

To what extent have post Cold War Western interventions been driven by humanitarian norms?

The end of the Cold War signalled the emergence of the United States as the world's only superpower, a Western global hegemon heading a new unipolar world order. As the 1990s introduced a new era of Western liberalism, the international doctrine of human rights became enshrined in international law more so than during the Cold War as the United Nations (UN) became far more proactive in its protection and extension of human rights. Intervention is defined by Francis Kofi Abiew as one state actively interfering in the domestic affairs of another, traditionally for two reasons: because the state in question was adopting a domestic policy that threatened the other; or because the interfering state put pressure on another state to change the way it treated their citizens for material or security interests<sup>1</sup>. Both of these reasons for intervention changed in the post Cold War era as a more powerful UN backed by the world's only global hegemon was able to push for intervention for the protection and enforcement of human rights across the globe – these interventions, nearly all spearheaded by Western states, were driven by humanitarian norms that had taken root in global institutions during the 1990s. In this essay I will argue that, to a large extent, western interventions since the end of the Cold War have been driven by humanitarian norms and I shall discuss the reasons for humanitarian norms leading interventions and evaluate the validity of opposing arguments.

To begin with, the leading theory in constructivist writings on humanitarian norms emphasise the theory of epistemic communities. The theory argues that a colourful variety of actors, from scholars and heads of state to the media and non-governmental organisations (NGOs), all contribute to the flow of ideas that circulate the geopolitical realm – these ideas influence norms and trends in global politics. Abiew argues that members of the community actively play direct or indirect roles in the coordination of policy influencing global actors through the spread of ideas and theories<sup>2</sup> and Peter Haas states that “epistemic communities may contribute to the creation and maintenance of social institutions that guide international behaviour”<sup>3</sup>. Humanitarian norms have been at the forefront of this theory since the end of the Second World War as seen in the 1948 Universal Declaration of Human Rights and the 1949 European Convention on Human Rights. Geoffrey Robertson sees the post Cold War as the third age of human rights, a time where the popular media and a common western belief in a stronger international justice system play key roles in showing the direction of western foreign policy<sup>4</sup> and it is fair to argue that the end of the Cold War and events surrounding the First Gulf War have actively altered the perceptions of state behaviour<sup>5</sup>, particularly when mirroring this trend with the traditional institution of state sovereignty (which will be discussed further on). The theory of epistemic communities acts as a strong aid to understanding why humanitarian norms came to dominate the foreign policy of many western states since the end of the Cold War and can be regarded as the strongest argument in support for the majority of post Cold War western interventions being driven by humanitarian norms. A case study that supports the theory of epistemic communities is the 1991 intervention in northern Iraq: NGOs, helped by a domestic climate that favoured intervention, were able to put a large amount of pressure upon the Bush administration to support the Kurds who were being oppressed<sup>6</sup>. In addition to the effort of NGOs, as the First Gulf War changed global perceptions of state behaviour<sup>7</sup> intervention in northern Iraq was considered legitimate – the traditional institution of state sovereignty was placed second to human rights, a defining change in state behaviour. The combined effort of NGOs, public opinion and state perceptions allowed the humanitarian intervention in northern Iraq to take place and the norms driving the collective action were certainly driven by humanitarianism.

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<sup>1</sup> Francis Kofi Abiew, *The Evolution of the Doctrine and Practice of Humanitarian Intervention*, (The Hague, 1999) pp. 21-22.

<sup>2</sup> *Ibid*, pp.14-15.

<sup>3</sup> Peter M Haas, ‘Introduction: Epistemic Communities and International Policy Coordination’, *International Organization* 46 (1992), 4.

<sup>4</sup> Geoffrey Robertson, *Crimes Against Humanity, The Struggle for Global Justice*, (Ringwood, 1999) p.450.

<sup>5</sup> Francis Kofi Abiew, *The Evolution of the Doctrine and Practice of Humanitarian Intervention*, (The Hague, 1999) p.137.

<sup>6</sup> *Ibid*, p.260.

<sup>7</sup> *Ibid*, p.137.

However there is a counterargument that some international relations scholars advocate over the theory of epistemic communities, with the realist school of thought being particularly critical. It is important to note that arguably the most controversial intervention since the end of the Cold War, the 2003 invasion of Iraq, was not driven by humanitarian norms. Realists, and others equally critical of the epistemic communities theory, argue that the occurrence of the Iraq war proves that state self-interest in an anarchical system remains the most dominant norm in global politics; moreover, the negligence of the situation in Syria again reveals the international community's reluctance to intervene when it does not suit them – realists emphasise the selective nature of humanitarian intervention<sup>8</sup> which shows that changes in norms and ideas have very little effect on the nature of the world system. Despite their persuasive argument, realists fail to understand the full consequences of the end of the Cold War upon the international community. In his speech to the General Assembly (GA) in 1999, following the end of the Kosovo intervention, Kofi Annan remarked: “state sovereignty, in its most basic sense, is being redefined – not least by the forces of globalisation and international cooperation”<sup>9</sup> – Annan identifies that those critical of humanitarian reasons for intervention fail to address the effect of globalisation upon state security. Michael Barnett explains this point in more depth: “a striking feature of post Cold War security dialogue is that policymakers are not advocating a return to alliances and balances of power to maintain the peace but rather are exploring how multilateral mechanisms and security institutions can reduce uncertainty and fear and offer confidence-building measures and other devices that might cultivate trust”<sup>10</sup>. The noticeable change in security dialogue and international diplomacy reflect the emergence of norms and ideas that the epistemic communities theory stresses, therefore the majority of post Cold War western interventions were driven by humanitarian norms as the increase in the use of multilateral mechanisms combine with the western desire to protect human rights on a global scale.

While the epistemic communities theory explains the emergence of humanitarian norms, the liberal school of thought strongly advocates the effect that humanitarian norms have had on international law. Christopher Greenwood writes, “The law on humanitarian intervention has changed both for the United Nations and for individual states. It is no longer tenable to assert that whenever a government massacres its own people or a state collapses into international anarchy that law forbids military intervention altogether”<sup>11</sup>; writing in 1993 Greenwood takes part in a flourishing of liberal writings on the changing nature of international law and in so doing promoting the legitimacy of humanitarian intervention. Anne Orford emphasises the point that an emerging form of international law and a post Cold War internationalist spirit made justification for intervention possible, and that United Nations Security Council (UNSC) action on the doctrine of ‘collective humanitarian security’ was being placed into international law by liberal thinking lawyers<sup>12</sup>. Many interventions, particularly some in the 1990s, were declared to be legitimate by international law as they acted on the principle of humanitarian intervention – the legality enabled via the acceptance of humanitarian norms. The use of international law to justify intervention as humanitarian can be seen in the 1992 to 1995 interventions in Bosnia: the hundreds of thousands killed and two million displaced in the civil war following Bosnian independence in March 1992 prompted the UNSC to pass Resolution 770 in August 1992, placing UN boots on the ground, followed by the UNSC approving the use of North Atlantic Treaty Organisation (NATO) forces to intervene on the grounds of humanitarian intervention<sup>13</sup>. International law allowed the UNSC to authorise NATO intervening as it deemed the intervention to be driven by humanitarian aims.

Even though liberals stress the importance of how changes in international law promote humanitarian aims of intervention, realists argue that state self-interest and balancing power are factors that cause states to essentially ignore international law. A case study supporting this theory is the 1999 intervention in Kosovo where NATO forces took action against the Serbian government without authority from international law – realists argue that this was to protect Europe from mass migration and to secure the power vacuum left by

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<sup>8</sup> Andrew Heywood, *Global Politics*, (Basingstoke, 2011) p.328.

<sup>9</sup> Kofi Annan, *We The Peoples: a UN for the 21<sup>st</sup> Century*, (Boulder, 2014) p.207.

<sup>10</sup> Michael N. Barnett, *The International Humanitarian Order*, (Oxon, 2010) p.65.

<sup>11</sup> Christopher Greenwood, ‘Is there a Right of Humanitarian Intervention?’, *The World Today*, 49 (1993) 40.

<sup>12</sup> Anne Orford, *Reading Humanitarian Intervention*, (Cambridge, 2003) pp.2-3.

<sup>13</sup> Francis Kofi Abiew, *The Evolution of the Doctrine and Practice of Humanitarian Intervention*, (The Hague, 1999) pp.180-181.

the decline of the Soviet Union. Furthermore, “the desire for revenge is human”<sup>14</sup> is an argument also used by realists to explain why NATO considered martial law and suspension of some human rights in its action in Kosovo. However despite the realist traditional argument that is supported by conservative international lawyers who advocate the principle of sovereignty<sup>15</sup>, liberals stress more modern international law as dominating the legality debate of intervention; the realist view of the Kosovo intervention is countered by Cora Bell who states: “NATO powers were appealing to a newer norm, with a more recent formal endorsement in international law”<sup>16</sup> – this norm, the norm of humanitarian intervention that transcends state borders, is the driving norm of changes to international law (also, NATO action in Kosovo was seen as legitimate by UN Secretary General Kofi Annan<sup>17</sup>). Furthermore, since the end of the Cold War changes in international law have included strengthening institutions such as the International Court of Justice (ICJ) and the International Criminal Court (ICC)<sup>18</sup>. The desires by western states to establish justice for the victims of crimes against humanity reflect a desire to defend human rights to the point of intervention. Moreover, international law’s constant adaption to fit the UN’s Responsibility to Protect (R2P) criteria represents how human rights are now a culture of national and international accountability<sup>19</sup>.

In addition to the epistemic communities theory and changes in international law, some scholars also stress the importance of intra-state conflicts in prompting post Cold War western interventions. The increase in intra-state conflicts since 1990 solidify Mary Kaldor’s ‘new war’ theory where she argues that ‘new wars’ involve the increase of within-state conflict, asymmetrical warfare, the blurring of soldier and civilian boundaries, the tactical use of organized crime (such as terrorism) and, most importantly, wide-spread violations of human rights<sup>20</sup>. The tactics used by states in a ‘new war’ theatre violate international law and go against established humanitarian norms, thus providing legitimacy for intervention. A case study displaying how intra-state conflict has prompted humanitarian intervention is the 2011 intervention in Libya: once the civil war between Colonel Gaddafi’s forces and rebel forces reached crisis point with human rights violations on the part of Gaddafi’s troops, the UNSC passed Resolution 1973 under Chapter VII of the UN Charter<sup>21</sup>. Not only did this allow a legal intervention by a coalition of the willing led by NATO, but also intervention was driven by humanitarian aims of ending violence toward Libyan civilians. Despite the fact that interventions such as Libya were given UN authorisation on the grounds of humanitarian intervention, realists and others critical of humanitarian norms driving western interventions again reiterate their argument that intervention only occurs when it matches the interests of the intervening states. An example supporting this view is the failure of the UN to intervene in Rwanda in 1994: the wide spread genocide against the Tutsi population in Rwanda marks one of the bloodiest intra-state conflicts in modern African history, yet the UN failed to intervene until it legalised French military action in June 1994<sup>22</sup>. Realists argue that Rwanda, as a small African state, was of minor concern to the west, which is why UN intervention was too little too late. Moreover, some post-colonial theorists argue that intervention in Rwanda was delayed because western intervention mirrors imperial culture – western states had no imperial interest in Rwanda, therefore intervention was not a major concern<sup>23</sup> (unlike northern Iraq in 1991). Although those critical of the nature of intra-state conflicts in prompting humanitarian intervention present a strong argument, lessons learnt from tragic cases such as Rwanda have enabled the UN to respond quicker to humanitarian crises – in the case of Libya for example the UN enacted a “no-fly zone explicitly

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<sup>14</sup> William G. O’Neill, *Kosovo: an Unfinished Peace*, (Boulder, 2002) p.51.

<sup>15</sup> Anne Orford, *Reading Humanitarian Intervention*, (Cambridge, 2003) p.41.

<sup>16</sup> Albrecht Schnabel (ed.), Ramesh Thakur (ed.), *Kosovo and the Challenge of Humanitarian Intervention*, (Tokyo, 2000) p.451.

<sup>17</sup> Kofi Annan, *We The Peoples: a UN for the 21<sup>st</sup> Century*, (Boulder, 2014) p.206.

<sup>18</sup> Andrew Heywood, *Global Politics*, (Basingstoke, 2011) pp.339-344.

<sup>19</sup> ICISS, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, (Ottawa, 2001) p.14.

<sup>20</sup> Mary Kaldor, *New and Old Wars: Organized Violence in a Global Era*, (Cambridge, 2012) p.2.

<sup>21</sup> Tim Dunne, Jess Gifkins, ‘Libya and the State of Intervention’, *Australian Journal of International Affairs*, 65 (2011) 522.

<sup>22</sup> Francis Kofi Abiew, *The Evolution of the Doctrine and Practice of Humanitarian Intervention*, (The Hague, 1999) pp.193-200.

<sup>23</sup> Anne Orford, *Reading Humanitarian Intervention*, (Cambridge, 2003) pp.47-51.

authorised for civilian protection”<sup>24</sup>. The very nature of contemporary intra-state conflicts provides legitimate circumstances for humanitarian intervention and the human rights violations caused by ‘new war’ military tactics fit the criteria for intervention justified by humanitarian norms and international law.

Post Cold War western interventions have had varying degrees of success, but what this essay has discussed is the motives for intervention in the first place. Since the dawn of the liberal world order in the 1990s, humanitarian norms have become the forefront of much western foreign policy alongside the UN becoming active on an entirely global scale, defending the principles of the UN Charter through necessary intervention. The theory of epistemic communities provides us with the most thorough explanation for the revolution in human rights enforcement as western democratic states are influenced by scholarly writings, NGOs, the media, and public opinion; the acceptance of these humanitarian norms is reflected in the changes to international law that act as formal legitimisation for western interventions. Finally, the nature of contemporary intra-state conflicts create conditions that allow for legal, legitimate humanitarian intervention, these interventions nearly always driven by the democratic states of the west.

## Bibliography

- Abiew, FK, *The Evolution of the Doctrine and Practice of Humanitarian Intervention*, (The Hague, 1999).  
Annan, K, *We The Peoples: a UN for the 21<sup>st</sup> Century*, (Boulder, 2014).  
Barnett, MN, *The International Humanitarian Order*, (Oxon, 2010).  
Dunne, T, Gifkins, J, ‘Libya and the State of Intervention’, *Australian Journal of International Affairs*, 65 (2011).  
Greenwood, C, ‘Is there a Right of Humanitarian Intervention?’, *The World Today*, 49 (1993).  
Haas, PM, ‘Introduction: Epistemic Communities and International Policy Coordination’, *International Organization* 46 (1992).  
Heywood, A, *Global Politics*, (Basingstoke, 2011).  
ICISS, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, (Ottawa, 2001).  
Kaldor, M, *New and Old Wars: Organized Violence in a Global Era*, (Cambridge, 2012).  
O’Neill, WG, *Kosovo: an Unfinished Peace*, (Boulder, 2002).  
Orford, A, *Reading Humanitarian Intervention*, (Cambridge, 2003).  
Robertson, G, *Crimes Against Humanity, The Struggle for Global Justice*, (Ringwood, 1999).  
Schnabel, A (ed.), Thakur, R (ed.), *Kosovo and the Challenge of Humanitarian Intervention*, (Tokyo, 2000).

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<sup>24</sup> Tim Dunne, Jess Gifkins, ‘Libya and the State of Intervention’, *Australian Journal of International Affairs*, 65 (2011) 522.

