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Pandora's Box of Humanitarian Intervention

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Pandora's Box of Humanitarian Intervention

Abstract

"The Case for Intervention in the Ivory Coast" reminded me of the discussion that my undergraduate students had during the previous academic term on the conundrums surrounding humanitarian intervention. They innately responded to the intense suffering of individuals and groups facing gross human rights violations and initially argued that inaction in the face of suffering cannot be justified on any grounds. However, with their international relations hats on, many of them soon realized that putting an end to such a state of affairs is not as easy or straightforward as they had hoped.

Keywords

Human rights, United Nations, Responsibility to protect, Humanitarian intervention, Ivory Coast

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Pandora's Box of Humanitarian Intervention

by Edzia Carvalho

[“The Case for Intervention in the Ivory Coast”](#) reminded me of the discussion that my undergraduate students had during the previous academic term on the conundrums surrounding humanitarian intervention. They innately responded to the intense suffering of individuals and groups facing gross human rights violations and initially argued that inaction in the face of suffering cannot be justified on any grounds. However, with their international relations hats on, many of them soon realized that putting an end to such a state of affairs is not as easy or straightforward as they had hoped. The question of who should intervene, in what form, and towards what end is often at the heart of this problem. After all, under the UN Charter Chapter VII, bilateral armed action against a state is an act of war unless it is undertaken in self-defense. Multilateral acts of aggression should be approved by the UN Security Council if they are to be deemed legal. Moreover, states have to consider not only the timeliness, logistics, and short-term impact of any potential intervention, but also the effect of these actions (or inactions) on the targeted state in the long run. Kuperman (2009)¹ suggests that armed humanitarian interventions may be characterized by the problem of moral hazard, as they may lead to unintended and further violations depending on the extent of force used and the perceived neutrality of the intervention.

The emerging norm of [“Responsibility to Protect”](#) suggests that states may have a legal obligation to intervene in situations that have led to widespread human right abuses and may continue to do so in the foreseeable future. The extent to which state action reflects the consolidation of this norm is interesting. The article under review rightly highlights the selective use of armed intervention by the international community when it comes to egregious human rights violations. In 1999, NATO launched air strikes against Serbia when it initiated a violent onslaught against Kosovar rebels and civilians that led to over [10,000 deaths](#); yet the international community did not intervene when, ten years later, Sri Lanka launched a massive military assault on Tamil rebels that resulted in the deaths of an estimated [20,000 civilians](#). The multilateral armed intervention to stop the crackdown by the authoritarian regime in Libya this year could be contrasted with the inaction of international actors in the face of the violent suppression of the Saffron Revolution in Burma in 2007. The UN recently intervened in the Ivory Coast when the dispute over the outcome of the recent presidential election threatened to engulf the country in civil war, yet it stayed its hand when the post-electoral violence following a similar dispute in Kenya in 2007-08 displaced an estimated [half a million people](#).

Semb (2000)² argues that states intervene multilaterally under the auspices of the United Nations if the situation under consideration meets any of the following conditions: a) widespread violations of human rights are recognized in a target state; b) the government is unable to stop these violations as it no longer has control over the machinery of state; or c) the government has been “unlawfully constituted.” This does not explain why situations with similar conditions like the ones mentioned earlier merited opposite actions. Instead, much research in international relations has applied a neorealist or neoliberal perspective, focusing on the cost-benefit analysis and the risk-averseness of the intervening states. States are expected to be primarily concerned about the effect of their actions on domestic affairs, and to pursue national interest rather than the well-being of other populations across borders. The cynical view derived from the application of these approaches would attribute NATO's intervention in Kosovo to its members being

concerned about the spillover effect of a potential refugee situation in Europe, or to NATO's efforts to stay relevant in a post-Cold War world. The Libyan case would be explained by the expectation that its oil reserves, which are prized for their high quality, would be easier to access after the disbandment of the Gaddafi regime. Yet in each of these cases, armed intervention was not an immediate response. The cost-benefit calculations of states may have been influenced by past successes and failures that affected how risk averse they were when faced with a human rights violation—in the case of Kosovo by the failure to act in Rwanda, and in Libya by the ongoing situation in Iraq.

It seems that while states are often slow to react to egregious violations of human rights, they can be moved to action when the domestic and international costs and foreseeable risks of such interventions are low and the benefits are high. Domestic and international non-state actors, particularly NGOs and human rights lobbies, could help alter these calculations and make it more feasible for states to intervene to prevent human rights violations. This may be that little bit of hope left for human rights protection when the Pandora's box of humanitarian intervention is opened.

¹ Alan J. Kuperman, "Humanitarian Intervention," in Michael Goodhart, ed., *Human Rights: Politics and Practice* (Oxford University Press, 2009), pp. 334-353

² Anne Julie Semb, "The New Practice of UN-Authorised Interventions: A Slippery Slope of Forcible Interference?", *Journal of Peace Research*, July, 37(4), 2000, pp. 469-488

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