INTERVENTION IN INTERNATIONAL RELATIONS: A POLITICAL ANALYSIS

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CERTIFICATE

This is to certify that the dissertation entitled **"Intervention in International Relations: A Political Analysis"** submitted by **J. Madhan Mohan** in partial fulfilment of the requirement for the award of the degree of **Master of Philosophy** is his original work and has not been submitted for the award of any degree of this or any other university.

We recommend that this dissertation be placed before the examiners for evaluation.

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CONTENTS

INTRODUCTION

The purpose of this study is to attempt a political analysis of the trends and practices in intervention. Given its profound implications, intervention triggers an intense academic debate and raises serious challenges. Moreover, intervention is *ad hoc*, arbitrary and case-specific. This study seeks to address these issues by examining intervention in various dimensions: intervention as a historical trend, a contemporary reality, an instrument of foreign policy and an outcome of technological innovation.

Intervention is classically defined as 'a coercive interference by a state or a group of states into the domestic jurisdiction of another state' (Vincent, ed. Krieger, 1993:461). It is broadly defined as economic, political, diplomatic, humanitarian or military responses by the international community acting unilaterally or multilaterally to challenges to stability and order. (The Aspen Institute, 1996:10) For purposes of analysis this study adheres to the broader and comprehensive definition of intervention.

The role of intervention is played generally by one or more of the following actors:

1. International Organisation eg. UN intervention in Rwanda

2. Great power intervention eg. US intervention in Somalia, Haiti

3. Collective defence organisation eg. NATO's intervention in Kosovo

4. Regional power intervention eg. Indian intervention in Sri Lanka

5. Regional powers/ regional security arrangements eg. Intervention by European powers / OSCE in Bosnia

During the cold war intervention was a manifestation of super power rivalry between the US and USSR. Of the many instances that can be cited, the US intervention in Vietnam and the Soviet intervention in Afghanistan merit attention. With the end of the cold war, the practice of intervention has undergone a significant change. Intervention now takes place mostly in intra-state conflicts and the prime actors are UN, US, NATO and EU.

Moreover the rapid advancement in technological capabilities has increased the effectiveness of military intervention; witness, for instance the success of NATO's Operation Allied Force in Kosovo.

Nevertheless intervention in intra-state conflicts raises serious issues pertaining to legality, necessity and political correctness. The main criticism against intervention is that it violates national sovereignty. Critics argue that the concept of sovereignty makes it illegitimate, even illegal in the sense of international law to intervene in the internal affairs of another country. (Encyclopedia of Conflict Resolution, 1997) In their opinion, the very idea of "outside meddling" producing coercion smacks of illegality. (Vincent, ed. Joel Krieger, 1993: 462) Advocates of intervention point out that intervention, including military intervention is legitimate and even necessary when a government severely represses the human rights of its own people or when the erosion of the central governmental authority creates conditions in which

innocent people are made vulnerable. (Haass, 1994:12) Thus came the concept of humanitarian intervention which is defined as "a forcible action without the prior invitation or consent of the target state's government for the specific purpose of protecting fundamental human rights. (Arend and Beck, 1993:113) It fulfils all the essential characteristics of traditional military intervention; it is military intervention with a humanitarian objective. (Otte, Dorman & Bowen, ed. Macmillan and Linklater, 1995: 187)

The second criticism against intervention is that it violates Articles 2(4) and 2(7) of the UN Charter. This argument is countered by stating that the UN Charter does not impose a blanket ban on intervention; rather it permits intervention if circumstances so warrant. It is further pointed out that "the fundamental question is not the legality, but rather the wisdom, of particular uses of force". (Roberts, 1999:12)

The third argument placed against intervention is that it is more often a ploy used by the Western powers to further their own national interests. This view is contested by some scholars who opine that the conflict-ridden areas where intervention takes place lack any significant security or national interests. (Snow, ed. Cimbala, 1996:91)

The fourth criticism is that intervention has exacerbated conflicts instead of resolving them and to that extent, it is counter productive. Any response to this criticism, however deserves a thorough analysis.

Given the continuing debate and discourse on the subject this study seeks to address the following questions.

1. Is intervention justified and if so, how and under what conditions?

2. To what extent has intervention been successful in resolving conflicts in the post-cold war era?

Thestudy aims at testing the following hypotheses.

To the extent that intervention has reduced the intensity of conflict, it has been successful.

Intervention is justified only if it enjoys the collective consensus of the international community formalised by the authorisation of United Nations

Qualitative method will be used for research. Secondary data will be collected from an extensive review of literature. Secondary sources include books, journals, newspapers and online sources.

This dissertation comprises the following chapters

Chapter 1:- The Concept of Intervention

Chapter 2: Intervention as an instrument of foreign policy: a historical overview.

Chapter 3: Intervention after the end of the Cold War: Changing nature and goals

Chapter 4: The Impact of Technology on Intervention

Chapter 5: Humanitarian Intervention: Stated objectives vs Ground realities

Conclusion

CHAPTER ONE

THE CONCEPT OF INTERVENTION

This chapter seeks to examine the concept of intervention in its different dimensions. Firstly, what exactly is intervention? Intervention literally means a 'coming-between' or an 'interposition'. More generally, it means a 'stepping-in' or an 'interference' in any affair so as to affect its course or outcome[1]. In International relations, intervention is generally defined as "organised and purposeful activity to change or prevent change in the political authority structure of other states through various instruments"[2].

The concept of intervention has been evolving over the years. The traditional definition of intervention is too restrictive; it confines the meaning to military intrusion into the affairs of another state. Intervention is dictatorial interference by a state in the affairs of another state for the purpose of maintaining or altering the actual condition of things... It concerns, in the first place, the external independence, and in the second either the territorial or the personal supremacy. But it must be emphasised that intervention proper is always

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[1] The Concise Oxford English Dictionary (Oxford: Oxford University Press, 2000), p. 713
[2] Oran R. Young, "Intervention and International systems", *Journal of International Affairs*, vol.XXII, no.2, 1968, p.177.

dictatorial interference not interference pure and simple.[3] More generally, it was understood as the imposition of the will of one state on that of another or the attempt to compel or coerce the sovereign will of another state[4]. In essence, intervention was identified with "coercive interference". To coerce is to "constrain or restrain by application of superior force or by authority resting on force; to constrain to compliance or obedience by forcible means".[5] What is implied by coercive interference is intervention by its use or threat of force. The use or threat of force was taken as a guide to the incidence of intervention. Accordingly, intervention was defined as that 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.[6]

The contemporary understanding of intervention is much broader in scope; it includes not just military activity but a wide array of activities that amount to intervention in a state's affairs. For instance, economic pressure, diplomatic mediation, political support or humanitarian assistance would be considered as acts of intervention. The definition rooted in this perspective is therefore exhaustive and comprehensive. Intervention is broadly defined as economic, political, diplomatic, humanitarian or military responses by the international community

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[3] L. Oppenheim and H Lauterpacht, *International law: A Treatise* (London, 1955), p.305.
[4] See for instance, Lawrence T.J. "*Principles of International Law*", ed., P. H. Winfield (London, 1925) edn.7 and also Thomas A.V.W., and A.J. Thomas, *Non – Intervention: The Law and its Import in the Americas* (Dallas, 1956).
[5] Oxford English Dictionary (Oxford: Oxford University Press, 2000)
[6] R.J. Vincent, *Non Intervention and International Order* (Princeton: Princeton University Press, 1974), p.8 and 13.

acting unilaterally and multilaterally to challenges to stability and order.[7] Intervention is now commonly understood as a spectrum of possible actions intended to alter international affairs in another country.[8] It is viewed as efforts by governments to influence the behaviour of other states through varying degrees of intensity from telephone calls from a foreign ministry to intelligence – gathering, to the actual dispatch of troops within their spheres of influence and elsewhere.[9]

Disagreement persists among scholars as to what exactly constitutes intervention. It is now widely recognised that the term tends to have two interpretations: one that is narrow and restrictive and the other that is broader and comprehensive.[10] This study adheres to the broader definition of intervention.

Definition apart, the concept of intervention can be analysed by breaking down the term into the following components:

    (i)   Actor(s)

    (ii)   Target

    (iii) Types

    (iv) Context.

Actor(s)

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[7] The Aspen Institute, *Managing Conflict in the Post – Cold War World: The Role of Intervention* in ed. The Aspen Institute, (Washington: The Aspen Institute, 1996), p.10.

[8] Jonathan T. Howe, "The United States and United Nations in Somalia: the limits of involvement", *The Washington Quarterly*, Summer 1995.

[9] Thomas G. Weiss, "Tirage Humanitarian Interventions in A New Era", *World Policy Journal*, 59.

[10] See for instance Lawrence Freedman, ed, *Military Intervention in European Conflicts* (Oxford : Blackwell, 1994), p. 1.

In contemporary practice, intervention is undertaken by one or more of the following actors:

1. International organisation eg. United Nations

2. Great power eg. United States

3. Collective defence organisation – North Atlantic Treaty Organisation (NATO).

4. Regional power eg. India.

5. Regional powers/ Regional security arrangements eg. Organisation for Security and Co-operation in Europe (OSCE).

Target

If intervention is against the state, which is generally the case, the target is the state which suffers intervention and whose sovereignty gets eroded. To be precise, the target is the authority structure of the state suffering intervention[11]. However if intervention is on behalf of the state, the target may be a group that revolts against the state. Hence the requirement that the target of intervention must be a state is considered arbitrary and unreasonable. A related question that begs clarification is, what is the jurisdiction of intervention? Some scholars attach the label "intervention" only to acts which try to affect the domestic affairs of a state. Though the activity may impinge upon the external affairs of a state, such acts are

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[11] R. J. Vincent, n.6, p.6.

excluded from the purview[12]. But what if an intervening agent wishes to influence, not the target state's internal affairs but instead its foreign policy, perhaps in particular the target country's policy towards the intervening agent itself?[13] Hence confining the jurisdiction to domestic affairs alone is of little use. It should include external affairs as well. Broadly speaking, the jurisdiction that is being interfered with is a state's jurisdiction over its territory, its citizens, its right to determine its internal affairs or to conduct its external relations.[14]

Types of intervention

Intervention can be classified based on the following criteria:

1. Nature of activity

2. Number of actors involved.

Based on type of activity, the different types of intervention currently in vogue are as follows,

      a. Military intervention

      b. Economic intervention

      c. Political intervention

      d. Diplomatic intervention

      e. Humanitarian intervention

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[12] See Stanley Hoffman, "The Problem of Intervention", in ed., Hedley Bull, *Intervention in World Politics* (Oxford: Oxford University Press, 1984), p.10 and R. J Vincent, n.6, p.6.

[13] Jeff McMahan, "The ethics of intervention", *Ethics and International Relations* (Manchester: Manchester University Press) p.27.

[14] Hedley Bull, ed., *Intervention in World Politics* (Oxford: Oxford University Press, 1984), p.1.

1. Military Intervention

It is the planned limited use of force for a transitory period by a state (or a group of states) superior in power against a weaker state in order to change the target state's domestic structure or its external policies; it is the continuation of politics with the limited addition of means of military force in order to re-establish the normal (pre – intervention) pattern of bilateral relations by forcing the target state into compliance.[15] Military intervention may further be classified according to purpose in the following manner:[16]

Deterrence, prevention, compellence, punishment, peace keeping, war-fighting, peace-making, nation-building, interdiction, humanitarian assistance, rescue, indirect use of force.

Deterrence

The standard definition of deterrence is "...the persuasion of one's opponent that the cost and /or risks of a given course of action he might take outweigh its benefits..."[17] Deterrence involves a prophylactic use of threatened force, designed to persuade an adversary not to take a particular action.

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[15] Thomas G. Otte, Andrew M. Dorman and Wyn Q. Bowen, "The West and the future of military intervention" in eds., John Macmillan and Andrew Linklater, *Boundaries in Question – New Directions in International Relations* (London : Pinter Publishers, 1995), p.178.

[16] Richard N. Haass, *Intervention – The Use of American Military Force in the Post-Cold War World* (Washington: Carnegie, 1994), p.50.

[17] Alexander L. George and Richard Smoke, *Deterrence in American Foreign Policy: Theory and Practice* (New York: Columbia University Press, 1974), p.11.

Preventive attacks

Preventive uses of force are those that seek either to stop another state or party from developing a military capability before it becomes threatening or to hobble or destroy it thereafter. Closely related to preventive uses of force are pre-emptive actions. The difference is one of timing and context. Pre-emptive actions may constitute actions or attacks before the other side acts or attacks or even after hostilities have begun but the targeted forces have not been introduced into battle.

Compellence

Compellent use of force is a discrete, consciously limited use of force designed to sway decision making. Compellent interventions seek to destroy some carefully chosen targets of value (in the eyes of the people or leadership of the targeted country) or atleast demonstrate an ability to destroy such targets. Gunboat diplomacy is a traditional example or mode of compellence.[18] It is defined as "the use or threat of use of limited naval force, otherwise than as act of war, in order to secure advantage, or to avert loss, either in the furtherance of an international dispute or else against foreign nations with the territory or the jurisdiction of their own state.."[19]

Punitive Attacks

Punitive actions are uses of military force designed to inflict pain and cost, that is, to make the opponent a price for his behaviour. They do not reverse what

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[18] Haass, n.14, p.54.
[19] James Cable, *Gunboat diplomacy* (London : Chatto and Windus, 1971), p.21.

has been one by the adversary nor can punitive attacks guarantee any particular future behaviour by the target country.

Peace Keeping

Peace keeping involves the deployment of unarmed or at most lightly armed forces in a peaceful environment, normally to buttress a fragile or brittle political arrangement between two or more contending parties. Peacekeeping takes place under chapter VI of the UN charter which addresses "pacific settlement of disputes", in contrast to Chapter VII which addresses enforcement actions requiring "action with respect to threats to the peace, breaches of the peace and acts of aggression".

War-fighting

This is the high end of intervention, and involves full fledged combat operations. What distinguishes war-fighting is that it brings to bear whatever forces are available and deemed necessary to dominate the confrontation by attacking enemy forces on the battlefield and those forces located elsewhere that could be introduced to affect it.

Peace-making

It is used to cover those activities falling between peacekeeping and war fighting. Here, greater emphasis is placed on limiting the scope of the combat (rather than trying to solve the problem with a massive use of force) and on

restoring or creating an environment in which resistance to a peace accord will become marginal and allow peacekeepers to operate.

Unlike peace-keeping where all the major parties to the dispute accept an agreement and the presence of outside troops, peace-making assumes that atleast one of the principal protagonists opposes the status quo, the presence of outsiders or both.

Nation-Building

It is an extremely intrusive form of intervention, one that seeks to bring about political leadership and, more important, procedures and institutions different from those that exist. State/nation building includes the restoration of law and order in the absence of government authority, the reconstruction of infrastructure and security forces, and facilitation of the transfer of power from the interim authority to the indigenous government.[20]

Interdiction

Interdiction involves the discrete and direct use of force to prevent specified equipment, resources, goods or persons from reaching a battlefield, port or terminal. It can be done to enforce sanctions and for law enforcement purposes.

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[20] Paul F. Diehl, Daniel Druckman and James Wall, " International Peacekeeping and Conflict Resolution", *Journal of Conflict Resolution,* vol. 42, no.1, Feb. 1998, pp. 33-55.

Humanitarian assistance

Humanitarian operations involve the deployment of forces to save lives without necessarily altering the political context. They entail the delivery of basic human services where the central authority is unable or unwilling to do so, the evacuation of selected people, or the protection of people from governmental or non-governmental forces. However, distinction needs to be drawn between humanitarian intervention and humanitarian assistance. Whereas intervention is coercive and implies the use of force, assistance is associated with the provision of relief.[21]

Rescue

Rescue operations are a form of humanitarian intervention, but sufficiently special to merit separate treatment. They are actions sharply limited in scale and purpose, and are taken in a hostile environment.

Indirect uses of force

An indirect use of force involves providing military assistance in the form of training, arms, intelligence, etc., to another party so that it may employ force directly for its own purposes. An indirect use of force involves military instruments, but it is not a military intervention per se, although it can quickly lead to such intervention.

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[21] Jan Nederveen Pieterse, ed., *World Orders in the Making – Humanitarian Intervention and Beyond* (London: Macmillan, 1998) p.4.

Economic intervention

It might constitute another type of intervention, occurring when strings are attached by the great powers to aid given to the small powers or when an economically developed state denies a contract to an underdeveloped primary producing state.[22] More often, the intervening state resorts to the imposition of economic sanctions. Economic sanctions can be defined as the deliberate, government inspired withdrawal or threat of withdrawal of customary trade or financial relations.[23]

Political intervention

It seeks to impose a specific structure of civil authority.[24] It might be said to take place when hostile propaganda is disseminated abroad, when moral support is lent to a revolutionary struggle within another state, then recognition is refused to an established government, or when a member state. of the Commonwealth insists on discussing the internal affairs of another member at a Prime Minister's conference.[25]

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[22] R.J. Vincent, n.5, p.9.

[23] Kimberly Ann Elliott and Gary Clyde Hafbauer, "New Approaches to Economic sanctions", *US Intervention policy for the Post-Cold war world – New Challenge and New Responses* ed. Arnold Kanter and Linton F. Brooks(New York and London: W.W. Norton, 1994) p.130.

[24] Bhiku Parekh, "Rethinking Humanitarian Intervention", in Jan Naderveen Pieterse, ed., *World Orders in the making – Humanitarian Intervention and Beyond,* (London: Macmillan, 1998), p.148.

[25] R.J. Vincent, n.18, p.10.

Diplomatic Intervention

The intervening actor may use diplomatic methods for achieving the desired outcome; this is referred to as diplomatic intervention. Diplomatic intervention for conflict management can take several forms viz. strategic, episodic and crisis-driven. Strategic intervention refers to a sustained involvement in a region or country for strategic reasons, eg. US mediation in the Middle East. Episodic diplomatic intervention occurs in stubborn, unripened cases eg. Cyprus, Kashmir. Crisis-driven intervention takes place when fighting flares up eg. the role of Jordan and Egypt when Yemen's fragile unity was shattered by secessionist move in 1994. Though episodic and crisis driven types are more common, they offer little chance for outsiders to develop substantial leverage apart from the leverage inherent in the balance of forces on the ground.[26]

Humanitarian Intervention

It is defined as a forcible action without the prior invitation or consent of the target state's government for the specific purpose of protecting fundamental human rights.[27] It fulfils all the essential characteristics of "traditional" military

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[26] Chester A. Crocker, "Lessons on Intervention", in The Aspen Institute ed., *Managing Conflict in the Post – Cold War World: The Role of Intervention*, (Washington: Aspen Institute, 1996) p.82.
[27] Anthony Clark Arend and Robert J. Beck, *International Law and the Use of Force* (London and New York: Roultedge, 1993) p.113.

intervention; it is military intervention with a humanitarian objective.[28]

Humanitarian intervention is an act of intervention in the internal affairs of another country with a view to ending the physical suffering caused by the disintegration or the gross misuse of the authority of the state, and helping create conditions in which a viable structure of civil authority can emerge.[29]

Intervention can also be classified based on the number of actors involved.

1) Unilateral intervention

Literally, this refers to intervention by a single state. However, the state that intervenes may be supported by several other states. In fact, the term unilateral intervention includes bloc intervention. The motivation and interests of one state will probably be the same for a group of like minded states.[30] Unilateral intervention is seen as manifestly self-interested, undertaken in the interests of the power which undertakes the intervening.[31]

(II)   Collective intervention

Collective intervention, is by definition intervention that has been authorised by some international body having widespread legitimacy. The use of the

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[28] Thomas G. Otte, Andrew M. Dorman and Wyn Q. Bowen, "The West and the future of military intervention", in John Macmillan and Andrew Linklater eds., *Boundaries in Question-New Directions in International Relations* (London: Pinter, 1995), p.187.

[29] Parekh, n.20, pp.147-148.

[30] Kurt Mills, *Human Rights in the Emerging Global Order – A New Sovereignty?* (London and NewYork: Macmillan, 1998). p.134.

[31] Evan Luard, "Collective Intervention", in Hedley Bull, ed., *Intervention in World Politics* (Oxford: Oxford University Press, 1984), p.157.

term is confined to interventions by more generally representative organisations having a comprehensive or near-comprehensive membership. In other words, it will include actions by world-wide bodies, such as the UN and its agencies; and it will include also actions by regional organisations such as the OAS and the OAU.[32] In contemporary practice, collective intervention refers to intervention that enjoys the widespread support of the international community formalised by the authorisation of the United Nations. Collective intervention is undertaken for collective purposes, such as stabilisation, the restoration of the peace, the maintenance of the status quo, the exclusion of great power rivalries.[33]

Closely related to the concept of collective intervention is the notion of international intervention. It is defined as "those coercive actions (economic and military sanctions) taken by the community of states to alter the domestic affairs, behaviour, or policies of a targeted government or insurgency that flouts international norms and resists the expressed will of the international community".[34]

Having discussed the types of intervention, the different perspectives on intervention shall now be examined.

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[32] ibid., p.162.
[33] ibid., p.158.
[34] Thomas G. Weiss, "Intervention: Whither the United Nations?", *Washington Quarterly*, vol.17, no.1 Winter 1994. p.110.

Realism argues that "expanding the frequency of intervention, cutting it off from a national interest foundation and undertaking broadly defined tasks in unstable political settings will yield the combination of good intentions and bad consequences (for ourselves and for others) that have so often doomed Liberal policies.[35] In short, realism posits that intervention exacerbates the conflict and advocates restraint and moderation.

In a Marxist perspective, intervention smacks of imperial and exploitative designs of the capitalist powers just in order to subjugate the weak states.

The liberal perspective tries to strike a balance between the "legal tradition" of the post-Westphalian order based on sovereignty and the states' right to use force and the old moral tradition of the "just war doctrine" which vindicated intervention as an expression against injustice. However whereas the just war doctrine traditionally tries to reconcile order and justice, a theory of just intervention risks putting justice (to individuals and groups within a state) above order (which the states presumably ensure). Though liberalism is divided over the issue of intervention, by and large, it justifies intervention on three grounds.

(I)   First, the recognition that sovereignty is neither abstract nor absolute but is conditional upon the state ensuring the fit between the government and the governed. In other words, no state can have any

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[35] J. Bryan Hehir, "Expanding Military Intervention : Promise or Peril?" *Social Research*, vol. 62, no.1, Spring 1995, p.49.

claim to soverignty unless it fulfils its basic obligation of protecting the rights of its people.

(II)   Second, the imperative to protect global humanity in terms of ensuring states' compliance with basic human rights norms should never be jeopardised by the constraints and limits imposed by sovereignty.[36]

(III)   Third, intervention at times become necessary and unavoidable to contain conflicts and preserve international peace and stability.

The disagreement between realists and liberals is rooted in differing conceptions of 'national interest'. For the realists, national interest is narrowly defined and intervention lies outside its realm. To that extent, intervention is unnecessary and uncalled for. Liberals' understanding of national interest is much more broader and far-sighted. They recognise that national interest does not consist of imperatives alone but also includes chosen preferences.[37] Foreign policy goals can either be possession or milieu goals and intervention is identified by liberals as a milieu goal.[38] The debate over intervention centres on the dilemma between state sovereignty and human rights. The post-cold war era characterised by waves of globalisation witnesses a discernible shift towards the latter.

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[36] Michael Walzer, "The Politics of Rescue", *Social Research*, vol.62, no.1, Spring 1995, p.55.

[37] Stanley Hoffman, "The Politics and Ethics of Military Intervention", *Survival*, vol. 37, no.4, Winter 1995-96, pp. 34-36.

[38] See Arnold Wolfers, *Discord and Collaboration* (Baltimore: John Hopkins University Press, 1962).

The incidence of intervention might vary with the nature of the international system.

(1) A system marked by power differential (states different in power) is likely to witness more frequent interventions then a system where power is distributed more or less approximately.

(2) A revolutionary international system is more susceptible to intervention than a system composed of satisfied, conservative powers.

(3) A system where small states lacking political authority coexist with great powers may experience more intervention than a system composed of states having stable regimes.[39]

There is neither an agreement on the exact definition of intervention nor a consensus over the scope of the term or the range of activity involved. What is clear is that over the years, the concept of intervention has evolved, changed and modified in tune with the changing circumstances. Now the scope of the term has broadened and the range stands enlarged and expanded. Intervention can therefore be defined as interference in another state's affairs – external or internal; its nature – coercive or non coercive; its instrument – diplomatic, political, economic, military or humanitarian; the actors – a state, group of states, regional alliance or an international organisation; the mode - unilateral or multilateral, the purpose as

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[39] Oran R. Young, "Intervention and International Systems", *Journal of International Affairs*, vol. XXII, no.2, 1968. pp.177-187.

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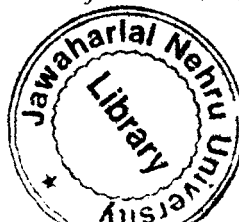
diverse as humanitarian assistance to preserving international peace and stability and the impact − erosion of the state's autonomy, if not violation of sovereignty.

CHAPTER TWO

INTERVENTION AS AN INSTRUMENT OF FOREIGN POLICY: A HISTORICAL OVERVIEW

Intervention is not a recent phenomenon nor is it just a cold war practice or a post-cold war invention. It has been used as an instrument of foreign policy from the begining of the states system. States have always found intervention a politically expedient tool to further their national interest and have utilised it whenever circumstances warrant. What is recent or new about intervention is its increasing incidence and legitimisation under the pretext of preserving "international peace and stability", and safeguarding fundamental human rights. Moreover, contemporary intervention is technology driven offering little time for any informed discussion let alone consensus and hardly providing any space for resistance or opposition whatsoever. This chapter presents an historical overview of intervention as an instrument of foreign policy.

First, let us examine as to how intervention has figured in the political discourse through the ages.

Richard Cobden, a 19th century British politician advocated an almost absolute policy of non intervention in the conduct of British foreign policy.

Arguing that non intervention is an essential prerequisite for preserving peace and order, he considered intervention as a futile exercise for achieving its stated purposes often defined in terms of national interest. The balance of power argument most often cited to justify intervention was unconvincing and irrelevant according to this British statesman, who vehemently opposed British intervention in Turkey to prevent the expansion of Russia. In his view, no government had the right to involve its people in hostilities except "in defence of their own national honour or interests"[1]

Mill endorsed humanitarian intervention to end a civil war and justified counter-intervention stating that "Intervention to enforce non-intervention is always rightful, always moral, if not always prudent"[2]

Kant upheld the principle of non intervention to be indispensable for achieving peace among nations. However an exception was made to the rule; intervention is legitimate if republicanism triumphs in the process. Republicanism is accorded higher priority than non-intervention.[3]

Joseph Mazzini, opined that great powers use the principle of non-intervention as a tool to further their own national interest. Non intervention is a discredited doctrine since it meant, "intervention on the wrong side ;

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[1] Richard Cobden, "England, Ireland and America", 1835 in *The Political Writings of Richard Cobden*, (London, 1886), p. 8.quoted in R.J. Vincent, *Non Intervention and International Order* (Princeton, 1974), p. 45.

[2] J.S. Mill, "A few words on Non-Intervention" reprinted from Frasers' Magazine, December 1859, in Mill, *Dissertations and Discussion : Political, Philosophical and Historical*, 4 vols, London, 1875, vol. III, pp. 153-178.

[3] Kant,"On Eternal Peace", trans. Carl J. Friedrich in Friedrich, Inevitable Peace, Cambridge, Mass., 1948, p. 248.

intervention is all who choose, and are strong enough, to put down free movements of peoples against corrupt governments."[4] Mazzini stipulated two conditions if the principle of nonintervention has to serve any real purpose. The first is that the rule would have to be adhered to absolutely and the second condition is that it should apply between nations.[5] The third world doctrine of non inter vention being espoused in the United Nations and other forums resembles Mazzini's thought.

In the early part of the 18th century, opinion was divided among the European powers on the issue of intervention. Whereas Russia, Germany and Austria favoured intervention if circumstances so warrant, Britain adhered to an almost absolute policy of non-intervention. The rationale was simple; political independence was more important than political order and the objectives clear-cut-maintenance of balance, preservation of European peace and the smooth conduct of European international relations. British policy was dictated by the distinction between political threats and social threat; between external conduct and internal affairs.

Only an immediate danger demonstrated by actual aggression would invite intervention. A potential danger whose existence was a matter of

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[4] Joseph Mazzini, *life and writings of Joseph Mazzini,* 6 vols, London 1891, vol. 6, Appendix on "Non-Intervention", first publ. 1851, p. 300. Also, Gaetano Salvemini, Mazzini, trans. I. M. Rawson, London, 1956, pp. 25-27.
[5] Ibid., Vol. 6, p. 301.

conjecture was not considered a sufficient reason. Accordingly revolution in France in so far as it is domestic did not merit intervention.[6] Castlereagh considered intervention in Spain quite unnecessary citing the absence of government authority and the difficulty in legitimizing it domestically. Non-intervention vis-à-vis Austrian activity in Germany and Italy in fact proved counter-productive. It allowed Austrian repression. Political independence was not the prime motive for Castleregh's policy of non intervention. It was rather the imperative to forestall the collective action of the allies by encouraging the most interested power to intervene on her own. In sharp contrast however, Britain expressed solidarity with its allies in opposing Russian support for rebellion in Greece, in order to maintain the balance of power.[7] Britain opposed the Troppau doctrine of 1820 that laid out the principles by which allies would intervene in Naples. What was recognised was the Austrian right to intervene but not the participation of allies.[8]For Britain, internal affairs were not a matter for international adjudication and its doctrine of non interference presaged the end of the Alliance not because it precluded any intervention, but because it disallowed intervention on grounds which were domestically intolerable.

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[6] qtd in Vincent (p. 75) C.K. Webster, *The Foreign Policy of Castlereagh, 1815-1822,* London, 1947, p.54.
[7] qtd, in Vincent p.80 (See Webster pp. 349-382 and Kissinger, A World Restored, pp. 286-311.
[8] Webster, pp. 322-323 (Qtd, in Vincent p.81).

In Canning's rule, the British position was "one of neutrality not only between contending nations, but between contending principles". Britain would intervene only "in great emergencies and then with commanding force". In fact, it did intervene in Poland in 1826 to ensure the decimation of French influence. However it could do nothing except to declare neutrality when France invaded Spain in 1823. Portugal was a case of vital interest, and with respect to Spain, it was a recognition of its inability.

During Palmerston's rule, Britain adopted a more flexible principle of non-intervention. Only military intervention was proscribed and other forms of interference were not altogether ruled out. In other words, common sense and prudence and no abstract principle dictated policy. However practice differed from precept. The deviation from the stated principle of non intervention was all too evident. The Polish rebellion and the consequent Russian intervention in 1830s' didn't invite any protest from Britain; the indifference was justified under the pretext of balance of power considerations.[9] Similarly Austrian intervention in Modena and Parma in 1831 was not at all criticised by Britain.[10] and worst of all,Russian intervention on Austria's behalf to suppress the revolution in Hungary in

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[9] C.K. Webster, *The Foreign Policy of Palmerston, 1830-1841*, 2 vols., London, 1951, Vol.II, p. 189.
[10] Donald Southgate, *The Most English Minister*, London, 1966, p.45.

1849 was in a way encouraged by Britain, this time the reason/pretext being an expression of concern with a strong Austria.[11]

The principle was violated in the opposite way when Britain interfered in Spain[12] and then in Portugal in 1834. Austria and France were told in no uncertain terms that armed interference in Italy will not be tolerated.[13]

The thrust of U.S. foreign policy was the doctrine of non intervention and more broadly a principle of non involvement in the internal affairs of other states.[14] This was the norm that prevailed towards the end of the 18th century. Rooted in Washington's proclamation of Neutrality on April 22, 1793 this policy was conceived to ensure non participation in European affairs and protect the soverignty of the United States against outside interference.[15]

During the period from 1811 to 1822, United States adopted a policy of neutrality toward the struggle between Spain and Latin American colonies.[16] Thereafter a policy shift was discernible; strict neutrality was replaced by recognition of statehood. The Monroe doctrine as pronounced on 2 Dec, 1823 contained 3 declarations of principle. First, the American continents were not to be considered as subjects for future colonisation by

[11] The New Cambridge Modern History, Vol.X, ed.,J.P.T. Bury, Cambridge, 1960 p. 264.
[12] Southgate, pp.101-102 .
[13] Southgate, p.465.
[14] Julius Goebel, The Recognition Policy of the U.S, New York, 1915, pp. 106-112..
[15] Quoted in J.B. Moore, A digest of International Law, 8 vols, Washigton, 1906, vol. VI, pp.. 11-12..
[16] See, G.C. Griffin, The United States and the Disruption of the Spanish Empire, 1810-1822, Newyork, 1937, pp. 97-98; A.P. Whitaker, The United States and the Independence of Latin America 1800-1830, New York, 1962, pp. 194-199 (Vincent- p.108).

any European power. Second, the traditional American policy of abstention from the affairs of Europe was reiterated. Third, the European powers were wasned against any interposition in any portion of the American Hemisphere.[17]

The underlying essence of the doctrine was to make European powers follow a policy of non-interference vis-à-vis U.S. Reciprocity was the premise and non involvement the principle. Monroe doctrine became the basis of U.S. foreign policy. The United States, one of the high contracting parties at the Inter-American Conference for the maintenance of peace, held at Buenos Aires in December 1936, declared "inadmissible the intervention of any one of them, directly or indirectly and for whatever reason, in the internal or external affairs of any other of the parties."[18]

Non Intervention in U.S. Practice

To what extent did the United States adhere to its stated principle of non intervention can be gauged by examining event in North America, Latin America, Europe and Far East. sIn the case of North America, the United States didn't strictly adhere to the principle of non intervention; rather it was overridden by a more alluring doctrine. This was amply demonstrated in the U.S. intervention and subsequent annexation of Oregon, Texas, California and Florida. U.S. intervened in Spain-controlled Florida in 1812 and 1818 and Florida was annexed in 1821. This act was justified as taken in self-

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[17] See, D. Perkins, Handsoff: A history of the Monroe Doctrine, Boston, 1948, pp. 390-392.
[18] Article I of the Protocol relative to non intervention, cited in J.W.Gantenbein, *The Evolution of our Latin American Policy : A Documentary Record*, (New York, 1950), p. 778 qtd in Vincent, p. 113

defence.[19] It is pointed out that three factors dictated U.S. Policy. Firstly American immigrants in Oregon, Texas, California and Florida influenced U.S. policy makers in favour of annexation with homeland. Secondly the "Manifest Destiny" taught that the "proper dominion" of the United States was the continent of North America..[20] Thirdly, the desire to exclude other powers from the American continent culminated in annexation.[21] Driven by these factors, the principle of non intervention was conveniently overridden.

U.S. Policy towards Latin America till 1918

The United States adhered to the principle of non intervention. The rationale is that the possibility of alienating American public opinion and of incurring the ill-will of the Latin American insurgents, were small compared to the risks involved in an interventionary policy.[22] The United States' recognition of the five new states in 1822 was in response to the completion of the War for independence in most Latin American countries until 1900. U.S.conformed to a policy of non intervention in isolation i.e, it didn't respond to the intervention of European powers in Latin America.

In 1898, United States intervened in a civil war between Cuba and Spain on behalf of Cuba's struggle for independence. This was in sharp

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[19] Bailey, *Diplomatic History*, pp. 163-164.
[20] See, Bemis, *Latin American Policy*, p. 74.
[21] Ibid, pp. 82-83 and 86.
[22] Bailey, pp. 165-167.

contrast compared to its restrained behaviour in a previous Cuban insurrection three years earlier.[23]

The victory of U.S. in Spanish-American war resulted in the acquisition of Philippines, Guam and Puerto Rico. This in turn encouraged a hitherto hesitant America to proceed with the annexation of Hawaii in 1898 and American Samoa in 1899. U.S. contribution in the birth of the state of Panama is significant; it prevented Colombian troops from landing to stamp out the rebellion and, later it recognised Panama. This involvement of U.S. has to do with the "strategic importance" of the region. Put simply, it wanted to annex Canal Zone.[24] The widening horizon of U.S. security called for a series of interventions. For instance, U.S. involvement in Nicaragua lasted for 20 long years. U.S. resorted to armed intervention in 1914 to rid Mexico of Haiti but in vein. No order was established. In 1916, there was yet another intervention in Mexico, which ended shortly owing to preoccupation with events in Europe. Haiti was the target of intervention in 1915 in order to establish an American[25] order after revolutionary uprisings. All these were justified to promote constitutionalism.

U.S. Policy towards Europe

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[23] Bailey, pp. 165-167.
[24] Bailey, pp. 544-545.

Throughout the nineteenth century, U.S. maintained a policy of non-intervention towards the European powers free of any further qualifications. The principle of non-intervention was incorporated in the Monroe Doctrine. The logic was that intervention in Europe would create powerful opponents for U.S. For instance the request of the Greek insurgent for American aid was turned down in 1823.

In the case of Hungarian revolution in 1848, America merely expressed sympathy and intervention was totally ruled out.[26]

During the inter war years, the doctrine of non-intervention in the domestic affairs of states rested within the broader doctrine of isolation from Europe. It is argued that the U.S, along with Britain and France failed to counter the intervention of other powers in the Spanish Civil War and merely expressed protest against the German conquest of Czechoslovakia in 1939, thanks to the principle of non intervention.[27]

U.S. policy towards the Far East

In the 19th century, U.S. policy towards the Far East region was dictated by case-specific considerations towards this objective, a method "peculiar to the region"[28] was worked out. To act according to the precepts

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[26] See, Crisis Diplomacy, p. 198 and also Bailey, p. 287.
[27] Graber, p. 187.

[28] A. Whitney Griswold, *The Far Eastern Policy of the United States* (New York, 1938), p.5.

of the balance of power was the guideline. Both strategic and commercial interests compelled the U.S. to abandon the principle of non-intervention.

In the early part of twentieth century, intervention was considered as costly, unnecessary and ineffective. This was mainly due to Roosevelt's "Good Neighbour Policy" and the new conception of national interest that was gaining momentum. In the 1930s, the United States despite its overwhelming influence preferred to stay aloof adhering strictly to the principle of non-intervention and non-interference.[29]

The United States, whether it followed the stated principle of non-intervention or not was keen to prevent European intervention. However when European powers violated the principle, counter intervention was never attempted by the United States. Most often, the need for forcible counter intervention was obviated by the success of diplomacy.[30] Monroe Doctrine was interpreted in such a way so as to justify American policy. This doctrine which was essentially a tentative warning to European powers not to intervene in the American hemisphere, in tune, became a license for the United States to interfere in the affairs of other American states. Monroe doctrine was inconsistent with the principle of non-intervention, however both were used to check the intrusion of European powers. In sum the

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[29] R.J. Vincent, p. 130.
[30] See, Bemis, *Latin American Policy*, p. 112.

United States toyed with the doctrine of non-intervention according to time, place and circumstance.

Intervention in Soviet Foreign Policy

At the Paris Peace Conference in January 1919, the Soviet government declared its willingness to adhere to a rule of non-intervention at least as regards to the discrimination propaganda. The "inviolable" principle of national self-determination was emphasised, together with respect for the independence and sovereignty of states. After the outbreak of war between Poland and Soviet Russia in April 1920, Soviet Union and Russia concluded an agreement on mutual non-intervention.[31] The revolutionary doctrine in Soviet foreign policy was at odds with the rule of non intervention, foreign policy was labelled "dual" since it had twin motives; one that supported revolution leading to interference in the affairs of other states and the other that proclaimed non interference at the formal diplomatic level.

The principle of non-intervention paid huge dividends to Soviet Union. An agreement was signed with Britain in 1921 and an equally elaborate prohibition of intervention formed the fifth article of the Franco-Soviet Non aggression Pact signed in November 1932.[32] The principle of non-intervention was also used as justification for foreign policies which

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[31] Louis Fischer, *The Soviets in World Affairs,* 2 vols., London, 1930, vol. 1, p. 296.
[32] See, Max Beloff, *The Foreign Policy of Soviet Russia, 1924-1941,* (London: 1947) pp. 23-24, qtd in R.J. Vincent p. 158.

seemed ideologically unpalatable. It was not always the case that Soviet intervention in the Trans-Caucasian Republics in 1920 and 1921 was as much about national security as about the encouragement of revolution.[33] Similarly, revolution was not the only factor that prompted Soviet influence in outer Mongolia. The Spanish civil war however is different. It placed Soviet Union in an acute dilemma. Caught between the imperative to support revolution on one hand and the necessity to maintain harmonious relations with Britain and France, the Soviet Union finally settled down to emphasise collective security and thwarting aggressive powers in Spain.[34] The Soviet Union thus encountered the difficulty of adhering to the rule of non-intervention when other states ignored it or preferred their own definitions of it. Atleast this was the case until Second world war.[35]

Intervention in Soviet foreign policy after the Second World War

Soviet Union was instrumental in the establishment of communist regimes in Eastern Europe.[36] The 'peoples' democracies' that were established were however placed in a lower footing vis-à-vis Soviet Union. Though formally their relations were based on mutual recognition of the principles of sovereignty, equality, and non-interference in domestic affairs,

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[33] See, E.H. Carr, The Bolshevik Revolution, 1917-1923, (Harmoudsworth, 1966), vol. 1, pp. 343-354.
[34] See, Cattell, *Soviet Diplomacy and the Spanish Civil War* (Berkeley: California University Press, 1957), p. 37.
[35] R.J.Vincent, p. 161.
[36] See, for instance H. Seton Watson, *The East European Revolution* (London, 1950) pp.167-229. Qtd in R.J. Vincent, p. 161.

the Soviet Union was given an ideological space to control the rest.[37] The Soviet experience was to be the model for the peoples' Democracies and their progress was to be measured in terms of their conformity to the model.[38] The principle of sovereignty was considered inferior to the principles allowing Soviet control of Eastern Europe.[39]

Though the Ponzan riots and the rout of the pro-Soviet forces in Poland exerted unrest in Soviet circles, armed intervention did place on October 23, 1956. The initial reason cited for Soviet action was to quell the violent disorder and restore order[40]. The second Soviet intervention in November the same year had no such basis. The message however was loud and clear, that Soviet Union would not tolerate Hungary toying with notions of neutrality. In other words, the Hungarian crisis manifested "a fundamental contradiction", that warranted nothing less than intervention.[41]

For the Soviet Union, the principle of non-intervention was not absolute, it was rather tinkered with and compromised according to convenience and pragmatic considerations. In fact, the careful admission of the duty to uphold internal wars of national liberation appeared to modify the duty of non-intervention in the internal affairs of other states. Seen in a different light, this national liberation modification instead of restricting the range of non-intervention principle seemed to maintain it. What is referred

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[37] Zbiqniew K. Brezenzinski, *The Soviet Bloc* (Cambridge, Mass, 1967) pp. 367 and 108-109.
[38] Brezenzinski, pp. 67-83.
[39] Ibid., p. 82.
[40] See, Zinner, pp. 458-459.
[41] On fundamental and non fundamental contradictions, see J.M. Mackintosh, *Strategy and Tactics of Soviet Foreign Policy* (London, 1962) pp. 195-196. Qtd. In Vincent p. 169.

to is the threat of counter intervention issued to uphold the principle of non intervention.

The Soviet invasion of Czechoslovakia on August 21, 1968 presumably took place to check processes that were let loose. These processes were "democratisation" and "internal liberalisation" manifested in changes like lessening of censorship. The invasion was considered necessary to safeguard Czechoslovakian sovereignty from the onslaught of external counter-revolution. Intervention didn't constitute interference in the country's internal affairs, it was an attempt to defend socialist gains. This was the official justification for an act of outright invasion.

The Soviet Unions' defence is rooted in the false premise of the "export of counter revolution from outside". Accordingly any action taken to defend a state threatened by counter-revolution and whose sovereignty rested on socialist foundations does not amount to interference rather it aims to uphold the endangered sovereignty. Such action was not destructive but protective, not aggressive but defensive. The principle of non-intervention was merely used as a slogan to advance Soviet interests by defining its relations with other socialist states. For the Eastern European states, it carved out the perimeter of permissible independence from the Soviet Union. This perimeter varied according to time, place and circumstance.

The Sino-Soviet dispute expanded the area enclosed by the non-intervention principle, the Brezhnev doctrine contracted it. The Soviet doctrine of non-intervention was made relative rather than absolute to justify and defend acts of armed intervention.[42] In essence, the doctrine was used as an instrument of foreign policy.

U.S. intervention policy during the Cold War

U.S. policy after the end of the Second World War was in response to the perceived notion of U.S.S.R as a "an intransigent and self-seeking power". This perception found evidence and justification in a number of Soviet actions including the failure to withdraw troops from Iran by the agreed date in March 1946, the pressure on Turkey for a change of the regime governing the straits and the communist aid to the insurgents in the Greek civil war. Having built an image of an aggressive Soviet Union, the United States responded to it in the only manner considered appropriate. The Truman Doctrine and Kennan's strategy of containment were the outcomes. Intervention was used as an instrument to follow the theory of containment. However containment entailed only counter force/ counter intervention and purported to uphold rather than undermine the independence of states.[43]

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[42] R.J. Vincent, pp. 178-179.
[43] R.J. Vincent, pp. 189-191.

The principle of non-intervention was diluted with permission given to multilateral action if circumstances so warrant. This modification was formally expressed in the Inter-American Treaty of reciprocal assistance signed at Rio in 1947 and in the Charter of the Organisation of American states signed at Bogota in 1948. It was emphasised that the collective action that stems from a concern about common welfare did not represent intervention, rather it was the "corollary of non intervention".[44]

United States' unilateral intervention in Guatemala constituted a violation of the Caracas Declaration of 1954, which emphasised a multilateral response. The action undertaken to overthrow the Arbenz regime owing to its collusion with communists was defended by invoking Monroe doctrine.[45]

Guatemala became a precedent for yet another unilateral intervention in Cuba. The objective was to prevent "the establishment of a regime dominated by international communism in the Western Hemisphere"[46] and the reason lie in Cuba being considered vital to the security of the United

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[44] Statement of Assistant Secretary Miler, "Non-Intervention and Collective Responsibility in the Americas", address of April 26, 1950, DSB, Vol. XXII, No. 567, May 15, 1950, pp. 768-770, qtd, in R.J. Vincent, p. 197.

[45] See generally U.S. Department of State, *Intervention of International Communism in Guatemala, Publication* No. 5556, Washington, D.C., August 1954.

[46] Kennedys' statement quoted in H.L. Matthews, The Cuban Story, New York, 1961, p. 225.

States.[47] However, Russian military assistance to Castro made his overthrow a technical impossibility.[48] The operation which began in April 1961 turned out to be a "perfect failure".[49]

In April 1965, U.S. intervened in the Dominican Republic. On April 28, American forces lauded and were subsequently heavily reinforced until the establishment of an inter-American force enabled some of them to be withdrawn. The United States' defence of her intervention in the Dominican Republic ranged from protection of the lives of nationals, through the maintenance of order, to anti communism and the safeguarding of democracy.

Communist intrusion in Latin American states like Guatemala, Cuba and the Dominican Republic was perceived by the U.S. outside, extra-hemispheric intervention and was therefore considered a fit case for counter intervention.

U.S. Policy towards the Middle East was guided by the Eisenhower Doctrine proclaimed in January 1951. This doctrine applied Truman's general commitment to defence of free peoples specifically to the Middle

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[47] See R. Carr, "The Cold War in Latin America" in J. Planck, ed., *Cuba and the United States*, (Washington, D.C., 1967), p. 165.
[48] See, Draper, T. Castros' *Revolution: Myths and realities* (New York, Praeger, 1962), p. 99 and Sorensen, T.C. Kennedy, London, Pan Books, 1965, p. 329. Qtd, in R.J. Vincent, p. 201.
[49] See Draper, p. 59.

East. In essence, the United States proclaimed its military commitment to the balance of power in the Middle East.[50]

In July 1958, U.S. intervened in Lebanon in response to the latter's request for troops. This intervention demonstrated American fidelity to that part of the Eisenhower doctrine, which promised assistance to those who requested it. The official justification was stated thus by Eisenhower, "to protect American lives and by their presence there to encourage the Lebanese government in defence of Lebanese sovereignty and integrity".[51] Lebanon illustrated that the ground for intervention was no longer anticommunism per se but the need for counter intervention against indirect aggression.[52]

U.S. involvement in Indo-China was a response to communist aggression. The conflict was portrayed as one between international communism and the free world. Aggression was identified with the mere existence of communism and rising communist insurgency in South Vietnam constituted indirect aggression that warranted immediate action. For the U.S., the war in Vietnam was started thus: "a communist government has set out deliberately to conquer a sovereign people in a neighbouring state".[53]

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[50] R.J. Vincent, pp. 208-209.
[51] Statement of July 15, DSB, Vol. XXXIX, No. 997, August 4, 1958, pp. 181-182.
[52] R.J. Vincent, p. 212.
[53] U.S. Department of State Publication, 7839, p. 1.

In 1965, U.S. troops were deployed, and North Vietnam was bombed thus heralding an open war.[54] U.S. justified its intervention on different grounds – strategic and political ideological and moral, and legal. It was felt that the security of the United States would be seriously threatened should Indo China fall into communist hands.[55]

Thus the defence of South Vietnam was a demonstration of the American commitment to a peaceful world order, a "concrete demonstration that aggression across international frontiers or demarcation lines is no longer an acceptable means of political change".[56] Later the involvement itself became a moral argument for the continuation of intervention. The need to demonstrate that "America keeps her word" became a prominent justification of United States intervention.[57] A policy choice thus became a moral obligation. Moreover Vietnam was interpreted as a test case of national liberation. This interpretation made the ending of American involvement very difficult.[58]

The legal defence mounted by the U.S. centred on the premise that an armed attack having been inflicted on South Vietnam by North Vietnam, the

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[54] See Daper, *Abuse of Power* (New York; Viking Press, 1967). pp. 62-63.

[55] Mc Namaras' March 26, 1964 address, p. 565.

[56] President Johnsons' address, March 25, 1967, DSB, Vol. LVI, No. 1449, April 3, 1967, pp. 534-539.

[57] See Johnsons' statement of June 2, 1964, DSB, Vol. L, No. 1303, June 15, 1964, p. 953.

[58] R.J. Vincent, p. 222.

U.S. was well within its rights to initiate counter-intervention for the purpose of individual and collective defence. Thus sanction is enshrined in Article 51 of the U.N. Charter.[59] The validity of the legal argument rested on two propositions. The first is that the conflict in Vietnam is international and not a civil war and the second one is that what had taken place constitutes "armed attack" and not merely indirect aggression. An "armed attack" necessitates and justifies military action including bombing.[60]

The Nixon doctrine of partial disengagement was framed with regard to relations with small powers, but allowed, or was concurrent with a normative reconciliation at the level of super power relations. Non intervention was a principle of détente as well as of disengagement, and also a norm whose proclamation acknowledged the existence of a link between them.

Vietnam illustrated beyond doubt the inherent limitations of intervention and convincingly demonstrated the inadequacy of the United States in resolving the conflicts of others. The limits of Truman theme also stand exposed; that over protection of freedom might mean its extinction if

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[59] R.J. Vincent, p. 222.
[60] See R.A. Falk, "International Law and the United States Role in the Vietnam War", See R.A. Falk, "International Law and the United States Role in the Vietnam War", Yale Law journal, Vol. 75, no. 7, June 1966, pp. 1122-1160.

indeed freedom was there to be protected in the first place.[61] Thereafter U.S. intervention policy continues to be impaired and paralysed by memories of Vietnam trauma or syndrome.

Soviet policy during the Cold war reflected a strong fervour to expand communism throughout the world given an opportunity. And US intervention policy was guided by a simple logic–to contain communism at all costs. The cold war then is more than an ideological rivalry; it is an attempt by the superpowers to rule the world by force or otherwise as they deem fit.

Historically, intervention has been a viable foreign policy choice for states. However, its effectiveness as an instrument of foreign policy is a moot point. States endorse or criticise intervention/get involved or stay aloof driven by foreign policy compulsions and devoid of any moral or idealistic considerations. The ethics of intervention most often vigorously espoused by states manifests *realpolitik* and nothing else. To criticise and condemn other state(s) engaging in intervention notwithstanding the compulsions of the circumstances and to justify one's own resort to the practice, even if there is no need whatsoever smacks of not just hypocrisy but prudence in foreign policy. Advocacy of the principle of non-intervention is therefore a

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[61] R.J. Vincent, pp. 228-230.

camouflage to further national interests. This apart, the outcome of intervention depends on the mode employed and the method used. Though coercion is more likely to yield compliance of the target state, the degree of coercion is the deciding factor. Persuasion devoid of coercion is not an advisable strategy and a high degree of coercion characterised by military attacks or deploying ground troops is likely to be counter productive. Vietnam, Afghanistan, Sri Lanka, the list continues till date. The bottom-line is that coercion short of military intervention yields the desired results consistent with foreign policy objectives.

CHAPTER THREE

INTERVENTION AFTER THE END OF THE COLD WAR:
CHANGING NATURE AND GOALS.

The end of the cold war confronts the international community with an interesting paradox; more space but less incentives for intervention, more opportunities yet at the same time more challenges. The space has increased manifold, as there is no serious threat or challenge to the western orchestrated intervention. There are less incentives because in most cases, vital national interests are not at stake. More opportunities for intervention exist today, thanks to the phenomenal breakthrough in military technology, however, more challenges also owing to the complexity of intractable conflicts. The sum total of the argument is that the changing nature and goals of contemporary intervention is inextricably linked to the changing international environment itself and the change presents both immense opportunities and complex challenges. To what extent opportunities are exploited and challenges surmounted determines the outcome of the intervention.

The changing nature of intervention can be analysed by examining the following factors,

(i)   Context

(ii) Actor(s)

(iii) Method/mode

Context

The contemporary context is very different from the one that existed during the cold war years. Firstly, the nature of the international system has been undergoing significant changes. It is no longer state-centric but a "mixed actor" system[1] where non-state actors do matter. This is not to suggest the obsolescence of states or the irrelevance of state sovereignty. States are the key actors in the international system but their predominance is shattered. State sovereignty is no longer sacrosanct but its inviolability lies in tatters; it is more vulnerable to pressure and more susceptible to change than ever before. This transformation has been brought about by the twin contradictory processes of globalisation and fragmentation. What we are witnessing today is neither the onset nor the onslaught of globalisation; it is just an acceleration and deepening of a process that's not new.[2] Globalisation integrates political, economic, social and cultural phenomena across borders. Among other things, such as the porosity of state

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[1] Oran Young, "The Actors in World Politics", in James N. Rosenau, Vincent Davis and Maurice A. East, eds., *The Analysis of International Politics*, (New York, 1972), pp. 128-34.

[2] Robin Brown, "Globalisation and the end of the national project", in John Macmillan and Andrew Linklater, eds., *Boundaries in Question-New Directions in International Relations* (London: Pinter, 1995).

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boundaries, financial fluidity and the homogenisation or the hybridisation of culture, the forces of globalisation tend to universalise values like democracy, human rights, etc.

Human rights is gaining global significance. This explains the increasing incidence and legitimisation of the concept and practice of humanitarian intervention. In fact, post-cold war intervention is increasingly "humanitarian"[3] in nature and mostly takes place in intra-state conflicts. Today most conflicts barring a few exceptions are intra-state in character. Intra-state conflicts are those that occur within a state between two or more different ethnic, religious, tribal, linguistic or communal groups. To the extent that the warring parties in these conflicts cling on to incompatible interests and irreconcilable positions, intra-state conflicts are extremely complex and intractable. The proliferation of these conflicts lead to break-down of the states, collapse of structures of governance culminating in the fragmentation of the international system. The change in the very nature of conflicts from inter-state to intra-state in the post-cold war period makes the task of intervention much more challenging and controversial than ever before. It is challenging because external intervention in these conditions

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[3]The term "humanitarian" may be quite misleading. It refers to a military intervention undertaken without the consent of the target state for the specific purpose of protecting fundamental human rights. See for instance, Adam Roberts, 'The Road to Hell': A Critique of Humanitarian Intervention', Harvard International Review, 63, (1993a). p. 10-13.

has little leverage and less utility in brokering peace between the contending parties that are mutually antagonistic to each other. It is controversial because intervention tinkers or meddles with the domestic affairs of a state eroding its sovereignty. Given these obstacles, the present day trend is to attach a tag "humanitarian" to all activities of intervention. The reason is simple, to add a moral dimension or an ethical connotation to an inherently coercive act thus making it legitimate and politically correct.

Notwithstanding the deliberate and systematic attempt of the West to espouse human rights through instruments like intervention, the third world still remains unconvinced.[4] The arguments cited in favour of humanitarian intervention most often couched in principles of fairness, equality, justice and human rights have so far failed to allay the apprehensions and scepticism of third world states. For the non-Western world, intervention is neither necessary nor desirable. It is unnecessary as conflicts can be managed or resolved through bilateral negotiations and not through third party interference. It is not desirable because intervention most often proves counter-productive. These states justify intervention only in exceptional circumstances when the gravity of the situation becomes alarming such as

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[4] For a brilliant and lucid account of third world perspective on intervention, see, Mohammad Ayoob, *The Third World Security Predicament-State Making, Regional Conflict and the International System* (London: Lynne and Reinner, 1995).

the outbreak of a genocide or reports of mass killing and that too through legal routes formalised in the authorisation of the United Nations.

For the West, protecting sovereignty and defending the territorial integrity is no excuse for the state to engage in gross human rights violations. A state ceases to be sovereign and loses its legitimacy and immunity from external intervention, the moment it fails in its most basic obligation i.e., to protect the rights of its own citizens. Intervention then becomes necessary, justified and inevitable.[5] The legality of intervention is less important than the moral imperative to stop human suffering[6]. Moreover, the presence of a third party helps to break the deadlock and bring the contending parties to the negotiating table providing ample scope for rapprochement and reconciliation. The consequences due to non-intervention (actually it means inaction) when weighed against the costs of intervention rationalises the West's argument for intervention.[7] This normative debate pertaining to the legality, necessity and political correctness of intervention persists and to a large extent paralyses efforts aimed at successful intervention.

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[5] See for example, Barry M. Blechman, "The Intervention Dilemma", *The Washington Quarterly*, Summer 1995, p.4.
[6] See Adam Roberts, "Willing the End but not the Means", *The World Today*, vol.55, no.5, May 1999, pp.8-12.
[7] See Adam Roberts, "NATO's Humanitarian War Over Kosovo", *Survival*, vol.41,no.3,Autumn 1999, pp.102-23.

The changing power configuration in the international system also has a profound impact on intervention pattern after the end of the cold war. The virtual decimation of the communist bloc manifested in the disintegration of the Soviet Union, and the democratisation in Eastern Europe, not to speak of the entry of former Warsaw Pact members into the NATO fold has almost eliminated any resistance or opposition to Western led intervention. The Western bloc represented by the United States and Europe decides the nature, timing, mode and roadmap of intervention. The West bypasses the United Nations and intervenes with brute military force if the latter proves to be a hindrance. The recent military intervention in Federal Republic of Yugoslavia code named "Operation Allied Force" wherein NATO intervened without explicit UN authorisation is a case in point. Though the unilateral Western led military adventurism is fiercely resisted and strongly opposed by the non-western world, the condemnation and criticism serve little purpose. In fact they make no difference to the policy, procedure, mechanism target or objectives of intervention. The impunity with which NATO bombarded the Chinese Embassy in Yugoslavia merely confirms this. This is not surprising given the fact that the United States remains the prime mover of world politics and the U.S-Europe agreement on matters of intervention is paraded as the consensus of the entire international

community. If necessary, the West ropes in the support of other great powers and even tries to accommodate them. This is evident in the inclusion and the susbstantial presence of Russian Troops in the IFOR (Implementation force)/SFOR (Stabilisation force) in Bosnia and KFOR (Kosovo force) in Kosovo. If the support is not forthcoming and found lacking, then the West goes ahead with its "humanitarian" mission undeterred by opposition.

In sum, the opposition raised by the third/non-western world is of no consequence and has little impact on the actual practice of intervention. It merely delays intervention by triggering and then prolonging the discourse on the ethics of intervention. The third world perspective rooted in the principles of sovereignty and non intervention merely contributes to an academic debate without influencing the policy in any significant way.

Yet another distinguishing characteristic of post-cold war intervention is the impact of technology on military intervention. The rapid advancements in science and the significant breakthroughs in technology especially military technology has made the operation swift, precise, easy and effective. The acquisition and the use of state of the art military weaponry has increased the rate of success and shortened the period of involvement of intervening actors. In today's post-heroic age where no state

is willing to risk its soldiers in battlefield and that too for humanitarian operations, technology offers a low cost option. It eliminates the need to send ground troops thus saving the intervening states from the fall outs of "body bags" syndrome.

Intervention after the end of the cold war is no longer an extension of super-power rivalry. Nor is it an instrument used to expand the spheres of influence of Soviet Union or United States. It is an activity supposedly meant to manage conflicts and restore peace and stability. The post-cold war context devoid of ideological competition and proxy wars has at least reduced the scepticism and suspicion about intervention if not completely eradicating them.

(ii) Actor(s):

The United Nations remains the prime vehicle for intervention in the post-cold war era. Regional organisations or military alliances such as NATO supplement them or at times play a lead role. The United States and European Union constitute the key actors and their dominance in decision – making is complete and total. Right from making a case for intervention to deciding the timing of activity, the instrument to be used – political, economic, military or diplomatic, outlining the *modus operandi* and finally in chalking out the exit strategy, the authority of the West, the United States

in particular reigns supreme. The United States, given its unrivalled economic resources and military capabilities sets the agenda for intervention and assumes a leadership role. It is pointed out by some scholars that this is both inevitable and desirable.[8] Others decry this trend as yet another opportunity to meddle in the domestic affairs of third world states stating that the domination of a single state does not augur well for the survival and stability of an international system which is founded on the principle of sovereign equality of states. Be that as it may, the United States is no longer willing to undertake unilateral military intervention and share disproportionate burden in terms of incurring costs or accepting responsibility. The rhetoric of the "New World Order" has faded and disappeared. U.S. intervention policy has been guided by "assertive multilateralism" only to be replaced by "cautious multilateralism" after a very short span.[9] The present government adopts a posture that is less-interventionist and is working on an exit strategy for U.S. troops in Bosnia and Kosovo. There is an absolute mismatch between rhetoric and reality; between lofty ideals espoused and actual things practised; between what is desirable and what is possible. This is mismatch demonstrates beyond doubt

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[8] See for instance, Joshua Muravchik, *The Imperative of American Leadership* (Washington,1996),p.131.
[9] John O.B. Sewall, "Adapoting Conventional Military Forces to the new environment", in Arnold Kanter and Linton F.Brooks, eds., *US Intervention policy for the post cold war world:New challenges and New responses,*(London,1991), p.87.

that notions such as human rights transcending state borders are still their its

infancy and yet to take deep roots. Whereas these ideas remain in the realm

of academic debate, events in International Politics are still shaped and

determined by *realpolitik* national interest considerations. To be very

precise, post-cold war intervention is a collective multilateral enterprise

mostly under the auspices of the United Nations with the United States in the

lead role.

The number of interventions has increased drastically in the post-cold

war period. The United Nations has been intervening more frequently than

it did during the Cold War period. The forty years from 1945 to 1985 saw

the deployment of only 13 U.N. peace keeping forces. The next decade

along witnessed the deployment of another 21 missions.[10] Of the twenty-

nine 'peace-keeping' operations established by the UN since 1945, sixteen

have been created since 1987.[11] During the period from 1988 to 1991, which

witnessed the end of superpower bipolarity, eleven missions were

authorised. Four of these were related to conflicts in Afghanistan and the

Middle East. Four were in Central America, traditionally regarded as within

the sphere of influence and therefore, before the end of bipolarity,

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[10] UN Documents, DPI/1306/Rev.3, *UN Peace Keeping* (Newyork, 1994),p.2.
[11] Sally Morphet, 'UN peace Keeping and Election – Monitoring in Adam Roberts and Bebedict Kingsbury (eds.), *United Nations, Divided World*, 2nd edition (Oxford: Clarendon Press, 1993), p.183.

peacekeeping was not seen as an appropriate intervention instrument in that region. The remaining three were in Africa.[12]

However after a dramatic expansion between 1989 and 1992, U.N. peace keeping retreated as it failed to rise to the challenge of "addressing the deepest causes of conflict" as set out in Boutros-Ghali's Agenda for peace. The "Agenda for peace" proposed creation of a standing UN "peace enforcement force" to quickly "enforce a ceasefire by taking coercive action against either party, or both, if they violate it". Unlike to additional peace keeping operations, however, the use of this enforcement force can be ordered without the express consent of the disputants, and they would be trained and equipped to use force if necessary. This would enable UN forces, "by presenting a credible military threat...to convince all conflictual parties that violence will not succeed.... The military objective of the strategy, then, is to deter, dissuade, and deny (D3).

The end of the cold war has removed impediments to U.N. Intervention. The U.N. Security Council is no longer paralysed by the virtually automatic use of the veto by either of the two superpowers.[13] The

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[12] Tom Woodhouse and Oliver Ramsbotham, "Peace keeping and Humanitarian Intervention in post-cold war conflct", in Tom Woodhouse, Robert Bruce and Malcolm Dando, eds., *Peace Keeping and Peace Making –Towards effective intervention in post-cold war conflicts,* (London:Macmilan,1998),p.54.

[13] James Mayall, *The New Interventionism 1991-94:UN Experience in Cambodia, Former Yugoslavia and Somalia* (Cambridge: Cambridge University Press, 1996), p.5.

international community considers intervention as a moral imperative rather than as a transgression of state sovereignty, if human suffering becomes intolerable. Moreover, instantaneous images of starvation and mass killing televised and highlighted in the media, in what is known as CNN effect impel nation-states to respond to grave humanitarian crises. All these factors have contributed to the emergence of a greater interventionism or "new interventionism" because in many tragedies public opinion perceives a human imperative that transcends anything else.[14]

Along with the United Nations, regional military alliance such as NATO, regional security organisations such as OSCE (Organisation for Security and Co-operation in Europe), and other regional groupings like OAU (Organisation for African Unity) also actively participate in Post-cold war intervention. After the end of the cold war, the relevance of NATO is being questioned. Though there is no longer any need to contain communism, new threats that endanger the stability of the trans-atlantic region have surfaced. These threats in the form of protracted ethnic conflicts remain the prime concern of NATO in the twenty first Century. NATO is all the more relevant and significant than ever before but for -a modified purpose-to contain crises that destabilise the region and jeopardise its

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[14] L.Martin, "Peace Keeping as a growth industry", *The National Interest*, Summer 1993, pp.3-11.

stability. It is in this changed context that NATO has formed the partnership for peace and more recently the Washington summit with these initiatives the geographical scope of NATO's defined responsibilities has been extended. NATO has reconstituted itself: it is now able to operate out of area; and it has initiated an al-European dialogue in line with the New Strategic concept.[15] The spectacular military victory of NATO as witnessed in Operation Allied Force in the former Federal Republic of Yugoslavia has boosted its credibility and demonstrated its capacity for leadership. Multilateralism is generally the preferred approach for contemporary intervention; the exact specifics relating to devolution of power and delegation of authority is however decided on a case by case basis.

Mode of Intervention

The Post-cold war era is witness to the use of a variety of instruments of intervention – military, diplomatic, economic, political and humanitarian. These instruments are used in different stages of a conflict and the final outcome depends on how effectively each instrument or method is put to use. It then becomes necessary to consider intervention as a spectrum of activities ranging from diplomatic pressure to a grave military attack on the target state. The international community increasingly resorts to the use of a

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[15] Charles W.Kegley, "Thinking ethically about peace making and peace keeping", in eds., Tom Woodhouse, Robert Bruce and Malcolm Dando, *Peace Keeping and Peace Making-Towards Effective Intervention in Post-Cold War conflict* (London: Macmillan Press,1998),p.26.

mix of diplomatic and military instruments for managing conflicts. In fact, diplomacy backed by force has proved to be extremely useful in ensuring compliance of the target state and in ending hostilities. The sudden and welcome shift in the ground situation in Bosnia-Herzegovina towards the later half of 1995 merely demonstrates this.

Changing goals of Intervention

The stated goals and objectives of post-cold war intervention are mostly "humanitarian" in nature and purpose. The rationale for intervention is no longer defined in terms of national interest but in terms of a wider interest – an interest that transcends nation states for the collective good of the international community. Whatever be the officially stated objectives, the real motive and purpose that drives contemporary intervention remains unclear. Nevertheless this shift from national interest to humanitarian interest is consistent with a broader and a fundamental shift from sovereignty to human rights in contemporary International Relations.

It is interesting to note that during the cold war period, even intervention undertaken for humanitarian purposes was never justified on humanitarian grounds. For instance, India when it intervened in East Pakistan in 1971 didn't cite humanitarian reasons. Instead it justified the act

on the grounds of self-defence.[16]   Similar was the case when Tanzania invaded Uganda in 1979 overthrowing Idi Amin in the process.   It is reported that Tanzania went out of its way to disclaim responsibility for the felicitous humanitarian outcomes of its actions.   It claimed that its intervention was a response to Amin's invasion and merely happened to coincide with a revolt against Amin inside Uganda. Vietnam's intervention in Cambodia in 1979 is yet another example.   Vietnam attributed the overthrow of Pol Pot to the willingness and revolt of the Cambodian people (and thus, by implication, not by Vietnam).[17] The above mentioned cases show beyond any reasonable doubt that humanitarian interest or concern was too insufficient to justify intervention during cold war years.   This stands in sharp contrast to the present scenario where most acts of intervention, rooted in national interest are legitimised under the pretext of protecting and safeguarding human rights.   It is also to be noted that the cases of intervention cited during cold war viz. India in East Pakistan – 1971, Tanzania in Uganda – 1979 and Vietnam in Cambodia – 1979 represent instances of unilateral intervention.

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[16] Michael Akehurst, "Humanitarian Intervention", in Hedley Bull, ed., *Intervention in World Politics*(Oxford: Oxford University Press, 1984), p.96.
[17] ibid.,pp.97-98.

The goals of present day intervention have become more ambitious and hence the tasks more challenging. The objective is not just cessation of hostilities but to resolve conflict and restore peace and order.

In the process, the United Nations has moved from peace-keeping (the deployment of interventionary forces to prevent an existing dispute from re-igniting) to preventive diplomacy (to anticipate and abort erupting disputes) and from there to peacemaking (proactive intervention to assist disputing parties to come to agreement). In addition, the UN began to engage in peace building by assisting redevelopment after conflicts were resolved in order to deter their resurgence.[18] Today, the mandate of UN missions has expanded. The new-style peacekeeping operations are larger, more numerous, and more expensive than their predecessors. Most importantly, they are also more complex. No longer is the case where lightly armed soldiers in blue helmets could monitor a cease-fire at the invitation of the belligerents. They are now embroiled in situations of active civil wars where there are now boundary lines and in which the belligerents recognised no neutrals.[19] In sum, the United Nations has been entrusted with a broad spectrum of responsibilities owing to its widening role. These include supervising elections, monitoring human rights, good offices and mediation, and humanitarian aid, in short,

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[18] Kegley, n.20,p.18.
[19] Thomas R.Mockaitis, *Peace Operation and Intra State Conflict-The Sword or the Olive Branch?*(London: Praeger,1999),p.2.

not only peacekeeping but peacemaking and peace enforcement.[20] The overall thrust is on the "humanitarian" element.

This humanitarian element is however questioned. It is pointed out that 'humanitarian intervention' should be put in inverted commas to indicate that its humanitarian character should not be taken at face value or in a literal sense. The reason is that humanitarian intervention has a security dimension in addition to the humanitarian dimension. In fact, the security dimension assumes primacy and drives any act of intervention. In other words, a crisis or human suffering per se does not end up in intervention; it is a necessary condition but not a sufficient reason and to that extent the response is often feeble, delayed, half hearted and ineffective. The apathy and indifference of the international community to genocide in Rwanda is a case in point. On the other hand any threat to regional peace and stability and hence by implication a threat to international peace and stability is considered sufficient enough to necessitate a forcible and effective intervention.

This discussion on what factors really drive intervention leads us to a much larger and fundamental question: What is the real motive behind post-

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[20] William Louis, "Peace Keeping in the name of Humanity", 28 June 2001
<http://www.ndu.edu/ndu/inss/macnair26/mo26cho2.html>

cold war intervention? Is it humanitarian concern or national interest consideration? Any scholarly attempt to decipher and decode the unstated, real motive and purpose of intervention is more likely to end up in a subjective interpretation and truth may be the first casualty. The unstated is hard to discern and presumptions entail the risk of distorting the reality. Measuring the record of intervention against the stated objectives would simply suffice. However given the normative implications attached to the subject, the academic discourse continues.

Critics contend that intervention is still guided by national interests considerations. In their opinion, the West's pro-active human right campaign is merely a camouflage for serving their own self-interest. If sovereignty is propagated as organised hypocrisy,[21] then it is more of a western practice than the rest of the world.

The United States continues to act in accordance with its own interests. The change observed in U.S. foreign policy is cosmetic and suits the present times where human rights is both a catchword and a convenient vehicle for achieving foreign policy objectives. The essence is that U.S' led humanitarian intervention has nothing to do with human rights; it is a ploy to maintain its hegemony in world affairs. Similarly, NATO's Operation

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[21] See Stephen Krasner, Sovereignty-Organised Hypocrisy (Princeton: Princeton University Press,2001).

Allied Force in Yugoslavia is to demonstrate its relevance, to find a new *raisondetre* in the absence of the Soviet threat. The so called "humanitarian war" in Kosovo is a well planned systematic operation "designed largely to boost NATO's credibility".[22]

These arguments are countered quite convincingly. It is pointed out that most of the contemporary internal conflicts occur in places physically remote from the United States and lacking any important interests. No important American security interests in any traditional sense are involved in any possible outcome in Kurdistan, Somalia, Bosnia, Rwanda....[23] A more plausible explanation is that there are often mixed motives for intervention. There are reasons more one that impels intervention. For instance in the case of Kosovo, it is emphasised that though U.S. national interest was on the front burner and NATO's credibility was at stake, human rights did feature on the agenda and was an important reason for the involvement. Moreover it is in Americas' national interest to protect and safeguard human rights. It may not be a vital or strategic interest but may constitute important secondary interests. Upholding human rights and alleviating humanitarian tragedy are worthy goals for American national security policy. Doing so reinforces the notion that the United States is not interested in power for its

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[22] Julia Mertus, Legitimising the Use of Force in Kosovo <http://carnegiecouncil.org>
[23] Donald M.Snow, "Peacekeeping , Peace enforcement and Clinton Defense Policy", in Stephen J.Cimbala, ed., *Clinton and Post-Cold War Defense* (London: Prager, 1996)p.90.

own sake but to enhance stability and security and to promote certain universal principles and values. To cite a recent example, one of Clinton's four foreign policy objectives was "building a world order compatible with basic American values by encouraging the growth of democracy and by using military force against major human rights abuses". The so-called Clinton doctrine included a strong human rights component, although it was inconsistently and opportunistically applied. To the extent that humanitarian concerns have gained influence over decision-making and state behaviour there has been a significant normative shift. This shift is reflected in the way international society is becoming more open to "solidarist themes" which utilise a "voice that looks to strengthen the legitimacy of international society by deepening its commitment to justice.[24]

Thus the rationale for post-cold war intervention, by whatever name it is called is a mix of motives; humanitarianism and national interest and a combination of purposes; safeguarding human rights and preserving international peace and stability.

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[24] Julia Mertus, n. 22.

CHAPTER 4

THE IMPACT OF TECHNOLOGY ON INTERVENTION.

Even before the necessity of intervention is examined, its desirability evaluated, the legal requirements ascertained, the political ramifications deliberated and the ethical dilemmas addressed, intervention has already taken place. Technology has made intervention a *fait accompli* bypassing all other considerations – political, legal and moral. By the time the international community wakes up to the reality deliberating on the justification of intervention, and the target state responds to the "suffering" and frames its policy choice, irreversible damage has already been done. The target state initially protests and then willy-nilly surrenders to the dictates of the intervening powers. Compliance having been achieved and the objectives realised, intervention is deemed as a "success". The proclaimed success is then meticulously advertised by a carefully orchestrated media campaign. At the other side of the spectrum, a hue and cry is made about the inviolability of state sovereignty diverting attention from the real issue. In the process, the normative implications attached to intervention are overwhelmed and sidelined by the spectacle of technological sophistication.

The role of technology in intervention is too profound and significant. Initially it impels the international community to act by beaming images of human suffering onto television screens highlighting the gravity of the situation and eliciting response. Intervention having thus begun is accelerated with the use of cutting edge technologies to achieve the desired objectives with extreme precision and sophistication. During the course of operation and immediately afterwards, information is filtered and disseminated so effectively so as to silence critics and convince the larger public of the inevitability of intervention. In a fit of irony, the same CNN effect sets in a intervention fatigue and provokes nationalist sentiments questioning the desirability of military overstretch in foreign land thus ending the intervention. Technology makes intervention possible, feasible and above all preferable.

The rationale of using, rather exploiting technology in military intervention is two-fold. Firstly, it helps in achieving the objectives of intervention in the quickest possible time and the smartest way possible. The systematic military attacks like aerial bombing cause irreparable damage paralysing the target state. The target state quickly falls in line ensuring compliance. In conflict management and resolution, technology tilts the balance in favour of the side that enjoys the overt or covert support of the intervening actor. In other words the stakes are raised for the target

state changing the very nature of bargaining and negotiation. Conflict is managed or resolved as per the terms and conditions set out by the winning side or the intervening actor. The target state almost signs on the dotted lines having lost the battle. This was clearly manifested in the Kosovo case where Milosevic had no option but to submit to the demands of NATO. Initially before "Operation Allied Force", what was at stake for Milosevic was the sovereignty and territorial integrity of Federal Republic of Yugoslavia. After 78 days of ruthless bombing the stakes involved became too high to display any further laxity – it was a question of survival and security. For NATO and the West, the stake involved was a credibility of a military alliance and a political grouping that is supposedly defending human rights at all costs including that of sovereignty. The West (and not the international community) has succeeded on all counts. The military objective has been accomplished – Federal Republic of Yugoslavia has been destabilised. The political goal has been realised – Milosevic has been thrown out of office and now being extradited. The diplomatic breakthrough has been achieved – the crisis is temporarily defused. At the end of the day, the question that is still lurking is "Whether the humanitarian objective has been achieved or atleast attempted?". At the risk of sounding colloquial, the answer is yes and no. Yes, because the tragedy of ethnic cleansing has come to an end. No because the displacement of Serbs has just begun. Thus technology is more useful in achieving objectives centred on national interest rather than realising ideals related to conflict management. The

explanation is not hard to seek. States invest in technology and defence not just to meet exigencies but to end them in ways of their own liking. This logic is rooted in *realpolitik* and devoid of any altruistic intent. Conflict management is a side show. Power game is the reality.

Secondly technology is useful in achieving the objectives of intervention consistent with national interest goals. Today, no great power is willing to intervene if the costs outweigh the benefits. Intervention is attempted only if costs are affordable and the benefits visible. Low-cost option is the benchmark that guides intervention and technology reduces the costs considerably. The costs include not just material resources but human lives as well. In the present post-heroic age, where the commitment of citizens has the state has lessened and the state's control over its citizens weakened, risking lives for the sake of alien people on foreign land is considered unnecessary and uncalled for.[1] Vietnam and now Somalia stand as concrete examples. Atleast in Vietnam, the US could cite a reason for its involvement rooted in national interest though later the argument didn't stand scrutiny. In Somalia it was different; the US was hardpressed to come out with any solid reason (apart from the humanitarian imperative) to convince the domestic audience of the "rationale" of intervention. The aversion of the US public to "body bags syndrome" finally resulted in a

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[1] See, "In an age without heroes", *The Economist*, 2 June 2001, pp. 27-30 and also Edward N. Luttwak, "Toward Post-Heroic Warfare" in Naval War College ed., *Strategy and Force Planning* (Newport, 1997), pp. 419-429.

hasty withdrawal of US troops from Somalia. The Somalian tragedy coupled with Vietnam trauma has had a profound impact on US intervention policy. Since the Vietnam war it has been a political imperative for the US to keep casualties to its soldiers minimal in foreign interventions.[2] The extraordinary low casualties in the second Gulf war has reinforced this requirement and set a new standard.[3] With this precedent now set, the political consequences of likely combat casualties above a few hundred in a foreign intervention will be considered a grave risk.

The objective of post-cold war intervention is not just winning the conflict but winning the conflict with extremely low casualties. This political compulsion demands a scientific solution. For instance the problem of fratricide, so evident in the battlefield deaths of US soldiers in the Gulf war is to be tackled by investments in technologies such as positioning integration, situation awareness, optical improvements and non-cooperative target identification that are principally of use in maneuver control and target acquisition.[4]

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[2] Charles Knight, Lutz Unterseher and Carl Conetta, "Reflections of Information war, Casualty Aversion, and Military Research and Developmental after the Gulf war and Demise of the Soviet Union". <http/www.comw.org/>.

[3] See for instance, Schmitt Eric, "US seeks to cut accidental war death", *New York Times*, 9 December 1991, p. A12.

[4] Charles Knight, Lutz Unterscher and Carl Conetta, n.2 <http//www.comw.org//>

Technological applications in Peace Keeping:

Some technologies developed for traditional military operations are directly transferable to peace keeping and related missions. These include sensor, position location, and communication technologies.

Sensor, Communication and Location Technologies:

Sensor technology is extremely useful in multinational peace keeping operations.[5] The sensors that are widely used are seismic, acoustic and thermal imaging varieties. In addition, technologies appropriate to CCS (Conflict Containment and Stabilisation) missions include : Synthetic aperture radars, laser radars, multispectral sensors, air-sampling devices and electronic identifiers capable of being checked from long distances.

In the UN Emergency force II that monitored the Sinai disengagement, the US operated four automatic sensor fields, three human-tended watch stations to oversee the fields, and one additional automated station operated by remote control within a larger demilitarized buffer zone monitored by UN peace keepers. The US also conducted photo reconnaissance flights, relaying data directly to the Egyptian, Israeli, UN and US commands.[6]

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[5] For a detailed account of sensor applications, see, *Sensors for Peace: Applications, Systems and Legal Requirements for Monitoring in Peace Operations* (New York and Geneva: United Nations Publications, 1998).

[6] For a more detailed account of the aerial inspections in the Sinai, see, for example, Amy E. Smithson, "Multilateral Aerial Inspections: An Abbreviated History" in *Open Skies, Arms control and Cooperative Security*, ed., Michael Krepson and Amy E. Smithson (New York, 1992), pp. 113-34.

The sensor fields used consisted of line sensors, point sensors, and imaging sensors to detect intrusions, to locate them, and then to determine the nature of intrusion. The ground sensors employed seismic, acoustic, infrared, magnetic, electromagnetic, pressure, electric, and earth strain disturbance detection methods. Strain – sensitive cables detected movement by personnel and vehicles; passive infrared confirming scanners could distinguish their direction and speed. Thermal imaging devices were useful owing to their superior capabilities at night. Directional infrared intrusion detectors registered temperature differences between the background and intruders.[7]

Non Lethal Weapons:

Peacekeeping and CCS missions are in need of effective technologies to contain threats and conflict with minimal casualties. Potential capabilities required range from area denial to incapacitation of personnel and equipment. The other technological applications that could be of immense use are listed in the table below.[8]

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[7] For a complete details, see, John H. Henshaw,"Forces for Peace Keeping, Peace Enforcement and Humanitarian Missions", in Barry M. Blechman, William J. Durch, David R. Graham, John H. Henshaw, Pamela L. Reed, Victor A. Utgoff, Steven A. Wolfe, eds., *The American Military in the 21st Century* (New York: St. Martin's Press, 1993), pp. 413-430.
[8] ibid, p.414.

Technology	Utility
Optical flash artillery shells	Capable of temporarily blinding sensor systems and personnel.
Acoustic Weapons depending on (i)Frequency (ii)Loudness	Can do anything from breaking windows to incapacitating humans especially appropriate for protecting fixed installations and perhaps, zones separating combatant forces.
Smaller acoustic weapons	Point defenses of air fields or transportation hubs. Advantage: Can be deployed by remotely piloted vehicles to minimise risk to military or UN personnel.
Microbes	Turn aviation fuel into a useless jelly.
Chemicals	When sprayed on roads and run ways would make rubber tires on vehicles and aircraft brittle and useless.
Electromagnetic pulse generator activated by conventional explosives	Damage unprotected electrical circuits in radar, communications and weapons systems equipment.
Ceramic shards	To damage aircraft engines or degrade stealth designs.

Carbon fiber-filled warheads on Tomahawk cruise missiles.	Used to short out commercial electricity-generation of plants that powered Iraq's air defence computers in Desert Storm.

Although many of these technologies are a long way from fielding, many others are currently being field-tested.[9]

Technology in Military Intervention:

The impact of technology on military intervention can be analysed by examining two cases, Operation Desert Storm and Operation Allied Force.

Operation Desert Storm:

The objective of US/UN intervention in the Gulf War- to reverse Iraqi occupation of Kuwait was achieved with relative ease, thanks to technological innovation. Aero space power played a very significant role in the success of the operation. Moreover, "information war" was also in operation. Information war is a campaign that aims to blind one's opponent while seeking to optimise one's own surveillance and reconnaissance. It is characterised by attempts to extend and enhance one's information acquisition, processing and communication capabilities while degrading or destroying those of enemy. It also requires mounting counter measures to

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[9] See, for example, "Non lethal weapons give peacekeepers flexibility", *Aviation* Week *and Space Technology*, Dec 7, 1992 and "New weapons that can win without killing on DOD's Horizon, *Defense Electronics* (February 1993).

block opponents efforts to disrupt and degrade one's own capabilities. Thus, Iraq's operational surveillance and reconnaissance capacity was blinded and paralysed.

Information war effects all levels of the conflict; strategic operational and tactical. Following the Gulf war there will be continuing efforts toward integration of all available reconnaissance data – from forward observers, manned or unmanned aircraft, or satellites using radar, infrared sensors, electro optical or film cameras. Information war systems and many long range weapons rely on technologies that by their nature are not robust. Their electronics are delicate, and their sensors are often attuned to a narrow range of frequencies or wavelengths.[10]

The Gulf war demonstrated the supremacy of Coalition's air supremacy and resulted in few casualties. It showed the power of stealth and implemented unprecedented integration of space into air operations.[11] Reports suggest that the precision-guided weapons fell far short of initial claims and their cost-effectiveness proved quite low. In some cases for instance the efforts to interdict Iraqi SCUD missiles and to find their launchers- their performance was abysmal.

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[10] See, Kenneth Brower, " Technology and the Future Battle Field: The Impact of Force Structure, Procurement and Arms Control," *RUSI Journal*, Spring 1990, p. 57 and Norman Friedman, *Desert Victory: The War for Kuwait*, US Naval Institute, Maryland, 1991, p. 183.

[11] John P. Jumper, "Global Strike Task Force"
<http: //www.Airpower.maxwell.af.mil/airchronicles/apj/apjo1/sprol/jumper.htm>

In less than six weeks, 795,000 coalition troops destroyed a defending Iraqi army of hundreds of thousands, losing only 240 attackers. However these errors paved way for advanced technology to decisively influence the outcome.[12] Critics cite the official US Gulf war Air power survey which found that that the campaign against "strategic" (meaning "non-battlefield") targets did not have a compelling operational impact on the battlefield and to that extent the gains achieved by air strikes are not significant.[13] Notwithstanding the criticism, technology has made a significant contribution to the success of Operation Desert Storm.

Operation Allied Force:

Technological sophistication marked by precision and accuracy was manifest in this military operation which finally destabilised the former Republic of Yugoslavia making Slobodon Milosevic submit to NATO's demands. The air operation continued for 78 days from over 25 bases and multiple axes of attack Aircrews employed precision-guided weapons against 70 percent of the targets, and there were only 20 cases of collateral damage from the 28,000 weapons employed. Aircraft flew 38,000 sorties with an overall collateral-damage rate of 0.0005.[14] Critical warfighter needs

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[12] See for instance, Stephen Biddle, "Victory Misunderstood: What the Gulf war tells us about the future of conflict", in Naval war college, ed., *Strategy and Force Planning* (Newport, 1997), pp. 477-512.
[13] Lutz Unterseher, "Interventionism Reconsidered: Reconciling military action with Political Stability", *Project on Defense Alternatives*, September 1999 <http://www.comw.org%2fpda%sf9909interv>
[14] John P. Jumper <http: //www.airpower.maxwell/jumper.htm>

throughout Operation Allied Force were met by the US Department of Defences Advanced Concept Technology Demonstration (ACTD) programme. The ACTD process provides modern technologies in rapid response to warfighter demands at reduced costs and time. The ACTD process enabled a predator-deployment. The predator Medium-Altitude Endurance Unmanned Aerial Vehicle provided a rapidly deployable reconnaissance and surveillance capability. Precision Targeting Identification (PTI) allowed a day/night target detection, classification and dissemination capability at ranges that cannot be achieved with conventional detection and monitoring systems. ACTD provide modern technology to the warfighter and save significant expense by avoiding unnecessary developmental costs.[15] It is not clear whether the United States engaged in a computer warfare against Yugoslavia. This refers to military officials launching a cyber-attack against Yugoslav defense networks.[16]

Operation Allied force is the largest combat operation in NATO's history. The specific military objectives were to attack Milosevic's ability to wage combat operations in the future against either Kosovo or Serbia's neighbours. This has been achieved more or less owing to the following factors.

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[15] "Advanced Concept Technology Demonstrations serve the warfighter in Operation Allied Force", *US Department of Defence*, 25 June 1999 <http:// www.defenselink.mil/news/june 1999/b06251999_bt-99.html//>

[16] For a report that suggests a possible US involvement in this activity, See, "US military admits computer warfare in Yugoslavia", 7 Oct 1999 <http://www.Salon.com//>

Alliance and coalition Warfare:

NATO's planning included a wide range of military operations, including the use of both air and ground forces. NATO planning for possible air operations encompassed two separate but related options. The limited air response was designed as a quick-strike, limited-duration operation primarily to be used in response to a specific event. In contrast the phased air campaign was designed to increase the military pressure on Milosevic, targeting not only Serbia's Integrated Air Defence System (IADS) and command and control (C2) sites, but also fielded forces and targets of military significance in Kosovo and eventually throughout the FRI.

NATO's internal command relationships played an important role in the planning and execution of the operation. These relationships are well defined, but had not been used previously to plan and conduct sustained combat operations. Moreover, parallel US and NATO command and control structures and systems complicated operational planning and maintenance of unity of command. This raises the issue of interoperability. The ability of systems, units or forces to provide services to and accept

services from other systems, units or forces, and to use the services so exchanged to enable them to operate effectively together.[17]

Communications, Command and Control:

Ground-based communications capabilities in Europe are among the most robust and flexible available to the United States in any theater of operations. One of the most useful communications capabilities was provided by the wide-band dissemination system, an advanced concept technology demonstration used extensively throughout the conflict for rapidly transmitting high-priority imagery of emerging targets.

Unmanned aerial vehicles (UAVs) were used to an unprecedented degree in Operation Allied Force. The Army, Navy, and Air Force each employed UAV systems in the theater to conduct important reconnaissance operations, reducing the need to send manned aircraft into hostile airspace. These systems-the Army Hunter, Navy Pioneer, and Air Force Predator-reflect the state of the art in ground control and mission planning capabilities, airworthiness, and mission payloads.

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[17] Joint Staff (1999), DOD Dictionary of Military and Related terms Joint Publication 1-02, Department of Defense, Washington, D.C, March 23, 1994 as amended April 6, 1999.

Logistics:

Logistic assets proved to be flexible, effective and efficient when responding to challenging circumstances. Strategic airlift was heavily relied upon to deploy forces to the theater, while using strategic sea lift sparingly.

Air Defences:

NATO's air defence suppression forces were committed heavily to this campaign. US systems such as RC-135 Rivet Joint electronic intelligence aircraft and EA-6B tactical airborne electronic warfare aircraft were employed in numbers roughly equivalent to those anticipated for a major theater war, and even then were heavily tasked.

Information Operations:

These are operations to disrupt or confuse an enemy's ability to collect, process, and disseminate information in this "information age" of warfare. The importance of such capabilities was recognised full during Operation Allied Force, but the conduct of an integrated information operations campaign was delayed by the lack of both advance planning and strategic guidance defining key objectives.

Thus, from peace keeping to aerial bombing, from deterring aggression to ending the ethnic cleansing technology is used to achieve the political objectives of great powers. If intervention is an instrument of foreign

policy, technology remains the very basis for contemporary intervention. More than any other factor-political, economic, diplomatic or humanitarian, technology drives intervention and ends it in the quickest possible time so as to minimise costs and maximise benefits paradoxically, technology contributes to an unintended consequence ie., the surgical operations tend to shift public opinion and international support in favour of the target state. To the extent that the ruthlessness of military attacks horrifies the international community, the memories of atrocities committed by the target state fade away. This was very much evident in Kosovo when criticism against Milosevic overnight changed to condemnation of NATO and the West. The political goal has been achieved but at the end of the day, there remains no support for a supposedly humanitarian cause. The limitations of technology thus stand exposed. Technology may help win a warfare but is of little use in resolving conflict and restoring peace.

CHAPTER V

HUMANITARIAN INTERVENTION: STATED OBJECTIVES

Vs

GROUND REALITIES

This chapter examines the track record of post-cold war intervention as applied to Somalia, Bosnia, Rwanda, and Kosovo. These cases are chosen among others on account of the intensity of conflict and the extensive involvement of external powers. Moreover, these instances represent regions that witness the most protracted and deadly conflicts, viz. the Balkans and Africa. Given that the critique of intervention is mostly based on perceived "failures" in terms of worsening or unchanging ground realities, an in-depth analysis is deemed essential. This chapter attempts to do just that.

Somalia

Somalia is a typical example of a failed state where there is no overarching central authority and the structures of governance have collapsed. Reeling under political turmoil and embroiled in a humanitarian crisis, Somalia invited international attention and was considered a fit case for intervention. The so-called CNN effect, with gruesome images of starving children beamed on to television screens was instrumental in mobilising and garnering international support for relief and assistance. It is to be noted that the conflict in Somalia is basically a political struggle fought along clan lines and is generally not categorised under ethnic conflicts.

The exact reason for the enthusiastic involvement of the United States in this part of the world remains unclear. Whether it was the outcome of George Bush's

"New World Order" that attached primacy to humanitarianism or just a knee-jerk reaction, something like a "do-something effect"[1] is debatable and also beside the point. It was pointed out that US humanitarian intervention in Somalia was undertaken partly to counter the criticism that US intervention in northern Iraq for creating a safe haven for the Kurds was an act of political retribution against Iraq rather than a genuinely humanitarian venture.[2]

It all started with the military overthrow of constitutional government by General Siad Barre. Barre's regime was opposed by the Somali National Movement (SNM) and the United Somali Congress (USC). In 1990, both these groups launched guerilla attacks on government facilities in both the north and the south of Somalia. In December 1991, Siad Barre lost power and fled to Nigeria as his army was routed by the opposition forces.[3] What followed was an intense power struggle between the two key figures within the USC, namely General Mohammed Farah Aideed and Mr. Ali Mahdi, and Somalia slid into anarchy.[4]

Intervention in Somalia took place in three phases. Initially, fifty unarmed UN observers were deployed in Mogadishu as a part of the UNOSOM I (United Nations Operation in Somalia–I). The objective was to monitor implementation of a cease-fire pursuant to an agreement reached between Aideed and Ali Mahdi, thanks to the shuttle diplomacy of James Jonah, the UN Under-Secretary General.

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[1]See for example, Karin VonHippel and Michael Clarke, " Something must be done- Complex Emergencies", *The World Today*, vol.55, no.3, March 1999, p.4

[2] Mohammad Ayoob, *The Third World Security Predicament- State Making , Regional Conflict and International System* (London: Lynne Rienner, 1995), p.130

[3] William J. Durch, *UN Peacekeeping, American Politics and the Uncivil war of the 1990's* (New York: St. Martin's Press,1996), p.314

[4] Pamela L. Reed, "United Nations Peace Operations: an Uncertain Future" in J B.Poole and R Tuthrie, eds., *Verification 1994 – Arms Control, Peace Keeping and the Environment*, (London: Vertic, 1994), p.225.

This mission commenced in January 1992 and continued till December 1992. Meanwhile, the United States undertook a relief airlift named "Operation Provide Relief" that ran parallel with the ICRC's airlift and a new airlift began by the United Nations. The American effort was based in Mombassa, Kenya and made its first deliveries on 28 August 1992. [5]

On 14 September 1992, a UN force of 500 Pakistani soldiers arrived in Mogadishu to secure the delivery of humanitarian supplies. When the Pakistanis were enroute, the Secretary General of United Nations, Boutros Boutros Ghali asked the Security Council to increase UN forces in Somalia to 3500 troops. The Security Council approved Boutros Ghali's request on 28th August 1992.

Despite the airlift provided by the United States and the presence of some 3500 troops (UNOSOMI) hundreds of thousands of Somalis died. In November 1992, President Bush offered U.S. forces to lead an international force named "Operation Restore Hope" to establish a secure environment for humanitarian assistance. Thus commenced, the second phase of the peacekeeping mission under the banner Unified Task Force. (UNITAF)

In approving the U.S. led Unified Task Force (UNITAF) in Somalia, the UN Security Council on 3 December 1992 "authorised the use of all necessary means to establish as soon as possible a secure environment for humanitarian relief" in that country. UNITAF was entrusted with the task of opening supply routes, get food moving and preparing the way for a UN peacekeeping force which would be given responsibility for maintaining order. The thinking was that a short U.S.

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[5] Durch, n.3, pp.316-318.

dominated humanitarian phase would give away to a longer UN dominated political effort. The U.S. troops faced some sniper-fire and rock throwing but no organised resistance. Food and medicine were delivered on a large scale saving hundreds of thousands of lives.[6]

The third phase of the mission began on 4 May 1993 with UNITAF being replaced by UNOSOM II (United Nations Operation in Somalia II). Being authorized under chapter VIII of the UN Charter, UNOSOM II was given the task of bringing about political reconciliation and to reestablish national and regional institutions. However, violence increased as political factions fearing loss of power fought back. The death of twenty four Pakistani peacekeepers on 5 June 1993 triggered a series of setbacks.[7]

The UN responded by passing a Security Council Resolution (837) calling for the arrest and punishment of those responsible for the killing and mounted heavy military operations aimed at weakening and if possible capturing Aideed. The result was disastrous, higher casualty deaths for both US and UN troops and more civilian deaths. The Clinton Administrations articulated a more ambitious set of objectives that amounted to nothing less than nation building , but the forces introduced to implement these expanded goals were modest. When 18 U.S. soldiers were killed in a single engagement on October 3, 1993, the fate of intervention was sealed. The United Sates decided to increase its military presence in and around Somalia for a period of just under six months only to be followed by a virtual withdrawal of all U.S. troops. As per the schedule, the U.S.

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[6] Richard N. Haass, *Intervention - The Use of American Military Force in the Post–Cold War World* (Washington: Caernegie, 1994) p.44
[7] Reed, n.4, pp.225 - 226

troops left Somalia on March 31, 1994[8]. The Somali militias continued their attacks on UN forces. The UN troops withdrew from Somalia on 1 March 1995.[9]

Measured against the stated objectives, intervention in Somalia is a little less than a total failure. The failure would have been complete but for the limited success achieved in accomplishing the humanitarian mission. The second phase of intervention under the auspices of UNITAF was instrumental in saving tens of thousands if not hundred of thousands of Somalis who would otherwise have been starved to death.[10] In sum, whereas the humanitarian mission succeeded, the subsequent nation-building mission faltered thoroughly.

Various reasons are attributed to the failure of the "nation-building" mission. For instance, the expansion of objectives, ambitious as they were, was not followed by pooling in of necessary resources. The troops deployed were just grossly inadequate and the UN was ill adapted to meet such challenges.[11] At an operational level, an ineffective command structure and the lack of co-ordination and communication among national contingents hindered smooth functioning.[12] A case is made that the UN's adherence to strict neutrality often compounds the problems and is extremely counterproductive in intra-state conflicts.

At a more fundamental level, Somalia illustrates the case of a delayed, ineffective and a half-hearted response to a protracted and complex conflict.

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[8] Haass, n.6, pp. 45-46
[9] Durch, n.3, pp.349.
[10] Stephen J. Solarz and Michael E.O' Hanlon, "Humanitarian Intervention: When is Force Justified?", *The Washington Quarterly*, Autumn 1997, p.3.
[11] See Jonathan T. Howe, "The US and UN in Somalia", *The Washington Quarterly*, Summer 1995, p.50 and also Thomas G. Weiss, David P. Forsthe and Roger A. Coate, eds., *The United Nations and Changing World Politics* (Oxford: Westview Press, 1997), p.891.
[12] James Mayall, The New Interventionism 1991-1994: United Nations Experience in Cambodia, former Yugoslavia and Somalia (Cambridge: Cambridge University Press), p.122.

Crises such as those encountered in Somalia demand a more committed, consistent and sustained involvement of intervening actors. Given the requirement, the panic and knee-jerk reaction of the United States to the death of its soldiers reflects not just unwillingness but confusion and inconsistency. The reluctance to bear reasonable costs and accept responsibility is incompatible with the rhetoric and vision of a "New World Order". That no state is willing to risk its soldiers in conflicts that are not of direct relevance or importance is recognised. The aversion of U.S. to "body bags syndrome" is also well taken. However hoping to manage a conflict, let alone resolving it without incurring or bearing proportionate costs is too unrealistic. An ambitious objective and a low cost strategy is a total mismatch; it cripples the mission negating whatever that has been achieved.

Bosnia.

Bosnia –Herzegovina was one of the six component republics of the former Federal Republic of Yugoslavia. The other republics were Slovenia, Croatia, Serbia, Montenegro and Macedonia. The conflict in the Balkans is between the three ethnic groups namely the Serbs, Croats and Muslims. The distinction among the groups is based on a combination of kinship, language and religion. Most Serbs are Eastern Orthodox Christian, the Croatians are mainly Roman Catholic, and the Bosnians, Muslims.

The fragmentation of Yugoslavia began in the late 1980's and was hastened by the crumbling of the Soviet empire.[13] The trouble began when Croatia and Slovenia declared their independence in June 1991. Macedonia followed suit in February 1992 and it was Bosnia's turn in March 1992.[14] Serbia invaded eastern and northern Bosnia and its forces engaged in killing and driving out Bosnian Muslims and Croats. For their part, the Croats attacked Western Bosnia in an effort to drive out Serbs and Bosnians and to create a purely Croat zone in Bosnia. All sides were guilty of atrocities in the Bosnian war but the Serbs more guilty than others. Most perpetrators were Serbs, most victims Muslims. The bulk of those war crimes-murder, rape, bombardment of civilians, destruction of mosques and churches, confiscation of property were committed in the name of ethnic cleansing.[15]

Against a backdrop of Serbian aggression and ethnic cleansing of predominantly Muslim areas, the UN Security Council extended the mandate of UNPROFOR (United Nations Protection Force dispatched to Croatia) to Bosnia in June 1992. Eventually 7500 European peace keeping troops were sent initially to monitor one of the many cease-fires. In August 1992, the UN Security Council passed resolution 770 in which it authorised member states to "use all measures necessary" to facilitate the delivery of humanitarian assistance, a no fly zone was established in October 1992 over Bosnia in accordance with the UN Security Council Resolution 781, however, fighting continued.[16]

[13] Joshua Muravchik, *The Imperative of American Leadership* (Washington: AEI Press, 1996), p.85.
[14] Richard A. Melanson, *American Foreign Policy Since the Vietnam War- the Search for Consensus from Nixon to Clinton* (New York: M.E . Sharpe, 1996), pp.256-257.
[15] Stanley Meisler, *United Nations -The First Fifty Years* (New York: Atlantic, 1995), p.316.
[16] Haass, n.6, pp.38-40.

The diplomatic initiatives undertaken to defuse the crisis failed to materialise. Neither the Vance Owen peace plan proposed in January 1993 nor the Contact Group plan presented on July 6, 1994 was entirely acceptable to all the contending parties. Meanwhile United States undertook relief operations and participated in NATO's enforcement of a no fly zone (Operation Deny Flight) authorised by UN Security Council Resolution 819. Despite these measures, there was no let up in the fighting. In fact, the UN designated safe areas like the one in Gorazde were bombarded by Serbian forces. NATO operating in conjunction with U.S. and UN responded by launching air strikes. The highly limited attacks failed to deter Serbian aggression. A cease fire agreement brokered by the former U.S. President Jimmy Carter and signed on December 31, 1994 temporarily halted the fighting.

The tragic killing of 37 people in Sarajevo on August 28, 1995 changed the tide of events. NATO retaliated by launching, "Operation Deliberate Force" involving heavy air strikes against Serb positions. The United States assumed the lead role having finally lost patience with the inability of the European powers in ending the conflict. Finally it was diplomacy at Dayton.[17]

The Dayton peace accord initialised on 21 November 1995 and signed by the Presidents of Bosnia-Herzegovina, Croatia and Serbia on 14 December 1995 brought an end to hostilities. The accord effectively partitioned Bosnia into two entities (I) a Muslim – Croat federation being awarded 51% of the

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[17] Bosnia and Herzegovina, in Arthur S. Banks and Thomas C Muller eds., *Political Handbook of the World* (New York: CSA Publications, 1998), p.107.

territory and (ii) a Bosnia Serb Republic obtaining the rest 49%. Compliance with the agreement was assured by the speedy deployment of a 60,000 strong Implementation force (IFOR) under NATO command, although with UN authority and drawing contingents from non-NATO countries. IFOR consisting of 20,000 US troops replaced UNPROFOR at the end of 1995. [18] In December 1996, a new stabilisation force (SFOR) replaced IFOR. The mandate of SFOR continues till date.

The initial phase of intervention spearheaded by the United Nations and European powers that lasted till August 1995 did not yield the desired results. The only notable achievement was the distribution of relief supplies. On the humanitarian side, a comparison of UNHCR's calculations of relief needed versus relief delivered suggests that UNPROFOR did a reasonably good job, although shipments continued to be delayed for political reasons and delivery remained impossible in areas of heavy fighting, even with UNPROFOR escort. The airlift into Sarajevo was the longest running effort of its kind in history. From July 1992 until April 1995, the airlift brought roughly 1,75,000 tonnes of food and other relief items into the city. [19] However success was confined to the task of providing humanitarian assistance. With regard to protecting civilians from the onslaught of Serbian aggression, the record is dismal. The UN designated safe areas were never safe. [20] It is reported that

[18] Charles King, "A World Waits for Signals from Bosnia", The World Today, February 1996.
[19] Durch, n.3, p.198.
[20] Meisler, n.15, p.323.

the least safe areas in the Balkans were under UN control.[21] Those supposedly safe areas were bombarded, invaded, fired upon by snipers and besieged time and again with little opposition until finally Sebrenitca and Zepa were abandoned to genocide.

The failure of UNPROFOR to safeguard the safe areas is attributed to lack of resources and non-cooperation of member-states. When the UN Security Council requested the member states for additional forces to protect safe areas, only few countries responded. Some Muslims states offered forces, but this offer was spurned. Moreover the UN forces that were available for the safe areas were placed under rules of engagement that called for the use of force only if they themselves were attacked but not if attacks were directed solely against the Muslim civilians under their aegis.[22]

It is pointed out that UNPROFOR was an improvised, last resort operation burdened by mandates that were at times inconsistent and well in excess of its resource bases. It found itself handicapped in promoting dialogue and lacking the clout necessary to compel hostile parties to negotiate.[23] At an operational level, the poor co-ordination between the UN and NATO resulted in inefficiency. The "dual-key" arrangement under which both UN and NATO operated undermined effectiveness because of different intentions and interests of both organisations, the vulnerability of UNPROFOR's functioning in a

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[21] Weiss, Forsthe and Coate, n.11, p.85.
[22] Muravchik, n.13, p.103.
[23] Durch, n.3, pp.249-250.

hostile environment, different interpretations of mandates and the prevailing conceptual confusion.[24]

The Bosnian experience more than everything demonstrates that European powers lack the necessary diplomatic skills and expertise to broker solutions. This is evident in the rejection of both the Vance-Owen and Contact Group peace plan. The ground situation improved only towards the end of 1995. This shows that diplomacy backed by force is indeed a effective strategy in conflict management. The relentless Serbian aggression has to be countered by a forcible military response. The softer methods and options adopted by the United Nations to contain the conflict such as the creation of safe havens and formation of exclusion zones simply did not work, rather it made matters worse by rendering innocent civilians vulnerable to deadly attacks. The international community's unwillingness to react militarily in the region until August 1995 provides a case study of what not to do. [25]

Post-Dayton, Bosnia no longer witnesses hostilities between ethnic groups. As a newspaper editorial comments, " the Dayton peace agreement nearly three years ago ended the savage killing in Bosnia. That was a proud achievement..."[26] but the same column considers the achievement as flawed and warns of an impending crisis. It's true me that hostilities have ended but it is a temporary cessation. No doubt peace is restored but it is a tenuous peace. Recent reports indicate a disturbing trend; the resurfacing of ethnic tensions,

[24] Dick A. Leurdijk, "Before and after Dayton: the UN and NATO in the former Yugoslavia", in Thomas G. Weiss, ed., Beyond UN Sub-Contracting – Task sharing with regional security arrangements and Service providing NGOs (London: Macmillan, 1998), p.55.
[25] Weiss, Forsthe and Coate, n.11, p.86.
[26] "A Flawed achievement in Bosnia", editorial, New York Times, 12 Sep 1998, A18.

this time in the form of a Croat demand for a separate federation. In sum, though the situation in Bosnia is under control, it remains volatile and tense.

The most important lesson that needs to drawn from Bosnian experience is that intervention can make a significant difference to the situation on ground and prove to be extremely useful provided an appropriate strategy is employed. Containing a conflict that is rooted in ethnic animosity and by far the bloodiest since the Second World War is no mean achievement. However, intervention in Bosnia can be said to have achieved only a limited success. This is because by the time the benefits of external intervention (read, the Dayton Peace process) became visible, the tragedy of human suffering had already reached its peak. Four years of continuous conflict and haphazard intervention had extracted a huge price; the death of 2,50, 000 people and the displacement of about 4,00,000 civilians. The international community's response was rather too late.

Rwanda

Rwanda was witness to the most gruesome genocide in recent times. In fact the rate at which human beings were slaughtered during the 1994 genocide is the highest and fastest in human history. It is a pure ethnic conflict with Hutus and Tutsis competing for political power and economic privileges.[27]

The Hutu-dominated Rwanda government and the RPF (Rwandan Patriotic Front formed by exiled Tutsi in Uganda and Hutus who opposed the ruling

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[27] Catharine Newbury, "Rwanda",The Oxford Companion to Politics of the World (Oxford : Oxford University Press, 1993) pp.808-809.

party) reached an agreement on 9 January 1993. In June, the same year, the UN Security Council established UNOMUR (the United Nations Observer Mission Uganda-Rwanda), a peace keeping observer mission to verify that no military goods flowed form Uganda to Rwanda. The Arusha accord signed on 4th August 1993 envisaged among other things, the creation of a transitional government in which five out of twenty two ministers would be allocated to the RPF. It also included a provision for the deployment of a neutral international force to facilitate the agreement. Accordingly the UN assistants mission for Rwanda (UNAMIR) was launched in October 1993,[28] to assist in providing security for Kigali, the capital city: to monitor the cease fire components such as, by establishing a demilitarized zone and demobilising procedures and to monitor security in the period of two elections.[29]

The transitional government called for in the accords was never established. The UN Secretary General in his report to Security Council of 30th March 1994 linked the parties' failed to establish the transitional institutions which deteriorating security situation. [30] The death of Rwanda's President Habyarimans on April 6[th,] 1994 triggered an ethnically based massacre. Hutu militias slaughtered Tutsi civilians and moderate Hutus[31]

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[28] J.Matthew Vaccaro , "The Politics of Genocide : Peace Keeping and Disaster Relief in Rwanda" in William J.Durch ed.*U.N Peacekeeping , American Politics and the Uncivil Wars of the 1990s.*(New York : St. Martin's Press,1996) pp.367-375
[29] Ibid., p.370
[30] Ibid., p. 372
[31] Reed ,n.4, pp. 376-402

Nearly 5,00,000 people who were massacred with the span of three months. The UN troops could not save more than 25,000 people. By the time French intervention named "Operation Turquoise" entered the scene, the genocide campaign had almost ended. On 22 July, 1994, a U.S. Humanitarian assistance operation known as "Operation Support Hope" was launched. In August 1994 UNAMIR II (United Nations Assistance Mission In Rwanda –II) replaced French troops. Facing resistance from the new Tutsi dominated Government, the UN began a gradual withdrawal in 1995. The withdrawal was completed by March 8, 1996 [32].

The failure to stop the genocide in Rwanda is attributed to a number of reasons. Firstly, the transitional government has envisaged by the Arusha accord of 4th August, 1993 was never established [33]. Secondly, the UN peace keeping force UNAMIR was poorly equipped and lacked the military capability to prevent genocide. Thirdly and most importantly the warning received about the impending genocide campaign was ignored. Information about the impending assaults was provided to Major General Romeo Dallaire, the UN force commander in Rwanda by a former member of the Security staff of the President Juvenal Habyarimana, Rwanda's Hutu dictator. Dallaire acted swiftly. He faxed the message on January 11, 1994 to UN Headquarters at New York requesting protection for informant on seeking permission to take preventive measures. UN officials in New York responded indifferently. The

[32] Vaccaro, n.28,pp.376-402
[33] ibid.,pp.367-375

seriousness of the message was conveniently ignored. Permission was denied to protect the informant. Dallire was instructed merely to report the matter to the President of Rwanda and the Ambassadors to Rwanda from Belgium, France and the United States. He was asked not to take any preventive action. General history. Ten Belgian members of UN forces were killed in February 1994.

Dallire implicitly obeyed the order [34]. The rest is history. The president of Rwanda was assassinated on April 6th 1994, only to be followed by a gruesome genocide.

Fourthly and tragically, UN troops was reduced from 2,500 to 270 at the most inappropriate time- a time when genocide was at its peak. The reduced force could not save more 25,000 people. Generally Dallire believed that the worst of the killing have been prevented had his 2500 strong force been augmented to a total size between 5000 and 8000[35]. It is however argued that even the large troop presence could not have stopped genocide campaign.

Lastly, member states were quite unwilling to commit troops on the ground.[36] The UN Security Council on 17th May, 1994 voted unanimously to expand the mandate of UNAMIR. Accordingly the new mission named UNAMIR II was authorized up to 5,500 troops. However only 354 troops of

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[34] Philip Gourevitch,"Annals of Diplomacy-The Genocide Fax",*The New Yorker*,11 May 1998 p.42
[35] Solarz and Hanlon, n.10, p.10.
[36] Vaccaro, n. 30, pp. 402.

the authorized 5500 were volunteered by member states and deployed by UNAMIR II.[37]

It is clear that intervention in Rwanda was too minimal, insufficient and ineffective to stop the genocide. But beyond the factual analysis, the tragedy in Rwanda raises some serious significant questions. What explains the indifference in Rwanda as compared to the enthusiasm in the Balkans? Why was the United Stated a mute spectator to the mass killings without getting involved? And why is that the concern for human rights remain at the level of rhetoric and doesn't translate to any concrete action? Rwanda lies at the periphery of the international system with no strategic importance or economic interest. For states that decide everything based on *realpolitik* calculations, failed states like Rwanda are of no interest, whatever happens within Rwanda -be it starvation or genocide is inconsequential. Given this, the sheer indifference of the international community is not inexplicable. For the United States, the Somalian experience that began in an euphoria and ended in a trauma possibly prevented it from taking any further risks. The message is clear: human rights will be pursued only if it is compatible with national interest and fits into the state's foreign policy priorities.

Kosovo

Intervention in Kosovo is unprecedented; it's for the first time that a regional military organisation, NATO has intervened militarily in the another state without the explicit authorisation of the UN Security Council. Do the circumstances or the state affairs in Kosovo warrant such a forcible military

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[37] ibid., p. 402.

response? Is military intervention in Kosovo justified? What is the impact of Operation Allied Force on the ground situation-is it beneficial or counter productive? These are some of the questions that merit clarification and analysis.

Kosovo is one of the provinces of Serbia. Serbia and Montenegro together constitute the present Federal Republic of Yugoslavia. The conflict is between ethnic Albanian Muslims, also known as Kosovars who constitute 90% of the population and Serbs who account for the remaining 10%.[38] The issue at stake is the status of Kosovo. Whereas the ethnic Albanian Muslims demand complete independence, the Serbian government insists that the territory is an integral part of Serbia. Presently, Kosovo enjoys "substantial autonomy" within the framework of Serbian Constitution, thanks to international intervention.

The history of Kosovo is disputed. When Tito and the Communists established Yugoslavia in 1945, Kosovo was given self-rule. The Yugoslav constitution of 1963 referred to Kosovo as an "autonomous province" but its constitutional status was to be determined by Serbia's Parliament. Under the 1974 constitution, Kosovo attained autonomy with direct representation and voting rights of Federal institutions.[39] It is being said that Kosovo was raised to the level of a virtual republic.[40] In 1989, President Milosevic, the then President of Serbia suspended Kosovo's autonomy. Since then, the ethnic

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[38] "The Kosovop Crisis- background", *Washington Post,* 11 October, 1998, p.A-39
[39] Robert Bideleux, "Kosovo's Conflicts", *History Today,* November 1998, p.A-39
[40] Ivo Banac, "Yugoslavia", *The Oxford Companion to the Politics of the World* (Oxford: Oxford University Press, 1993, 1993), p.999.

Albanian Muslim population have been subjected to systematic repression. Torture of political detainees, politicised trials and deaths under unexplained circumstances became common occurrences. Yet in the face of the renewed repression, Albanian culture has not only survived buy adapted, flourished and modernized the people are engaged in a self-sustained institution building, in the process, a nation is being forged.[41]

The crisis in Kosovo located into an armed conflict in 1998. On February 28, 1998,[42] the Serbian government forces launched a crackdown on members of Kosovo Liberation Army (KLA) and on ordinary civilians, following attacks by KLA on Serbian police.[43] More atrocities followed. Innocent civilians were massacred, villages burnt and ethnic cleansing carried out with impunity.[44] The U.S. envoy Mr. Richard Holbrooke's mediatory efforts in May and June 1998 failed to deter Serbian aggression; it only slowed a Serb village burning campaign.[45]

The UN Security Council passed Resolution 1199 on September 23, 1998 calling for an immediate cessation of hostilities, an end to attacks on ethnic Albanian civilians, the start of credible political dialogue and the withdrawal of special Serbian Military units "used for civilian repression".[46] "After an

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[41] Roy Gutman, Trajedy of Errors – Does Kosovo have to suffer so much? *The New Republic*, 26th October 1998, p-18.
[42] Robert Bideleux, 33.
[43] Mike O' Connor, "Serbian troops set up terror in Kosovo", *New York Times*, 16th August 1998, p.12
[44] See, John Cherian, "Ethnic tinder Box", Frontline, 17th April 1998, pp.61-63.
[45] Masimo calabresi, "Europe- Third Time", *Time*, 26th October 1998, p.43.
[46] "The Kosovo Crisis- Background", *Washington Post*, 11 Oct. 1998, p.A-39.

initial show of compliance, the Serbian government intensified its campaign of terror, torture and death.[47]

The crisis was temporarily defused when an agreement was reached between FRY and the United States on October 12, 1998. As per the agreement, 2000 personnel from the Organisation of Security and Cooperation in Europe (OSCE) were dispatched to Kosovo to verify the withdrawal of Serbian troops.[48] The peace accord soon crumbled; both the KLA and the Serbian government engaged in barbaric violence. The Racak massacre on January 15, 1999 where about 40% Muslims were ruthlessly persecuted shocked the conscience of the international community triggering stronger action.[49]

The Rambouillet Peace Agreement on February-March 1999 supposedly provided a meaningful solution to the crisis. It struck a fine balance between total subjugation and complete independence, it offered to grant Kosovo wide-ranging autonomy for a three year interim period after which a referendum would be held to decide the status of the disputed territory. Milosevic rejected the agreement on trivial, technical grounds. Whereas he was willing to entertain an international peacekeeping force under the UN auspices, he seriously objected to a NATO led force.[50]

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[47] For a graphic account of Serbian atrocities, see,Jane Perlez, "Another Kosovo Village burned down by Serbs", *New York Times*, 28th September 1998, p.A-3 and Jane Perlez, "New Massacres by Serb forces in Kosovo villages", *New York Times*, 30th September 1998, pp. A-I and A-6. See also, John Barry, Rod Nordland and Russel Waston, "Time to shoot or shut up", *Newsweek*, 12 October 1998, p.50.

[48] See John Cherian, "A crisis over Kosovo defused", *Frontline*, 6 November 1998, pp.54-56 and Michael Hirsh, "Holbrooke's nervy game of Chicken", *Newsweek*, 26 October 1998, pp.50-57.

[49] See "The World Today", *BBC WORLD*, 16 January 1999.

[50] For an indepth coverage of Rambouillet negotiations, see, "The World Today - Kosovo Crisis", *BBC WORLD*, 24 Feb 1999, <http:/www.bbc.co.uk/>. See also Joseph Fitchett, "Kosovar team accepts conditional agreement – Talks to resume after Albanians consult at home", *International Herald Tribune*, 24 Feb 1999, pp.1 and 5.

On March 18, 1999, the Kosovo Albanians signed the agreement. The Serbian government rejected it,[51] instead it deployed military forces in Kosovo numbering up to 40,000 and intensified its attacks on the civilian population. NATO responded by launching "Operation Allied Force" on 24th March 1999. This military operation had the following objectives.

1. To demonstrate the seriousness of NATO's opposition to aggression and support for peace

2. To deter Slobodan Milosevic

3. To damage the credibility of Yugoslavia.[52]

The overall purpose was to stop "the humanitarian catastrophe".[53] The targets of NATO strikes were military barracks, air defence systems, ammunition sumps, airfields and other defence facilities.[54]

The highly sophisticated military operation paralyzed the Yugoslav state rendering it impossible to sustain any further damage. Milosevic agreed to NATO's demands[55] on June 3 1999 and the air strikes were suspended on June 10, 1999.[56] The Petersburg Peace plan formulated I June 1999 envisaged among other things, "substantial" autonomy for the people of Kosovo within Yugoslavia the deployment of 50,000 strong NATO led KFOR troops and the development of provisional democratic self-governing institutions.[57]

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[51] "Serb's adamance mars Kosovo peace talks", The Hindu, 20 March 1999, p.13.
[52] President Clinton's statement on Kosovo, CNN, 23 March, 1999.
[53] NATO Secretary General, Javier Solana's statement on Kosovo, CNN, 23 March, 1999.
[54] Thomas Abraham, "Will the NATO gamble pay off?", The Hindu, 4 April, 1999, p.13.
[55] "The Road to Peace", Newsweek, 21 June 1999, p.24.
[56] "Kosovo Crisis – Making a Deal", Time, 14 June 1999, pp.12-18.
[57] Henry A. Kissinger, "As the Cheers fade", Newsweek, 21 June 1999, p.28.

A solution to the Kosovo crisis was not attempted during the Dayton peace process in November-December 1995. This is a serious omission and a glaring failure. International sanctions against Serbia was lifted without a resolution of the Kosovo problem. Moreover, external pressure for a solution to the crisis was curtailed in order to secure Belgrade's support for the peace agreement. Only minor sanctions were kept in place until such time Serbia improved its human rights accord in Kosovo.[58] However after the crisis escalated into an armed conflict, intervention has been swift, well organised and coordinated. This is evident in a series of diplomatic initiatives from May 1998 till March 1999. For instance, between May and October 1998, in a gap of six months, the U.S. envoy Richard Holbrooke pursued negotiations with Milosevic, three times. NATO warned Serbia of air strikes as a early as September 1998. The warning became a reality on 24th March 1999 as Milosevic stepped up the violence against Kosovo Albanians flouting UN Security Council Resolutions and disrupting the peace process. The inconclusive Rambouillet negotiations reflects neither the shortcomings nor the inadequacy of diplomacy. Rather it reflects the attitude of Milosevic to prolong the stalemate and precipitate the crisis.

To the extent that all other means of resolving the conflict have proved futile and even counterproductive and the fact that thousands of lives are at risk, Operation Allied force is a justified response and an inevitable outcome. It is a military (read, humanitarian) intervention to end the repression of innocent civilians. No doubt the legality of such a forcible response is

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[58] Bideleux, n.39, p.33.

strongly contested. Suffice it is to say that the survival and safety of people matters much more than legal niceties and nitty-gritty's. As one academic expert put it, "what matters is not the legality but the wisdom of intervention".[59]

Nearly a year after the implementation of the Petersburg plan, the situation in Kosovo today is better but not trouble–free.[60] Though, the brutalities of Serbian troops have come to an end, and there are no reports of large-scale massacres, Kosovo remains strife-torn with peace a distant possibility. In what is known as "reverse" ethnic cleansing, now the Serbs suffer at the hands of Kosovo Muslims. KLA has been disbanded but its former members operate as militias mounting attack on Serbian population. About 900,000 refugees have returned to their homes but the Serbs are displaced in large numbers. In sum, the humanitarian war intervention in Kosovo is justified but its impact on the ground situation remains far from satisfactory. This doesn't inspire confidence rather it demands at the use of appropriate strategies and skills in conflict management and intervention.

It is clear that the track record of the post-cold war intervention is mixed. Measured against the stated objectives, the ground realities reflect both success and failures. Intervention has been successful in reducing hostilities but has failed miserably in restoring peace and war. By and large, intervention has led to conflict reduction. By conflict reduction is meant either a scaling

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[59] Adam Roberts, "Willing the End, but not the Means", *The World Today*, vol. 55, no.5, May 1999, pp.8-12.
[60] "Reconstructing Kosovo", *The Economist*, 18 March 2000, pp.53-55. See also, Stephen S. Rosenfield, "The Successes in Kosovo outweigh the failures", *International Herald Tribune*, 27 April 2000, p.9.

down of the intensity of conflict or a temporary let up in armed fighting. The evidence is too compelling to brush aside. In Bosnia, cessation of hostilities is not just a claim; it is a reality. In Kosovo, the end to massacres and mass killings is a fact not a false propaganda. In Somalia, saving people from starvation is an achievement not a misplaced argument. These are the successes. And now the failures. In the same Bosnia, the fragile peace established by Dayton accord is crumbling with Croats demanding a separate federation. Again in Kosovo, ethnic animosities manifested in clashes have not died down, rather they have resurfaced much more vigorously. Somalia is a case where the nation-building mission ended in a total disaster and in Rwanda, there was hardly any intervention. How else do we explain the reduction in troops from 2500 to 270 when genocide was at its peak.

In one sense, this broad generalisation regarding the impact of intervention is a farfetched inference and suffers from inaccuracy and empirical inconsistency. Any judgement on intervention has to be case specific just like its justification. What can be convincingly stated is that notwithstanding its inherent limitations, the usefulness of intervention in conflict management should not be underestimated. Intervention can at least contain conflicts, if not resolving them, provided it is timely and effective. This calls for willingness and determination on the part of the international community. With states constrained by national interest considerations, the willingness and determination is at the moment lacking and to that extent, the prospects for successful intervention remain bleak.

CONCLUSION

Intervention implies a negative connotation in International Relations. No act that interferes in another state's affairs eroding its sovereignty and undermining its authority is considered necessary or warranted let alone its legitimacy or legality and no purpose howsoever noble it may be, altruism or heightened concern about human rights is deemed sufficient to justify intervention. This is the state of affairs in contemporary world politics despite the change in focus from sovereignty to human rights and from state to non state actors. Suffice it is to say that the change is cosmetic, not paradigmatic, superficial not substantial. The state remains the key actor in the international system, no doubt its predominance is shattered and its authority diluted but its primacy remains intact. Notwithstanding the globalisation of human rights that cuts across state borders and cultural barriers, the issue of intervention eludes consensus and remains controversial.

The international community is sharply divided over the issue of intervention. There are no agreed set of rules and norms that govern the practice of intervention. The existing legal provisions specifying the

conditions that necessitate intervention are too ambiguous and too restrictive to be of any practical use. The UN Charter is profusely vague and its guidelines like "threat to international peace and security" or "self-defence" are less relevant in the contemporary context where the implications of a crisis, mostly intra-state in character are less clear cut. Today, internal conflicts are most common and violations of human rights extremely widespread. The central dilemma boils down to this basic question: How to deal with a state that indulges in gross human rights violations? There is hardly any consensus on this subject. What is paraded as the prevalent view is the opinion of the Western bloc represented by the United States and European Union and not the collective voice of the international community. The third world perspective is neither articulated nor given adequate weightage in academic discourses or policy formulations. The rationale of intervention, especially its latest version codified as "humanitarian intervention" is yet to convince the third world. Still being haunted by traumatic memories of imperialist exploitation and having just entered the process of state-building, the third world believes that scuttling state sovereignty to achieve higher objectives, like safeguarding human rights tantamount to gross interference thereby weakening the institutions of the state and endangering its very existence. The argument cited in favour of

intervention is based on an entirely different premise — intervention is justified to the extent that state becomes dysfunctional. The issue at stake constitutes the bedrock of the international system — state sovereignty. At the heart of the matter lies the fundamental question: Is intervention justified and if so how and under what circumstances?

This research is an attempt to answer precisely this question. In addition, it raises an empirical question i.e. to what extent has intervention been successful in resolving conflicts in the post cold war era? The hypothesis stated are as follows.

1) Intervention is justified if it enjoys the collective consensus of the entire international community formalised in the authorisation of the United Nations.

2) To the extent that intervention has reduced the intensity of conflict, it has been successful.

A systematic analysis shows that the hypotheses require modification and further elaboration. Though the validity of the first hypothesis (relating to the prerequisite of intervention i.e. U.N authorisation) stands unchanged, additional qualifications are deemed essential. The ethics or rather the political correctness of intervention can be judged by stipulating the

following necessary and sufficient conditions. The necessary conditions are as follows:

1) An act of aggression or an armed attack by one state on another thus justifying counter intervention.

2) An armed conflict within a state or between states that poses a serious threat to "international peace and stability".

3) A failed state on the brink of anarchy or a grave humanitarian crisis.

4) A state that engages in systematic and gross human rights violations.

These necessary conditions per se neither necessitate nor justify intervention. The following sufficient conditions have to be satisfied before any intervention is attempted. The sufficient conditions are stated below,

1) The probable benefits accruing out of intervention (for both the intervening and the target state) outweigh the costs involved.

2) There is a match or a fit between the stated objectives/goals and the available resources/capabilities.

3) Intervention enjoys the collective consensus of the international community formalised by the authorisation of the United Nations.

These conditions no doubt could lead to subjective interpretations. However this is just a beginning to address issues pertaining to legality, necessity and political correctness of intervention.

The normative discourse on the subject sidesteps the empirical evidence or the lack of it regarding the impact of intervention. In this context the second hypothesis is put to test. The hypothesis is by and large found true excepting that the usefulness of conflict reduction is questionable. Conflict reduction is no respite nor is it the desired objective. To that extent, intervention has achieved a very limited success. In fact, seen from a different angle it is more of a failure than a success. Intervention has merely brought about a cessation of hostilities; it has neither restored peace nor order. On the whole, the record of intervention is one of mixed results; this track record does not inspire confidence, rather it calls for a thorough rethink on the strategies that guide intervention.

Be that as it may, it is increasingly felt that these broad generalisations serve no purpose, given the uniqueness of the case and the particularity of the circumstance. Any judgement on the ethics or the outcome of intervention has to be on a case-specific basis. Intervention has to be assessed and examined not in the abstract but on a case-specific, context-determined basis. Intervention may sound unethical and immoral in abstract

terms but on practical grounds, it may well seem to be inevitable and absolutely essential. It is often the case that a judgement is pronounced even before the outcome is known, witness for instance, the extreme scepticism and suspicion that bedevilled intervention in Kosovo. This blinkered vision is a serious impediment for a successful and effective intervention. Intervention as an issue is caught in a Catch-22 situation. Whereas the dismal record of intervention makes consensus and therefore concerted international action extremely difficult, a lack of consensus impairs efficiency ending up in utter failure. If consensus is mandatory for successful and effective intervention, it is also a case that an assessment of success based on previous experience forges or breaks the consensus as the case may be.

Great power intervention continues to be dictated by national interests. A careful analysis shows that U.S. intervention during the post-cold war era takes place,

> 1) If national interests-be it vital, strategic or secondary are at stake.

> or

> 2) If there is a coincidence of national interests and humanitarian interests.

It was never a case that humanitarian interests per se was the deciding factor in intervention. If that's the case, what explains U.S. intervention in Somalia? Somalia was an exception rather than a rule. Moreover it was driven by the political compulsion (both domestic and international) to project United States' commitment to "New World Order". U.S. indifference to genocide in Rwanda demonstrates it all. Intervention is driven by goals of foreign policy. To the extent that "saving failed states" and preventing humanitarian crises from endangering regional stability and international peace is in U.S. national interest, the practice of humanitarian intervention would continue. The "humanitarian element" however is missing.

Finally, intervention has its own limitations. It can help contain a conflict or at the most manage it but cannot resolve it. It can result in cessation of hostilities but cannot bring about rapprochement or reconciliation. In plain English, it can stop fighting between the two communities but possibly cannot make them talk and to come to terms with each other. For instance, intervention can technically stop physical clash/rivalry between the Serbs and Kosovo Albanians (even this is not possible till date) but is unlikely to address their simmering grievances. It is true that intervention is extremely useful in breaking the deadlock between

the contending parties. However it is also true that an external actor's understanding of the issue is superficial and the prescriptive remedies suggested, inappropriate for problems that are purely internal and indigenous in nature. Neither the surgical operations of the kind seen in Kosovo nor any quick-fix solutions which were at display in the Balkans and the Middle East provide any meaningful solution to conflicts that manifest irreconcilable demands and incompatible interests and are rooted in deep hatred and animosities. Any artificial solution implanted in a foreign soil will not be endorsed wholeheartedly, let alone formal acceptance. It seems therefore that bypassing the state and scuttling sovereignty is fraught with grave dangers and disastrous consequences. External actors/forces can hardly fulfill the duties and responsibilities that are hitherto entrusted to the state. On this score, there is simply no alternative to the state. The answer therefore lies not in weakening the state or overriding its sovereignty but in strengthening the institutions of the state so as to find lasting solutions (and not *ad hoc* fixes) to the most vexing issues.

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