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Mark Swatek-Evenstein  
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## A HISTORY OF HUMANITARIAN INTERVENTION

The question of ‘humanitarian intervention’ has been a staple of international law for around 200 years, with a renewed interest in the history of the subject emerging in the last twenty years. This book provides a chronological account of the evolution of the discussion and uncovers the fictional narrative provided by international lawyers to support their conclusions on the subject, from justifications and arguments for ‘humanitarian intervention’, the misrepresentation of Great Power involvement in the Greek War of Independence in 1827, to the ‘humanitarian intervention that never was’, India’s war with Pakistan in 1971. Relying on a variety of sources, some of them made available in English for the first time, the book provides an undogmatic, alternative history of the fight for the protection of human rights in international law.

MARK SWATEK-EVENSTEIN is a scholar and lawyer specialising in criminal law, immigration, and refugee law. He is a member of the International Network of Genocide Scholars and has taught courses on ‘The Holocaust and The Law’. His current research focuses on the minority experience in international law.

# A History of Humanitarian Intervention

MARK SWATEK-EVENSTEIN



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*Because night has fallen and the barbarians haven't come.*

*And some of our men just in from the border say there are no  
barbarians any longer.*

*Now what's going to happen to us without barbarians?*

*Those people were a kind of solution.*

(C. P. Cavafy, *Waiting for the Barbarians*)

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## Acknowledgements

This book is the updated and expanded version of my German-language book *Geschichte der 'Humanitären Intervention'*, published roughly ten years ago. What began as a relatively straightforward intention to translate the book into English so it could reach a wider audience ultimately grew in scope. At the same time, progress on this project was hampered by my ongoing work outside academia as a lawyer for refugees and other migrants. My experience working with people who came to Europe and, more specifically to Germany, not only during the so-called migration crisis of 2015, but also before and after, has significantly informed the content of this book. To paraphrase a political pop song from the 1980s, 'we can talk of humanitarian intervention all day long, but if we fail to organise, we'll waste our lives on protest songs'.

In the following pages, I hope to show that talk of 'humanitarian intervention' has always been disproportionate to any meaningful 'humanitarian' action in the face of man-made disasters, civil wars, state brutality and oppression. And to this day, the victims of such atrocities face major obstacles in their efforts to gain international protection. How meaningful is our discussion about the legality of potential efforts to use force to prevent people from becoming victims if our record of helping actual victims of these atrocities is what it is?

All the mistakes and inaccuracies in this book are my own, but a number of people helped to turn the manuscript into its final form and I would like to express my gratitude to them, in no particular order: Marianna Evenstein, Anja Henebury, Paul Hockenos, Jenny Kohn, Sam Reid, Lisa Rosson, Michelle Standley, Aderet Furer, and everybody at Cambridge University Press. My work also greatly benefitted from the opportunity to attend a conference organised by Professor Dr. André Nollkaemper and participate in a panel organised by Professor Dr. Jessica Gienow-Hecht. This book would never have been possible without the support of Elizabeth Spicer. Thank you very much.