

Permission to post this publication in our archive was granted by the copyright holder, The Philosophy Documentation Center (<http://www.pdcnet.org/ijapto.html>). This copy should be used for educational and research purposes only.

The definitive publication appeared as:

van der Linden, Harry. "The Left and Humanitarian Intervention," in *Liberation between Selves, Sexualities, and War*, ed. Greg Moses and Jeffrey Paris (Charlottesville: Virginia: Philosophy Documentation Center, 2006). Volume 3 of *Radical Philosophy Today*.

DOI: not available.

## The Left and Humanitarian Intervention as Solidarity

Harry van der Linden

Bernard Kouchner, founder of the humanitarian aid organization Physicians without Borders, stated some time prior to the NATO intervention in Kosova that “in a world aflame after the Cold War we need to establish a forward-looking right of the world community to actively interfere in the affairs of sovereign nations to prevent an explosion of human rights violations.”<sup>1</sup> On his account, it is not enough that humanitarian organizations such as Physicians without Borders or the Red Cross are provided access, by military force if needed, to victims of systematic human rights deprivations; rather, “it is necessary to take the further step of using the right to intervention as a preventive measure to stop wars before they start and to stop murderers before they kill.”<sup>2</sup> Kouchner adds that humanitarian interventions must be executed by an “impartial multinational force acting under the authority of international organizations and controlled by them.” More specifically, he maintains that a more democratic United Nations should have the capacity to authorize such interventions.<sup>3</sup>

European and North American political commentators and government officials across the political spectrum echoed Kouchner’s view in their justification of the NATO intervention in Kosova. For most of them, including Kouchner himself, it was not a matter of great concern that it was the USA and other NATO countries that undertook the intervention. Noam Chomsky coined the phrase “new military humanism” to capture this outpouring of support for intervention aimed at protecting human rights. He described it as a mere sham, covering up the real issue that “Serbia is one of those disorderly miscreants that impede the institution of the U.S. dominated global system.”<sup>4</sup> More broadly, Chomsky holds that the lesson of the Kosova intervention is that the USA and its Western allies have developed during the past decade a new hegemonic strategy and ideology: interventionism couched in humanitarian terms.

In my view, Chomsky offers a too simple analysis of the political situation in the Balkans, but this is not my concern here. My aim also is not to discuss whether the NATO intervention was all-in-all justified, nor to debate the contested scope of human rights violations in Kosova. Rather, I wish to examine in their generalized form the arguments used by Chomsky and many on the left against the NATO intervention.<sup>5</sup> These arguments amount to an almost unqualified rejection of all humanitarian intervention, and involve a failure to recognize the growing impact of human rights discourse on international relations and politics. I will maintain that even though the left should oppose the USA or NATO playing dominant roles in intervening forces, it should not reject outright a human rights liberalism, as defended by Kouchner and others, which calls for military rescue in humanitarian emergencies. Rather, the left should bring this liberalism to a higher plane, as a politics of active solidarity with the oppressed and victims of human rights violations everywhere.<sup>6</sup> This politics of solidarity should include acceptance of humanitarian intervention as a last-resort measure, and, above all, should seek to change the international institutional arrangements that contribute to human rights deprivations as we continue to struggle for a just global order.

Chomsky is correct in noting that one of the striking features of the intervention in Kosovo was a widespread appeal to moral norms and values, with the basic tenet that the world community, approaching the new millennium, should no longer tolerate ethnic cleansing or other systematic human rights deprivations. Other motives were given, such as saving NATO's credibility and safeguarding regional security, but the moral argument was often emphasized. On Chomsky's account, this moral appeal on the side of NATO politicians, diplomats, and military was a cover-up for "something more crass and familiar," that is, the interest of the USA and other dominant Western states to sustain and even broaden their political, cultural, and economic global hegemony.<sup>7</sup> Chomsky holds that the people in power deliberately and disingenuously used a humanistic discourse to win popular support for the NATO intervention and that what is especially disconcerting about the Kosovo case is that even some progressive intellectuals and activists fell for this trap.<sup>8</sup> His recommendation is that those who oppose American hegemony should reject all use of military force except for self-defense or when authorized by the UN Security Council, making humanitarian intervention legitimate in very few circumstances, and seldom to never a practical option.<sup>9</sup>

Chomsky then maintains that the realist view of international relations offers the most accurate description of international politics because it states that security, national interests, and power basically determine the conduct of nations and the rules of international society. In contrast, many defenders of the NATO intervention adhered to, or at least came closer to accepting, what may be called "cosmopolitan human rights liberalism." Descriptively, this position holds that international society, especially since the Cold War, is moving in the direction of articulating and accepting the norm that it must prevent gross human rights abuses everywhere, setting aside the statist norm that human rights are primarily a matter of domestic jurisdiction. Prescriptively, the position argues that a society of states must adopt the norm of humanitarian intervention because the concerns of justice do not stop at national borders. All human beings must be guaranteed some fundamental rights, irrespective of their political or national membership.

Chomsky offers two basic arguments in support of his contention that a false humanism guides recent interventions. First, he argues, "it is close to a universal truth that the use of force is driven by humanitarian commitments," and that, to put it dryly, "the world beyond looks a bit different."<sup>10</sup> In other words, states have always used humanitarian justifications for wars of conquest and dominance. The USA and its Western allies adopted a humanitarian rhetoric in the 1990s to replace the rhetoric of the Cold War, and such use of moral rhetoric is as old as the history of the unjust employment of violent force. Chomsky writes: "If we had records we might find that Genghis Khan and Attila the Hun professed humanitarian motives." Turning to the Western nations and their imperialist record, he concludes that "'the new interventionism' is simply 'the old interventionism'," and that, in general, upon unbiased investigation, "the category of genuine humanitarian intervention might turn out to be literally null."<sup>11</sup>

Chomsky's second argument is that to ascribe genuine humanism to the West is inconsistent with the fact that the West has neglected or failed to respond actively or in timely manner to

such gross human rights abuses as, for example, in Turkey (against the Kurds) or in East Timor. Its humanism appears arbitrarily selective until one grasps that considerations of economic and political hegemony actually determine where interventions take place. These same considerations explain how it can be that the military humanists and their governments are directly responsible for human rights violations, such as in Colombia.**12**

Chomsky's first argument is the weaker of the two. It is true that the use of moral language to defend the employment of military force has a long history, but there is a fundamental difference between a humanism that warrants force for "civilizing" purposes, as was typical in "the old interventionism," and a humanism that supports force that aims at preventing (further) flagrant and massive human rights abuses in accordance with the will of the rescued. Moreover, what sets humanitarian intervention further apart from the old interventionism is that it must not seek territorial gain or impose a preferred political regime against the will of the people. What is most striking and implausible about Chomsky's argument is that it implies that the evolving human rights discourse and international humanitarian law of the past fifty years have not really influenced the conduct of the dominant Western states. Thus we would have to conclude that the numerous debates in the UN on the appropriateness of humanitarian intervention were in fact merely smokescreens. We would also have to draw the inference that those countries of the South that, for example, approved of humanitarian intervention in Somalia, were merely fooled or pressured to vote in accordance with non-humanitarian Western interests. Yet Chomsky never explains what these interests might have been.**13** Further, even if one grants that Western states came to humanitarian justifications out of ulterior motives, Chomsky's descriptive realism still needs to be modified to include consideration for how humanitarian justifications set precedents, and thus place constraints on the justifiable scope of future actions.**14**

Chomsky's second charge, of Western selectivity in humanitarian operations, is not new. It was commonly and vehemently argued in light of Western inaction with regard to the genocide in Rwanda in 1994. UN Secretary General Kofi Annan also raised the issue in his address to the 1999 opening meeting of the General Assembly: "If the new commitment to intervention in the face of extreme suffering is to retain the support of the world's peoples, it must be—and must be seen to be—fairly and consistently applied, irrespective of region or nation. Humanity, after all, is indivisible."**15** Annan's comment anticipates Chomsky's charge of inconsistency, while illustrating the point made above, that stated justifications have ramifications for future actions, irrespective of whether they were sincerely made. As Annan argues, Western *neglect* of humanitarian crises in the post-Kosova era will be a bit harder to defend.

At any rate, the charge of selectivity does not conclusively establish the claim of false humanism. What appears as selectivity might actually be rooted in good reasons, such as different chances for success in different humanitarian crises, or different anticipated costs to the intervening forces. More importantly, selectivity seems partly to be the result of the international community not yet having arrived at consensus concerning the standards of justified intervention. It is also not to be expected that consistency in humanitarian responses will be forthcoming until the international community has some military force under its

authority that can readily be dispatched to humanitarian disaster areas. Even then, it might be hard to escape the charge of selectivity, in light of the great number of humanitarian emergencies that confront our world, and the numerous different factors that would come into play in making the necessary decisions where intervention would take place, or where not.<sup>16</sup> A final consideration is that the media are not consistent in their coverage of systematic human rights violations, and thus contribute to creating selective public and even governmental responses that are not necessarily dishonest. All this is not to say that Chomsky's claim of false humanism has no merit. We definitely should question, for example, the consistency of claims made by former Secretary of State Madeleine Albright, who said on the one hand that "you cannot in 1999 have this kind of barbaric ethnic cleansing [in Kosova]" and "democracies [must] stand up against this evil"; while, on the other hand, she defended the continuation of the pre-war economic sanctions against Iraq, imposed primarily by these same democracies. It was Albright who told an interviewer that the Iraq sanctions may have caused the deaths of half a million Iraqi children, but that "we think that the price is worth it."<sup>16</sup> Chomsky's indignation is often well-taken and he is skilled at unmasking Western moral hypocrisy, but he pushes his thesis of "humanism as ideology" too far.

In his 1999 annual address to the General Assembly, Annan challenged the international community to articulate standards of justified intervention. In response to those who reject all force that is not authorized by the Security Council, he raised the question: "If, in those dark days and hours leading up to the genocide [in Rwanda], a coalition of states had been prepared to act in defense of the Tutsi population, but did not receive prompt Council authorization, should such a coalition have stood aside and allowed the horror to unfold?" In response to those who saw the Kosova intervention as a great step forward because this intervention left behind the confines of Council approval, Annan posed the question of whether the intervention did not set "dangerous precedents for future interventions without a clear criterion to decide who might invoke these precedents, and in what circumstances?" These are good questions and the left should contribute to answering them. Following the logic of Chomsky's view, however, the left will remain on the sideline, indignant and appalled by the unfolding drama of "false humanism."

Motives that guide a humanitarian intervention cannot settle as such whether an intervention is justified. Genuine humanitarian motives obviously do not suffice to justify an intervention, but the reverse is also true. Non-humanitarian reasons, as complementary or even sole motives for an intervention, do not suffice to show that it was unjustified. What matters crucially in assessing a humanitarian intervention is that the stated purpose—prevention of gross human rights violations—is consistently pursued and kept in view, and that no means are employed that undermine this pursuit. Motives are only essential for determining whether the intervening forces deserve moral praise. Even though humanitarian motives will typically contribute to making humanitarian intervention successful, the planned outcome of intervention should be the defining criterion of humanitarian intervention, not that the motives behind it are primarily humanitarian.<sup>18</sup>

In shifting the focus of evaluation from motive to outcome or purpose, the burden of proof also shifts to those who unconditionally oppose intervention. The purpose of humanitarian intervention may be viewed as that of a rescue operation, where the people in need of rescue live in a state that no longer protects them against systematic human rights violations, or where the state itself has become the perpetrator of these violations. An outside agent is thus needed to bring protection. Michael Walzer likens the situation to that of people inside a burning building, desperately in need of firefighters. The analogy is far from perfect, in that burning buildings typically result from accidents, but Walzer perceptively adds that it is “important for the future of the left ... that our people, our activists and supporters around the world, see the fires for what they are: deliberately set, the work of arsonists, aimed to kill, terribly dangerous.” He continues: “Of course, every fire has a complicated social, political, and economic background.” And one may wish to add (with Chomsky) that once this background is explored, we will find that all too often the very same Western nations that embrace the language of rights bear some or even a main responsibility for the emerging humanitarian disaster. Still, and here Walzer speaks again, “once the burning [of buildings] begins something less than full understanding is necessary: a will to put out the fire—to find firefighters.” He concludes, “I can’t just sit and watch. Or rather, the price of sitting and watching is a kind of moral corruption that leftists (and others too) must always resist.”**19**

Walzer’s comments here support the notion that intended outcome, rather than motive, is the defining test of humanitarian intervention. After all, what defines firefighters is the tasks that they perform, not their motives for performing them, and what matters most to those in need of firefighters is that they are rescued, irrespective of the exact motives of their rescuers. Walzer’s comments also rightly emphasize that once a humanitarian horror unfolds, the main moral concern should be to try to stop it. We may not be able to get UN authorization, say, for the employment of our firefighters, but how could this be decisive? Annan suggests the same. Philip Gourevitch wrote in a report on the *génocidaires* in Rwanda: “All across Rwanda: murder, murder, murder, murder, murder, murder, murder, murder ... eight hundred thousand killed in a hundred days. That’s ... five and a half lives terminated every minute.”**20** Now supposing (with Annan) that some regional force would have been prepared and able to stop this horror, what normative objections would be so weighty as to nonetheless warrant inaction if the Security Council would fail to authorize it?**21**

The situation in Kosova was a far cry from what happened in Rwanda, but the issue is that many on the left who condemned the NATO intervention were not really willing to entertain the argument that humanitarian intervention may be justified without UN (Security Council) authorization. One common position asserted that intervention without such authorization breaches international law. It was also frequently stressed that the Kosova intervention violated Serbia’s sovereignty. I will examine these arguments in turn (in their generalized form) prior to considering them as part of a broader and more weighty concern: that approval of humanitarian intervention in the post-Cold War world invites escalation of unjust employment of force, especially by dominant Western states.

The legal status of humanitarian intervention is far from clear cut. Article 2.7 of the UN Charter prohibits the UN itself from intervening “in matters which are essentially within the jurisdiction of any state.” The Security Council may only authorize force when there is a continuous threat to the maintenance of “international peace and security” (Articles 33, 39, and 42). On a strict reading (one that Chomsky seems to recommend in practice), humanitarian intervention is legitimate only if human rights violations in one country pose a security threat to others. On a much broader reading, all massive human rights violations are matters of international peace and security. Perhaps, the Security Council moved toward this latter reading in its approval of humanitarian intervention in Somalia, but some nations, such as China, argued that they supported the action only because Somalia had ceased to be a sovereign state, and so Article 2.7 was not violated. In the case of Kosovo, the Security Council adopted a resolution that Serbian conduct posed a threat to international peace and security, but it did not subsequently authorize force to meet the threat. Neither did the Security Council respond to the humanitarian crisis in East Timor in September 1999.<sup>22</sup> Considering both the wording of terms for when the Security Council may authorize force and the veto power of its permanent members, it is to be expected that the Security Council at times will continue to fail to effectively address cases in desperate need of intervention, leaving only the option of unilateral humanitarian intervention undertaken by one or more nations.<sup>23</sup>

Article 2.4 seems to prohibit unilateral interventions, demanding that all member states “shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.” In response, it should first of all be noted that humanitarian intervention is not inconsistent with the purposes of the UN; rather, it fits with its aim of “promoting and encouraging respect for human rights and for fundamental freedoms” (article 1.3).<sup>24</sup> The UN Declaration of Human Rights and other UN human rights treaties confirm this purpose. Article I of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide commits all its contracting parties to view genocide as “a crime under international law that they undertake to prevent and to punish.” In some circumstances, it seems that forcible intervention is the only way left to fulfill this obligation.

In this context, it is significant to note that the Clinton administration initially forbade the use of the term ‘genocide’ in reference to the unfolding horror in Rwanda, recognizing that its inaction was hard to reconcile with the 1948 Convention (that the USA shamefully refused to ratify until 1989).<sup>25</sup> Another reply to the alleged intervention prohibition of Article 2.4 is that intervention does not fall under this article because intervention does not aim at permanently undermining territorial integrity or political independence. A final response is that the UN Charter does not override the customary international law of humanitarian intervention. This argument can be buttressed by the claim that since the Security Council has not succeeded in operating in accordance with the humanitarian purposes of the UN, customary law in the area of preventing massive human rights violations remains binding. <sup>26</sup>

It is not the place here to try to settle the legal side of humanitarian intervention, but it should be clear that the legal question is sufficiently open and in flux to allow the left to contribute to

its progressive explication. The Security Council has become somewhat more susceptible to the idea that gross human rights violations are not only matters of domestic jurisdiction; and this development should be further encouraged in combination with seeking a more democratic, and representative, operation and composition of the Security Council. In the meantime, the case should be made that there are good moral and legal reasons for claiming that unilateral intervention, under some conditions, should be viewed as legally legitimate by the international community—for example, when the Security Council (or the General Assembly) does not deny the occurrence of a humanitarian emergency, but fails to authorize preventive action. The left should seek to articulate such conditions, and promote their significance within the international community. To insist on maintaining the present legal international order, while adopting a restrictive reading of the UN Charter, would be incompatible with humanitarian and cosmopolitan commitments of both the left and the Charter.<sup>27</sup> In effect, it would mean siding with the political conservative's preference for order at the cost of justice, and would leave countless people with no ultimate protection against gross human rights violations.

The claim that humanitarian intervention is legally or morally wrong because it violates state sovereignty may be refuted on similar grounds. What warrants the treatment of the state as a sovereign entity is that the state at least approximates the just state as an expression of the will of the people. In other words, what deserves moral recognition is not the state as mere legal order or instrument of power, but as the collective self-determination of the people. Humanitarian emergencies typically involve struggles for self-determination that have been suppressed by states. Here, even the very minimal condition of self-determination, i.e., the protection of human life itself, is no longer provided by the state for many citizens, and so the state loses its legitimacy and normative claim to sovereignty. To value sovereignty as such is to value a shield behind which terror is allowed to triumph. Again, states have signed away unconditional sovereignty by signing numerous international documents, treaties, and UN covenants in support of human rights. The same is true of environmental agreements, underlining the point that sovereignty is conditional on a state's responsibility toward both citizens and natural resources.<sup>28</sup>

Insistence on absolute state sovereignty, within a strict reading of international law, may be viewed sympathetically as a practical safeguard against dangers of escalation, rather than as a principle to be argued for its own sake. The concern is that widespread approval of humanitarian intervention will further normalize the use of military force in international affairs, adding to the dominance of powerful states, and destabilizing the international order. Overall, Chomsky's argument against the new military humanism is to be interpreted along these lines. It is an argument for justice, with the aim of protecting especially the countries of the South and the human rights of their citizens against the hegemony of the North. But the safeguard argument is based on a debatable empirical premise. Even if one grants that legitimization of humanitarian intervention carries risk of escalation and hegemony, it still needs to be decided whether preventing humanitarian emergencies would still be worth that risk. To argue that avoiding the risk of hegemonic escalation is all that matters would lend credence to a recent critic who dismisses "the utopian nihilism of a left that would prefer to see genocide in Bosnia and the mass deportation of the Kosovars rather than strengthen, however marginally,



the hegemony of the United States.”<sup>29</sup> To make anti-USA, anti-Western, or anti-North hegemony one’s exclusive normative orientation may create a moral blind spot. It seems to have led some radical critics of the NATO intervention in Kosova to understate or even neglect the crimes of Serbia, and not to express any support for, or empathy with, the struggle of the Albanian Kosovars.<sup>30</sup>

In practice, there are several ways of addressing the danger of (hegemonic) escalation. A more representative and democratic Security Council would help to alleviate the worry in the South concerning “humanitarian imperialism.” This worry is certainly not without justification, but the left should avoid the mistake of taking it simply at its face value. China’s persistent objection to humanitarian intervention, for example, should be judged in light of its Tibet policy. In cases of unilateral intervention, the risk of making international relations more violent and insecure can be reduced by the preconditions that Security Council authorization should be sought first, and that the intervention should occur only if a veto or vote clearly deviates from the overall opinion of the international community. With regard to both UN authorized and unilateral interventions, this same risk will be minimized as long as interventions are guided by their purpose, have no territorial or political ambitions, and accord with the will of the rescued.

Of course, forcible intervention should always be a last resort, executed only when nonviolent interventions or mediations are no longer able to prevent massive human rights violations. It also seems helpful in cases of unilateral interventions that the intervening force should be truly multinational and obligated to give a full account of its action to the Security Council.<sup>31</sup> A final anti-hegemonic measure would push for an agenda in the West that seeks rescue from all causes of human suffering, not just political terror, but also economic exploitation or neglect. This measure will be my concern below. In sum, all the measures together may not fully put to rest the worry of escalation or hegemony, but it must not be forgotten that the alternative, of unconditional opposition to humanitarian intervention, may leave oppressed people with no real defense against mass murder.

Since humanitarian intervention involves the employment of military force, we may apply, and have actually already applied, just war principles. These principles consist of criteria for when war is justly initiated (*jus ad bellum*) and how war should be conducted (*jus in bello*). We should proceed with caution in applying the principles though, in that intervention involves three actors (rather than two in traditional war): the intervening force, the people requesting rescue, and the human rights violators.<sup>32</sup> Two applicable criteria for just initiation have not yet been discussed: reasonable chance of success, and proportionality. The first implies that intervention must expect to succeed in preventing massive human rights violations, both immediately and in the long term. So the intervening force must be prepared to take on post-rescue obligations in this regard. The second principle, that the good pursued by military force should be proportionate to the evil that it causes, implies that human rights violations should be severe and widespread enough to warrant the inevitable human costs of war. For humanitarian intervention, the most important principle for just conduct is noncombatant immunity, prohibiting the direct targeting of civilians, use of indiscriminate weapons, and the

indiscriminate use of weapons. This principle extends to civilians who are neither engaged in violent aggression nor part of the rescued.

It is debatable whether the Kosova situation met the principle of proportionality. Perhaps the intervention did not violate in its very beginning the principle of reasonable chance of success, but it soon became clear that the policy of not employing ground troops, and only using high-altitude bombing against military targets, helped to trigger a massive refugee problem, and had a dim prospect of success. Only the subsequent escalation of the bombing and the destruction of Serbian infrastructure (bridges, refineries, fuel depots, industries, media, and government buildings) led eventually to some success, but also involved violations of noncombatant immunity. The rationale, for example, that industries with both military and civilian purposes may be bombed, makes a mockery out of the just-conduct principle. The NATO command neglected the principle that firefighters, as rescuers, should save buildings, not bomb them, nor flatten surrounding neighborhoods.

Here, another objection raised by some on the left comes into the picture. Are not all military humanitarian interventions necessarily unjust in their execution due to the nature of modern warfare? There are two ways of reading this objection. Modern warfare inevitably inflicts injustices on some people, and modern warfare overall cannot be justly executed.<sup>33</sup> The former claim is correct—it is unjust to noncombatants that they become victims of war—and it makes anti-war pacifism (as distinct from a pacifism that rejects all lethal violence) morally attractive and even imperative, were it not for the fact that anti-war pacifism leaves people subjected to systematic violence and terror without any effective outside assistance as a last resort measure. The second claim leads to the question of who should intervene in our present world.

Consider how Samuel Berger, Clinton's National Security Advisor at the time of the NATO bombing, justified the NATO intervention in Kosova. "We demonstrated there is a line beyond which we will not tolerate the kind of brutality we saw. ... Where there is genocide or ethnic cleansing, where we have the capacity to act as we did in Kosovo with NATO, where we have a national interest, I believe we should act." Then, in apparent response to the challenge that USA humanitarian concerns seem rather selective and partial, Berger said: "We certainly couldn't have acted in Rwanda militarily. It is difficult to stop people going after each other with machetes with an F-16."<sup>34</sup> Berger's last comment does not show that humanitarian interventions should be rejected as inevitably violating noncombatant immunity, but rather that, irrespective of hegemonic concerns, the USA military is generally not suitable to be the main, and certainly not the sole, intervening agent, because of its focus on indiscriminately using high technology weapons that tend to be indiscriminate in the first place.

The indiscriminate, high-tech focus of the military seems motivated by commercial interests as well as by the political estimate that the people of the USA will not tolerate their own casualties, not when caused by wars, nor especially by humanitarian interventions. Thus, the military will opt for high-altitude bombing rather than for more discriminate, but also more risky, low-altitude bombing. Meanwhile, ground troops, when used at all, will usually be sent

into environments that have been subjected to massive destruction. In a way, the attitude of the people in the USA in demanding minimal casualties among their troops is defensible, because too often in the past the lives of soldiers have been sacrificed for dubious and immoral purposes. However, what is morally unacceptable is that reducing the risk of USA casualties through the massive use of high-tech weapons is bought at the cost of lives among countless enemy civilians, and these victims remain morally invisible to the public eye. They also remain invisible to the soldiers themselves. War turns into a technological job. This trend is particularly worrisome in light of the technological military capabilities that lie ahead. Thus, citizens of the USA may come to embrace war from space (the employment of laser weapons) as a “clean” way for their soldiers to engage in humanitarian rescues. This will strengthen USA hegemony and likely increase violations of noncombatant immunity.<sup>35</sup>

A solution would be the creation of special humanitarian rescue forces under authority of the UN. These troops would consist of volunteers from all nations, and would be trained to use force appropriate to the task, employing modern weapons only in discriminate fashion.<sup>36</sup> Even Berger admits that interventions need not be primarily high-tech in nature. In the interview cited above, he calls for the formation of small military units in Africa for the sake of dealing with its humanitarian crises. Employment of UN forces would reduce the hegemony problem. This has two other advantages as compared to using national armies. First, it addresses a certain injustice embedded in demanding soldiers in national armies to engage in rescue operations. Soldiers are not fully trained to engage in rescue operations, and we may assume that most of them have joined with an understanding that they should defend compatriots and, more dubiously, promote the national interest, not save foreign people at great risk to themselves.

Second, the formation of UN rescue forces seems a good solution to the problem of whether humanitarian intervention is a duty. All nations have committed themselves to the task of the universal realization of human rights. This task includes prevention of humanitarian disasters. On any reasonable account of the duty of rescue, there are definite limits to the risks that we must take to save strangers, except when we adopt special obligations, such as those adopted by firefighters, for example. Mere passersby have only a duty of easy rescue. For national soldiers, the duty to rescue would be less strong than for firefighters. Moreover, national armies meet coordination problems, and uneven rescue burdens may be placed on some national armies. So the best way for both individuals and states to discharge the duty of preventing massive human rights violations is to create a voluntary force of global firefighters.

Walzer objects to a UN rescue force, because the “oligarchic structure” of the Security Council would block many interventions. He adds that “the men and women in the burning building are probably better served if they can appeal to more than a single set of firefighters.”<sup>37</sup> In response to Walzer, it should be noted that the more democratic the UN becomes, the less there is a need for unilateral intervention. In the meantime, it seems best that if unilateral rescue is necessary, the composition of the force should be multinational. This might be difficult on logistic grounds, but is important for the sake of reducing hegemonic fears, and avoiding the danger that ulterior interests will guide the intervention. It is also a matter of fairly

sharing the burden of casualties and costs among nations, and strengthening the notion that the prevention of massive human rights violations is the task of all nations.

Critics of a UN rescue force see two further problems. More than one global fire brigade might be needed to deal with several humanitarian disasters at the same time, and such forces are not equipped to perform long-term, post-rescue obligations.<sup>38</sup> It is true that several global rescue forces may be needed, but one may hope that nations will be prepared to bear the costs because of growing interdependence, fewer inter-state conflicts, and more intra-state crises. The other objection, that intervening military forces lack post-rescue capabilities, is not really an objection to the desirability of global rescue forces as such, but rather suggests that a commitment to humanitarian intervention should be part of a broader commitment to create a just global order.<sup>39</sup> Typically, humanitarian emergencies result from many years of oppressive politics and failure to address severe economic inequality and exploitation. To be sure, ethnic hatred as a recent common motive in gross human rights violations is not simply caused by poor political and economic conditions, but it is only under such conditions that it is likely to lead to such violations. Accordingly, long-term success may require that rescue operations be followed by years of mediation, military policing, and economic and political assistance. In light of this, it is not surprising that some liberal thinkers have begun to reassess their support for humanitarian intervention. USA public support for long-term post-rescue work also seems weak, especially if it involves casualties (as in Somalia).

Here lies a task for the left—to transform a liberal politics of limited rescue into a politics of solidarity. We must show that people in the USA (and other wealthy nations) profit from, and participate in, global institutional arrangements that promote many human rights violations through sustaining oppressive and exploitative regimes.<sup>40</sup> There is no need to deny that public empathy for humanitarian disasters is often genuine, but it is also selective in failing to see its own universal responsibility. Post-rescue obligations are not only a matter of moral kindness, nor merely implied by a general commitment of all nations to uphold human rights, but they are also demanded by justice. This is especially so when the West is a direct cause of human rights violations. The West may need to pay most of the costs of post-rescue, but the task, especially in its nonmilitary dimensions, should be placed in the hands of a strengthened UN, drawing upon resources from Non-Governmental Organizations and the like. The reasons that make a UN rescue force preferable to national intervening forces are also reasons for putting the UN at the center of post-rescue efforts.

Public empathy is also too narrow in its focus, neglecting daily injustices, harms, and deaths. The public in the West is shocked by ethnic cleansing and murder, but neglects to see how our global economic order systematically favors the rich and neglects the poor in such a way that short life expectancy, maternal death, infant death, and stunted physical and mental development of children have become routine. A similar mistake is made by many cosmopolitan human rights liberals who, as they pursue civil and political rights, neglect economic rights and their significance for survival and basic human flourishing. Further, the public responds with disgust to “the killing fields,” but accepts slow and premature deaths caused by economic sanctions. A politics of solidarity, to the contrary, involves the principled

stance of seeking to eliminate human suffering and human rights violations everywhere and in all forms, going beyond just feeling empathy when images of refugees and terror against humans flash across the screen or appear in the daily paper. The stance of solidarity includes, but also goes beyond, rescue that most citizens in the West can perform by shifting some of their resources to the global poor and oppressed. It is committed to preventing the need for humanitarian intervention by engaging in the arduous task of seeking global justice.

## Notes

1. Bernard Kouchner, "The Right to Intervention," *New Perspectives Quarterly* (Summer 1999), p. 46.
2. Ibid.
3. Ibid.
4. Noam Chomsky, *The New Military Humanism* (Monroe, ME: Common Courage Press, 1999), p. 13. Chomsky published an article of the same title that appeared in various progressive publications, such as *In These Times* (September 19, 1999).
5. I focus in this paper on Chomsky because of his detailed discussion of humanitarian intervention as ideology and his great impact on the left. At the time of the Kosova intervention, many on the left put forth views similar to Chomsky's, including intellectuals and activists involved with the *New Left Review* and *Z Magazine*.
6. This paper offers a qualified defense of humanitarian intervention. Some proponents of humanitarian intervention also accept the notion of UN authorized preventive war against the spread of weapons of mass destruction among "rogue nations" and global terrorists. I think that this is a mistake: A doctrine of UN authorized preventive war is much more destabilizing than a limited doctrine of humanitarian intervention and is unlikely to satisfy the just war principles of last resort and proportionality. Even more weighty objections apply to the concept of unilateral preventive war as defended in the National Security Strategy of the United States of America, published in September 2002. I address these issues in detail in, "Would the U.S. Doctrine of Preventive War Be Justified as a U.N. Doctrine?," forthcoming in Gail M. Presbey and Wendy C. Hamblet, eds., *Philosophical Reflections on the War on Terror*, Philosophy of Peace Series, Rodopi.
7. Chomsky, *The New Military Humanism*, p. 13.
8. Ibid., p. 78.
9. Ibid., pp. 10, 156-57.
10. Ibid., p. 72.
11. Ibid., pp. 76, 79, and 80.
12. Ibid., pp. 12-13 and 48-72. See also Noam Chomsky, *A New Generation Draws the Line: Kosovo, East Timor and the Standards of the West* (New York: Verso, 2000).
13. Chomsky, *The New Military Humanism*, pp. 69-70.
14. See Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (New York: Oxford University Press, 2000), p. 288.
15. "Secretary-General Presents his Annual Report to General Assembly," UN Press Release SG/SM/7136, GA/9596, September 20, 1999. Kofi Annan's address can be found in the UN press release archives [online] <http://www.un.org/News/Press/full.htm>. Cited also in Lori Fisler

- Damrosch, "The inevitability of selective response? Principles to guide urgent international action," in Albrecht Schnabel and Ramesh Thakur, eds., *Kosovo and the Challenge of Humanitarian Intervention* (Tokyo: United Nations University Press, 2000), p. 406.
16. See Damrosch, "The inevitability of selective response?," pp. 407-08.
17. See Chomsky, *The New Military Humanism*, pp. 3, 67.
18. My discussion here draws from Wheeler, *Saving Strangers: Humanitarian Intervention in International Society*, pp. 38-39. His discussion is based on F. Tesón, *Humanitarian Intervention: An Inquiry into Law and Morality* (New York: Transnational Publishers, 1988).
19. Michael Walzer, "Kosovo," *Dissent* (Summer 1999): 6-7.
20. Philip Gourevitch, *We Wish to Inform You that Tomorrow We Will be Killed with our Families: Stories from Rwanda* (New York: Farrar, Straus, and Giroux, 1998), p. 133.
21. The Carnegie Commission on Preventing Deadly Conflict came to the conclusion that a small force of 5,000 could in the early stages of the genocide have prevented its occurrence. See Wheeler, *Saving Strangers*, p. 223.
22. For a discussion of the Security Council's actions in the first two cases, see Wheeler, *Saving Strangers*, pp. 186-87 and 259-64; and in the last case, see Geoffrey Robertson, *Crimes against Humanity: The Struggle for Global Justice* (New York: The New Press, 1999), pp. 430-31.
23. I follow the common practice of calling intervention unauthorized by the Security Council "unilateral intervention." Unilateral intervention may be undertaken by one or several states. UN authorized interventions are collective interventions that may be executed by the military of one or more states or by a UN rescue force.
24. Kofi Annan seems to defend a similar view by claiming that "when we read the charter today, we are more than ever conscious that its aim is to protect individual human beings, not to protect those who abuse them." See "Two concepts of sovereignty," *The Economist* (September 18, 1999), reprinted at the UN website.
25. See Gourevitch, *We Wish to Inform You that Tomorrow We Will be Killed with our Families*, pp. 152-54.
26. Similar responses can be found in Robertson, *Crimes Against Humanity*, pp. 403-08. Richard B. Lillich discussed them in the 1970s. His work is excerpted in Frank Newman and David Weissbrodt, *International Human Rights: Law, Policy and Process* (Cincinnati: Anderson, 1996), pp. 243-45.
27. Chomsky mentions in passing that we may move beyond the present international legal order if, "something better ... can be devised and broadly accepted," but he does not offer any program of action of how to move toward such order, or what it might be. See his *The New Military Humanism*, p. 154.
28. See Kofi Annan, "Peacekeeping, Intervention, and National Sovereignty in Internal Armed Conflict," in James Sterba, ed., *Morality in Practice* (Belmont, CA.: Wadsworth, 2000), p. 591; reprinted from Jonathan Moore, ed., *Hard Choices* (Lanham, MD: Rowman & Littlefield, 1998). See also Robert E. Goodin, "International Ethics and the Environmental Crisis," in Joel Rosenthal, ed., *Ethics and International Affairs* (Washington, D.C.: Georgetown University Press, 1999), p. 437. An implication of this view of sovereignty is that we might have to face sooner or later the question of the legitimacy of intervention for the sake of averting environmental disasters.
29. David Rieff, "A New Age of Liberal Imperialism?," *World Policy Journal* (Summer 1999): 10.

30. See Peter Hudis, "Introduction: Kosova and the battle of the mind," *Kosova: Writings from News & Letters, 1998-1999* (Chicago: News and Letters Committees, 1999), pp. 7-8.
31. This condition is mentioned by Lillich in Newman and Weissbrodt, *International Human Rights: Law, Policy and Process*, p. 245. Lillich lists various conditions that resulted from discussions in the International Law Association in the 1970s about criteria of justified unilateral intervention. See also Wheeler, *Saving Strangers*, pp. 42-43.
32. See Omar Dahbour, "Self-Determination and Just War in Kosovo," *Radical Philosophy Review* 2.1 (1999): 13.
33. The first claim is defended by Laurie Calhoun, "Violence and Hypocrisy," *Dissent* (Winter 2001), and she views the problem as so grave that she accepts the second claim. The latter claim is also the view of Dahbour, "Self-Determination and Just War in Kosovo," p. 16. Michael Walzer offers an effective response to Calhoun in the same *Dissent* issue.
34. Samuel Berger, "Evil in the Information Age: No Longer Through A Glass Darkly," *New Perspectives Quarterly* (Summer 1999): 6; reprinted from an interview in the *Los Angeles Times*.
35. In *Vision For 2020*, the U.S. Space Command proudly proclaims that it seeks to dominate "the space dimension of military operations to protect US interests and investment;" cited in Karl Grossman, *Weapons in Space* (New York: Seven Stories Press, 2001), p. 11.
36. It has some merit to view intervention as a police action of international law enforcement, as Mary Kaldor has argued, but it may lead one to underestimate the violence required by an effective intervention. Even so, she rightly maintains that interveners must have a different orientation to their rescue efforts than traditional soldiers. See "Humanitarian Intervention: A Forum," *The Nation* (May 8, 2000).
37. Walzer, "Kosovo," p. 6.
38. Wheeler, *Saving Strangers*, pp. 304-06.
39. See also *ibid.*, p. 36.
40. See Thomas W. Pogge, "An Institutional Approach to Humanitarian Intervention," *Public Affairs Quarterly* 6.1 (January 1992): 100-101.