Research Articles

Rescuing Humanitarian Intervention from Liberal Hegemony

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Abstract

This article presents a normative account of legitimate humanitarian intervention. Presenting a pragmatic and ideologically neutral standard for intervention, it repositions humanitarian intervention within the context of its two most closely related practices: Responsibility to Protect (R2P) and liberal intervention. While distinct from R2P, humanitarian intervention is not in conflict with this political commitment. A consistent application of humanitarian intervention would indeed strengthen R2P. On the other hand, this normative account also distinguishes the principle of legitimate humanitarian intervention from the problematic conflation with liberal intervention. Liberal intervention reflects the more expansive project of international social engineering and 'liberal hegemony' pursued by the United States and its principle allies since the end of the Cold War. By clarifying the distinction between humanitarian intervention and liberal intervention, this revised standard overcomes several obstacles emerging from their conceptual confusion. It crafts a normatively acceptable standard for intervention which can garner broad international support.

Keywords

humanitarian intervention – Responsibility to Protect – liberal hegemony – liberal intervention

1 Introduction

Humanitarian intervention remains an under-loved concept. Despite attempts to formulate it in more sterile language,¹ efforts to create a workable and reliable doctrine of intervention face strong and principled opposition. For their critics, when not cynical, neocolonialist, or downright two-faced, advocates of humanitarian intervention are naive, indulging in a hubris whose unintended consequences are dangerous and often counterproductive. This article argues that a conceptual confusion compounds these objections, which follows from the failure to analytically distinguish humanitarian intervention from the broader practice of liberal interventionism.²

To that end, a normative account of legitimate humanitarian intervention is outlined which emphasises its key distinctions from liberal intervention: Humanitarian intervention is the timely and decisive utilisation of proportional and cross-border military force with human protection intent; humanitarian interveners comply, as far as is feasible, with principles of impartiality and neutrality amongst parties within the target state and take extreme precautions against collateral damage; action is a last reasonable response to ongoing or imminent genocide, war crimes, ethnic cleansing, and crimes against humanity, occurring when the government of the target state is manifestly failing to exercise its Responsibility to Protect, and without meaningful consent or UN Security Council approval.

As taken here, in contrast, liberal interventionism refers to the overlapping yet far more expansive project of international social engineering

1 Sarah Sewall, Dwight Raymond, and Sally Chin, 'MARO – Mass Atrocity Response Operations: A Military Planning Handbook', Army War College Peacekeeping and Stability Operations Institute, May 2010, <https://apps.dtic.mil/docs/citations/ADA525455>, accessed 14 September 2020; International Commission on Intervention and State Sovereignty (ICISS), *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: IDRC, December 2001), p. 11.

2 This is as true today as a decade ago when Richard Vernon wrote how, 'At the time of writing any defence of humanitarian intervention is likely to be confused with something else, particularly an ideology that calls for the dissemination of democracy'. Richard Vernon, *Cosmopolitan Regard: Political Membership and Global Justice. Contemporary Political Theory* (New York: Cambridge University Press, 2010), p. 141.

which encompasses activities such as democracy promotion, projection of human rights regimes, and revision of global sovereignty norms. It is a practice deeply embedded within the strategy of liberal hegemony pursued by the United States since 1993, abetted by many of its closest allies, the United Kingdom above all.³

This conceptual entanglement, a failure to clearly delineate a doctrine of humanitarian intervention from the distinct goal of spreading liberal values and institutions by force, gives rise to three negative consequences for potential humanitarian interventions.

1. *Precedent*: states and other actors are hesitant to acquiesce in military intervention to halt or prevent genocide, war crimes, ethnic cleansing, and crimes against humanity because these efforts might enable more liberal interventionism and a further erosion of the non-intervention principle in international politics. Génocidaires can exploit this concern to their advantage.
2. *Responsibility bias*: the confusion generates an expectation that intervention can only be considered legitimate when carried out by liberal countries.
3. *Prohibitive costs*: by subsuming humanitarian intervention within a broader programme of liberal interventionism, an extreme burden of political, social, and economic reconstruction is imposed upon potential interveners, not only further reducing the pool of eligible states to those theoretically able to shoulder such costs, but further deterring even these (already reluctant) great powers.

The normative position outlined here aims to overcome these roadblocks. Highly pragmatic, this clear interpretation of humanitarian intervention can garner widespread support, not only because it narrows the remit of the concept and practice, but also because it resonates with what is widely held to constitute minimally ethical conduct. By dissecting the core elements which distinguish practices of international intervention, this article seeks to provide the clarity from which a sustainable and reliable global policy for addressing the worst of human evil can be developed.

3 And, as shown by Walt, the pursuit of liberal hegemony has been the guiding principle of both Democratic and Republican party presidents (at least until the election of President Trump in 2016). 'All three [US presidents between 1993 and 2016] assumed that U.S. leadership was essential for global progress, and each sought to use American power to spread democracy, expand U.S. influence and security commitments, and reinforce a rules-based, liberal world order.' Stephen M. Walt, *The Hell of Good Intentions: America's Foreign Policy Elite and the Decline of U.S. Primacy* (New York: Farrar, Straus and Giroux, 2018).

2 Responsibility to Protect and the Annan Dilemma

Many consider the humanitarian intervention question to have been resolved by the Responsibility to Protect (R2P), and accordingly might ask why such a new normative account of legitimate humanitarian intervention is needed at all. R2P was largely a response to the famous dilemma posed to the UN General Assembly by former UN Secretary-General Kofi Annan at the close of the twentieth century. In the wake of the world's inadequate response to the mass atrocities committed in Rwanda and Kosovo, he provoked the international community into a profound period of soul searching. The Annan Dilemma is summed up in two paragraphs:

To those for whom the greatest threat to the future of international order is the use of force in the absence of a Security Council mandate, one might ask – not in the context of Kosovo – but in the context of Rwanda: If, in those dark days and hours leading up to the genocide, a coalition of States had been prepared to act in defence of the Tutsi population, but did not receive prompt Council authorization, should such a coalition have stood aside and allowed the horror to unfold?

To those for whom the Kosovo action heralded a new era when States and groups of States can take military action outside the established mechanisms for enforcing international law, one might ask: Is there not a danger of such interventions undermining the imperfect, yet resilient, security system created after the Second World War, and of setting dangerous precedents for future interventions without a clear criterion to decide who might invoke these precedents, and in what circumstances?⁴

Ultimately, and despite herculean efforts, the 2005 consensus achieved by R2P was unable to cut through this particular Gordian knot of world politics.

The original report of the International Commission on Intervention and State Sovereignty (ICISS), convened by the Canadian government in response to the Annan Dilemma, had provided three options for surmounting an intractable Security Council. To fall back onto the 'Uniting for Peace' procedure, whereby the General Assembly can convene an emergency special session to assume a residual responsibility for peace and security when the Security Council fails to discharge its responsibility; action by a regional or subregional organisation within the sphere of its jurisdiction; and finally,

4 Kofi Annan, 'Secretary-General Presents His Annual Report to the General Assembly', Press Release, SG/SM/7136, GA/9596, 20 September 1999.

states acting outside of their regional organisation can request *ex post facto* authorisation from the Council.

However, 'R2P lite',⁵ the version of the programme adopted by the World Summit in 2005, omitted any contingency for Security Council gridlock. The relevant paragraphs of the Outcome Document continue to serve as the sacrosanct basis of the principle in international affairs:

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

5 Ramesh Thakur and Thomas G. Weiss, 'R2P: From Idea to Norm—and Action?' *Global Responsibility to Protect*, 1(1): 22–53 (2009), p. 38.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.

Responsibility to Protect was removed of any teeth. It became a kind of hollow statement to which everybody can pay lip service without any political cost whatsoever.⁶ As Bellamy has made clear, the Outcome Document committed, in essence, nobody to actually do anything. The Security Council declares itself prepared only to 'stand ready to act' (as if it did not stand ready to act against genocide before 2005?) and the language of consideration on a 'case-by-case' basis reflects a 'deliberate attempt to water down the Council's responsibility to protect'.⁷ And so (in terms of humanitarian intervention): Square One.

In the academic literature it is well established that Responsibility to Protect is not a brand name for humanitarian intervention. (Despite the following *Wikipedia* description: 'The [ICISS] worked to popularize the concept of humanitarian intervention under the name of "Responsibility to protect"'.⁸) And despite the World Summit's clear articulation of R2P as rooted firmly within a pre-existing legal framework which, by general consensus, seems not to permit humanitarian intervention in the absence of Security Council mandate, it has been viewed sceptically ever since by many in the Global South (and beyond).⁹ Accentuating the problem, the distinction between humanitarian intervention and R2P has sometimes been missed by policymakers in the

6 'The governments of most countries indicate that, in principle, they support the concept of R2P, just as every government in the world will readily proclaim that they support "human rights" and "democracy" because such proclamations cost nothing and accountability to such commitments is weak'. Edward Newman, 'R2P: Implications for World Order', *Global Responsibility to Protect*, 5(3): 235–259 (2013), p. 255.

7 Alex J. Bellamy, 'The Responsibility to Protect and the Problem of Military Intervention', *International Affairs*, 84(4): 615–639 (July 2008), p. 623.

8 *Wikipedia*, 'International Commission on Intervention and State Sovereignty', 13 October 2019, https://en.wikipedia.org/w/index.php?title=International_Commission_on_Intervention_and_State_Sovereignty&oldid=921033340, accessed 13 October 2019.

9 In 2009 for instance the Nicaraguan president of the General Assembly called R2P 'redecorated colonialism'. 'That R2P was actually a clever repackaging of humanitarian intervention – another Trojan horse for Western Imperialism – retained traction as an epithet'. Thomas G. Weiss, 'The Turbulent 1990s: R2P Precedents and Prospects' in Alex J. Bellamy and Timothy Dunne (eds.), *The Oxford Handbook of the Responsibility to Protect* (Oxford: Oxford University Press, 2016), pp. 65–66. While not representing 'typical' states, some of the strongest opposition to the principle voiced during the 2019 debate in the General Assembly, from Venezuela and North Korea, explicitly linked it humanitarian intervention. 'This notion [R2P], which at first might have had good intentions behind it, today lacks total legitimacy, since it is used to intervene in the internal affairs of States and destroy their independence, sovereignty and territorial integrity ... The naive phase of

Permanent Five (P5) states. For example, despite its stated conceptualisation of humanitarian intervention as ‘beyond the two UN Charter uses of force’ (i.e. in the absence of a Security Council mandate) the UK Foreign Affairs Committee still discusses the ‘humanitarian intervention in Libya’ which it supposed the UK carried out.¹⁰ R2P provides a vocabulary for addressing broader structural causes of atrocity crimes and offers a non-militarised toolkit for prevention, which, to take one example, proved highly effective in Kenya.¹¹ But it does not hold direct relevance in instances which are not amenable to peaceful resolution and where the Security Council fails in its primary duty.

In several ways, the normative outline of humanitarian intervention presented here reinforces and complements the Responsibility to Protect. And this is important because the consensus around R2P appears as strong as ever. Efforts to extend the principle are likely to alienate many states and to weaken the important progress and structural improvements to mass atrocity prevention which have been accomplished in the last 15 years under the R2P banner.

That said, the broad initiatives to overcome Security Council inaction demonstrate an enduring appetite in international society for finding ways to overcome this Dilemma which still troubles us. Two such efforts, the Accountability, Coherence and Transparency (ACT) Group Code of Conduct and the France-Mexico initiative on veto restraint in atrocity situations, have both been signed by well over 100 member states at the United Nations. But one answer to the problem, the experience and perception of liberal

humanitarian interventionism is over.’ UN General Assembly, 73rd sess., 93rd Plen Mtg, UN Doc A/73/PV.93, 27 June 2019, p. 24. And, ‘R2P is a product of humanitarian intervention, which has been rejected by the international community in the past. State sovereignty is sacred and inviolable.’ UN General Assembly, 73rd sess., 94th Plen Mtg, UN Doc A/73/PV.94, 27 June 2019, p. 19. And more moderate voices, such as the representative of Pakistan, were at pains to emphasise the compatibility of R2P with long-standing norms of sovereign inviolability. ‘The responsibility to protect is not a license to intervene in external situations, but is instead a universal principle of non-indifference in keeping with the historical contexts and cultural norms of respective settings ... Set against the overarching principle of State sovereignty, the responsibility to protect cannot become a basis to contravene the principles of non-interference and non-intervention, or question the national sovereignty or territorial integrity of States. That remains the sole point of departure for our discussion on the responsibility to protect.’ UN Doc A/73/PV.93, 27 June 2019, p. 17.

10 The military intervention in Libya was authorised by the Security Council evoking the R2P. Taken as a high-level statement from a P5 member and global military power whose destructive capacity has been amply demonstrated in the post-9/11 world, this is cause for no little concern. Foreign Affairs Committee, *Global Britain: The Responsibility to Protect and Humanitarian Intervention* (London: House of Commons, 10 September 2018), p. 9.

11 Noële Crossley, ‘A Model Case of R2P Prevention? Mediation in the Aftermath of Kenya’s 2007 Presidential Elections’, *Global Responsibility to Protect*, 5(2): 192–214 (2013).

interventionism, has largely been received negatively. Indeed, liberal interventionism is the predominant frame within which unilateral intervention is viewed. And so, to associate the R2P with the unilateral use of force, beyond the 2005 agreement, would be a recipe for trouble that leaves the world much poorer off. An analytical decoupling of humanitarian intervention from the practice of liberal intervention, therefore, is not just a valuable task in itself. It could also be an important first step in reconciling humanitarian intervention with the Responsibility to Protect in the way that was envisioned by its initial framers.

3 Liberal Intervention

What is the logic that drives liberal intervention? A specific view on sovereignty is characteristic of liberal theorising on the international. This common starting point being the fundamental universality of liberal political ideals. Hence, according to the US National Security Strategy of 2002, 'the United States must defend liberty and justice because these principles are right and true for all people everywhere'.¹² The focus is placed squarely on the individual, and the value of human communities – up to and beyond the state – is purely derivative. 'They [States] are of value to exactly the extent that they contribute to the welfare of individuals.'¹³ And 'welfare' can reasonably be taken, at a minimum, to mean the familiar catalogue of basic human rights.

Among the human rights are the right to life (to the means of subsistence and security); to liberty (to freedom from slavery, serfdom, and forced occupation, and to sufficient measure of liberty of conscience to ensure freedom of religion and thought); to property (personal property); and to formal equality as expressed by the rules of natural justice (that is, that similar cases be treated similarly).¹⁴

Under this world view, sovereignty in general has no intrinsic value beyond its usefulness as a means for actualising these rights in the lives of really existing

¹² Cited in Georg Sørensen, *A Liberal World Order in Crisis: Choosing between Imposition and Restraint* (Ithaca: Cornell University Press, 2011).

¹³ Brian Barry, 'International Society from a Cosmopolitan Perspective' in Terry Nardin and David R. Mapel (eds.), *International Society: Diverse Ethical Perspectives* (Princeton: Princeton University Press, 1998), p. 153.

¹⁴ John Rawls, *The Law of Peoples: With 'The Idea of Public Reason Revisited'* (Cambridge MA: Harvard University Press, 2003), p. 65.

persons.¹⁵ And so, 'every institution [must] be judged by its impact on individual human beings. It rules out appeals to the destiny of a class, race, or nation that are not reducible to claims about the rights, interests, and welfare of individuals'.¹⁶ As the defining attribute of liberal political theorising on the international, this leads to the radical conclusion that, 'States and governments do not exist primarily to ensure order, but to secure natural rights'.¹⁷

This immediately poses a question of 'the morally permissible range of diversity among [states]'.¹⁸ The answer among liberal internationalists differs in important ways. But in general, the basis of evaluation takes the liberal principles of justice to be universally valid. The scope of these, and normative baseline of a legitimate state, is defined in more or less demanding terms. For Rawls, certain non-liberal societies, 'decent hierarchical peoples' who provide a minimum of justice for their citizens, are included in the Society of Peoples as 'members of good standing'.¹⁹ In contrast to 'outlaw states', these are to be respected and tolerated in themselves and not to be seen merely as way-posts towards full political liberalism. Rawls, unlike many cosmopolitan liberal theorists, such as Tesón, does not advocate applying pressure to decent hierarchical states to change, even though presumptively these polities are characterised by unjustified acts of state coercion. And indeed, the toleration extended to these societies is not merely pragmatic but constitutes an intrinsic characteristic of the Law of Peoples itself.²⁰ For Tesón, and a number of influential cosmopolitans, only a fully liberal democratic state can claim legitimacy.

These conflicting views lead to various normative conceptions within the liberal interventionist view. So, *in principle*, in the Rawlsian approach permissible force is only applicable to outlaw states. Vincent's early pluralism also builds from a similar premise.²¹ And force is only to be considered when 'the offenses against human rights are egregious and the society does not respond to the imposition of sanctions'.²² Rawls's normative inclusion of decent hierarchical peoples within his Society of Peoples incorporates an *a priori* consideration of state legitimacy absent in Tesón's view. For Tesón, the only standard

15 With due respect given to future persons.

16 Barry, 'International Society from a Cosmopolitan Perspective', p. 157.

17 Fernando R. Tesón, 'Eight Principles for Humanitarian Intervention', *Journal of Military Ethics*, 5(2): 93–113 (2006), p. 94.

18 Barry, 'International Society from a Cosmopolitan Perspective', p. 154.

19 Rawls, *The Law of Peoples*, pp. 62–70.

20 *ibid.*, p. 122.

21 Jennifer M. Welsh, 'A Normative Case for Pluralism: Reassessing Vincent's Views on Humanitarian Intervention', *International Affairs*, 87(5): 1193–1204 (2011).

22 Rawls, *The Law of Peoples*, n. 94.

that matters is that of the liberal principles of justice, and the only consideration is the pragmatic standard of proportionality. 'Contrary to some suggestions, States do not have any rights-based shield against foreign intervention ... States do not have a general right to rule, that is, a right to rule beyond what the rights of the subject ... allow.'²³ Military intervention can thus be justified even in the absence of mass atrocities. Likewise for Barry, 'cosmopolitan morality cannot object to [military] intervention ... except on grounds of inefficiency or counter productiveness ... Any government which is little more than a gang of looters ... forfeits any respect for its independence. If it can be toppled without making things worse, that has to be a (relatively) just outcome.'²⁴ Likewise for Applbaum, 'Tyrannies have no rights as nations, and so no state or government interposes in our moral relations with the persons who live under tyranny.'²⁵

In the liberal interventionist view, military intervention, though extraordinary, is *internal* to the basic structure of world politics. Responses to mass atrocity are indistinguishable from a broader commitment to spreading freedom and democracy.²⁶ (Or even that of eradicating evil from human affairs.²⁷) The international is a site of perpetual contestation between liberal principles and their book-end opponents: tyranny and anarchy. Tesón writes how, 'Humanitarian intervention is one tool to help move the quantum of political freedom in the continuum away ... from the extreme lack of order (anarchy) [and] from governmental suppression of individual freedom (tyranny)'.²⁸ Liberal interventionism is deeply embedded in the process of 'placing [the modern state] spatially – [of] drawing the boundaries of the contemporary

23 Fernando R. Tesón, 'The Moral Basis of Humanitarian Intervention Revisited' in Don Scheid (ed.), *The Ethics of Armed Humanitarian Intervention* (Cambridge: Cambridge University Press, 2014), p. 69.

24 Emphasis in original. Barry, 'International Society from a Cosmopolitan Perspective', p. 160.

25 Arthur Isak Applbaum, 'Forcing a People to Be Free', *Philosophy & Public Affairs*, 35(4): 359–400 (Autumn 2007), p. 366.

26 For example, former UK Prime Minister David Cameron spoke in office of being a 'Liberal – because I support the aim of spreading freedom and democracy, and support humanitarian intervention', while Foreign Secretary William Hague declared, 'It is not in our character to have a foreign policy without a conscience: to be idle or uninterested while others starve or murder each other in their millions is not for us ... David Cameron and I have spoken in recent years of our approach to foreign affairs ... in that we believe in freedom, human rights and democracy and want to see more of these things in other nations'. Oliver Daddow and Pauline Schnapper, 'Liberal Intervention in the Foreign Policy Thinking of Tony Blair and David Cameron', *Cambridge Review of International Affairs*, 26(2): 330–349 (2013), pp. 331–336.

27 'Bush Promises to "Rid World of Evil"', *The Irish Times*, 15 September 2001.

28 Fernando R. Tesón, 'The Liberal Case for Humanitarian Intervention', in J. L. Holzgrefe and Robert O. Keohane (eds.), *Humanitarian Intervention: Ethical, Legal and Political Dilemmas*, (Cambridge: Cambridge University Press, 2003), p. 97.

“international community” and the dividing lines between “good” states (the insiders of international society) and “bad” states (the outsiders).²⁹ Some cosmopolitan liberal interventionists have gone even further to advocate intervention supporting promotion of the full catalogue of ‘cosmopolitan principles of distributive justice’:

These include meeting basic needs, granting all persons equality of opportunity, rules of fair trade, and, over and above this, prioritizing the position of the least advantaged. The abstract assumption that individuals have a moral status that should be respected thus should ... be elaborated to take the form of egalitarian liberal civil, political, and economic rights ... It follows that intervention is justified when it could successfully protect these rights. Indeed, it is not just morally permissible: it is a duty.³⁰

Indeed, Vernon sees this expansive duty as the only way to justify an unequal global distribution of political and economic resources.³¹

Western policymakers have echoed this position across recent decades. We see this in the 2002 US National Security Strategy cited above, which, after establishing the universality of the American commitment to principles of liberty and justice, insists that ‘the United States must start from those core beliefs and look outward for possibilities to expand liberty’.³² In their post-Cold War moment of rapture, Western statesmen came to view a commitment to ‘expanding liberty’ as a core national interest. UK Prime Minister Tony Blair’s famous ‘Chicago Speech’ in 1999 set out an ambitious foreign policy agenda built around this idea, which was to be prophetic of the foreign policy pursued by the Western alliance post 9/11.

No longer is our existence as states under threat. Now our actions are guided by a more subtle blend of mutual self-interest and moral purpose in defending the values we cherish. In the end values and interests merge. If we can establish and spread the values of liberty, the rule of law, human rights and an open society then that is in our national interests too.³³

29 Daddow and Schnapper, ‘Liberal Intervention in the Foreign Policy Thinking of Tony Blair and David Cameron’, p. 340.

30 Simon Caney, *Justice beyond Borders: A Global Political Theory* (Oxford: Oxford University Press, 2005), pp. 234–235.

31 Vernon, *Cosmopolitan Regard*, p. 138.

32 Sørensen, *A Liberal World Order in Crisis*, p. 1.

33 Tony Blair, ‘Doctrine of the International Community; Speech Delivered at the Chicago Economic Club’, 24 April 1999, www.Number10.gov.uk, accessed 01 October 2020.

The West's ontological security is threatened by the very existence of outlaw and even non-liberal regimes. Accordingly, 'the spread of our values makes us safer' and, sometimes, 'armed force is the only means of dealing with dictators'.³⁴

For many, the liberal practice of ordering international politics which emerges from this, a 'liberalism of imposition',³⁵ amounts to little more than a form of Western triumphalism, a project of militarised social engineering which imposes Western values upon others. This stands in stark contrast to the idea of humanitarian intervention. Political liberalism, underpinned by a discursive moral cosmopolitanism, has undoubtedly characterised and legitimised the global strategy pursued by the United States and its allies since the end of the Cold War; and the practice has leaned closer to the implied prescriptions of Tesón than Rawls. A world view reflected in the decades-long grasp for liberal hegemony which:

seeks to use American power to defend and spread the traditional liberal principles of individual freedom, democratic governance, and a market-based economy. The strategy identifies America as the 'indispensable nation' that is uniquely qualified to spread these political principles to other countries and to bring other states into a web of alliances and institutions designed and led by the United States.³⁶

According to prominent neo-realist critics, the United States, indeed the Western alliance, has spent several decades explicitly trying to 'remake the world in its own image'.³⁷ A hubristic endeavour which could never succeed. 'The likely outcome of [even] limited liberal interventionism is ... failure. Promoting individual rights and turning other countries into liberal democracies is an exceedingly difficult undertaking that rarely succeeds and often backfires'.³⁸ Indeed, Walt goes so far as to suggest that due to this drive for liberal hegemony: 'a few States have caused more harm to others in recent years than the United States has, but not many'.³⁹ The practice has been seen in an even less favourable light beyond the West, where it is construed as an

34 *Ibid.*

35 Sørensen, *A Liberal World Order in Crisis*.

36 Walt, *The Hell of Good Intentions*, p. 14.

37 John J. Mearsheimer, *The Great Delusion: Liberal Dreams and International Realities*. The Henry I. Stimson Lectures Series (New Haven CT: Yale University Press, 2018), p. viii.

38 Mearsheimer, *The Great Delusion*, pp. 139–140.

39 Walt, *The Hell of Good Intentions*, p. 258.

appropriation by a handful of powerful liberal states of a right to identify, construct, and interpret human rights that properly rests with international society as a whole, and which finds legitimate expression in the norms of non-intervention and state sovereignty which cosmopolitan theorists tend to qualify.⁴⁰

Humanitarian intervention, on the other hand, as conceptualised here, is an ideologically agnostic doctrine. But the confusion with liberal interventionism, a consequence of international liberalism's 'crusader impulse', is not entirely accidental. In the wake of the failure to find weapons of mass destruction, for example, explicit attempts were made to reformulate the justification for the 2003 Iraq War in terms of humanitarian intervention (an attempt which was roundly rejected).⁴¹ This conflation is a conceptual misunderstanding which reduces the (already slight) possibilities that foreigners able to intervene during genuine worst-case scenarios will do so. And it might be especially important to make the distinction at the present historical juncture, given how the Western alliance remains so overwhelmingly powerful that its repeated failures in the pursuit of liberal hegemony have yet to cause the significant geopolitical defeats that can inspire the rejection of their 'failed grand strategy'. It appears unlikely that this technological-military dominance will slip anytime soon.⁴²

Liberal interventionists, too, have powerful reasons to recognise the distinction between their programme and humanitarian intervention. Social engineering across borders is extraordinarily difficult. To remake a country root and branch, to shape it in the image of the West, both for the benefit of citizens of those countries and because the spread of liberal values is an important national interest for the intervenor, requires the investment of resources and staying power that Western democratic societies usually reject. The supposed (or even real) beneficiaries will fight back. 'In most cases, the target state will fiercely resist the liberal crusaders... Liberalism is not an easy sell in alien lands.'⁴³ Unless political elites in the intervening country are upfront about what they are doing, and can make a convincing case which will encourage the public to maintain support for the endeavour, which might drag on for

40 M. Ayoob, 'Humanitarian Intervention and State Sovereignty', *The International Journal of Human Rights*, 6(1): 81–102 (2002).

41 'A humanitarian rationale was occasionally offered for the [Iraq] war, but it was so plainly subsidiary to other reasons that we felt no need to address it.' Ken Roth, 'War in Iraq: Not a Humanitarian Intervention', *Human Rights Watch* (blog), 25 January 2004.

42 For a highly detailed and fascinating account of the limits of Chinese attempts to rival American military power, for example, see Andrea Gilli and Mauro Gilli, 'Why China Has Not Caught Up Yet: Military-Technological Superiority and the Limits of Imitation, Reverse Engineering, and Cyber Espionage', *International Security*, 43(3): 141–189xx–xx (2019).

43 Mearsheimer, *The Great Delusion*, p. 142.

decades, then there is simply no chance of achieving the goal of successfully remaking the economic and socio-political structures of distant lands.

The purpose of this outline of liberal interventionism is not to propose a detailed critique of the plethora of ideas and practices which constitute it, a far larger task, but rather to paint a basic understanding with which to differentiate it from humanitarian intervention. It is easy to parody liberal interventionism, and many critics fail to acknowledge the diversity and breadth of cosmopolitan liberal theory, and the scope and complexity of very real practical problems to which it is a response. Over the following sections, the contours of liberal intervention and humanitarian intervention will be distinguished further by elaborating four criteria which distinguish between forms of international intervention: (1) forms of action covered (i.e. diplomatic, economic, military); (2) intentions of the intervening state(s) and scope conditions in the target state; (3) precautionary principles and humanitarian criteria; and (4) the contested issue of Security Council authorisation.

3.1 *Humanitarian War*

The first defining element of humanitarian intervention makes clear that it is about military force. For sure, the ‘mass atrocity toolbox’ contains an array of means by which international society can react to atrocious situations of mass killing.⁴⁴ Economic sanctions, political isolation, referral to the International Criminal Court diplomatic pressure – all of these are direct, coercive, measures. Broader security options also exist. These include peacekeeping missions on the military observer model, interception of communications (i.e. jamming radio frequencies or blocking internet access), and arms embargoes. The international securitisation of egregious humanitarian norm violators thus has many forms. However, these coercive measures remain distinct from the humanitarian intervention project. Humanitarian intervention is a mode of war. ‘Humanitarian war’, perhaps, yet still war.⁴⁵ While there is a broad consensus on this point among scholars,⁴⁶ and it also seems likely that military force

44 Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All* (Washington DC: Brookings Institution Press, 2008), pp. 252–253.

45 ‘Humanitarian war’ is the term coined by Roberts. Adam Roberts, ‘Humanitarian War: Military Intervention and Human Rights’, *International Affairs*, 69(3): 429–449 (1993).

46 Cecile Fabre, *Cosmopolitan War* (Oxford: Oxford University Press, 2012), p. 166; J. L. Holzgrefe, ‘The Humanitarian Intervention Debate’ in J. L. Holzgrefe and Robert O. Keohane (eds.), *Humanitarian Intervention: Ethical, Legal & Political Dilemmas* (Cambridge: Cambridge University Press, 2003), p. 18; Simon Chesterman, *Just War or Just Peace? Humanitarian Intervention and International Law* (Oxford: Oxford University Press, 2002), p. 3; James Pattison, *Humanitarian Intervention and the Responsibility to Protect: Who Should Intervene?* (Oxford: Oxford University Press, 2010), pp. 25–27.

is what is commonly meant by the term humanitarian intervention in everyday discussion, some critics do subsume humanitarian intervention within this more expansive continuum of coercive practices.⁴⁷ However this appears a mistake.

Liberal interventionism, on the other hand – as a project to recalibrate the political barometer, one intimately tied to notions of democracy promotion and the implementation of international human rights regimes, even if those be of a fairly minimal standard – might be more inclined to view military force as of a piece with these other measures.

3.2 *International Ethics*

Second, humanitarian intervention responds to a special category of rights violations of international concern. And while in practical circumstances they are usually quite apparent (famously ‘shocking the conscience of mankind’), in specifying an actionable framework for humanitarian intervention it is important to run as closely as possible along already existing normative criteria within the international system.

The form in which the global community endorsed Responsibility to Protect provides such a clearly delineated catalogue of international crimes: genocide, war crimes, ethnic cleansing, or crimes against humanity. While adopting these does not eliminate the problem of indeterminacy entirely, there are two benefits. It avoids the narrow concern as to whether or not particular mass atrocity situations meet techno-legal conditions of genocide, a notoriously difficult and contested endeavour. Excessive focus on the norm against genocide, to the exclusion of other considerations, not only reduces the possibility of feasible humanitarian interventions, but also their efficiency as, ‘by the time it is clear that a genocide is occurring, it is often too late to stop the killing’.⁴⁸ And the fact that the criteria of these four crimes have been unanimously agreed within the United Nations strengthens the intervener’s hand in the sense that it is not credible for a state to say that they have not agreed in principle that committing these crimes is beyond the remit of state sovereignty.

47 Fernando R. Tesón, *Humanitarian Intervention: An Inquiry into Law and Morality* (Irvington-on-Hudson NY: Transnational, 1997); Jack Donnelly, ‘Human Rights, Humanitarian Crisis, and Humanitarian Intervention’, *International Journal*, 48(4): 607–640 (Autumn 1993); Caney, *Justice beyond Borders*, p. 231; Charles R. Beitz, *Political Theory and International Relations* (Princeton NJ: Princeton University Press, 1999).

48 Robert A. Pape, ‘When Duty Calls: A Pragmatic Standard of Humanitarian Intervention’, *International Security*, 37(1): 41–80 (July 2012), p. 42.

Adopting this standard further improves on other ‘pragmatic’ accounts of humanitarian intervention. Pape’s influential article, for instance, critiques R2P on the basis of an incorrect reading which misrepresents the political basis of the commitment as being the ICISS document rather than the far more constrained version agreed at the 2005 World Summit.

R2P does not offer clear criteria for what constitutes harm serious enough to justify humanitarian military action. Thus, it sets the bar for intervention so low that virtually any instance (real or perceived) of anarchy or tyranny could justify the violation of state sovereignty.⁴⁹

Pape is mistaken in his criticism of R2P, and his critique leans closer to opposing those cosmopolitan advocates of liberal intervention who hold a much more permissive standard. And Pape’s own account of the threshold criterion for humanitarian intervention, mass homicide campaigns, even with his quantitative caveat that the state should have killed 2,000–5,000 civilians in one or two months, and is likely to kill a further 20,000–50,000 in the near future, is equally as open to technical haggling as the genocide norm, and fails to account for the full spectrum of conscience-shocking scenarios in the way that the (actual) threshold criteria advanced by the R2P do. One could imagine horrific scenes of body counting in the Security Council, akin to undignified past arguments over whether a mass atrocity situation is technically genocide or just plain old mass murder.

3.3 *Precautionary Principles and Humanitarian Criteria*

The third criterion covers the precautionary principles fundamental to just war theory. *The application of force is proportional and a last reasonable response to mass atrocity crimes with human protection intent and humanitarian interveners comply, as far as is feasible, with principles of impartiality and neutrality amongst parties within the target state and take extreme precautions against collateral damage.*

This sentence incorporates humanitarian criteria which mark a critical distinction with the broader programme of liberal intervention. The International Committee of the Red Cross (ICRC) posit four criteria for a humanitarian act. It must be universalistic, neutral, impartial/egalitarian, and consensual.⁵⁰

⁴⁹ *ibid.*, p. 51.

⁵⁰ Alex Leveringhaus, ‘Liberal Interventionism, Humanitarian Ethics, and the Responsibility to Protect’, *Global Responsibility to Protect*, 6(2): 162–180 (2014), p. 172.

Meeting these criteria poses a significant challenge, and they can likely only ever be met unevenly. Yet they present a guiding logic for the practice of humanitarian intervention which underpins its ideologically agnostic nature. To restate, humanitarian intervention is a form of war, and necessarily, it is against something. By reference to Responsibility to Protect, as shown, what exactly it is against can be specified with reasonable clarity and an argument can be made for normative universality on this score. That the four crimes are not legitimate policy options, and indeed are crimes, has been established as a basic premise of international politics which has reached the level of a universal consensus.⁵¹

So, the claim that humanitarian intervention is ideologically agnostic rests first of all on the consensus underlying the prohibition on the four crimes. But of course, the deeper controversy lies on what (if anything) should be done about it. This is where the humanitarian criteria do their work. It is crucially important that force is used only as a last reasonable response, and that it extends as far as possible to the humanitarian criteria, such as those laid out by the ICRC. As Leveringhaus indicates, force ‘should be on the side of peace, and not on the side of any particular group ... [it] is not to defend one group against the other or help “good guys” fight “bad guys”’.⁵² This diverts strongly from the liberal interventionist view of force as a weight to tilt the scale of global order toward the ‘Kantian centre’. Those who oppose liberal intervention, and an expansive concept of humanitarian intervention, due to considerations of order and stability can likewise be reconciled to such an idea. Even the neo-realist Stephen Walt, for example, concedes that American power might legitimately be used to halt mass killings overseas when the danger is imminent, the costs are low, the number lives saved is great in comparison to the risks taken by troops, and intervention would likely not make matters worse.⁵³

In the first post-Cold War years, a difficulty emerged during peacekeeping operations in which something like this ‘impartiality ideal’ led to ineffective responses which arguably worsened the crises they were meant to prevent (for example, in Rwanda).⁵⁴ It has since been widely recognised that force must be effective and timely, in order to avoid some of these negative outcomes which often saw intervention forces become helpless bystanders, or worse, hostages.

⁵¹ Indeed, in the 2019 debate on R2P at the UN General Assembly in 2019, even the ‘rogue states’ fundamentally opposed to R2P (North Korea, Venezuela, and Syria) did not seek to argue against the prohibition of the four crimes.

⁵² Leveringhaus, ‘Liberal Interventionism, Humanitarian Ethics, and the Responsibility to Protect’, pp. 178–179.

⁵³ Walt, *The Hell of Good Intentions*, p. 289.

⁵⁴ Richard K. Betts, ‘The Delusion of Impartial Intervention’, *Foreign Affairs*, 73(6): 20–33 (1994).

And over time, international commitments such as the Kigali Principles on the Protection of Civilians have begun to outline how this might be done, specifying that forces deployed to peace operations must be trained, equipped, prepared, and willing to use force appropriate to preventing mass atrocities.⁵⁵ While these are addressed largely to Chapter VI peacekeeping missions, it is possible to see how they could extend to humanitarian interventions executed in the timely manner proposed here.

In short, while the use of force is aimed at stopping atrocities, and in that sense it refrains from imposing external political solutions, it is still robust.

3.4 *Security Council Authorisation*

Humanitarian intervention violates the non-intervention principle which has long served as a basis of relations between sovereign states. This is World Politics: 101. And despite the best efforts of cosmopolitan international theory, there remains a strong consensus among states against the ‘downgrading’ of sovereignty.⁵⁶ A Security Council resolution remains the sole mechanism under international law for permitting exceptions to the non-intervention principle. What to do when the Council fails in the face of mass atrocities? As seen above, this question was the crux of the Annan Dilemma, and R2P as accepted by the international community in 2005 failed to answer it.

Accordingly, a doctrine of humanitarian intervention is still required, and we are left with what is often referred to as ‘unilateral’ or ‘unauthorised’ intervention. This reflects its distinct place in a developing international normative order, and underlines that on most accounts it is a violation of international law.⁵⁷ Technically speaking then, humanitarian intervention can only happen outside of Security Council authority, as R2P can only happen inside. (When – or if – an intervention were to take place which fits within the conceptual bounds laid down here, except that it does in fact receive Council approval, then the

55 Global Centre for the Responsibility to Protect, ‘The Kigali Principles on the Protection of Civilians’, <https://www.globalr2p.org/resources/the-kigali-principles-on-the-protection-of-civilians/>, accessed 7 May 2020.

56 Take, for instance, China’s unequivocal statement at the 2019 General Assembly debate on R2P. ‘The international community should abide by the purposes and principles of the Charter of the United Nations, fully respect the sovereignty and territorial integrity of the countries concerned and uphold the fundamental principles that govern international relations, such as non-interference in internal affairs, non-aggression and the peaceful settlement of disputes.’ UN Doc A/73/PV.93, 27 June 2019.

57 The legality of the type of humanitarian intervention proposed here is a highly contested topic, and a detailed consideration is beyond the scope of this paper. But on balance, the literature establishes that it is a violation of the existing law.

appropriate framework would be the third pillar of R2P, not humanitarian intervention.) It is in this issue of right authority that the cleavage with Responsibility to Protect is laid bare.

Recchia argues persuasively that existing multilateral procedures, a pyramid topped by the P5 veto, has much to recommend it.⁵⁸ To make his argument work, however, he sidesteps the Annan Dilemma by declaring the veto to have been a non-issue. Recchia's insistence upon multilateral authorisation procedures provide a good solid check on liberal interventionism. But there are good reasons to suppose that the unreformed Security Council will continue to fail suffering populations. And this is not a mere hypothetical. To take an especially pertinent example, 'Russia has systematically shielded Syria from accountability measures [in the Security Council]. Russia and China have jointly vetoed eight draft UNSC resolutions and Russia has independently vetoed a further six resolutions'.⁵⁹ And far beyond Syria, there is wide recognition that division and ineffectiveness in the Council is as much the usual state of affairs today as it was during the Cold War.⁶⁰

All states in principle reject mass atrocities. However, states are not persons. They cannot be considered as unitary moral actors, and as history does show, they are always subject to competing concerns and preferences which will on occasion be prioritised over actions which, viewed in isolation, are morally preferable. The P5, despite their elevated status and heightened responsibilities, are not immune to this common fact of political life. Further, the more powerful a state is, the wider its range of interests and the greater the number of its competing geopolitical interests. Policy decisions are therefore subject to a vastly complex array of inputs. The P5 are pretty much the states with the broadest and deepest fields of vision and interests in the world. The important initiatives to develop a Responsibility Not to Veto (RN2V) outlined above,

58 Stefano Recchia, 'Authorising Humanitarian Intervention: A Five-Point Defence of Existing Multilateral Procedures', *Review of International Studies*, 43(1): 50–72 (2017).

59 Global Centre for the Responsibility to Protect, 'Populations at Risk: Syria', 15 March 2020, <https://www.globalr2p.org/countries/syria/>, accessed 16 March 2020.

60 Of the numerous contributions which underscored this point in the 2019 General Assembly debate on R2P, see Denmark (on behalf of the 'Group of Friends of R2P', which comprises 51 states and the EU), 'We are well aware that the Security Council has sometimes failed to live up to its special responsibility to respond to atrocity crime risks in a timely and decisive manner'; South Korea, 'We are currently witnessing a divided Security Council, unable to take timely and decisive action with regard to multiple atrocity situations'; and Norway, '[currently] a divided Security Council is unable to take needed action in many serious conflict situations'. UN Doc A/73/PV.93, 27 June 2019, pp. 3, 7 and UN Doc A/73/PV.94, 27 June 2019, p. 3.

though praiseworthy, are unlikely to overcome the discursive objections of China and Russia.⁶¹ And even these laudable endeavours come with caveats, such as the qualification in the French-Mexican Initiative that the veto not be used in cases of mass atrocity, '[except in] cases where the vital interests of a permanent member ... were at stake'.⁶² While Jennifer Trahan has recently argued that use of the veto in the face of mass atrocities is itself contrary to international law, it is not yet clear whether her arguments will have a greater impact on practice than previous voluntary efforts to restrain its use.⁶³

The possibility of the veto being threatened or used during a future crisis *do* remain significant. This is so even if we accept that all states, including the P5, hold a strong preference against commission of, or impunity for, mass atrocities, and even that the more powerful countries will most likely see this preference as reflecting a peripheral national interest. Ultimately, and at least in the near future, as other scholars have already concluded, 'RN2V must ... be judged to be a responsibility to far'.⁶⁴

4 A New Way Forward

The set of criteria outlined here for legitimate humanitarian intervention contributes to the long-standing demand for a 'new standard' to guide decision-making on the circumstances under which intervention should take place, and also offers a template for better understanding how to intervene.⁶⁵ In particular it has sought to reposition humanitarian intervention within the context of its two most closely related practices: Responsibility to Protect and liberal intervention. On the one hand, while distinct from R2P, it is not in conflict with this political commitment, but rather a consistent application of

61 As if such a statement was necessary in light of Russian practice in the Council, Foreign Minister Sergey Lavrov tweeted in response to the French-Mexican Initiative that 'ideas of scrapping or limiting the veto have no future'. Cited in Jean-Baptiste Jeangène Vilmer, 'The Responsibility Not to Veto: A Genealogy', *Global Governance: A Review of Multilateralism and International Organizations*, 24(3): 331–349 (2018), p. 341.

62 Security Council Report, 'Research Report on the Veto', 19 October 2015, <https://www.securitycouncilreport.org>, accessed 14 March 2020.

63 Jennifer Trahan, *Existing Legal Limits to Security Council Veto Power in the Face of Atrocity Crimes* (Cambridge: Cambridge University Press, 2020).

64 Justin Morris and Nicholas J. Wheeler, 'The Responsibility Not to Veto: A Responsibility Too Far?' in Alex J. Bellamy and Timothy Dunne (eds.), *The Oxford Handbook of the Responsibility to Protect* (Oxford: Oxford University Press, 2016), p. 241.

65 Pape, 'When Duty Calls', p. 79.

humanitarian intervention would serve to strengthen it. On the other hand, it has sought to rescue the idea of humanitarian intervention from the problematic conflation with liberal intervention.

To recap, the normative account of legitimate humanitarian intervention presented here runs as follows: Humanitarian intervention is the timely and decisive utilisation of proportional and cross-border military force with human protection intent; humanitarian interveners comply, as far as is feasible, with principles of impartiality and neutrality amongst parties within the target state and take extreme precautions against collateral damage; action is a last reasonable response to ongoing or imminent genocide, war crimes, ethnic cleansing, and crimes against humanity, occurring when the government of the target state is manifestly failing to exercise its Responsibility to Protect, and without meaningful consent or Security Council approval.

The troubling conceptual conflation of humanitarian intervention with liberal intervention gives rise to at least three obstacles which reduce the likelihood of feasible humanitarian interventions – identified here as *precedent*, *responsibility bias*, and *prohibitive costs*. The normative account of legitimate humanitarian intervention presented here marks a clear distinction which overcomes these.

Precedent: states and other actors are hesitant to acquiesce in military intervention to halt or prevent genocide, crimes against humanity, war crimes, or ethnic cleansing, due to concerns that these will encourage more liberal interventionism and a further erosion of the non-intervention principle in international politics.

For better or worse, the collapsing of humanitarian intervention into the practice of liberal intervention encourages the idea that humanitarian intervention undermines the principle of non-intervention. The inaccurate historical claims made by the ICISS during their deliberations on the Responsibility to Protect accentuated this concern by claiming that up until that point sovereignty had been characterised by several centuries of ‘institutionalised indifference’ to mass atrocities, and thus, the idea of sovereignty as responsibility was framed as a radical innovation.⁶⁶ However, a principled and consistent application of humanitarian intervention, as outlined here, is fundamentally compatible with normative implications of sovereignty as underscoring a respect for difference in the international society.

The strength of feeling on this point is difficult to overstate. Even Rwanda, whose direct interest in this area is obvious, feel the need to qualify their

66 An excellent corrective is Luke Glanville, *Sovereignty and the Responsibility to Protect: A New History* (Chicago: University of Chicago Press, 2014).

principled support for humanitarian intervention in terms that implicitly distinguishes it from liberal intervention, and the regime change and nation-building agendas that come with it.

We cannot just sit around and grapple with theories and principles when the reality is that innocent citizens are being massacred by those who are supposed to protect them. In principle, we must agree on the fact that intervention is warranted. However, this should not legitimize the use of unilateral coercive measures. The international community as a whole should be encouraged to expand multilateral options in order to streamline the nature and the scope of such interventions. *The architects of such interventions should also refrain from any attempt to focus their efforts on regime change; rather, more effort should be put into saving lives and protecting innocent people.*⁶⁷

This hostility to 'unilateral coercive measures' stems from the historical practice of interventions driven by the logic of 'liberalism by imposition'. It is difficult to imagine that the official position of the Rwandan government would be to reject the premise introduced by Kofi Annan that, had there been such a capable entity willing and able, a state or a coalition of states should have intervened during the genocide of 1994.

This point brings us on to the two further obstacles.

Responsibility bias: the confusion generates an expectation that intervention can only be considered legitimate when carried out by liberal countries.

Prohibitive costs: by subsuming humanitarian intervention within a broader programme of liberal interventionism, an extreme burden of political, social, and economic reconstruction is imposed upon potential interveners, not only further reducing the pool of eligible states to those potentially able to shoulder such costs, but further deterring even these (already reluctant) great powers. This article defends a new definition of humanitarian intervention, one which lowers expectations about what can or should be achieved by interveners.

These obstacles are related. Humanitarian intervention is conceived as ideologically agnostic, that is to say, within the parameters outlined here, the humanitarian intent necessary can be reached at from a vast range of otherwise different world views. The cosmopolitan morality which underscored the project of liberal intervention undoubtably is one such world view. However,

67 Mr. Kayinamura (Rwanda), UN Doc A/73/PV.93, 27 June 2019, p. 17 (emphasis added).

this is a broader programme. Within a pragmatic account of humanitarian intervention, 'the international community would violate state sovereignty only to restore sufficient security to allow self-determination for the target population; removing the offending government from power would not be a mission objective'.⁶⁸ This is a far narrower remit than that granted to interventions driven by the ambition of spreading the values and institutions of liberal democracy. As history shows (for example in the often-cited examples of (proto-) humanitarian intervention undertaken in the 1970s by Vietnam, Tanzania, and India), a humanitarian intent can be arrived at from non-liberal states. Coupled with the humanitarian criteria posited by this conceptual elaboration, humanitarian interventions – distinct from liberal intervention – will likely also lead to different and less costly strategies and policy options, for example the creation of safe areas.⁶⁹

Liberated from its conceptual entanglements with liberal intervention, non-liberal states, within which the majority of the world's population live, can embrace a principled and pragmatic doctrine of humanitarian intervention without worrying that this will lead to a domino like effect of regime change imposed by the United States and its allies. The more realistic expectation of what exactly can and should be achieved by military intervention also spreads the pool of eligible states. When the imposing requirement to transform a state – even a decent hierarchical one – into a human-rights respecting liberal democracy is removed, the number of states who might be capable of policing their own neighbourhoods is increased.

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68 Pape, 'When Duty Calls', p. 43.

69 Rutger Birnie and Jennifer Welsh, 'Displacement, Protection and Responsibility: A Case for Safe Areas', *Global Responsibility to Protect*, 10(3): 332–360 (2018).