

Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law

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Anne Orford, an associate professor in the law school at the University of Melbourne, is deeply disturbed by the emergence in the 1990s of a new interventionism in international relations, that is, the willingness to use force in the name of humanitarian values. This important study forces us to re-examine the multitude of post-Cold War U.S., UN, and NATO interventions, such as in Yugoslavia, Somalia, Rwanda, Haiti, and East Timor, as well as the continuing occupation of Iraq. The "new human rights warriors," according to Orford, believe that armed intervention is justified to uphold values and combat "evil," even if such military actions violate the fundamentals of international law. Clearly, international legal norms restraining the use of force were not determinative in NATO actions in Kosovo or in the Bush administration's invasion of Iraq.

Orford presents a compelling challenge to those who argue for militarist interventions to protect victimized peoples. She describes how the international community is often presented with a choice between military intervention to stop the abuse or inaction, and thus moral complicity with evil. Orford shows how this is a false choice: "Inactivity is not the alternative to intervention" (17).

Orford argues that the international community can begin by examining the many ways in which it already is engaged profoundly in shaping the structure of political, social, economic, and cultural life in many states, including those that experienced humanitarian crises in the 1990s (Yugoslavia, Rwanda, East Timor, Haiti, and so on). Before the human rights crisis erupted in each of these states, the international community already had intervened, particularly through the activities of international economic institutions. Orford calls for an examination of this intervention. Did the actions of the international institutions and the leading states exacerbate divisions in the targeted societies and therefore contribute to a climate of intolerance and lawlessness? The activities of the international community in Rwanda prior to the genocide seem to have played a major role in contributing to the dynamics that fueled the genocide in that country. Orford argues that the same is true of Yugoslavia. She believes that it is not possible to see ethnic cleansing in Yugoslavia as a purely local affair. "To suggest that ethnic cleansing was the product of Yugoslav politics, interests, passions and ambitions alone is to absolve

international institutions of any responsibility for taking account of the reception of the norms and culture they impose" (96).

It is thus not the "absence" of the international community that allowed for the outbreak of violence in each case. On the contrary, the actions of international institutions and leading states contributed to the creation of a climate of hostility and bloodshed. But the "human rights warriors" do not want to examine this complicity. Instead, a powerful "compassionate globalization" message is promulgated. This narrative refuses to consider the possibility that "the causes of the crisis might be related to the activities of international institutions" (121). The humanitarian intervention narrative is powerful. It seeks to reassure those of us in the developed world that we are different from the crude "other." International institutions are "the bearers of progressive human rights and democratic values to local peoples in need of those rights and values" (158). The use of force is easily justified against these barbaric "other" people. We are the saviors.

Orford calls on us to examine the ways in which humanitarian intervention facilitates a world of economic exploitation, militarism, and the geopolitical dominance of the powerful states. We would be wise to heed her call.

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