

Humanitarian responsibilities and interventionist claims in international society

ALEX J. BELLAMY

Abstract. This article calls for a widening of the debate about humanitarian intervention to incorporate insights from constructivism, ‘Welsh School’ Critical Security Studies, and critical approaches to Third World International Relations. After identifying a series of problems with the contemporary debate, which is dominated by the English School, it calls for a broadening of the concept of intervention and suggests a need to rethink the meaning of humanitarianism and terms such as the ‘supreme humanitarian emergency’.

What is the relationship between humanitarianism and interventionist acts in international society? Does failure to prevent violent conflict and ambivalence to the silent suffering of millions through malnutrition and poverty call the humanitarian credentials of the so-called ‘new humanitarian interventionism’ into question? Should we think instead of an insidious ‘new military humanism’ that employs the rhetoric of human solidarity to legitimise the violent pursuit of the interests of the rich?¹ In recent years, debates about the legitimacy and efficacy of humanitarian intervention have predominantly been the domain of the English School or ‘International Society’ approach to International Relations. Their concern with the relationship between principles of order and justice and the questions of legitimacy and norm construction in international society correlate with the dilemmas commonly associated with intervention. The central debate in the English School is one between pluralists who argue that state sovereignty and the principle of non-intervention are sacrosanct and solidarists who argue that state sovereignty is not ontologically prior to humankind and that a universal solidarity exists between humans.²

The debate between pluralists and solidarists has shaped debates about the theory and practice of humanitarian intervention. Solidarists argue that a new norm of intervention in times of supreme humanitarian emergency has been created, whilst

¹ The term ‘new military humanism’ is Noam Chomsky’s. See Noam Chomsky, *The New Military Humanism: The Lessons From Kosovo* (London: Pluto, 1999). A similar argument is put forward by Ken Booth in ‘Military Intervention: Duty and Prudence’ in Lawrence Freedman (ed.), *Military Intervention in European Conflict* (Cambridge: Blackwell, 1994). The echoes of E. H. Carr are unmistakable. Carr argued that universal moral values were nothing other than the interests of the powerful masquerading as universalism. E. H. Carr, *The Twenty Year’s Crisis 1919–1939* (London: Macmillan, 1939).

² See Nicholas J. Wheeler, ‘Pluralist or Solidarist Conceptions of International Society: Bull and Vincent on Humanitarian Intervention’, *Millennium: Journal of International Studies*, 17:2 (1992), Tim Dunne, *Inventing International Society: A History of the English School* (Oxford: Macmillan St. Anthony’s Series, 1998), Robert Jackson, *The Global Covenant: Human Conduct in a World of States* (Oxford: Oxford University Press), Fernando Tesón, *Humanitarian Intervention: An Enquiry into Law and Morality* (Dobbs Ferry: Transnation, 1988), R. J. Vincent, *Non-Intervention and International Order* (Princeton, NJ: Princeton University Press, 1974), and R. J. Vincent and P. Wilson, ‘Beyond Non-Intervention’ in Ian Forbes and Stanley Hoffmann (eds.), *Political Theory, International Relations and the Ethics of Intervention* (Basingstoke: Macmillan, 1993).

pluralists continue to argue that individual acts of intervention are illegitimate because they breach the fundamental rule of international society: the principle of non-intervention. Recently, however, several writers have identified shortcomings with the scope of the debate as a whole. Writers from a variety of intellectual traditions have identified four key problems with the debate.

First, there remains a disjuncture between discourses of human rights and continuing practices of human wrongs.³ Second, there is a deep contradiction between the supposed norm of non-intervention and the consistent interventionist practices of states.⁴ Third, the normative quality of state sovereignty is paradoxical. On the one hand, pluralists tell us that states are a moral good in themselves because the *raison d'état* is the guarantee of human welfare and security. On the other hand, the non-intervention rule effectively protects the state even if it threatens its citizens' welfare and security. Finally, states are inconsistent in the way they interpret the relationship between sovereignty and human rights. In some cases, some states argue that massive human rights abuse creates a legitimate exception to the non-intervention rule. In other similar cases, those same states will argue that sovereign prerogatives deny the possibility of armed intervention.⁵

One of the central problems with the pluralism-solidarism debate is that it is self-referential and tends to assume that it constitutes the limit of possibility in thinking about the theory and practice of humanitarian intervention. To date, therefore, there have been few conversations between adherents to the English School approach to intervention and their critics. This article seeks to address these problems by opening a conversation between English School approaches to humanitarian intervention and their critics. It asks what perspectives emanating from constructivism, the 'Welsh School' of Critical Security Studies⁶ and critical approaches to Third World International Relations⁷ can contribute to the way we

³ Tim Dunne and Nicholas J. Wheeler, 'Introduction: Human Rights and the Fifty Years' Crisis', in Tim Dunne and Nicholas J. Wheeler (eds.), *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), p. 1.

⁴ See Stephen Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999).

⁵ Lori Fisler Damrosch, for instance, argues that, 'critics of international law complain that a system can hardly qualify as "law" when its rules are enforced only selectively and only in accordance with the preferences of great powers'. See Lori Fisler Damrosch, 'The Inevitability of Selective Response? Principles to Guide Urgent International Action', in Albrecht Schnabel and Ramesh Thakur (eds.), *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action and International Citizenship* (Tokyo: United Nations University Press, 2000), p. 405.

⁶ This term was first coined anecdotally by Ken Booth and Richard Wyn Jones. The label was first used in publication to describe a particular critical approach associated with these two writers in Steve Smith, 'The Increasing Insecurity of Security Studies: Conceptualising Security in the Last Twenty Years', in Stuart Croft and Terry Terriff (eds.), *Critical Reflections on Security and Change* (London: Frank Cass, 2000), pp. 89–90. This approach is primarily concerned with articulating the notion of security as emancipation. I use the term 'Welsh School' to distinguish these critical approaches from others such as the post structural approaches advanced by those such as Michael Dillon who do not share the idea that security is defined as a commitment to emancipation.

⁷ Here I am referring to literature that shares the aims of 'Welsh School' Critical Security Studies but focuses specifically on Third World International Relations. Indicative of this approach are Caroline Thomas, *Global Governance, Development and Human Security* (London: Pluto Press, 2000) and Rita Abrahamsen and Paul Williams, 'Britain and Southern Africa: A Third Way or Business as Usual?', in K. Adar and R. Ajulu (eds.), *Globalization and Emerging Trends in African States' Foreign Policy-Making Process* (Aldershot: Ashgate, 2002), pp. 307–328. Such approaches are distinct from the English School concerns with the Third World espoused in particular by Mohammed Ayooob and Robert Jackson.

think about humanitarian intervention. In doing so, it focuses on two concerns in particular: the view of intervention as a discrete political act that informs the English School's definitions of intervention and its narrow conception of what it means to be humanitarian. In regard to both issues, it suggests that broadening our conceptions opens up new ways of thinking about humanitarian intervention and, perhaps more importantly, it opens spaces for new political practices. I begin, though, by re-evaluating the debate between pluralists and solidarists and considering some of the concerns levelled by critics of the debate as a whole.

Pluralist and solidarist accounts of international society

English School debates can be characterised as a debate between two different conceptions of international society that were first identified by Hedley Bull: pluralism and solidarism.⁸ Both conceptions agree that the states system is actually a society of states which includes commonly agreed values, rules and institutions. Bull argued that there is disagreement, however, about the normative content of this society on three important questions in particular: the place of war in international society, the sources of international law, and the status of individuals.⁹ Pluralists insist that society is founded on acceptance of a plurality of actors and the existence of a constitution as the best guarantor of the protection of the actor. International society permits the diffusion of power to peoples via the plurality of states, allowing each nation and state to develop its own way of life. The normative content of such an international society is limited to a mutual interest in the continued existence of the units comprising the society. Thus, pluralist international society rests on mutual recognition of the component units' right to exist. This is manifested in the reciprocal recognition of state sovereignty and the norm of non-intervention. For pluralists, states are unable to agree about substantive issues such as redistributive justice but do recognise that they are bound by the rules of sovereignty and non-intervention.¹⁰ State sovereignty and non-intervention are powerful norms that combine state interests, moral principles, and formal laws. Pluralist international society, then, 'establishes a legal and moral framework which allows national communities to promote their diverse ends with the minimal of outside interference'.¹¹

⁸ See Hedley Bull, 'The Grotian Conception of International Society', in Martin Wight and Herbert Butterfield (eds.), *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen and Unwin, 1966).

⁹ Bull, 'The Grotian Conception', p. 52. These ideas are expanded on in Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (London: Macmillan, 1977). Bull's own position in *The Anarchical Society* was that order depended on consensus between states about basic moral and political questions. Acts and norms of humanitarian intervention could be justified, but only on the basis of the consensus of the overwhelming majority of states (p. 157).

¹⁰ See Tim Dunne, *Inventing International Society: A History of the English School*, p. 100 and Andrew Linklater, *Beyond Realism and Marxism: Critical Theory and International Relations* (Basingstoke: Macmillan, 1990), p. 20. Although the idea of a pluralist-solidarist divide can be attributed to Bull, the most forceful defence of the pluralist position can be found in Robert Jackson, 'Martin Wight, International Theory and the Good Life', *Millennium: Journal of International Studies*, 19:2 (1990) and Robert Jackson, *The Global Covenant: Human Conduct in a World of States* (Oxford: Oxford University Press, 2000), especially pp. 156–84.

¹¹ Andrew Linklater, *The Transformation of Political Community* (Cambridge: Polity, 1998), p. 59.

This minimalist conception of international society prompts pluralist writers to doubt the legitimacy and efficacy of humanitarian intervention. Pluralists argue that there is no agreement – nor any possibility of agreement – about what constitutes a supreme humanitarian emergency or overwhelming abuse of human rights. They argue that human rights are constructed within a specific cultural context and are not universal. Moreover, proposals for universal ethics or common standards of humane governance are always culturally biased. Pluralists argue that sovereignty is often the only protection that weak states have against the strong and that interventionism is illegal and illegitimate because it offends against the constitutive norms of international society. Finally, pluralists reject both the empirical claim that a legitimate right of humanitarian intervention is developing in customary practice and the normative claim that such a right *should* be developed. Interventionist practices, even well-intentioned interventionism, threatens international order, they argue. As Robert Jackson pointedly remarked in a classic restatement of the pluralist case, ‘in my view, the stability of international society, especially the unity of the great powers, is more important, indeed far more important than minority rights and humanitarian protections in Yugoslavia or any other country – if we have to choose between those two sets of values’.¹²

In contrast, the solidarist conception of international society holds that diverse communities can and do reach agreement about substantive moral standards and that international society has moral agency to uphold those standards.¹³ According to Hedley Bull, a solidarist international society is one in which the states that comprise it display a degree of solidarity in developing and enforcing international law.¹⁴ The use of force in such a society will be considered legitimate only if it is an ‘act of law enforcement’.¹⁵ Such law enforcement includes the defence of a state against the crime of aggression (collective security) and the upholding of the society’s moral purpose.¹⁶ Bull issued an important caveat by insisting that actions aimed at *changing* the law would not be considered legitimate by such a society. Solidarists therefore claim that there *is* agreement in international society about what constitutes a supreme humanitarian emergency and legitimate act of intervention.¹⁷

They find evidence for this in the sophisticated contemporary human rights regime that includes agreed and detailed standards of humane behaviour, accepted methods of governmental and non-governmental surveillance, and increasing acknowledgement of universal criminal culpability. Just as this consensus has grown over time, so too has

¹² Robert Jackson, *The Global Covenant*, p. 291.

¹³ Andrew Linklater, *The Transformation of Political Community*, pp. 166–7. Also see Chris Brown, ‘Moral Agency and International Society’, *Ethics and International Affairs*, 15:2, 2001.

¹⁴ Bull, ‘The Grotian Conception of International Society’, p. 52.

¹⁵ *Ibid.*, p. 57.

¹⁶ Bull holds out the possibility that this moral possibility *may come to include* a right of humanitarian intervention and notes that Grotius believed such a right to exist. Nevertheless, Tim Dunne’s citation of Bull stating that ‘kings...are burdened with the guardianship of human rights everywhere’ (Tim Dunne, *Inventing International Society*, pp. 100–1) should be tempered with Bull’s observation that ‘It would not be possible to find much support at the present time for the view that international law confers upon international society a right of humanitarian intervention, still less that it bestows such a right upon particular states’. Hedley Bull, ‘The Grotian Conception of International Society’, p. 64.

¹⁷ This argument is powerfully conveyed by A. C. Arend and R. J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (London: Routledge, 1993) and Fernando Tesón, *Humanitarian Intervention*.

state practice developed towards a growing recognition that there is indeed a right of intervention in extreme cases. Solidarists argue that a precedent was set after the Gulf War by Operation Provide Comfort in northern Iraq. Advocates of the operation argued that it was authorised by UN Security Council Resolution 688,¹⁸ which itself marked a revolutionary moment in international society because it implied that human suffering could constitute a threat to international peace and security and hence warrant a collective armed intervention by the society of states.¹⁹ Solidarists argue that the subsequent interventions in Bosnia, Somalia and Rwanda reinforced this new norm. Sovereignty, they argue, is not a veil that human rights abusers can hide behind. Instead, 'state authorities are responsible for the functions of protecting the safety and lives of [their] citizens'.²⁰ Solidarists argue that extreme cases of human suffering constitute a legitimate exception to the rule of non-intervention.

Debates between pluralists and solidarists are primarily concerned with three issues. First, the extent to which there is agreement on what constitutes a supreme humanitarian emergency. Second, the question of whether there is a legitimate right of intervention in situations of supreme humanitarian emergency. Third, the problem of how states and militaries should conduct themselves when intervening. These concerns have produced a burgeoning literature on the legality and legitimacy of humanitarian intervention.²¹ As it has developed, each debate has become more sophisticated but also more self-referential. For instance, the debate about the legality and legitimacy of humanitarian intervention has become a sophisticated struggle over whether humanitarian claims constitute a legitimate exception to the non-intervention principle. The debate comes down to nuanced assessments of who argued what in Security Council debates and how those arguments were received by the society of states. Convincing cases can, and have, been put forward by pluralists and solidarists alike to support their particular perspectives on these issues. How-

¹⁸ Those advocating this position include Nigel Rodley, 'Collective Intervention to Protect Human Rights', in Nigel Rodley (ed.), *To Loose the Bands of Wickedness* (London: Brassey's, 1992), p. 32 and Marc Weller, *The Times*, 10 April 1991. In contrast to the positions, Wheeler points out that 'the threat to use force in defence of the relief effort is certainly not mandated in Resolution 688' and 'At best, Resolution 688 provided meagre legal cover for Western military intervention'. Nicholas J. Wheeler, *Saving Strangers*, p. 154.

¹⁹ Resolution 688 found a threat to international peace and security in the refugee crisis caused by the oppression – thus, the link between human rights and Security Council action was merely *implied*. On the background to, and importance of, Resolution 688 see J. Chopra and Thomas Weiss, 'Sovereignty is no Longer Sacrosanct: Codifying Humanitarian Intervention', *Ethics and International Affairs*, 6 (1992), p. 113. Anthony Parsons described Resolution 688 as 'unquestionably the most intrusive and wide-ranging array of demands made on a sovereign state'. Anthony Parsons, *From Cold War to Hot Peace* (London: Penguin, 1995), p. 68.

²⁰ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001), p. 13.

²¹ These include: Arend and Beck, *International Law and the Use of Force*, Alex J. Bellamy, *Kosovo and International Society* (London: Palgrave-Macmillan, 2002), Bellamy and Krosak, 'The Dawning of a Solidarist Era?', in Lori Fisler Damrosch (ed.), *Enforcing Restraint: Collective Intervention in Internal Conflicts* (New York: Council on Foreign Relations, 1993), Thomas Franck and Nigel Rodley, 'After Bangladesh: The Law of Humanitarian Intervention by Force', *American Journal of International Law*, 67:2 (1973); Christine Gray, *International Law and the Use of Force* (Oxford: Oxford University Press, 2000), Greenwood, 'Is There a Right of Humanitarian Intervention?', Justin Morris, 'Force and Democracy: US/UN Intervention in Haiti', *International Peacekeeping*, 2:3 (1995), Adam Roberts, 'Humanitarian War: Military Intervention and Human Rights', *International Affairs*, 69:1 (1993), and Karin Von Hippell, *Democracy by Force: US Military Intervention in the Post-Cold War World* (Oxford: Oxford University Press, 2000).

ever, proponents from both sides have been unable to address the four problems identified earlier. This has prompted many writers to articulate alternative ways of thinking about humanitarian intervention.

Challenges to English School ideas about intervention

There are a growing number of attempts to move the debate forward by changing the terms of the debate or articulating alternative methods for legitimising interventionist actions. Dunne, Hanson and Hill, for example, argue that problems with English School approaches to intervention are caused by its over-emphasis on the notion of sovereign consent.²² Similarly, the International Commission on Intervention and State Sovereignty replaced the legal debate about a 'right of intervention' with the concept of 'sovereignty as responsibility'.²³ More recently, a symposium in the *International Journal of Human Rights* discussed Mohammed Ayoob's suggestion that international society should find new ways of legitimising interventionism that are more transparent and accountable than current Security Council decision-making.²⁴ The problem with these approaches is that changing the terms of the debate does little to further our understanding of the key dilemmas at the heart of the theory and practice of humanitarian intervention. On the one hand such approaches may do little other than offer interveners new ways of justifying their actions. On the other, there is no guarantee that a new concept of sovereignty or new methods of decision-making in the Security Council would help produce consensus in particular cases or address the problems discussed earlier.²⁵ To do that, we need to question the basic assumptions that underpin the English School's approach to intervention and introduce ideas from other strands of International Relations theory.

Some elements of the constructivist approach to International Relations theory have much to say about the pluralist-solidarist debate. The links between constructivist and English School thought have been well documented. Tim Dunne, for instance, noted that the English School approach was a forerunner of contemporary constructivism in International Relations theory, a point supported by constructivists such as Alexander Wendt, John Ruggie, and Martha Finnemore, who all

²² Tim Dunne, Marianne Hanson and Cameron Hill, 'The New Humanitarian Interventionism' in Marianne Hanson and William Tow (eds.), *International Relations in the New Century: An Australian Perspective* (Melbourne: Oxford University Press, 2001).

²³ ICISS, *The Responsibility to Protect*.

²⁴ See Mohammed Ayoob, 'Humanitarian Intervention and State Sovereignty', *International Journal of Human Rights*, 6:1 (2002); Samuel M. Makinda, 'The Global Covenant as an Evolving Institution', *International Journal of Human Rights*, 6:1 (2002); Nicholas J. Wheeler, 'Decision-making Rules and Procedures for Humanitarian Intervention', *International Journal of Human Rights*, 6:1 (2001); and B. S. Chimni, 'A New Humanitarian Council for Humanitarian Intervention', *International Journal of Human Rights*, 6:1 (2002). The lack of transparency and democratic accountability in Security Council decision-making has been ably exposed by Linda Melvern. See Linda Melvern, *The Ultimate Crime: Who Betrayed the UN and Why* (London: Allison and Busby, 1995) and Linda Melvern, *A People Betrayed: The Role of the West in Rwanda's Genocide* (London: Zed Books, 2000).

²⁵ See Nicholas J. Wheeler, 'Legitimizing Humanitarian Intervention: Principles and Procedures', *Melbourne Journal of International Law*, 2:2 (2001), p. 556.

acknowledge the intellectual debt they owe to English School theorists such as Hedley Bull.²⁶ It is not difficult to see why constructivists and English School writers have a lot to say to each other.

Constructivism is more of a loose tradition than a distinct school of thought, spanning a range of concerns from post-structuralism to empiricism.²⁷ Constructivists basically argue that the identity, interests, and values of actors are constructed by the social structures they inhabit. The relationship between actors and structures is mutually constitutive, with actors also shaping the generative structures of world politics that create identity, interests and values.²⁸ Just as English School writers are interested in the ways that states construct an international society, so many constructivists investigate the ways that structures construct identities and interests and hence shape practice in international relations.

Although constructivists tend to share concerns with English School approaches to international society they also cast doubt on the foundations of the pluralist-solidarist schism. Pluralists claim that international society is a practical association based on mutual recognition that allows states to pursue their diverse interests.²⁹ As Reus-Smit accurately portrays it, 'the image here is of sovereign states with different identities and interests working to maintain a pluralist, practical association, the framework of which is a web of functional, procedural institutions'.³⁰ Constructivists point out that states share a mutually constitutive relationship with international society and that different types of state have populated (and constructed) different types of international society.³¹ Reus-Smit argues that if the argument that state identity is constituted by societal structure is accepted, the ontological foundation of pluralism (and hence the pluralism-solidarism debate) becomes 'shaky'. In other words, the idea that an international society based on non-intervention allows diverse units to pursue divergent paths falls apart if one accepts that membership of the society influences the identity (and hence the interests and values) of its members. Such concerns prompt constructivist writers to investigate the way that practices of humanitarian intervention are conditioned by their international normative context, which frames the interests and values of actors, and how that normative context changes over time.³² Such a conception of humanitarian inter-

²⁶ Tim Dunne, 'The Social Construction of International Society', *European Journal of International Relations*, 1 (1995), Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999) – Wendt locates his own position as within the same 'quadrant' of theory occupied by Bull, pp. 31–2; John Gerard Ruggie, *Constructing the World Polity*, argues that English School thought influenced many constructivists – himself included, p. 11, Martha Finnemore, *National Interests in International Society* (Ithaca, NY: Cornell University Press, 1996), pp. 17–18.

²⁷ For a good overview of the different types of constructivism, see Christian Reus-Smit 'Constructivism', in Scott Burchill, Andrew Linklater et al., *Theories of International Relations*, 2nd edn. (London: Macmillan, 2001).

²⁸ For the best overview of the conversation between English School and constructivist writers see Christian Reus-Smit, 'Imagining Society'.

²⁹ The following passage is drawn from Christian Reus-Smit, 'Imagining Society'.

³⁰ *Ibid.*, p. 18.

³¹ This argument is one of the central claims made in Christian Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity and Institutional Rationality in International Relations* (Princeton, NJ: Princeton University Press, 2001).

³² Martha Finnemore, 'Constructing Norms of Humanitarian Intervention', in Peter Katzenstein (ed.), *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1966), p. 154.

vention as a set of dynamic social relationships points towards a rejection of the 'logocentrism' that lies at the heart of the pluralism-solidarism debate. According to Dunne and Wheeler, this logocentrism prompts the English School's concern with binary oppositions such as human rights *or* sovereignty; intervention *or* non-intervention.³³ Aspects of constructivist thought point towards imminent possibilities beyond such oppositions.

It is the ontological limitations of English School approaches to humanitarian intervention that are exposed by the 'Welsh School' approach to Critical Security Studies. This approach applies critical social theory to the study of security. It shares Robert Cox's view that theory is always for someone and some purpose³⁴ and argues that it frames the issues and actors that are considered to be important, whilst marginalising others. The 'Welsh School' draws its approach to security from the Frankfurt School and the work of Antonio Gramsci.³⁵ The defining characteristic of this approach to security is its theoretical and practical commitment to emancipation. Security, it argues, cannot be achieved through methods that make others feel insecure. 'True security', Ken Booth argues, 'can only be achieved by people or groups if they do not deprive others of it'.³⁶ Rather than being understood in military terms, security should be read as 'emancipation'. According to Booth, emancipation means, 'freeing people from those constraints that stop them carrying out what freely they would choose to do'.³⁷ Such constraints include war and conflict, but also poverty, curable disease, political oppression, poor healthcare and the lack of education. The 'Welsh School' of Critical Security Studies asks how we got to where we are and who the prevailing order, which prioritises military and state security, favours. It also tries to articulate strategies that give voice to the marginalised actors in world politics as a way of contributing to their emancipation.

Combining the concerns of the 'Welsh School' approach to Critical Security Studies with those of many writers on Third World politics produces an important critique of the pluralist-solidarist debate on humanitarian intervention. There are broadly two sets of claims that are of interest here. First, many writers point out that threats to security in the Third World come from within the state rather than from outside.³⁸ Security may therefore depend more on state building and economic

³³ Tim Dunne and Nicholas J. Wheeler, '“We the Peoples”: Contending Discourses of Security in Human Rights Theory and Practice', in Ken Booth (ed.), *Security, Community, and Emancipation: An Introduction to Critical Security Studies* (Boulder, CO: Lynne Rienner, forthcoming), p. 17.

³⁴ Robert Cox, 'Social Forces, States and World Orders: Beyond International Relations Theory (1981)', in Robert Cox with Timothy Sinclair, *Approaches to World Order* (Cambridge: Cambridge University Press, 1996), p. 87.

³⁵ See Pinar Bilgin, Ken Booth and Richard Wyn Jones, 'Security Studies: The Next Stage?', *Nacao e Defesa*, 84:2 (1998). For the most thorough exploration of the intellectual roots of this approach see Richard Wyn Jones, *Security. Strategy. Critical Theory* (Boulder, CO: Lynne Rienner, 1999).

³⁶ Ken Booth, 'Security in Anarchy', p. 539. Booth expands on the idea of security as emancipation in Ken Booth, 'Security and Emancipation', *Review of International Studies*, 17 (1991).

³⁷ Ken Booth, 'Security in Anarchy', p. 539.

³⁸ The idea of weak states posing a threat to the security of its own citizens is discussed in Caroline Thomas, *In Search of Security: The Third World in International Relations* (Brighton: Wheatsheaf, 1987), Barry Buzan, *People, States and Fear: An Agenda for Security Studies in the Post-Cold War Era* (Hemel Hempstead: Harvester Wheatsheaf, 1991), and Mohammed Ayoob, *The Third World Security Predicament: State Making, Regional Conflict and the International System* (Boulder, CO: Lynne Rienner, 1995).

development than protection against military threats internal and external. Second, related to the first, they suggest that the biggest humanitarian challenge is not to configure global responses to rogue regimes that systematically persecute and butcher their own citizens. Such regimes are rare and the number of lives lost to them miniscule when compared with the 'silent genocide' of thousands every day at the hand of malnutrition, preventable disease and poverty. Structural violence, rather than organised military violence, is the main contemporary humanitarian problem they insist.

These suggestions imply that English School approaches to humanitarian intervention overlook a series of important issues that render them unable to address the four problems outlined at the beginning of the article because they are predicated on particular assumptions that are either left undisclosed or else are treated as unproblematic. The rest of this article turns to address the two fundamental concepts that underpin the pluralist-solidarist debate. First, a conception of intervention that views it as a discrete political act and prioritises the form of the act (the intervention) over its humanitarian content. Second a partial and restrictive conception of 'humanitarian emergency' that provides human suffering with temporal and spatial borders. It argues that insights from constructivism, the 'Welsh School' of Critical Security Studies and critical approaches to Third World International Relations suggest broader conceptions of both 'intervention' and 'humanitarian' that can contribute new insights to the study of humanitarian intervention.

The concept of intervention

The combination of the 'Welsh School' approach to Critical Security Studies and critical Third World International Relations makes an important ontological challenge to the way the English School debate on intervention is framed. Most contemporary English School writers share R. J. Vincent's classic definition of intervention as:

Activity undertaken by a state, a group within a state, a group of states, or an international organisation which interferes coercively in the domestic affairs of another state. It is a discrete event, having a beginning and an end, and is aimed at the authority structure of the target state. It is not necessarily lawful or unlawful, but it does break a conventional pattern of international relations.³⁹

Viewed from a 'Welsh School' perspective, however, such a definition is problematic for two reasons. First, the idea that intervention is a discrete event suggests that the intervening states are not already implicated in the crisis they are intervening in. Military intervention, it is argued, is but one aspect of wider relations of interference in domestic societies.⁴⁰ It is the very policies of Western states and financial

³⁹ R. J. Vincent, *Nonintervention and International Order*, p. 3. Similarly definitions can be found in Louis Jacquet (ed.), *Intervention in International Politics* (The Hague: Martinus Nijhoff Press, 1971), p. 40; and Stanley Hoffmann, *Duties Beyond Borders: On the Limits and Possibilities of Ethical International Politics* (Syracuse, NY: Syracuse University Press, 1981), p. 11.

⁴⁰ See Paul Williams, 'Indifference and Intervention: International Society and Human Rights in Africa', *International Journal of Human Rights*, 5:2 (2001).

institutions such as the World Bank and IMF that exacerbate the grinding poverty and patrimonial politics that are often identified as the root causes of supreme humanitarian emergencies. Intervening in the domestic economy of Third World states to promote good governance and neo-liberal economics benefits the direct recipients (local elites) and the donors.⁴¹ It does very little to emancipate most people in the Third World. The English School's claim that intervention is a discrete act with a beginning and end blinds writers to the way that interveners and targets are already involved in mutual relationships. There is a plethora of work on particular instances of intervention that begin with the decision to intervene and end with the culmination of military activities. The background to the 'crisis' is usually given scant consideration and international society's role in constructing that historical background is often ignored altogether.⁴² So, for example, the French role during and immediately after Rwanda's genocide needs to be seen not as a discrete intervention by a disinterested state but as part of a wider set of client-donor and economic relations. Similarly, it is not possible to understand the demise of Yugoslavia and subsequent Western armed interventions without understanding the role that Western states and International Financial Institutions played in the collapse of the Yugoslav economy that directly precipitated dissolution. What is important here is not the extent to which the role has been identified by regional experts (which it has been in both cases)⁴³ but the fact that it has not been recognised by the English School debate about humanitarian intervention.

Second, although Vincent does not specifically mention *armed* intervention, his reference to intervention as a coercive act draws attention to its military aspects. It is the military aspects and implications of humanitarian intervention that have provoked so much attention and controversy. This concern prioritises the nature of the intervention over and above its humanitarian content. The rationale for this prioritisation is that it is armed intervention alone that challenges the constitutive norms of international society. There is a difference, Robert Jackson argues, between trying to persuade states to act in a particular way by diplomatic and economic means and forcibly intervening. The former challenges a state's autonomy (and no state has complete autonomy) whilst the latter challenges its sovereignty.⁴⁴ However, this position assumes that international society constitutes the limit of political imagination in world politics. Awarding priority to the form of intervention over its humanitarian content is a direct consequence of the ontology that both pluralism

⁴¹ Rita Abrahamsen, *Disciplining Democracy: Development Discourse and Good Governance in Africa* (London: Zed Books, 2000).

⁴² Indicative of this approach are: Nicholas J. Wheeler, *Saving Strangers*; Karin von Hippell, *Democracy by Force: US Military Intervention in the Post-Cold War World* (Cambridge: Cambridge University Press, 2000); Thomas Weiss, *Military-Civilian Interactions: Intervening in Humanitarian Crises* (Oxford: Rowman & Littlefield, 1999); William Durch (ed.), *UN Peacekeeping, American Politics and the Uncivil Wars of the 1990s* (London: Macmillan, 1997), Damrosch (ed.), *Enforcing Restraint*.

⁴³ See Linda Melvern, *A People Betrayed*; Michael Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda* (Ithaca, NY: Cornell University Press, 2002); Susan Woodward, *Balkan Tragedy: Chaos and Dissolution after the Cold War* (Washington DC: The Brookings Institution, 1995); John Allcock, *Explaining Yugoslavia* (London: Hurst & Co., 2000). Those that doubt the claim that English School accounts of intervention follow Vincent in viewing it as a discrete act should compare these works with accounts of the same conflicts contained in the works cited in n. 42.

⁴⁴ Robert Jackson, *The Global Covenant*, p. 251.

and solidarism are built on (a world made up of a society of states) – assumptions that are increasingly being brought into question.

Viewing humanitarian intervention as part of a wider set of relations raises important issues for the way that intervention relates to both conflict prevention and post-conflict rebuilding. In short, the idea that intervention is not a discrete act means that attempts to legitimise armed intervention on humanitarian grounds must go hand in hand with concerted efforts at conflict prevention and post-conflict rebuilding. Although the links between prevention, intervention and rebuilding have been widely acknowledged⁴⁵ there have been few concerted efforts to amplify the relationships between them. Thus, although there is widespread agreement that prevention is better than cure when it comes to armed conflict, military intervention is still awarded the lion's share of resources by states and attention by scholars.

A broader ontology of intervention raises three key problems for students of humanitarian intervention. These problems derive from the idea that the legitimacy of an armed intervention is tied to the existence of genuine attempts to prevent the humanitarian catastrophe and a commitment to post-catastrophe rebuilding, an argument that flows from the observation that intervention is not a discrete act but is instead merely one aspect of a web of relations.

First, there is the problem of identifying the legitimising body in political practice. English School writers, for instance, argue against the broadened ontology of intervention by suggesting that states do not consider past prevention and rebuilding efforts when deciding whether to legitimise interventionist acts. What they consider is the legal and normative quality of the act itself. Critics, however, insist that this position is borne out of the English School's statecentrism. New approaches to humanitarian intervention emphasise the notion of 'sovereignty as responsibility' proposed by the International Commission on Intervention and State Sovereignty. This concept suggests that the legitimising body should be the people in need, though the Commission itself stopped short of saying so and instead identifies the UN Security Council – and hence the UN's member states – as the most important legitimising body. The problem with identifying the victims as the key legitimising body is that invariably the victims will regard any armed intervention as legitimate even if it does not immediately alleviate their suffering and even if the intervener is implicated in the structural causes of the emergency. Moreover, does a failure to prevent or a lack of interest in rebuilding delegitimise action that halts mass killing or alleviates humanitarian suffering?

This dilemma questions the relationship between humanitarianism and intervention that is addressed later. Put briefly, English School approaches to intervention equate a supreme humanitarian emergency with cases of state-sponsored mass murder and ethnic cleansing. The stress here is on the direct man-made nature of the problem and its immediacy, both of which lend themselves to military solutions. In this context, the link between the legitimacy of the intervention and commitment to prevention and rebuilding is weak. However, approaches interested in emancipation insist that all forms of mass human suffering constitute supreme humanitarian emergencies. Read this way, involvement in the social and economic structures that

⁴⁵ See for example, ICISS, *The Responsibility to Protect*, Boutros Boutros-Ghali, *An Agenda for Peace* (New York: UN, 1992), and Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict* (Washington DC: Carnegie Corporation, 1997).

create human suffering in the first place casts a serious veil of doubt over the legitimacy of an armed intervention.

The second issue raised by the broader ontology of intervention is how much intervention should there be? Critics of the English School debate tend to be sceptical about the efficacy and legitimacy of using force. They argue that force is a blunt humanitarian instrument that creates as many problems as it solves. They also insist that the use of humanitarian claims to legitimise armed intervention are crocodile tears shed by the very states and institutions that caused the problem in the first place. The dilemma, however, is that a broader ontology implies that powerful states should become more rather than less interventionist. The argument follows that states should actively intervene to prevent humanitarian catastrophes and rebuild societies because they are already implicated in the problems and therefore have a responsibility to alleviate the suffering caused by them. This logic is reminiscent of Charles Beitz's argument that moral responsibility for the welfare of people in other countries derives from patterns of global social relations.⁴⁶ The implication of this is that there would be more, rather than less, intervention. Two important possibilities for further study are opened up by this insight. On the one hand, it is important for English School writers to acknowledge the non-violent aspects of humanitarian assistance and the full panoply of ways that 'we' can influence the quality of life of people in other states. On the other hand, a useful avenue of study opened up by this critique is investigation into why one form of humanitarian suffering ('death by politics', state-sponsored killing) is prioritised over another ('death by economics') and the relationship between them.⁴⁷

The third contribution offered by the broadened ontology of intervention is the diverting of attention away from the preoccupation with mediating between an individual's claims to human rights and a state's claim to sovereign rights. This returns us to Robert Jackson's important argument that there is a qualitative difference between armed humanitarian intervention and non-violent types of interference that curtail a state's autonomy but not its sovereignty.⁴⁸ One view is that derogating the preoccupation with military means and the imperatives of sovereignty is the only way of moving the humanitarian intervention debate out of its current impasse. Instead of reifying military humanitarianism, states and intellectuals should use non-violent tools to promote human welfare. This view too sits well with a broader view of supreme humanitarian emergency and has some important merits. In particular, it draws our attention to the deeper structural causes of human suffering and highlights sources of suffering that often go unseen. This opens up sites for humanitarian action beyond the traditional realm of state sovereignty and military intervention. Movements such as the Jubilee 2000 campaign to eradicate Third World debt and the campaign to persuade the World Bank to retreat from its policy of structural adjustment are undoubtedly humanitarian yet attract very little attention from English School writers because they do not call for the breaching of the sovereignty principle.

⁴⁶ See Charles Beitz, *Political Theory and International Relations* (Princeton, NJ: Princeton University Press, 1979).

⁴⁷ The terms 'death by politics' and 'death by economics' are Ken Booth's, as is the idea that English School approaches to humanitarian intervention tend to prioritise the former over the latter. I am grateful to Paul Williams for bringing this to my attention.

⁴⁸ Robert Jackson, *The Global Covenant*, p. 251.

On the other hand, one needs to ask whether there are situations where only armed intervention will remedy a supreme humanitarian emergency. Clearly there are, particularly in cases where the causes of the humanitarian emergency are directly attributable to the actions of specific groups. Genocide in Rwanda, Bosnia and East Timor and massive ethnic cleansing in Kosovo could only be brought to an end by the application of military force. Moreover, the record of purely non-violent movements in dealing swiftly with humanitarian catastrophes caused by politics is not a good one. Humanitarian aid can be used to feed armies as well as civilians, particularly when the donors have no means of ensuring that the aid gets to the people who need it most and the local belligerents are able and willing to redirect aid to their own ends.⁴⁹ In these cases, forcible military intervention has to be considered and a debate about the rights of sovereigns and rights of individuals engaged with. The initial point made by the critics holds good, however: if we accept that all forms of mass human suffering constitute a 'supreme humanitarian emergency' we must acknowledge that military responses to state-sponsored mass killing address only the tip of the iceberg of human suffering.

By challenging the English School's ontology of intervention, critical approaches make a series of important contributions that both pluralists and solidarists can develop in order to broaden the scope of the debate and hence address its limitations. These insights derive from the view that intervention is not a discrete act but part of a wider web of transnational relations. Humanitarian claims made by interveners should not therefore be treated in isolation or evaluated solely in relation to abstract notions of international law. Instead, they should be assessed alongside the intervener's role in constructing the structural environment that caused the humanitarian emergency and the resources it committed to preventing the catastrophe and rebuilding afterwards. This view returns us to Wil Verwey's idea that to count as 'humanitarian', a forcible intervention must be 'for the sole purpose of preventing or putting a halt to a serious violation of fundamental human rights'.⁵⁰ In doing so, it points away from the idea that an intervener's motivation can be assessed by focusing on its justifications for action and directs us instead to the intervener's prior and subsequent actions across a range of policy areas.⁵¹ When they did just this, Dixon and Williams found that loud rhetoric about the need to protect people from human suffering caused by state-sponsored violence went hand-in-hand with ambivalence towards suffering caused by economics and support for maintaining and extending the very economic practices that cause poverty and malnutrition.⁵²

⁴⁹ See Mary Anderson, *Do No Harm: How Aid Can Support Peace or War* (Boulder, CO: Lynne Rienner, 1999), David Shearer, 'Aiding or Abetting? Humanitarian Aid and its Economic Role in Civil War', in Mats Berdal and David M. Malone (eds.), *Greed and Grievance: Economic Agendas in Civil Wars* (Boulder, CO: Lynne Rienner, 2000), and Alex J. Bellamy, 'The Great Beyond: Rethinking Military Responses to New Wars and Complex Emergencies', *Journal of Defence Studies*, 2:2 (2002).

⁵⁰ Wil Verwey, 'Legality of Humanitarian Intervention after the Cold War', in E. Ferris (ed.), *The Challenge to Intervene: A New Role for the United Nations?* (Uppsala: Life and Peace Institute, 1992), p. 114).

⁵¹ The justifications offered by interveners is viewed by Nicholas J. Wheeler as crucial to understanding the evolving legitimacy of humanitarian intervention. See Nicholas J. Wheeler, *Saving Strangers*.

⁵² Rob Dixon and Paul Williams, 'Tough on Debt, Tough on the Causes of Debt? New Labour's Third World Debt Policy', *British Journal of Politics and International Relations*, 3:2 (2001). Compare this with Nicholas J. Wheeler and Tim Dunne, 'Good International Citizenship: A Third Way for British Foreign Policy', *International Affairs*, 74:4 (1998).

Broadening the ontology of intervention beyond that of R. J. Vincent's classic definition opens up three further avenues for enquiry. First, how should armed intervention be legitimised? English School approaches engage in sophisticated debate about the way that international society legitimises armed intervention and methods for making the legitimisation process more democratic and transparent.⁵³ A broader ontology suggests that legitimacy should be sought from the people whom the intervention is trying to save from peril. Whilst this approach is problematic because victims will tend towards seeing any intervention as legitimate, it does open up the potential for a wider debate about the legitimacy of interventionism. Second, the broader ontology raises the question of how much intervention is desired. At one end of the spectrum, critics of intervention argue that there should be less of it because it is not genuinely motivated by humanitarian concern. At the other end, liberal interventionists argue that the logic of this argument points towards ever more intervention incorporating more in the way of conflict prevention and post-conflict rebuilding than has been case previously. This raises the spectre of liberal neo-colonialism.⁵⁴ Finally, a broader ontology displaces the central role played by sovereignty in English School debates. As we noted earlier, the tendency of pluralist and many solidarist writers to suggest that sovereignty and non-intervention are sacrosanct values is empirically problematic. Stephen Krasner has shown that since the birth of the supposedly territorially inviolable sovereign state, states have repeatedly and consistently breached the sovereignty of others. Displacing sovereignty draws attention to the non-military aspects of intervention that have often been overlooked because they do not challenge the sovereignty principle. It also demonstrates that sovereignty is itself a malleable principle that has been constructed in different ways over time and can be reconstructed in the future.⁵⁵ The idea of 'sovereignty as responsibility' cannot therefore be dismissed and neither should students of humanitarian intervention treat sovereignty, non-intervention, and territorial integrity as pre-given assumptions that limit the possibilities of thinking about humanitarian action in international relations.

The first aspect therefore of critical engagement with the English School debate on humanitarian intervention is to question its ontological foundations and propose a broader vision which denies that intervention is a discrete activity. The second key aspect is to question what writers on intervention mean by 'humanitarianism' and how the relationship between 'humanitarianism' and 'interventionism' is framed.

⁵³ See Mohammed Ayoob, 'Humanitarian Intervention and State Sovereignty', *International Journal of Human Rights*, 6:1 (2002); Samuel M. Makinda, 'The Global Covenant as an Evolving Institution', *International Journal of Human Rights*, 6:1 (2002); Wheeler, 'Decision-making Rules and Procedures for Humanitarian Intervention'; and B. S. Chimni, 'A New Humanitarian Council for Humanitarian Intervention', *International Journal of Human Rights*, 6:1 (2002).

⁵⁴ One of the most consistent critics of an expansive vision of humanitarianism is David Chandler. Chandler argues that UN protectorates in Bosnia, Kosovo and East Timor resemble colonial entities and suffer from a democratic deficit. See David Chandler, *Faking Democracy: Bosnia After Dayton* (London: Pluto Press, 1999). A counter, liberal internationalist, argument is put forward by Ian R. Mitchell, 'The Ambiguities of Elections in Kosovo: Democratisation versus Human Rights' in Ken Booth (ed.), *The Kosovo Tragedy: The Human Rights Dimensions* (London: Frank Cass, 2001).

⁵⁵ As R. B. J. Walker puts it, 'Despite all appearances, sovereignty is not a permanent principle of political order; the appearance of permanence is simply an effect of complex practices working to affirm continuities', R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge: Cambridge University Press, 1993), p. 163.

Humanitarianism and the 'supreme humanitarian emergency'

What is the 'humanitarianism' that acts of armed intervention seek to promote? Does the recasting of security as emancipation and broadening of the ontology of intervention prompt a rethink of the pluralist-solidarist debate? The first thing to note is that despite the proliferation of the use of the word 'humanitarian' there is very little clarity about what it actually means.⁵⁶ It is linked to activities as diverse as the pursuit of universal human rights, the prosecution of those guilty of offending the 'conscience of mankind',⁵⁷ the delivery of emergency aid for human subsistence, and the use of military force in a variety of circumstances. To the extent that they ever identify humanitarianism, English School approaches to humanitarian intervention propose a very narrow understanding that mirrors and reinforces their narrow ontology of intervention. The English School understanding of humanitarianism also privileges the latter of the four humanitarian activities identified above.

Pluralists and solidarists tend to refer to intervention in times of 'supreme humanitarian emergency'. The notion of a 'supreme emergency' was first coined by Michael Walzer.⁵⁸ A supreme emergency has two components. The first is the immediacy of the danger and the second is its nature. A supreme emergency occurs where the danger is very close and in order to qualify it must be 'of an unusual and horrifying kind'. There is widespread agreement amongst English School writers and others who unconsciously share their position that if humanitarian intervention is to be contemplated at all it must only be in situations of 'supreme humanitarian emergency'. As R. J. Vincent put it, 'humanitarian intervention is . . . reserved for extraordinary oppression, not the day-to-day'.⁵⁹ More recently, the International Commission on Intervention and State Sovereignty concluded that military action for humanitarian purposes was only legitimate 'in extreme and exceptional cases'.⁶⁰ Nicholas Wheeler provides an important outline of what constitutes a 'supreme humanitarian emergency'. Wheeler argues that the concept of a supreme humanitarian emergency 'captures the exceptional nature of the cases under consideration'.⁶¹ Although he admits that there are no objective criteria for evaluating when a humanitarian emergency becomes supreme or when a supreme emergency becomes humanitarian, he argues that such an emergency exists 'when the only hope of saving lives depends on outsiders coming to the rescue'.⁶² The key defining characteristic, therefore, is not the scale or nature of human suffering but whether that suffering requires outside intervention to alleviate it. The important characteristic of all these definitions is that humanitarianism is viewed through the lens of intervention rather than as a self-contained concept or group of practices.

⁵⁶ 'What on earth does the word humanitarian mean?' asked Adam Roberts. Adam Roberts, 'The Road to Hell: A Critique of Humanitarian Intervention', *Harvard International Review*, 16:1 (1993), p. 13. According to Bruce Nicholls, 'a consistent and working definition of humanitarianism has evaded public and private authorities'. Bruce Nicholls, 'Rubber Band Humanitarianism', *Ethics and International Affairs*, 1 (1987), p.193.

⁵⁷ This is Michael Walzer's phrase.

⁵⁸ Michael Walzer, *Just and Unjust Wars*, pp. 251–55.

⁵⁹ R. J. Vincent, *Human Rights and International Relations*, pp. 126–7.

⁶⁰ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, p. 31.

⁶¹ Nicholas J. Wheeler, *Saving Strangers*, p. 34.

⁶² *Ibid.*, p. 34.

Pluralist and solidarist conceptions of the 'humanitarian' element of humanitarian intervention are framed by international society's statecentric ontology. Priority is given to 'intervention' as a discrete and temporally bounded activity that temporarily suspends the society's constitutive norms.

Pluralists and solidarists focus on the legitimacy of the temporary suspension of the norm of non-intervention. In order to persuade sceptical pluralists who fear that legitimising humanitarian intervention would encourage states to abuse any such right for their own ends,⁶³ solidarists and other advocates of humanitarian intervention define their 'humanitarianism' very narrowly. Wheeler argues that legitimate humanitarian intervention can only take place in response to a 'supreme humanitarian emergency', Jack Donnelly suggests that such emergencies be limited to genocide,⁶⁴ whilst Wil Verwey, Richard Lillich and R. J. Vincent all identified the actions of a tyrannical government as an essential legitimising component.⁶⁵ 'Humanitarian' emergencies are therefore understood as the result of violent oppression, mass killing, and ethnic cleansing. They are limited, both temporally and spatially, and are believed to have causation directly attributable to a particular group. Death in a supreme humanitarian emergency comes either directly at the hands of other humans or indirectly through the clearly identifiable acts of other humans.

The spatial and temporal restrictions on pluralist and solidarist accounts of intervention provide the context for thinking of humanitarian intervention solely in terms of armed intervention against systematic abusers of human rights. Returning to the insights offered by constructivism and the 'Welsh School', two problems can be identified. First, this restrictive ontology exposes only the margins of human suffering and second, obscures alternative, often older, theories and practices of humanitarianism. English School writers respond better to the latter than the former charges. They argue, quite simply and persuasively, that the non-violent provision of humanitarian aid, third party mediation, and development assistance (to name only three areas) do not require the suspension of the non-intervention norm and are therefore not as problematic as coercive intervention.

The response to the charge that the pluralist-solidarist debate only addresses the tip of the humanitarian iceberg has been mute to say the least. Some writers imply that only state-sponsored mass killing casts doubt on the ethical quality of the state and hence its sovereign rights.⁶⁶ Whilst recognising the scale and significance of human suffering caused by poverty and malnutrition, other writers follow Hedley Bull in arguing that 'the conflict between international order and demands for just change arises in those cases where there is no consensus as to what justice involves,

⁶³ This argument was most powerfully conveyed by Ian Brownlie when he argued that 'a rule allowing humanitarian intervention is a general licence to vigilantes and opportunists to resort to hegemonial intervention', Ian Brownlie, 'Thoughts on Kind-Hearted Gunmen', in Richard Lillich (ed.), *Humanitarian Intervention and the United Nations* (Charlottesville, VA: University Press of Virginia, 1973), pp. 147–8.

⁶⁴ Jack Donnelly, 'Genocide and Humanitarian Intervention', unpublished paper, 1 November 2001. This paper appears in a slightly different form in Jack Donnelly, 'Genocide and Humanitarian Intervention', *Journal of Human Rights*, 1:1 (2002).

⁶⁵ See Wil Verwey, 'Legality of Humanitarian Intervention', Richard Lillich, 'Forcible Self-Help by States to Protect Human Rights', *Iowa Law Review*, 53 (1957); R. J. Vincent, *Human Rights and International Relations*.

⁶⁶ Michael Walzer, *Just and Unjust Wars*, pp. 87–9.

and when to press the claims of justice is to reopen questions which the compact of coexistence requires to be treated as closed'.⁶⁷ There is enough of a struggle to persuade states that mass killing and genocide is wrong. Attempts to enforce a 'partial' notion of distributive justice that threatened the interests of powerful states would only lead to disorder in international society. That would not reduce human suffering anywhere.

The problem however is that, even accepting Bull's argument, the notion of humanitarianism as expressed in the pluralist-solidarist debates bears little resemblance to other widely understood interpretations and practices. Indeed, widely accepted conceptions of humanitarianism that pervade the aid community and Peace Studies oriented approaches are barely discussed at all by the English School. Although Ramsbotham and Woodhouse's work on humanitarian intervention has been influential, their approach to humanitarianism is often overlooked. They argued that although humanitarianism is an essentially contested concept a framework of broad humanitarian principles can be established by considering the underlying principles of the Red Cross – an organisation almost universally accepted as unambiguously humanitarian.⁶⁸ Four principles are particularly important here. (1) The principle of humanity. This is the idea that humanitarianism aims to 'prevent and alleviate human suffering wherever it may be found'. (2) The principle of impartiality. Humanitarianism does not distinguish between people according to race, sex, religion, nationality, class, whether they live in a powerful state or strategically, or whether 'we' have interests there. It distinguishes only according to need. (3) The principle of neutrality. Humanitarianism does not take sides in a conflict and is only interested in ensuring that people have access to food, shelter, clothing and medical care. (4) The principle of universality. Humanitarianism is universally applicable and all humans have identical humanitarian rights.

Elements of the Red Cross' interpretation of humanitarianism are questionable. Specifically, the principle of neutrality is objectionable on both moral and practical grounds. If the cause of human suffering is mass killing or ethnic cleansing or specific economic practices, how can the suffering be 'alleviated' let alone 'prevented' without taking a political stance? Other humanitarian organisations, most famously *Médecins Sans Frontières*, argue that whilst impartiality in terms of treating and judging everyone on an equal basis is important, it is not possible to tackle major humanitarian crises without making a political stand.⁶⁹ Throughout its history, the Red Cross' stance on neutrality has provoked fierce criticism particularly when it caused the organisation to refuse to condemn the holocaust or the more recent genocide in Bosnia.⁷⁰

⁶⁷ Hedley Bull, *The Anarchical Society*, p. 94. Also see Tim Dunne, *Inventing International Society*, p. 155. Bull was concerned that putting forward advanced conceptions of justice would call the rules of coexistence (sovereignty) into question. Both contemporary pluralists and solidarists share this fear, which manifests itself in their concern for limiting the ontologies of intervention and humanitarianism.

⁶⁸ The following section is taken from Oliver Ramsbotham and Tom Woodhouse, *Humanitarian Intervention in Contemporary Conflict* (Cambridge: Polity, 1996), pp. 14–18.

⁶⁹ See Julia Groenewold, 'Médecins Sans Frontières Around the World', in Julia Groenewold (ed.), *World in Crisis: The Politics of Survival at the End of the Twentieth Century* (London: Routledge, 1996).

⁷⁰ See in particular, Jean-Claude Favez, *The Red Cross and the Holocaust* (Cambridge: Cambridge University Press, 1999).

English School writers also point out that these lofty principles of humanitarianism tell us very little about political prudence and the limitation that power politics places on humanitarian action. Universality is neither likely, because state leaders are primarily responsible for their own citizens and not other state's, nor in many cases desirable, if the wider geopolitical costs outweigh the humanitarian benefits.⁷¹

Despite these objections, it is clear that opening up the English School's understanding of humanitarianism, even as briefly as we have done here, exposes two issues that question the very foundations of the pluralist-solidarist debate on humanitarian intervention. Firstly, it exposes the fact that both pluralism and solidarism prioritise the interventionist aspects of the act over the pursuit of humanitarianism. The concept of the supreme humanitarian emergency is primarily based not on concern for alleviating human suffering but rather on the idea that intervention must be temporally and spatially limited because it violates the constitutional rules of international society. To put it another way, it is an interest in discovering a legitimate exception to the non-intervention rule (thus reinforcing a relatively static conception of state sovereignty) rather than a desire to formulate strategies to alleviate human suffering that prioritise *according to need*, that shapes the pluralist-solidarist debate.

The second important point that is that the humanitarianism of English School discourses bears very little resemblance to the humanitarianism of other discourses. To advocates of an approach to humanitarianism based on the Red Cross key principles, not one of the interventionist acts dealt with by Wheeler, Damrosch, Weiss, and other participants in the debate qualifies as humanitarian. The interventions in East Pakistan (Bangladesh), Cambodia, Uganda, northern Iraq, Somalia, Rwanda, Bosnia and Kosovo were all partial and selective. That does not mean that they were not 'good' or legitimate. They were political and military acts, however, not humanitarian acts.⁷² Some of these acts were, nevertheless, primarily motivated by concerns about human suffering. Even if we accept the prudential argument that humanitarian assistance needs to be rationed we are left on one hand with the problem that the price of the military elements of all these missions outweighed the value of humanitarian assistance actually delivered by a phenomenal ratio, and on the other hand the fact that the military interveners have done very little to address the quantitatively biggest source of suffering in the world: malnutrition and grinding poverty. Even if we accept that the sense of emergency is greatest in time of armed conflict and protracted violence we have to confront the fact that the three bloodiest wars of the 1990s, Rwanda, Congo, and Bosnia, produced the feeblest efforts on the part of international society.

⁷¹ This was a recurring theme of Justin Morris, 'The Concept of Humanitarian Intervention in International Relations', MA Dissertation, University of Hull, 1991. It is also raised by Nicholas J. Wheeler, 'Decision-making Rules and Procedures for Humanitarian Intervention', *International Journal of Human Rights*, 6:1 (2001).

⁷² David Forsythe exhaustively deals with the relationship between humanitarianism and politics. Forsythe disputes the idea that there is a rigid separation between humanitarianism and politics that is implied by the Red Cross. Instead, he identifies 'realpolitik' (power politics), 'partisan politics' (domestic politics), and 'humanitarian politics' (the global struggle to put humanitarian values into practice). David Forsythe, *Humanitarian Politics: The International Committee of the Red Cross* (Baltimore, MD: The Johns Hopkins University Press, 1977), pp. 1–2.

Conclusion

The English School's debates about intervention, humanitarian and otherwise, have been unable to deal with a number of problems because of the limited conceptions of 'intervention' and 'humanitarianism' that underpin it. The result has been a tendency to go round and round in circles, debating the 'true' meaning of Article 2 (4) of the UN Charter, arguing about what the drafters of Resolution 688 'actually' meant, and evaluating the extent to which a new customary norm of intervention has come into being. Constructivist writers such as Christian Reus-Smit have successfully exposed the internal incoherence of this debate between pluralists and solidarists. This creates a space for rethinking the ontological assumptions that underpin dominant conceptions of both the act of intervention and the nature of humanitarianism. On both subjects, English School approaches are based on a restrictive ontology. Predominant definitions of 'intervention' identify it as a discrete activity. It is an act that is both temporally and spatially limited. However, interveners are already implicated in the human suffering they are ostensibly seeking to remedy. The legitimacy and efficacy of intervention can therefore only be assessed in relation to the intervener's contribution to prevention, rebuilding, and the structural causes of the problem in the first place.

On intervention, I argued that a broader ontology of intervention created three avenues of research. First, there is a need to critically reassess who legitimises acts of intervention. The narrow English School conception draws our attention to legitimisation by states and their organisations but a broader conception focuses attention on legitimisation by the victims of oppression and structural violence. Nicholas J. Wheeler refers to the 'court of world opinion' as a legitimising body but pluralists and solidarists alike need to investigate who constitutes the court, how it makes legitimising decisions, on what its moral agency is based, and what its normative foundations are. Critical writers suggest that no such court exists and, echoing E. H. Carr, argue that appeals to this abstract court are nothing other than the self-serving pronouncements of the powerful.⁷³ If pluralists and solidarists are to convince others that international society is more than merely a 'protection racket' for the powerful⁷⁴ they need to elaborate on the sources and functions of legitimacy.

Secondly, a broader ontology of intervention implies that potential interveners should dedicate more resources to prevention and rebuilding and that pluralists and solidarists should commit more intellectual resources to studying them. The critique of narrow conceptions of intervention creates an opening for English School writers to evaluate the extent of prevention, intervention, and rebuilding that is needed and tolerable in international society and the legal, moral, and practical links between these intimately related acts.

Thirdly, a broader ontology of intervention diverts us away from the struggle between individual claims to rights and states claims to rights. Christian Reus-Smit suggests that this dichotomy is flawed anyway.⁷⁵ This suggests that pluralists and

⁷³ See for instance John Pilger, 'Humanitarian Intervention is the Latest Brand Name for Imperialism as It Begins a Return to Respectability', *New Statesman*, 28 June 1999.

⁷⁴ Ken Booth, 'Human Wrongs and International Relations', *International Affairs*, 71:1 (1995).

⁷⁵ Christian Reus-Smit, 'Human Rights and the Social Construction of Sovereignty'.

solidarists should dedicate more time to considering non-violent humanitarian strategies that do not offend against sovereign sensibilities.

A brief analysis of the English School's understanding of humanitarianism exposed two important problems. Firstly, there is a problem with the notion of the 'supreme humanitarian emergency' which shapes English School thinking. This concept links humanitarianism with interventionism but prioritises the latter. The supreme humanitarian emergency is conceptualised as the exceptional case that permits the temporary suspension of sovereignty. In order to permit spatially and temporally limited intervention the nature of the emergency must be itself spatially and temporally limited. Second, even my cursory study showed that this notion of humanitarianism bears little resemblance to ideas of humanitarianism that are commonplace outside the English School. Read through the Red Cross' understanding of humanitarian principles, not one act of armed 'humanitarian' intervention discussed by pluralists and solidarists could earn the label 'humanitarian'.

These two insights create several new avenues of research. Despite the fact that the term 'humanitarian' is used so often, English School writers barely consider what it actually means. Can a concept of humanitarianism stand apart from interventionism? How does the idea of a supreme humanitarian emergency relate to death by structural violence? Which is more supreme? Which is more humanitarian? In these post-'war against terrorism' days there is also a need to remember that intervention for humanitarian purposes is not the only possible form of legitimate intervention in international society – a point that emerged at the very beginning of the English School's investigation of intervention.⁷⁶

There are many avenues down which the pluralist-solidarist debate on the legitimacy and efficacy of humanitarian intervention can profitably develop. These avenues are based on conversations with other theoretical traditions and adherence to the methodological pluralism that is one of the defining characteristics of the English School.⁷⁷ Constructivism, 'Welsh School' approaches to Critical Security Studies and critical Third World perspectives in particular have a lot to teach pluralists and solidarists about humanitarianism, interventionism and the links between the two.

⁷⁶ Hedley Bull (ed.), *Intervention in World Politics* (Oxford: Clarendon Press, 1984).

⁷⁷ See Tim Dunne, *Inventing International Society*, pp. 7–9 and Nicholas J. Wheeler and Tim Dunne, 'Hedley Bull's Pluralism of the Intellect and Solidarism of the Will', *International Affairs*, 72:1 (1996).