptance of a 'collective responsibility' to act against genocide, ethnic cleansing, war crimes, or crimes against humanity. It was thus a development of a longstanding concept of 'humanitarian intervention'.<sup>18</sup>

Scholars and practitioners of international law, especially legal historians, have long been aware that the term 'humanitarian intervention' dated to the nineteenth century, and they had integrated debates over the nineteenth-century precedents into analysis of the legal status of intervention. Unfortunately, most of their studies are not widely known; they have limited applicability, being largely focused on questions of legal interpretation; and they are part of an essentially internal disciplinary debate. As Sir Adam Roberts neatly summarises, even though 'substantial discussion among international lawyers' continued in the last three decades of the twentieth century over 'the question of whether humanitarian intervention could ever be compatible with the [UN] Charter', in particular, or international law more generally, 'this was mainly a debate among schoolmen, especially American schoolmen, and until recent times had relatively little impact on national or international practice'.<sup>19</sup> In the twenty-first century, Simon Chesterman's superb study of humanitarian intervention and international law broadened the context of legal history, taking a comprehensive approach, albeit one still anchored in legal texts, rather than in state practice.<sup>20</sup>

In addition, more and more social scientists writing on humanitarian intervention now take the history of the concept into account. Thus, Nicholas J. Wheeler, in his path-breaking *Saving Strangers: Humanitarian Intervention in International Society*, briefly highlights the fact that legal historians trace the notion back to Hugo Grotius in the seventeenth century and lists some nineteenth- and twentieth-century precedents

<sup>18</sup> See the Centre's website: [www.GlobalCentreR2P.org](http://www.GlobalCentreR2P.org).

<sup>19</sup> Adam Roberts, 'Humanitarian War: Military Intervention and Human Rights', *International Affairs* 69 (1993), 434. Cf. Wheeler, *Saving Strangers*, 2: 'there has been little interchange between the disciplines of international relations and international law'.

<sup>20</sup> Simon Chesterman, *Just War or Just Peace? Humanitarian Intervention and International Law* (Oxford: Oxford University Press, 2001).

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ranging from the Greek Revolt of the 1810s–1820s, to Bangladesh, Cambodia, and Uganda in the 1970s.<sup>21</sup> J. L. Holzgrefe has a similar listing in an important chapter in *Humanitarian Intervention: Ethical, Legal and Political Dilemmas*.<sup>22</sup> Likewise, Jennifer Welsh is an expert on Edmund Burke and thus familiar with some of the historical roots of the phenomenon, even if this knowledge is not much to the fore in her edited collection on *Humanitarian Intervention and International Relations*.<sup>23</sup> Historical sociologists are increasingly applying their disciplinary perspective to International Relations, including to issues related to intervention, such as sovereignty; their emphasis that ‘history matters’ holds out considerable promise of ‘a more nuanced, complex’ understanding ‘of the principal causal flows that lie at the heart of world historical development’.<sup>24</sup> One history of nineteenth-century humanitarian intervention, based on detailed archival research, has recently been published by Gary Bass and another, by Davide Rodogno, has recently been completed.<sup>25</sup>

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We believe, however, that these works, welcome as they are, do not yet permit a synthesis of the history of humanitarian intervention. Any claims to have established its history are premature and incomplete.

Gary Bass’s recent *Freedom’s Battle* unquestionably is a valuable first step towards a more comprehensive history. The tradition of humanitarian intervention, he points out, ‘once ran deep in world politics [and] . . . is anything but new’.<sup>26</sup> The author begins with the Greek revolt, and moves via the intervention in Syria of the 1860s and the Bulgarian agitation of the 1870s to the beginning of the Armenian question; he thus ends where Samantha Power’s *Problem from Hell* starts.<sup>27</sup> Bass anticipates some of the points made here: the importance of the press (pp. 31–8); the ‘flexible’ view of sovereignty which made interventions possible in the past (p. 352); the occasionally ‘paralysing’ effect of

<sup>21</sup> Wheeler, *Saving Strangers*, 45 *et passim*.

<sup>22</sup> Holzgrefe, ‘The Humanitarian Intervention Debate’, 45–7.

<sup>23</sup> Welsh (ed.), *Humanitarian Intervention and International Relations*.

<sup>24</sup> George Lawson, ‘The Promise of Historical Sociology in International Relations’, *International Studies Review* 8 (2006), 397–423, at 415; cf. George Lawson and Robbie Shilliam, ‘Beyond Hypocrisy? Debating the “Fact” and “Value” of Sovereignty in Contemporary World Politics’, *International Politics* 46 (2009), 657–70.

<sup>25</sup> Gary Bass, *Freedom’s Battle: Origins of Humanitarian Interventionism* (New York: Alfred Knopf, 2008); Davide Rodogno, *Humanitarian Interventions during the Nineteenth Century: British and French Forcible Interventions in the Ottoman Empire (1820–1909)* (Rome: Laterza, forthcoming).

<sup>26</sup> Bass, *Freedom’s Battle*, 3.

<sup>27</sup> Samantha Power, *A Problem from Hell: America and the Age of Genocide*, 3rd edn (New York: Harper Perennial, 2003).