

HUMANITARIAN MILITARY INTERVENTION IN KOSOVO AND LIBYA: AN ASSESSMENT ON RELEVANT THEORIES OF INTERNATIONAL RELATIONS

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Abstract

The paper aims to make an elaborate discussion on military and humanitarian interventions under relevant theories of international relations. An examination of NATO intervention in Kosovo and Libya reveals that, states responses to humanitarian crises have not dramatically changed before and after R2P was adopted. Although the adoption of R2P represents significant progress of the liberal school, the realist critique of R2P should be seriously considered to avoid intervention based on national interests of great powers. Considering the fact that the intervention in Libya was undertaken to preserve national interests of some of NATO member states, the selectivity of intervention is likely to occur in the future, meaning that states would not intervene in humanitarian crises if their national interests are not at stake.

Keywords: Humanitarian military Intervention, UN, realism, liberalism, just war.

Introduction

Humanitarian military intervention is now a compelling foreign policy issue. Military intervention in the name of humanitarian assistance or simply humanitarian intervention has emerged as a highly complex and most intense debated topic of international politics today. Like civil wars, conflict resolution, conflict prevention and failed states, it is forming keynotes of security since the demise of cold war; as did the arms race, deterrence, and disarmament until the collapse of the Soviet Union in 1990s. The names Rwanda, Somalia, Bosnia, Kosovo and Chechnya stood at the end of the last century as pointers to future conundrums, tragedies, opportunities and anxieties for the twenty-first century. By far, the topic is both appealing as it abrest humanitarianism and appalling as it relies on force turning it catchy and complex. Naturally, it is difficult and practically one of the most controversial issues debate among scholars. The aim of this paper is to provide a fine-gained analysis, based on the relevant theories of international relations, of the debate on military intervention in the name of humanitarian assistance.

Methodology

The Methodology for this research is descriptive analysis, including the data and relevant information, facts and articles, which are used to support the analytical method to understand and recommend the trend of humanitarian military intervention. The information in this research is mostly from secondary sources: updated articles, news concerning the issue form books, newspapers, magazines and websites including relevant research papers and studies addressing on this issue will also be studied.

A common framerwork/ background perspective

Glosses or terminologies like sovereignty, intervention and assistance, humanitarian etc are crucial for merely understanding and certainly for getting deeper insights. As such,

before the main debate, elaboration of these terms and other associated issues is necessary to set stages and to create the context.

Humanitarian refers to humane and altruistic motives for action to support and salvage others in distress with no intention of own gain.

Intervention may be defined as an intentional act of one state or group of states or an international agency aimed at exercising overriding authority on what are normally the internal affairs, policies or practices of another state or group of states.

Military/ Humanitarian Intervention means the threat or use of force by a state or group of states with or without the authorization of United Nations in the territory of another state without its consent aimed at preventing or ending widespread and grave violation of human rights.

Humanitarian assistance implies external aid to respond to as well as prevent, mitigate and prepare for, humanitarian emergencies. Such action could be undertaken by the United Nations, other International Organizations (IO), Governmental Organization (GO) and Non-governmental Organizations (NGOs) to assist people in meeting their basic needs like food, water, shelter, etc. It requires the spontaneous laws, conventions, customs and the decisions of the United Nations.

Sovereignty is the exclusive rights to have complete control over an area of governance people, or oneself without an iota of external interference. A sovereign is the supreme lawmaking authority, subject to no other limits.

History of evolution of the concept

Philosopher, Jurist and scholar Hugo Grotius mooted the concept of right to use force on humanitarian ground in seventeenth century. Thereafter number of interventions took place till date. The Western States and Russia carries out interventions against the Turk: in Greece in 1827, in Syria in 1860; in Bosnia, Herzegovina and Bulgaria in 1877 and in Bulgaria, Greece and Serbia in 1913. Humanitarian justifications were also used for the 1978 Vietnamese intervention against the Khmer Rouge in Cambodia, the 1979 Tanzanian intervention against Idi Amin in Uganda, and the 1979 French intervention against the Bokassa regime in Central African Republic. During the Cold War periods the Western states mostly used diplomatic and economic instruments to deal with such crisis, But in the 1990s after the collapse of former Soviet Union, although there was no change in the legal framework, the propensity of intervention increased perhaps due to new world order. The world witnessed interventions in Northern Iraq, Somalia, Rwanda, Haiti, and East Timor.

Current realities & perspective

The modern international system was founded after the peace of Westphalia in 1648 on the premise that sovereignty is absolute and that sovereign states are immune from external intervention. Supremacy of sovereignty in international relations was also recognized by the United Nations through its Charter Article 2, paragraph 4 and 7. These prohibit actions of any states. But due to flawed political system, fragile economy state, acute ethnicity etc. many countries, as for example Kosovo and Libya, face political turmoil, internal conflicts and massive human rights violation. Resultant humanitarian disasters trigger intervention to improve the situation. Hence, though once considered an aberration, today, humanitarian intervention has surfaced as a possible foreign policy option. But the opponent of the concept argue that the idea tantamount to legitimization of military intervention by strong states against weak one.

Humanitarian military intervention: an assessment on the political and military causes

Basically three prominent reasons may lead to intervention. Firstly, to respond to situations of compelling human need with appropriate measures like sanctions, international

prosecution and finally military intervention. Internal conflicts, man-made or even natural calamities, failing state syndromes etc could create the circumstance by putting people at risk. Usually such intervention takes place in a hostile environment, where the political order is contested and the national government lacks the capacity or the will or both to respond to the basic needs of people for safety and sustenance. In some cases the government itself may be respondent for creating the humanitarian crisis in its efforts defeat rebels or impose demographic changes through killing and forced displacement.

Secondly, powerful states may venture such interventions multilaterally or even unilaterally to advance their national interest using it as a mere pretense. The U.S. the Iraq invasion in 2003 is a burning example as the United States tried to justify its actions on humanitarian grounds after its initial justification based on the weapons of mass Destruction (WMD) proves false. The appeal of intervention-albeit waging war to save lives is obvious. In practice, however, interventions begun for allegedly humanitarian reasons seldom have humanitarian outcomes. Indeed, such interventions, as illustrated by the bloody debacle in Iraq, Afghanistan, Somalia ultimately can generate as much or even more evil.

Finally, the military reason for intervention is to provide security and support for saving lives of helpless people including full assistance for recovery, reconstruction, reconciliation to dispel the root cause of human plights.

Humanitarian military intervention: critical assessment based on theories of international relations

From the realist perspective of international relations, states responsibility to protect civilian is nothing but the legitimating of military intervention by strong states against weak ones. A very rational example of this is the U.S. Invasion of Iraq in 2003, when the United States tried to justify such invasion in humanitarian terms after its initial justification-that Saddam Hussein possessed weapons of WMD-was proved false. However, the Human Rights Organizations forced the US administrations of President George W. Bush to back away from the claim when they exposed its absurdity, with reference to the conditions for legitimate humanitarian intervention laid out in the “responsibility to protect”.¹¹³

Human security as a justification for military intervention under certain circumstances has gained widespread acceptance. The United Nations Secretary General’s High- level Panel on Threats, Challenges and Changes endorsed ‘the emerging norm that there is an international responsibility to protect (civilian)....in the event of genocide and other large scale killing, ethnic cleansing or serious violations of international humanitarian laws which sovereign government have proved powerless or un willing to prevent’.¹¹⁴ Annan carried forward this endorsement in his report to the UN General Assembly, ‘In larger freedom’¹¹⁵. Surprisingly, the General Assembly, at the September 2005 World Summit, endorsed the concept of the sovereign responsibility to protect civilians, including by using force as a last resort against states that do not live up to that responsibility.¹¹⁶ Despite this endorsement few questions remained unclear and these include- under what conditions should outsiders intervene militarily? Should the intervention force be a UN force, as in Haiti, or a coalition of like-minded states, as in Kosovo and Libya? Should the interveners be combat troops or peacekeeper? How much force is appropriate and at whom should it be directed?

¹¹³ See e.g. ‘War in Iraq: not a humanitarian intervention’ 2004. *Human Rights Watch World Report, 2004: Human Rights and Armed Conflict*, Human Rights Watch: New York, 2, pp. 13–35.

¹¹⁴ United Nations, 2005. ‘A more secure world: our shared responsibility’, Report of the High-level Panel on Threats, Challenges and Change, UN documents A/59/565, 4 Dec. 2004, and A/59/565/Corr., URL, <http://www.un.org/secureworld>

¹¹⁵ United Nations, 2005. ‘In larger freedom: towards development, security and human rights for all’, Report of the Secretary-General, UN document A/59/2005

¹¹⁶ UN General Assembly Resolution 59/314, 2005. The text of this and other General Assembly resolutions referred to in this volume is available at URL , <http://www.un.org/documents/resga.htm>.

Humanitarian aid workers define their role as non-political and impartial, seeking to minimize violence and treat all sides equally. Militaries, on the other hand, take sides and look for enemies. When should intervention happen? Preventive military action is difficult to justify on humanitarian grounds, given the potential destructiveness of a military operation, yet delayed action almost invariably means large-scale loss of life in crises. When soldiers and aid workers interact, how can humanitarian organizations avoid being seen as parties to the conflict? The controversy over provincial reconstruction teams (PRTs) in Afghanistan in recent years highlights the scope for extreme disagreement between military and humanitarian perspectives on appropriate military activities in complex emergencies. Adam Robert observed in the late 1990s that in ‘the history of legal debate about humanitarian intervention, there has been a consistent failure to address directly the question of the methods used in such interventions.’¹¹⁷

The debate about military intervention in the name of humanitarian assistance can best be illustrated through the application of the relevant theories of international relations. Although so-called humanitarian interventions have been undertaken in the post cold war era, most of the interventions, in fact, were not purely humanitarian-oriented, but they were driven by states national interests. Before going to make an elaborate discussion about which theory or theories can best assess the implication of the debate on humanitarian assistance and military interventions, it will be rational to illustrate some theories of international relations (i.e. realism, and liberalism,).

International relations are nothing but the struggle for power and survival. According to a prominent scholar of neoclassical realism, Hans J. Morgenthau, all human beings inherently seek to increase their power.¹¹⁸ Morgenthau argues, “Politics is a struggle for power over men...the modes of acquiring, maintaining, and demonstrating it determine the technique of political action”¹¹⁹. In international politics, states are always concerned about national interests such as security and wealth. To preserve their interests, intervention could be an option. Morgenthau argues:

*“Intervene we must where our national interest requires it and where our power gives us a chance to succeed. The choice of these occasions will be determined...by a careful calculation of the interests involved and the power available.”*¹²⁰

Morgenthau defines success as “the degree to which one is able to maintain, to increase, or to demonstrate one’s power over other.”¹²¹

Unlike neoclassical realism emphasizing human nature, neorealist focuses on an anarchic international system, in which there is no central authority that governs international politics. Kenneth Waltz, a leading scholar of neo-realism, argues that in a self-help international system, the state’s foreign policy is determined based on its national interests.¹²² States continuously make efforts to preserve their interests and to ensure their survival because in the self-help system, “no one can be relied on to do it for them.”¹²³ Tucker argues that states’ interests expand as they gain more power in international politics.¹²⁴ Similar to Morgenthau, Waltz argues that success means preservation and

¹¹⁷ Roberts, A. 1999, ‘NATO’s humanitarian war over Kosovo’, *Survival*, vol. 41, no. 3, p. 110.

¹¹⁸ Robert Jackson and Georg Sørensen, 2010. *Introduction to International Relations: Theories & Approaches*, 4th ed., New York: Oxford University Press, p.66

¹¹⁹ *ibid*

¹²⁰ Hans Morgenthau, 1967. “To Intervene or Not to Intervene,” *Foreign Affairs*, p.103.

¹²¹ Bettina Dhali. Soendergaard, 2008. “The political Realism of Augustine and Morgenthau: Issues of Man, God, and Just war”, *Turkish Journal of International Relations*, p.6.

¹²² Jonelle Lonergan, 2011. “Neo-Realism and Humanitarian Action: From Cold War to Our Days,” *Journal of Humanitarian Assistance*

¹²³ Kenneth N. Waltz, 1979. *Theory of International Politics* (Illinois: Waveland Press, Inc, p.109.

¹²⁴ S. Telbami, 2012. “Kenneth Waltz, Neorealism, and Foreign Policy,” *Foreign Policy, Security Studies* 11.3, p.161.

reinforcement of the state's power.¹²⁵ To summarize, classical neo-realism focuses on power-seeking human nature, whereas neo-realism focuses on an anarchic international system. Despite their different focuses, both strands shed light on states' national interests and their desire to increase power.

In contrast to realists' focus on state as a major actor, liberalism emphasizes protection of human rights. Classical liberals argue that human beings possess "fundamental natural rights to liberty consisting in the right to do whatever they think fit to preserve themselves, provided they do not violate the equal liberty of others unless their own preservation is threatened."¹²⁶ People also have the right "to be treated and a duty to treat others as ethical subjects and not as objects or means only."¹²⁷

Another core assumption of liberalism is that states can cooperate for a mutual gain.¹²⁸ While liberals acknowledge that each individual or state seeks personal gain, they believe that individuals share some interests, which can make both domestic and international cooperation possible.¹²⁹ To support this argument, liberals cite emergence of international organizations, such as the United Nations, as an example of prevalence of interstate cooperation.¹³⁰

One of the strands of liberalism discussing the validity of humanitarian intervention is contemporary liberal internationalism. Michael Walzer, a leading scholar of this strand, argues that military intervention can be justified as a last resort and as a means to protect civilians from human rights violations, such as genocide and crimes against humanity.¹³¹ However, such intervention should not be undertaken unilaterally, but rather multilaterally with the authorization of the UN Security Council because liberal internationalists believe that multilateralism prevents great powers from pursuing national interests rather than humanitarian objectives in intervention.

NATO Intervention in Kosovo 1999: A Theoretical Understanding Whether it is Military of Humanitarian

However NATO intervention in Kosovo seems to be humanitarian from the liberal lens, such intervention can also be explained through the realist perspective which emphasis on national interests. This is because through study it was found that, national interest was more evident at stake than humanitarian interest for NATO. The coalition forces of NATO intervene in Kosovo because the western powers were concerned for they thought that the conflict could spread and produce refugee flow, which would undermine regional stability.¹³² So it can be said that European security was prioritized most during NATO intervention in Kosovo. Just like that, the United States also had a vital interest. Basically the United States, in the name of humanitarian intervention in Kosovo sought to pursue its strategic interest throughout Europe. Former president Clinton stated that, one of the purposes of the intervention was to ensure the credibility of NATO in Europe.¹³³

The realist view of international relations as the struggle for power and survival can best be proved by the NATO intervention in Kosovo. By intervening in the conflict occurring in Eastern Europe, the USA attempted to prevent Russia from becoming influential in the

¹²⁵ Waltz, 1979. , p.117.

¹²⁶ John Charvet and Elisa Kaczynska-Nay, 2008. *The Liberal Project and Human Rights: Theory and Practice of a New World Order* , London: Cambridge University Press, p.3.

¹²⁷ Michael Doyle and Stefano Recchia, 2011. "Liberalism in International Relations," *International Encyclopedia of Political Science* , p.1434.

¹²⁸ Stephen M. Walt, 1998. "International Relations: One World, Many Theories," *Foreign Policy* 110, p.32.

¹²⁹ Jackson and Sørensen, p.66.

¹³⁰ Walt, p.32.

¹³¹ Doyle and Recchia, p.38

¹³² Grant Stegner, 2008. "American Humanitarian Intervention: How National Interests, Domestic and International Factors, and 'Historical Milieu' Shape U.S. Intervention Policy," *Macalester College* , p.88

¹³³ *ibid*, p. 99

region. However, the Soviet Union was collapsed, but the United States still consider Russia and communism as a potential threat to US security in Eastern Europe.

NATO Intervention in Libya was a Military Intervention Rather Than Humanitarian: A Theoretical Understanding

The allied forces of NATO intervention in Libya in 2011 to ensure their national interest rather than on humanitarian ground. Restoration of access to Libya's oil reserve was vital for European states. Libya has exported roughly 85 percent of oil to several European states, such as Italy, France, and the UK.¹³⁴ Libyan oil accounted for more than 28 percent of Italian oil imports, 17 percent of French oil imports, and 8 percent of UK's oil imports. During the civil war, oil production significantly dropped, amounting to less than 20 percent of Libya's domestic needs.¹³⁵ This decline likely caused great damage to the economies of those oil importing European states. Therefore, ending the civil war to restore Libya's oil production was the primary purpose of their intervention. Consequently, those European states played leading roles in the intervention by providing air forces, training the Libyan rebels, and providing them weapons.¹³⁶

Second, Western states feared that Libya could return to a terrorist-sponsored state if Qadhafi won the civil war.¹³⁷ Since Qadhafi established terrorist training camps in Libya in the early 1970s, the Libyan government provided a large amount of weapons, money, and safe heaven to various terrorist groups.¹³⁸ The US then added Libya to the list of states sponsoring terrorism and implemented trade restrictions against Libya.¹³⁹ In 1999, Qadhafi started cutting his ties with terrorist groups, and his efforts eventually made the US decide to remove Libya from the list in 2006. Hence, it can be assumed that Qadhafi did not sponsor any terrorist groups at the time of the civil war. Yet, Western states were afraid of Qadhafi's potential return to a sponsor of terrorism, which would greatly threaten the security of Europe because of Libya's proximity.

Third, Western states feared Libya's possession and potential use of chemical weapons against them. In the mid-1970s, Qadhafi pursued nuclear weapons. Libya's use of chemical weapons against Chad was also severely criticized in the late 1980s.¹⁴⁰ In 2003, the Libyan government announced that it would abandon its weapons of mass destruction (WMD) including nuclear, chemical, and biological weapons.¹⁴¹ However, Libya still failed to completely give up their chemical weapons. Because Qadhafi was not generally considered a rational actor, his possession of weapons was a threat to Western states. Thus, the interests of NATO member states including economic and security concerns were greater driving forces behind the intervention than humanitarian concerns. Similar to Kosovo's case, realism seems to better explain states' motivations in Libya.

Key findings

Humanitarian intervention or assistance is inherently political in nature. The Western states are highly motivated by political realism as what Morgenthau states in his book namely

¹³⁴ Harry Kazianis, 2011. "Intervention in Libya: Example of R2P or Classic Realism," *e-International Relations*

¹³⁵ David Anderson, 2011. "The Fight for Libya's Oil," *Politics in Spires*, <http://politicsinspires.org/2011/09/the-fight-for-libyas-oil/>

¹³⁶ "Italy, France Sending Troops to Advise Libyan Rebels, 2011." *CNN World*, http://articles.cnn.com/2011-04-20/world/libya.war_1_french-troops-rebel-stronghold-military-officers?s=PM:WORLD

¹³⁷ Kazianis, 2011

¹³⁸ Christopher Boucek, 2005. "Libyan State-Sponsored Terrorism: An Historical Perspective," *Terrorism Monitor Volume 3.6*

¹³⁹ Eben Kaplan, 2007. "How Libya Got off the List," *Council on Foreign Relations*, <http://www.cfr.org/libya/libya-got-off-list/p10855>

¹⁴⁰ Ibid

¹⁴¹ Kazianis, 2011

“Politics among Nations: The struggle for Power and Peace”. However allied forces of the Western states intervene in to a particular state in the name of humanitarian assistance but they influences strongly by their own national interests rather than on a moral ground to intervene.

Conclusion and policy options

By far, legal and moral legitimacy carry significant political weight in the conduct of world affairs. Legitimacy through codified principles of international law can serve to distinguish between aggression and humanitarian intervention and provide standards for nation’s behavior. The right of intervention must be limited to the most flagrant violation of human rights, such as genocide and mass ethnic expulsions. The mode and means of intervention should be likewise restricted as to avoid even a semblance to aggression. Both the right to resort to force and the application of force are crucial, not only to classical just war doctrine, but to winning the “heart and minds” campaign in the community of nations. Law is the policy tool of choice for standard and a valid prism to distinguish humanitarian intervention from aggression. The mischievous blurring of nuances of aggression and humanitarian intervention must be arrested by all means to prevent their use interchangeably for selfish contemptible purposes.

It is imperatives that policymakers and the implementers of intervention-aide workers, soldiers, and civil servants-learn from the past. Humanitarian intervention is a dangerous and expensive enterprise. The mixed record of the past 15 years leaves enormous room for improvement, and there is no easy answer. The balance between political and humanitarian considerations is delicate; the relationship between military and civilian component is both fragile but crucially important, If not done well, humanitarian intervention could waste lives and resources and might perpetuate or exacerbated the problems it is launched to address. Indeed, it could provoke aggression and feared wars unless justly and judiciously waged and concluded in pursuit of altruistic and pure humanitarian overtures only.

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