

A DECADE OF HUMANITARIAN INTERVENTION: THE ROLE OF GLOBAL CIVIL SOCIETY

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This developing international norm in favour of intervention to protect civilians from wholesale slaughter will no doubt continue to pose profound challenges to the international community. Any such evolution in our understanding of state sovereignty and individual sovereignty will, in some quarters, be met with distrust, scepticism, even hostility. But it is an evolution we should welcome.

Why? Because despite its limitations and imperfections, it is testimony to a humanity that cares more, not less, for the suffering in its midst, and a humanity that will do more, and not less, to end it.

It is a hopeful sign at the end of the twentieth century.

Kofi Annan, Report to the United Nations General Assembly, 20 September 1999

The progress made . . . in standing up to crimes against humanity represents more than a doctrinal qualification of the prerogatives of sovereignty. Behind the advances in international justice and the increased deployment of troops to stop atrocities lies an evolution in public morality. More than at any time in recent history, the people of the world today are unwilling to tolerate severe human rights abuses and insistent that something be done to stop them. This growing intolerance of inhumanity can hardly promise an end to the atrocities that have plagued so much of the twentieth century. Some situations will be too complex or difficult for easy outside influence. But this reinforced public morality does erect an obstacle that, at least in some cases, can prevent or stop these crimes and save lives.

Human Rights Watch (2000a)

It was a French idea . . . We came over the border . . . The appeal must not come from the government but from the voice of the victims . . . The right to interfere has now been written into 150 resolutions of the United Nations. Victims are now a category of international law. So we succeeded . . . This is the revolution . . . The victim, not the government, speaking in the name of the victim—for the first time . . . We are coming back to '68. We want to change the world. We want no more Auschwitz, no more Cambodia, no more Rwanda, no more Biafra.

Bernard Kouchner, founder of Médecins Sans Frontières (Allen and Styan 2000: 825)

This chapter is about humanitarian intervention in the classic sense, that is to say, military intervention in a state, with or without the approval of that state, to prevent genocide, large-scale violations of human rights (including mass starvation), or grave violations of international humanitarian law (the 'laws of war'). It addresses the narrow question about the role of civil society in supporting or opposing the use of military force for humanitarian purposes. The wider and undoubtedly important story of the role of civil

society in conflict prevention and conflict management is addressed only indirectly.

As the above quotations indicate, during the 1990s there has been a fundamental change in the norms governing the behaviour of states and international organisations. Throughout the cold war and the anti-colonial period, the principle of non-intervention expressed in Art. 2(4) of the United Nations Charter was the dominant norm in international affairs. Starting with the establishment of a safe haven in

northern Iraq in 1991, and culminating in the NATO air strikes in Yugoslavia in 1999, the presumption that there is a right to use armed force in support of humanitarian objectives has become widely accepted.

This evolution is demonstrated by the increase in, and the changing character of, peace-monitoring, peacekeeping, and peace-enforcement operations. At the start of the 1990s there were only eight United Nations peacekeeping operations, involving some 10,000 troops. As of the end of 2000, there were some 15 United Nations operations involving some 38,000 military troops.¹ And a number of regional organisations were also involved in various missions concerned with conflict prevention or management. In Europe the most significant are the three NATO deployments in the former Yugoslavia (Bosnia, Kosovo, and Macedonia) authorised by the United Nations. There are also four Russian peacekeeping operations, under the umbrella of the Commonwealth of Independent States, in Tajikistan, Transdnestr, Abkhazia, and South Ossetia. In addition, the European Union has three missions and the Organisation for Security and Co-operation in Europe (OSCE) has some eleven missions, all of which involve small numbers of military personnel. In Africa, the Economic Community of West African States (ECOWAS) has been heavily involved in Sierra Leone and has conducted operations in Liberia and Guinea-Bissau. The Organisation for African Unity (OAU) also has three mainly civilian missions in Burundi, Comoros, and the Democratic Republic of Congo (SIPRI 2000; United Nations Peacekeeping Department URL). Only a few of these missions can be defined under the rubric of 'humanitarian intervention'. But their number is evidence of the growing acceptance of the use of military force for humanitarian purposes. Table 5.1 summarises the most significant interventions of the last decade in terms of the evolution of a humanitarian norm.

The changing international norms concerning humanitarian intervention can be considered an expression of an emerging global civil society. The changing norms do reflect a growing global consensus about the equality of human beings and the responsibility to prevent suffering wherever it takes place, which necessarily has to underpin a global

civil society. Moreover, this consensus, in turn, is the outcome of a global public debate on these issues. It should be stressed that a growing global consensus about the need to prevent suffering does not imply a consensus about military intervention. On the contrary, the actual experience of intervention has been disappointing and in some cases shameful. The failure to intervene to prevent the genocide in Rwanda and the failure to protect the UN-declared safe haven of Srebrenica are two particularly opprobrious moments in the history of international action. Indeed, it is hard to find a single example of humanitarian intervention during the 1990s that can be unequivocally declared a success. Especially after Kosovo, the debate about whether human rights can be enforced through military means is ever more intense.

This chapter is about the role that civil society actors played in bringing about the changing international norms and about the character of the public debate. The chapter is divided into four sections. The first section describes the actors who participate in the debate. The second section describes the evolution of humanitarian intervention, with particular emphasis on the role of civil society groups, up to the end of the 1990s. The third section summarises the character of the global public debate. The final section is about developments in 2000, in particular the military intervention(s) in Sierra Leone.

Global Civil Society Actors

The actors who have put pressure on governments and on international organisations for or against humanitarian intervention can be divided into three groups. One group comprises what are normally considered the classic actors of civil society, who often claim to speak on behalf of the victims: NGOs, social movements, and networks. The second group comprises those who tend to be closer to the elite and make use primarily of the power of words: think tanks and commissions. The third group consists of forms of communication, in particular the media: radio, television, print media, and Websites.

It should be stressed that in the debate about humanitarian intervention a key role has been played by dynamic individuals. Names like Bernard Kouchner or Fred Cuny (see Box 5.1) have resonance throughout the field of humanitarianism and undoubtedly directly or indirectly influenced government action. In the US,

¹ The peak of UN operations was 1993 when some 78,000 military troops were involved. The biggest operations were UNPROFOR in Bosnia-Herzegovina and UNOSOM II in Somalia. The Balkans operations are now undertaken by NATO.

where there has been little in the way of a grass-roots movements, individuals like George Soros, Morton Abramovitz of the Carnegie Endowment, and Aryeh Neier of Human Rights Watch and the Open Society Foundation have been very influential in the debates about various interventions. In France and in central Europe, individual intellectuals have been heavily engaged in the debate. In France, for example, Bernard Henri Levy had a powerful impact with his film about the siege of Sarajevo; and in central Europe many of the well-known former dissidents became deeply involved in the debate about intervention in Bosnia and later Kosovo.

As well as intellectuals, public personalities from the world of popular culture have added their voices to concerns about victims of war and/or starvation, thus helping to popularise humanitarian consciousness. Examples include Bob Geldof and Bono of U2. During the siege of Sarajevo, a number of these figures travelled to Sarajevo to support secular culture. Many of these individuals are, of course, linked to civil society organisations described below.

NGOs, social movements, networks

NGOs are professional organisations, sometimes with memberships, and often dependent on a few donors, including governments. International NGOs, that is to say, NGOs that operate across borders, tend to be based in advanced industrial countries. NGOs can be both service providers—delivering humanitarian assistance, monitoring human rights, and providing mediation services in conflicts—and advocacy groups—putting pressure on governments and international organisations. Social movements are looser organisations, often based on grass-roots groups and making use of volunteers. By and large they are campaigning groups engaged in various, often innovative, forms of protest. Because of their grass-roots nature, social movements tend to be locally based, although they can and do make coalitions across borders. Networks have been an increasingly significant phenomenon in the 1990s. They are loose coalitions of NGOs and social movements, often making use of the opportunities offered by the Internet and providing a vehicle to transmit directly the voices and arguments of Southern and Eastern groups rather than indirectly through the Northern-based NGOs.

NGOs concerned with humanitarian intervention are primarily humanitarian and human rights NGOs, although there are increasing numbers of conflict-resolution NGOs. Humanitarian NGOs were initially formed to provide relief to the victims of war, but increasingly the term has come to include the victims of all types of disasters which result in mass suffering: floods, earthquakes, and so on. These NGOs have a long history. The International Committee of the Red Cross (ICRC) was founded in 1859 by Henri Dunant after witnessing the horrors of the Battle of Solferino. The ICRC provided the impetus for the development of humanitarian law in the late nineteenth century and subsequently. It was the ICRC that pioneered some of the principles of humanitarian action such as impartiality, neutrality, and the principle of consent: principles which presupposed a notion of 'civilised' wars and 'honourable' soldiers (see Ignatieff 1998; Moorehead 1998). The wars and famines of the twentieth century and the erosion of notions of 'civilised' forms of warfare have spawned many more humanitarian NGOs. Thus, Save the Children was formed in World War II. Cooperative for American Relief Everywhere (CARE) was formed by 22 charities and trades unions in 1945 to distribute left-over American Army rations to Europe; later it shifted to the distribution of American agricultural surpluses to the Third World. Oxfam was founded in 1942 and *Médecins sans Frontières* (MSF) in 1971 during the war



The band U2 played at Sarajevo's Kosovo stadium in September 1997 (photo: © Reuters/Popperfoto).

Box 5.1: The role of individuals: Fred Cuny and Bernard Kouchner

The lives of two individuals—one American, Fred Cuny, and one Frenchman, Bernard Kouchner—could be said to encapsulate the story of the evolution of humanitarian intervention over the last three decades.

Both were born during World War II. Both were influenced by the student movement of the 1960s. Cuny, who had been a Republican, became active in the civil rights movement in the late 1960s. Kouchner was involved in the French *événements* of 1968. Cuny was training to be an engineer and Kouchner was training to be a doctor.

Both went to Biafra in 1969 and were involved in the airlift that was undertaken without the permission of the Nigerian government. Kouchner, who was working for the International Red Cross, was shocked by the unwillingness of the ICRC to speak out about what was happening. 'By keeping silent, we doctors were accomplices in the systematic massacre of a population' (quoted in Allen and Styan 2000: 830). Kouchner started the International Committee Against Genocide in Biafra and started to use the media to publicise what was happening. 'We were using the media before it became fashionable . . . We refused to allow sick people and doctors to be massacred in silence and submission' (quoted in Allen and Styan 2000: 830).

Biafra, according to Cuny, was the 'mother' of all humanitarian operations. 'We still use the yardstick of Biafra to measure our performance in other disasters. It's the defining moment' (quoted in Shawcross 1995). Cuny was shocked by the lack of planning and the amateurishness of the relief effort. In 1970, he left Biafra convinced that the airlift was prolonging the war.

In 1971, Kouchner founded the NGO Médecins Sans Frontières. The aim was the rapid deployment of doctors to disaster areas, with or without official permission, with heavy reliance on the use of the media both to secure funding and to provide immunity from hostile governments. The same year Cuny founded a company, Intertect Relief and Reconstruction, which specialised in giving technical assistance and training in disaster relief to UN and volunteer agencies. Unlike MSF, which raised money from the public, the company depended on contracts from governments and international institutions. Both MSF and Intertect were involved in numerous disasters in the 1970s and 1980s—earthquakes, wars, floods, massacres, hurricanes—and gained their practical and political experiences from these events. Disaster areas included Nicaragua, Honduras, Peru, Sri Lanka, Sudan, Ethiopia, Cambodia, Bangladesh, Vietnam, El Salvador, and the Lebanon, among others. Both published books. In *Disasters and Development*, Cuny (1983) says that it was during this period that he began to understand the connection between the military and humanitarianism. 'More than anything else, the images of those planes delivering everything from food to coal fostered acceptance of the link between armed forces and humanitarian assistance and, more importantly, acceptance of the costs involved' (quoted in Weiss 1999: 17).

Kouchner's (1986) book *Charité Business* is about the relationship between the media, NGOs, and policy-makers. Indeed, it was Kouchner's emphasis on dramatic media events which led to the split in 1979 when Kouchner went on to found Médecins du Monde.

in Biafra. In the 1980s and 1990s a myriad of NGOs have been formed in response to increased 'complex emergencies' which include both famines and wars, greater public consciousness of suffering in faraway places perhaps as a result of television, and the growing tendency of governments to contract-out relief to NGOs. Many humanitarian NGOs are church-based or linked to other religions. An increasing share of official humanitarian assistance is disbursed through NGOs and, in parallel, NGOs are becoming increasingly dependent on government funds.

Human rights NGOs differ from humanitarian NGOs in that their concern is primarily with state repression and with violations of human rights, especially political and civil rights. Like humanitarian NGOs, human rights NGOs have a long history. The Anti-Slavery Society founded in 1839 is probably the oldest international human rights NGO still in existence.² The term 'human rights' is a post-World

² Local anti-slavery campaigning groups existed long before the founding of the anti-slavery society in places like Manchester and Philadelphia

The turning point for both men was the Gulf War of 1991. Kouchner had begun to promote the concept of a *Droit d'Ingérence* in the late 1980s. In 1988 he was appointed Minister for Health and Humanitarian Action in the French government led by Michel Rocard. He was able to promote his ideas in the United Nations and after the Gulf War pushed for the *Droit d'Ingérence* to help the Kurds in northern Iraq. The haven in northern Iraq did provide an important precedent in humanitarian intervention. Cuny was also there. He had convinced the US Ambassador to Turkey, Morton Abramowitz, that it was possible to bring the Kurdish refugees back to their homes in a two-month period and was given an opportunity to carry out his ideas. Subsequently, through Morton Abramowitz, Cuny was able to influence policy in Washington.

Both Cuny and Kouchner advocated military intervention in Somalia, and their voices were influential in both the US and France. Cuny favoured the creation of armed relief enclaves. Both were critical of the way the intervention was carried out. Cuny thought it was inefficient from the point of view of delivering aid. Kouchner considered the intervention to have been a success although he was critical of the American use of overwhelming force. 'There are no humanitarian catastrophes only political catastrophes . . . No! What was catastrophic was the American attitude . . . A war without prisoners, a war without dead people . . . this is just crazy' (quoted in Allen and Styan 2000: 838).

During the Bosnian war Cuny was recruited by George Soros to provide \$50 million of humanitarian assistance to Bosnia. He focused on the restoration of basic utilities in Sarajevo, building a protected

water purification plant and providing access to gas for heating. Kouchner was a staunch advocate of an international air offensive and became known as the proponent of 'war to end war'.

Thereafter, their careers diverged. Cuny was sent by Soros to Chechnya. After his first visit in December 1994 he said that the destruction of Grozny made Sarajevo seem like a picnic. He was convinced that he could arrange a ceasefire but he disappeared when on a trip to try to meet the Chechen leader. He was probably executed on 14 April 1995.

Kouchner was appointed UN Special Representative in Kosovo and became head of the new UN administration in Kosovo established after the NATO bombing. He left after a year and became French Minister of Health again in the government of Lionel Jospin. His record in Kosovo has been criticised but he enjoyed the full support of Kosovar Albanians.

The differences between the two men reflected their cultural backgrounds. Cuny focused on practical solutions to humanitarian crises; Kouchner focused on political solutions. Kouchner tried to develop a new language and a new ethics of humanitarianism. Cuny tried to develop new methodologies and procedures. But their differences were complementary; Kouchner's approach necessarily involved practical implementation and Cuny's search for common-sense solutions led him to politics. Both contributed in important ways, for good or for ill, to the emerging consensus about humanitarian intervention by the late 1990s.

War II invention, attributed to Eleanor Roosevelt, who objected to the 'rights of man', although the term *Menschenrechte* was always used in the Germanic languages. The official international commitment to human rights was expressed in the Universal Declaration of Human Rights (1948), the Genocide Convention (1948), and the two human rights Covenants (1966) among other treaties and declarations. As in the case of humanitarian NGOs, the 1980s and 1990s witnessed a proliferation of human rights groups and a strengthening of those

that existed. Since the wars of this period also involved massive violations of human rights, these groups necessarily became more concerned with war. The best-known international NGOs are Amnesty International and Human Rights Watch, but there are thousands of smaller groups not only in advanced industrial countries but especially in the East and South.

Conflict-resolution NGOs are more recent. Well-known examples include International Alert and Conciliation Resources, based in Britain, and San

Egidio, the Vatican group, both of which have played significant roles in mediation in recent years. San Egidio, for example, was responsible for initiating peace negotiations in Mozambique, for the Education Agreement in Kosovo in 1997 (which seemed to offer a prospect for averting war), and also for bringing together the various opposition groups in Algeria. The Carter Center in the US has also been an important player in conflict mediation. There are many less well-known groups, especially women's groups, that engage in conflict resolution at local levels. Conflict-resolution groups were established in part by peace groups seeking a new direction after the end of the cold war and in part by human rights and humanitarian groups who became aware of the need for a more political approach. (For European groups, see European Platform for Conflict Prevention and Transformation URL.)

Three types of social movement have been involved in humanitarian intervention. First of all, in the countries where wars have taken place, movements supporting intervention have developed among the potential victims. Thus, an anti-war movement developed in Bosnia calling for an international protectorate before the outbreak of war; and the Kosovar resistance movement was making similar appeals throughout the 1990s (Andjelic 2000; Kaldor 1999; Independent International Commission on Kosovo 2000). Today, the Palestinian people are calling for international protection.

In the countries where outside governments have been involved, civil society actors have tended not to be movements except in the case of the former Yugoslavia. During the Bosnian war, however, a second type of movement developed, primarily in Europe. Although it had its origins in peace, human rights, and women's movements, it was a new movement in which local groups sprang up primarily to provide humanitarian assistance but also to express political positions on the Bosnian war, often with deep divisions among them.

During the Kosovo war, there were mass demonstrations against the NATO bombing or against the 'double war' (NATO bombing and Serbian President Milosevic's campaign of ethnic cleansing), especially in Serbia, Greece, and Italy.

A third type of movement, which has been influential both for and against intervention, is nationalist and fundamentalist. In this chapter I do not include non-state warring parties—paramilitary groups or warlords—as part of civil society. But the warring



Demonstrators in Sarajevo, December 1992 (photo: © Reuters/Popperfoto).

parties are often linked to organised nationalist movements or nationalist currents of opinion. These movements intensified in the 1990s in response to globalisation. In particular, diaspora groups have become increasingly significant in influencing both the character of nationalist movements and their impact on the international community (see Kaldor 1999; Smith 1996). On the whole, this type of movement jealously guards the notion of sovereignty, as in Serbia for example. But some nationalist movements favour intervention: Palestine and Kosovo are two current examples. The role of transnationally organised Islamic movements in calling for intervention in, say, Bosnia is also important.

One of the criticisms that is often made about Northern-based NGOs is that, while claiming to speak on behalf of the victims, they often drown out the victims' voices. The advantage of networks is that they provide an organisational form that allows NGOs and grass-roots organisations outside war zones to link up with local groups within the war zones. Networks may be less effective at organised lobbying but they do provide a forum through which the knowledge and views of local groups can be transmitted. This was very important during the Yugoslav wars; important examples were the Helsinki Citizens Assembly (see Box 5.2) and the Verona Forum established by the Italian Green MEP Alexander Lange. There are also a number of emerging networks in Africa: the West Africa peace-building network and the Great Lakes Policy Forum. Women's groups have

played a pioneering role in developing the network form of organisation. Women in Black is an important example, which began out of solidarity with the Belgrade-based group Women in Black and has spread to other conflict regions. It organised weekly international vigils during the war in Bosnia and also increasingly engages in various conflict resolution projects (see Cockburn 2000).

Although the distinctions between humanitarian, human rights, peace, and women's groups are useful in tracing the history of these civil society organisations, in practice they are becoming less and less meaningful. Today's wars involve massive violations of human rights, including atrocities against women. In this context, peace movements may engage in solidarity actions as do the humanitarian groups or may find themselves increasingly taking on the human rights agenda. Women's groups become peace and human rights groups. Human rights groups are increasingly concerned with violations of international humanitarian law and war crimes as well as human rights violations. Humanitarian groups, traditionally non-political, find themselves adopting the causes of peace and justice.

Thus, an important development in this period has been what is sometimes known as civil society intervention, where the presence of international civil society groups, even if unarmed, constitutes a form of protection for civilians. This was the basic idea behind Peace Brigades International, formed in 1981, which began its work in Central America and now mobilises thousands of volunteers to accompany returning refugees, for example (see Mahoney and Eguren 1997). Many of the groups formed during the Yugoslav wars saw themselves carrying out similar missions.

Think tanks and commissions

While movements and NGOs raise public awareness, expert groups are often closer to governments and frame specific policy proposals. The growth during the 1980s and 1990s of think tanks and commissions addressing global issues is yet another sign of the emergence of global civil society. Think tanks like the International Crisis Group and the Institute of War and Peace Reporting, both established during the 1990s, have become significant purveyors of information and opinions. Older established think tanks concerned with defence and foreign affairs, which exist in almost every country, have also joined the debate. Similar to these think tanks are international commissions, both independent and under the auspices of the United

Nations. The Brandt, Palme, and Brundtland Commissions were important in pioneering this way of using groups of prominent individuals to make policy inputs on significant global issues. In the 1990s, international commissions concerned with various aspects of humanitarian intervention have proliferated. The Carnegie Endowment organised two commissions, one on 'Preventing Deadly Conflicts' and one on the Balkans,³ replicating the experience of an important and pioneering Carnegie Commission on the Balkans in 1912. There have been three important reports under UN auspices concerning Rwanda, Srebrenica, and UN Peacekeeping (United Nations 1999a, b; 2000). After Kosovo, the Swedish government took the initiative in establishing an Independent International Commission to investigate the Kosovo Crisis under the Chairmanship of the South African Judge, Richard Goldstone. And more recently, the Canadian government has established a new commission to investigate the concept and practice of humanitarian intervention under the chairmanship of Gareth Evans and Mahoud Sahnoun.

As Richard Goldstone has put it in the course of an interview for the BBC in February 2001, these Commissions are an important device for increasing the transparency and public accountability of international institutions: they represent 'civil society judging governments'.

Media and websites

The importance of the international media in drawing attention to crises in far-off places is often stressed. Politicians often complain about the way their actions are media-led. Undoubtedly, at certain moments—the famine in Ethiopia in the 1980s, the discovery of detention camps in Bosnia in 1993 by ITN and the *Guardian*, the furore about the camps in eastern Zaire in the autumn of 1994—media attention has played an important role. But by and large the media have been a tool, an expression of a public debate rather than an actor in their own right. Undoubtedly, access to the media has been uneven and sometimes distorting; in particular, starvation and violence are more newsworthy than peace negotiations. Nevertheless, those civil society actors who have learned to use the media have been able to make their voices heard more effectively.

³See *Carnegie Commission on Preventing Deadly Conflict* (1997) and *Carnegie Endowment for Peace* (1996).

Box 5.2: Helsinki Citizens Assembly activities during the war in Bosnia

In the second half of the 1980s, parts of the West European peace movement developed a strategy of 'détente from below', making links with opposition groups in central and eastern Europe. Many of the techniques of networking—providing support to civil society groups in difficult and dangerous situations, simultaneously lobbying different governments and international institutions—were developed during this period, even before the advent of the Internet.

The Helsinki Citizens Assembly (HCA) was established in 1990 to formalise this network. The goal was to integrate Europe from below, to establish a pan-European civil society. Vaclav Havel spoke at the founding assembly which brought together over 1,000 people from all over Europe who had been involved in the dialogue, and an international secretariat was established in Prague.

The Yugoslav branch of the Helsinki Citizens Assembly was founded in Sarajevo in May 1991. The chairperson was Zdravko Grebo, a law professor from the University of Sarajevo, who had played a key role in the democratisation process in Bosnia-Herzegovina. At that time, the slogan was 'Let's Co-operate!' Whether Yugoslavia falls apart or stays together, civil society must remain united.

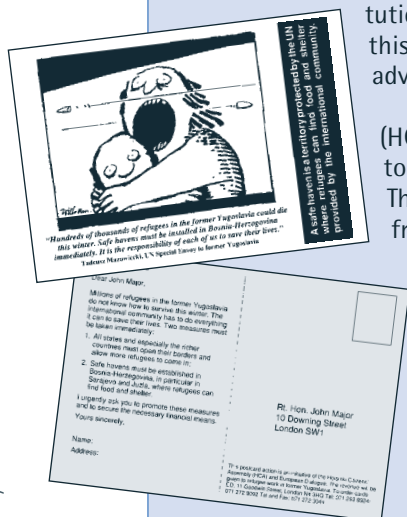
When federal troops entered Slovenia in June 1991, an emergency meeting of the HCA was organised in Belgrade to discuss how to prevent war. The meeting included several luminaries of the cold war oppositions, including Milovan Djilas, Adam Michnik, Bronislaw Geremek, and Ernest Gellner. Grebo warned that, if Yugoslavia disintegrated, Bosnia would also disintegrate and a war in Bosnia would be 'hell'. It was agreed to press for an international protectorate for Bosnia-Herzegovina,

and a series of activities was planned which laid the basis for the later war-time activism.

One of these activities was a peace caravan, which was organised in September 1991. Some 40 European activists travelled by bus through Slovenia, Croatia, Serbia, and Bosnia, making links with local anti-war activists. The caravan culminated in Sarajevo, where a human chain of 10,000 people linked the mosque, the synagogue, the Orthodox Church, and the Catholic Church. The links made during this expedition were sustained, by and large, throughout the war. Another activity was Yugofax; a monitoring service written by people from the region, which later became Balkan War Report and eventually the Institute for War and Peace Reporting.

As war in Bosnia became imminent in the spring of 1992, it was Grebo who called on people to come into the streets and tear down the barricades being erected by Serbian and Muslim paramilitary groups. Indeed, the war began when snipers fired on a citizens' demonstration of some 200,000 people, mobilised by Grebo, who were demanding the resignation of the government and the establishment of an international protectorate. Thousands more had come by bus but were prevented from entering Sarajevo by roadblocks. The official international negotiators, who were visiting Sarajevo that day, did not have time, so they said, to meet with the demonstrators. The demonstration of 12 April 1992 was the last peace demonstration of its kind; no wonder that Sarajevans were later to say that 'Europe ends in Sarajevo'.

During the war, HCA activities were of three kinds. First, the network of civic activists was maintained through meetings, conferences, workshops, newsletters, and pamphlets, as well as electronic communication. It was in Bosnia that the HCA e-mail network was first established, and indeed, at that time, it represented a pioneering kind of technology. A parallel network of municipalities was also established. A particularly important event was the Citizens and Municipal



In the 1980s and 1990s, many NGOs and social movements deliberately fostered what the French call a *médiatique* strategy. MSF under Bernard

Kouchner pioneered the *médiatique* approach. But it has also been taken up by other NGOs and, in the 1990s, by social movements.

Peace Conference held in Ohrid, Macedonia, in the autumn of 1992. The network was a way of expressing solidarity with the groups in the region and planning future activities.

Second, many groups collected and delivered humanitarian assistance. The Italians and the Czechs were particularly active in this respect.

Third, HCA campaigned and lobbied governments and international institutions for what was, in effect, a new kind of humanitarian intervention. This was particularly important in France, where there were some 40 local HCA groups and HCA played a key role in coordinating the movement in France, Britain, Denmark, Switzerland, Turkey, and The Netherlands. HCA pushed for an international protectorate. At Ohrid the idea of local protectorates was developed. And this was the origin of the Safe Havens campaign in early 1993, in which some 300,000 postcards calling for safe havens were sent to the negotiators and to governments from all over Europe (around one third were sent from The Netherlands).

HCA also campaigned for international administrations in Sarajevo and Mostar. And a major effort of HCA from 1994 onwards was the campaign to publicise and support the town of Tuzla, which was the only town in Bosnia-Herzegovina that had maintained a non-nationalist administration and that kept alive multicultural civic cosmopolitan values throughout the war.

In September 1994 a seminar brought NGOs and municipalities to Tuzla, which pledged all kinds of support to the town. A year later, one week after the ceasefire, HCA held its assembly bringing to Tuzla 300 activists from abroad, including 70 people from Serbia.

Undoubtedly, the HCA campaigns did contribute to the international community's policies towards Bosnia-Herzegovina. But at that time official support for humanitarian intervention was half-hearted; the safe havens were never defended effectively and there was no serious support for citizens' efforts.

The Helsinki Citizens Assembly sometimes describes itself as a family founded on certain

shared values and a commitment to mutual solidarity which takes precedence over loyalty to governments or abstract principles. All the local groups are self-organised and self-financing. They gain legitimacy and visibility in their own societies from being branches of a transnational organisation with access to international policy-makers. They gain strength from international contacts and meetings through which they can develop and discuss their campaigns and projects and plan joint activities. HCA's networking involves a two-way learning process. By comparing experiences and trying to understand different local situations on the basis of the knowledge of those who live in the region, HCA develops new ideas, practical analyses, and strategies. Essentially, HCA is a mechanism for the transmission and processing of information from local activists to other activists and to institutions.

This work has not always been easy, partly because of the difficult circumstances in which some groups operate; local activists are often harassed and some have lost their lives in war. Several activists from Bosnia, Italy, and France were killed during the war in Bosnia. Another factor is the character of the organisation. HCA emerged out of the movements of the 1980s. It was never able to transform itself into an international NGO of the type demanded by donors. The latter tend to expect more emphasis on the transfer of skills from West to East than on the transfer of understanding from East to West, on the provision of services at a local level rather than campaigns at an international level, on offices rather than groups, and on professionalism rather than political mobilisation. For all these reasons HCA has found it difficult to sustain the expensive task of international networking. Nevertheless, this strange 'political animal', as the co-chair Bernard Dreano has described it, continues to exist. There is now a generation, less bound by the movement traditions of the past, that may be better able to combine individual activism with the professionalism demanded by global donors.

The media and the civil society groups have developed a sort of symbiotic relationship. As George Alagiah of the BBC put it:

Relief agencies depend upon us for publicity and we need them to tell us where the stories are. There's an unspoken understanding



Bosnian prisoners in a detention camp, Nakjaca, Bosnia, 1992
(photo: © Reuters/Popperfoto).

between us, a sort of code. We try not to ask the question too bluntly: 'Where are the starving babies.' And they never answer explicitly. But we get the pictures all the same. (Quoted in de Waal 1997: 83)

A very important development in the 1990s was the extensive use of Websites. Many civil society organisations have Websites, which have speeded up information gathering on these issues. Websites have also provided a way in which institutions in the war zones can have more impact on the global debate. Thus the Radio B92 (URL) Website, which provided an English language digest of developments in Serbia or the Website of the independent Kosovar newspaper *Kohaditore* (URL) have been crucial sources of information about developments in former Yugoslavia. Likewise, the South Asia Citizens Web (URL) provides a local perspective on the Kashmir conflict and also a mechanism for networking within South Asia. Websites are also important sources of propaganda for nationalist and fundamentalist movements, a service often provided by more extreme groups in the diaspora.

The Evolution of Humanitarian Intervention

The idea of intervention 'to defend the rights of foreign subjects of an oppressive ruler' was advanced by Hugo Grotius in the seventeenth century (Bull 1984: 3). But the term 'humanitarian

intervention' was first used in the nineteenth century to justify interventions by European powers to protect (mainly Christian) people oppressed by the Ottoman Empire. The first instance was the intervention in Greece in 1827, which was to lead to Greek independence in 1830. This notion of humanitarian intervention clashed with the growing presumption that states had equal rights to protect their sovereignty and that interference in the affairs of other states was therefore wrong. This insistence on the importance of sovereignty and non-interference is sometimes dated back to the Treaty of Westphalia of 1648. But actually it is a more recent idea, which gained intellectual credentials in the middle of the eighteenth century in the writings of Wolff and Vattel but became widely accepted only in the twentieth century with the independence of many former colonies and the spread of communism. Newly independent and/or Communist countries regarded the doctrine of non-intervention as an important defence against what they saw as the 'constant and endemic intervention' of great powers (Bull 1984: 4).

During the cold war period, the principle of non-intervention was widely considered to take priority over humanitarian considerations. After 1945, the United Nations Charter strengthened the rules restricting the rights of states to use force. At the same time a body of law developed in the various human rights declarations and conventions which forbade states to ill-treat individuals, including their own nationals. In practice, the former overrode the latter up until the end of the 1980s (see Akehurst 1984).

There were many interventions during this period, especially by the two super-powers, but these were justified in cold war terms as interventions against communism or capitalism and usually legitimised on the grounds that outside powers were 'invited' to intervene (Vietnam, Czechoslovakia, or Afghanistan). As Nicholas Wheeler (2000) shows, there were also interventions which could be described as humanitarian, notably the Indian intervention in Bangladesh in 1971, the Vietnamese intervention in Cambodia in December 1977 which led to the fall of the Khmer Rouge, and the Tanzanian intervention in Uganda which led to the overthrow of Idi Amin in April 1979. But none of these interventions was justified in humanitarian terms.⁴

⁴ In the case of the Indian intervention of 1971, the Indian Ambassador to the United Nations Security Council used humanitarian arguments. He claimed that the suffering of the Bangladeshi people was sufficient to 'shock the conscience of the

The debates in the United Nations Security Council during this period, described by Wheeler, show the strength of the non-intervention norm. Thus, in the debate over Vietnam's intervention in Cambodia, the French Ambassador Leprette said: 'The notion that because a regime is detestable foreign intervention is justified and forcible overthrow is legitimate is extremely dangerous. That could ultimately jeopardise the very maintenance of international law and order and make the continued existence of various regimes dependent on the judgement of their neighbours' (Wheeler 2000: 93). Similar arguments were put forward by other members of the Security Council. As late as 1986, the prominent international theorist, Hedley Bull, argued:

The growing moral conviction that human rights should have a place in relations among states has been deeply corrosive of the rule of non-intervention, which once drew strength from the general acceptance that states alone have rights in international law.
(Bull 1984: 183)

What were the factors that led to such a dramatic change in international norms in the late 1980s and 1990s? One was the spread of 'new' or 'post-modern' wars, especially in Africa and eastern Europe. These are wars that have evolved out of the guerrilla and counter-insurgency wars of an earlier period. They are often called 'civil' or 'internal' wars although they involve an array of global actors. They are wars in which direct fighting between the contestants is rare and most violence is directed against civilians. Indeed, techniques, such as population displacement, and various atrocities which directly violate both the laws of war and human rights are central to the strategies of these wars. They are also wars in which the manipulation of food supply, loot and pillage, and the control of valuable commodities are built into the functioning of a war economy. Not only did these wars increase in number during this period but there was also a big increase in civilian suffering, as measured by the ratio of military to civilian casualties and by the explosion

of refugees and internally displaced persons (see Kaldor 1999).

A second factor was the growth of humanitarian NGOs. The war in Nigeria in 1971 was a turning point for the humanitarian NGOs. It was the moment when the ICRC abandoned its insistence on neutrality and operating within the framework of consent. The ICRC was conscious that its insistence on neutrality had prevented the ICRC from publicly protesting about what it knew to be happening to the Jews in World War II and there were fears of genocide in Biafra. Thus the ICRC, together with more recent humanitarian NGOs influenced by the student movements of the 1960s and the interrogations about World War II, decided to organise an airlift to Biafra without the consent of the Nigerian authorities.

For many of the newer NGOs, Biafra was the defining moment. Subsequently many of the groups formed or shaped by that experience went on to respond to crises in various parts of the world: earthquakes, floods, famines, and war. In 1984, the famine in Ethiopia sparked a debate about humanitarianism and political action. Groups like Bandaid had helped to stimulate a media-orchestrated response to the famine. But other groups argued that the famine was being created deliberately as an instrument of war by Mengistu, the Ethiopian leader, and that the humanitarians were keeping Mengistu in power. MSF, which took this position, was thrown out of Ethiopia at this time. During this period the NGOs increasingly began to operate without consent, as had happened earlier in Biafra. Indeed, in Ethiopia a split developed among those NGOs that worked in non-governmental areas and those that cooperated with the government. Only the ICRC was allowed to work openly with both sides, although Save the Children managed to do so informally.

By the mid-1980s this new type of war had become increasingly important. In Mozambique and Afghanistan, official agencies increasingly began to see the advantage of NGOs as a form of non-governmental intervention and a way of working in war zones without permission. In several places, 'corridors of tranquillity' or 'humanitarian corridors' were established to provide relief. Operation LifeLine in Sudan was another particularly important episode where many of these techniques were developed, particularly through UNICEF and its programmes for immunisation of children. It was then that 'clamorous for more muscular support' began to be raised.⁵

world'. And he asked 'what has happened to our conventions on genocide, human rights, self-determination and so on? ... Why [are members of the Security Council] so shy about speaking of human rights? ... What has happened to the justice part [of the UN Charter]?' (Wheeler 2000: 63). But he did not invoke these arguments to justify the intervention; instead he referred to the (outlandish) crime of 'refugee aggression'.

⁵ Interview with Mark Bowden of Save the Children, 9 March 2001.

Table 5.1: The evolution of humanitarian intervention

	Purpose	Dates	Troops involved
Northern Iraq Operation Provide Comfort	Provide safe haven for Kurds in northern Iraq. Establish no-fly zones in north and south of Iraq.	April 1991–3	20,000 troops from US, Britain and France.
Bosnia–Herzegovina	Safe havens, humanitarian corridors, no-fly zone, establishment of war crimes tribunals.	1992–5	UNPROFOR involving 23,000 troops.
Somalia	Protect food convoys and provide secure relief centres.	1992–3	UNITAF (37,000 troops led by the US) and UNOSOM II (28,000 troops).
Rwanda	Small UN force withdrawn before massacre. French led force to protect refugees after the massacre.	1994	UNAMIR I. (1,500 troops) and II (5,500 troops). Main contingents: France, Canada, and Belgium.
Haiti Operation Restore Democracy	American-led force to restore democratically elected government.	September 1994	Multi-national Force (MNF) including 21,000 US troops and 1,250 troops from the Caribbean.
Kosovo	NATO air strikes against Yugoslavia.	March–July 1999	NATO aircraft from 13 countries flew 38,400 sorties, including 10,484 strike sorties.
East Timor	Australian-led force after massive violence following referendum on independence.	September 1999	International Force for East Timor (INTERFET). Some 10,000 troops led by Australia.
Sierra Leone	Series of interventions to restore democratic government.	1994–2000	Ghurkas. Executive Outcomes, ECOMOG, UNAMSIL, British forces.

Authorisation	Global civil society groups	Comments
United Nations Security Council (UNSC) Resolution 688.	Pressure from media and human rights groups e.g. Human Rights Watch. Hesitation from humanitarian groups e.g. Oxfam.	First safe haven; provided precedent for humanitarian intervention. Initial success, but not sustained.
Various UN Security Council Resolutions, especially 770 (protection of humanitarian convoys) and 836 (safe areas).	Combination of NGOs, think tanks, local groups in Europe and inside Bosnia, networks.	Marked an important precedent but insufficiently robust. Low point was fall of Srebrenica in July 1995.
UNSC Resolution 794 authorised UNITAF UNSCR 814 authorised UNOSOM II.	Humanitarian NGOs mainly in favour. Save the Children and Africa Rights against.	Excessive use of force, failure to disarm militia. Widely considered a debacle. American soldiers killed and bodies publicly paraded.
UNSC Resolution 872 authorised UNAMIR to monitor ceasefire. Request for reinforcements when massacre began followed by decision to withdraw UNAMIR. UMNAMIR II authorised after massacre was over.	NGOs and media strongly in favour of intervention. ICRC lost 13 staff members.	Failure to intervene and prevent genocide despite request of UN Commander General Dallaire.
UNSC Resolution 940	Apparently successful operation.	Generally considered a successful intervention carried out in the US national interest.
No UN authorisation.	Civil society groups involved in transnational networks call for intervention. Demonstrations against in Greece, Italy, and Serbia.	Did not prevent ethnic cleansing of Albanians and then Serbs but did enable the return of all Albanians and end the rule from Belgrade
UNSC Resolution 1264	Civil society pressure for intervention much earlier.	Too late although effective.
UNAMSIL authorised by UNSC Resolution 1270. ECOMOG authorised by ECOWAS.	Strong civil society pressure in West Africa. International NGOs divided.	Rebels still control parts of the country.

This was the period that Bernard Kouchner, together with his colleague, the lawyer Mario Bettani, launched the idea of a *Devoir d'Ingérence* (Duty to Interfere), which later became a *Droit d'Ingérence* (Right/Law of Interference). Kouchner became French Minister of Humanitarian Action in 1988, and in the same year the United Nations General Assembly passed Resolution 43/131, which put these arrangements on a more formal footing. The resolution reaffirmed the sovereignty of states but recognised that the 'international community makes an important contribution to the sustenance and protection' of victims in emergency situations. Failure to provide humanitarian assistance 'constitutes a threat to life and human dignity'. The resolution stressed the 'important contribution' of 'intergovernmental and non-governmental organisations working with strictly humanitarian motives'. Subsequently, General Assembly Resolution 45/100 praised the Secretary-General for continuing consultations on the establishment of 'humanitarian corridors' (Allen and Styan 2000: 831–2).

A third factor in the changing international climate was the growth of human rights groups. Particularly important were the emergence of pro-democracy and human rights movements in the Third World and eastern Europe. In part, this was a consequence of the exhaustion of post-colonial and communist projects: the loss of appeal of earlier emancipatory ideas. And in part it has to be understood in the context of growing global interconnectedness and the possibility to obtain support and to make links across borders, which provided a way of opening up closed societies. In Europe and North America, the movements which evolved after the 1960s spawned human rights groups sometimes in dispute with the traditional left. In the United States, it was the coup in Chile and the growth of human rights groups in Latin America during the 1970s and 1980s that led to the emergence of transnational human rights networks (see Keck and Sikkink 1998: Ch. 3). In France, the debate about *tiermondisme* led many French intellectuals to attack the simplicities of those traditional left groups who had unquestioningly supported liberation movements in the Third World and to place increasing emphasis on democratic freedoms and human rights; the group *Libertés sans Frontières* was an expression of this line of thought. In the rest of Europe, the mass peace movement of the 1980s stimulated a debate about human rights

and the relationship of peace to justice. Some parts of the peace movements made links with eastern human rights groups and pioneered the concept of 'détente from below' and the idea of a new form of civil society intervention in support of human rights; they argued that the threat of nuclear weapons had prevented interference in support of human rights. Other parts of the peace movement insisted on non-interference, arguing that the danger of nuclear war was the overriding concern and that support for human rights could contribute to cold war rhetoric.

The 1989 revolutions gave further impetus to the human rights movements. The discourse of civil society was the discourse of the movements which toppled the communist regimes. To this was added the language of transnationalism and global responsibility that came out of the cross-border links made in the 1980s. Moreover, the revolutions seemed to discredit traditional left thinking, which was associated with notions of non-interference and of collectivism that were supposed to take priority over individual rights.

The final factor was, of course, the post-cold war global context. The end of the cold war provided an opportunity, for the first time, for concerted international action. It also allowed the 'new wars' to become more visible and a new global discourse about humanitarianism and human rights to supplant the tired cold war rhetoric.

The Gulf War of 1991 provided the first opportunity to display the new international consensus. The war, of course, was not a humanitarian intervention; it was a response to the invasion of Kuwait by Iraq, and once Kuwait had been liberated a ceasefire was declared. Indeed, the war is probably better described as an American attempt to assert its new found unchallenged global hegemony: this was the essence of President Bush's 'new world order'.

In the aftermath of the war, however, there were uprisings by Kurds in the north and Shiites in the south in the expectation that Saddam Hussein would be overthrown. The uprisings were brutally suppressed. This was the moment for Kouchner and the French government to push for a *Droit d'Ingérence*. Public sympathy for the plight of the Kurds also propelled other governments, particularly in Britain and the United States, into action. The consequence was United Nations Security Council Resolution 688, which established a safe haven in northern Iraq for the Kurds. The resolution did not actually mandate the use of troops; nevertheless



In 1991, thousands of Iraq's Kurdish refugees settled in Isikveren camp, Turkey (photo: © Reuters/Popperfoto).

Operation Provide Comfort involved the deployment of over 20,000 troops to protect the safe haven. At the time, only the French were pushing for a *Droit d'Ingérence*. The resolution was couched in terms of the threat to 'international peace and security' posed by refugees and by the situation in the area. The term 'haven' was used in preference to 'enclaves' at the insistence of the British Ambassador, Sir David Hannay, on the grounds that 'enclaves' suggested a redrawing of boundaries. Nevertheless, the resolution did create a precedent in that it demanded that Iraq 'immediately end this repression' and 'ensure that the human and political rights of all Iraqi citizens are respected'.

Although public pressure and media exposure of what was happening in northern Iraq were important in propelling forward the proposal for a safe haven, it is interesting to note that, at the time, there were doubts among UN officials as well as NGOs operating in northern Iraq, who feared alienating the Iraqi government. According to an Oxfam staff member in the region:

The feeling is that we can't jeopardise the good work we already have going by getting into a conflict with the Iraqi government up here . . . It's the sort of thing we ought to be doing but it would violate Oxfam's line at the moment.⁶

The relative success of the safe haven, at least initially, was to change attitudes among many NGOs.

The international troops were withdrawn in 1993 and replaced by a small UN guard and a 'residual' force based in Turkey. The Kurds have re-established a measure of autonomy (which they had enjoyed years earlier) but they remain vulnerable to Iraqi raids. The no-fly zone has not prevented the ethnic cleansing of Shiites in the south.

But the safe haven in northern Iraq did turn out to be a precedent. The genie was out of the bottle. As Adam Roberts (1996: 16) points out, the proclamation of humanitarian interests has an inevitable 'ratchet effect'.

It is inherently difficult for major powers to proclaim humanitarian principles and policies in relation to a conflict, and then do nothing to protect the victims and/or punish their tormentors when atrocities occur. Thus an initial humanitarian involvement can lead to a more military one—a process involving awkward changes of direction. Further, it is inherently difficult to preach humanitarianism in one crisis and then not to do so in the next, however unpromising the situation and however slim the interests of outside powers.

⁶ Washington Post, 25 April 1991.

The war in Bosnia

After Iraq came the disintegration of Yugoslavia and the wars in Slovenia, Croatia, and Bosnia-Herzegovina. It was the war in Bosnia, which lasted from April 1992 to October 1995, which was to generate the most heated public debate about humanitarian intervention. There were many other wars in the world, and many other tragedies just as terrible as in Bosnia, as the United Nations Secretary-General, Boutros Boutros Ghali, was to point out when he visited Sarajevo in 1992. But it was the war in Bosnia and the plight of Sarajevo that captured global attention.

In Europe a mass movement developed in the wake of the war. Hundreds of groups sprang up both to collect and distribute aid and to increase awareness and make protests. In Italy, for example, the Italian Consortium for Solidarity was established in 1993 linking civil society groups and organisations. From Italy alone more than 15,000 volunteers travelled to the war zones and some 2,200 convoys were organised. But throughout Europe similar mobilisations took place, including the new democratic countries of central Europe. In the Czech Republic, for example, the People in Need Foundation (*Clovek v Tísni*) ran a television campaign and even persuaded army officers to donate part of their salaries. A particularly interesting group was Workers Aid for Tuzla, which later became International Worker's Aid. This group was started by British miners who had received support from the town of Tuzla during the 1984 miners' strike and wanted to repay their debt. Those who drove convoys or established local offices in war zones did risk their lives and a number of volunteers from several European countries were killed.

As well as collecting aid, local groups organised novel forms of protest to draw attention to the plight of Sarajevo, especially in France. In Nantes, the main square was renamed Sarajevo Square. In Strasbourg, a checkpoint was set up on one of the main bridges, arbitrarily stopping people from crossing. And in Grenoble, the sound of shelling and sirens was reproduced throughout the town at 2 a.m. to give the local inhabitants the feeling of what it was like to be in Sarajevo. In Britain, a group of well-known personalities presented bottles of dirty water to the Prime Minister's residence and to Members of Parliament to show what the people in Sarajevo were being forced to drink.

A remarkable feature of the movement was the role played by local municipalities, a development

of the nuclear-free zone idea of the 1980s. Many municipalities were twinned with municipalities in the former Yugoslavia and others introduced twinning arrangements during the war. Thus, Norwich was twinned with Novi Sad and, at the height of the war, Tuzla decided to twin with Bologna. These twinning arrangements provided a mechanism for the provision of humanitarian assistance and for various other kinds of support. Particularly in Germany, The Netherlands, and Scandinavia, municipalities became an important source of relief and political support.

As well as grass-roots groups, intellectuals and cultural figures (artists, writers, actors, and actresses) played an important role in the movement. In France, prominent intellectuals became the 'voice' of the movement. In the United States, where there were fewer grass-roots movements, and in Europe, elite campaigning groups were established like Action Council for Peace in the Balkans which were to be very influential. There were also cultural festivals aimed at drawing attention to Sarajevo's secular culture; and a number of writers, film makers, and people from the world of theatre travelled to Sarajevo.

Unlike the peace movement of the 1980s, the movement against the war in Bosnia was rather fragmented. There were some Europe-wide networks, for example the Helsinki Citizens Assembly, but these by no means could claim to speak for the movement as a whole. Indeed, in political terms the movement was deeply divided and these divisions generated a debate about Bosnia that constituted a social learning process. Although there was an implicit consensus about the role of civil society in providing solidarity and a sort of unarmed protection, there were big differences about what governments and international organisations should be doing and these differences tended to reflect different analyses of the character of the war.

Public pressure led to a series of interventions by the international community: the protection of aid convoys and the establishment of humanitarian corridors, safe havens, a no-fly zone, a tribunal for war crimes committed in the former Yugoslavia, and international administrations for Sarajevo and Mostar. In retrospect, the latter two innovations were to have considerable significance. The Hague and Arusha Tribunals created a momentum for an international criminal court and the demand for the arrest of war criminals raised the issue of international law enforcement. Likewise, the establishment of international administrations paved



Body bags of victims found in mass graves after the 1995 Srebrenica massacre (photo: © Reuters/Popperfoto).

the way for the protectorates in Bosnia and Kosovo. Again, the problem of public security in both these cases led to further demands for some form of international policing.

But despite these innovations and despite the continuing negotiation process, the war continued for three and a half years. It was brought to an end through the Dayton Agreement, which some attribute to the NATO air strikes at the end of the war and others to the fact that ethnic cleansing was virtually complete and the Serbs and Croats had, more or less, succeeded in carving out ethnically pure territories. The humanitarian innovations are widely considered to have been a failure. Despite the presence of troops, the Serbs and Croats were still able to dictate the terms of aid delivery. The safe havens of Srebrenica and Zepa fell towards the end of the war. In particular, the massacre of 8,000 men in Srebrenica was, at least for the international community, the most humiliating moment of the war.

The failure is attributed to the inadequacy of the mandate and the provision of insufficient troops. Nevertheless, there were successes that suggest the failures had more to do with the difficulty of adapting traditional military concepts than with insufficient resources. Both the British and the Danish demonstrated on occasion that more 'robust' peacekeeping could be effective even though they were reprimanded by the UN command for their actions. In Zepa,

Ukrainian troops refused to hand over local people to the Serbs and in the end were able to negotiate their safe passage.

From Somalia to Kosovo

The war in Bosnia is the context in which to understand the decision of President George Bush to intervene in Somalia. The Bush Administration was under pressure to make a stronger commitment to Bosnia and to give substance to the notion of a 'new world order'. It believed that Somalia was an easier case than Bosnia and that intervention in Somalia would relieve the pressure to step up intervention in Bosnia. According to Lawrence Eagleburger, then Secretary of State:

The fact of the matter is that a thousand people are starving to death every day and that is not going to get better if we don't do something about it, and it is an area where we can affect events. There are other parts of the world where things are equally tragic, but where the cost of trying to change things would be monumental. In my view, Bosnia is one of those. (Quoted in Ramsbotham and Woodhouse 1996: 206)

After the fall of the long-time Somali dictator, Mohammed Siad Barre, a 'new war' developed in which clan-based warlords established control over territory through displacement and atrocities inflicted by groups of fighters known as *mooryan*, often under the influence of the drug, Qat. Between November 1991 and March 1992, some 50,000 people died and 1.5 million became refugees or Internally Displaced Persons (IDPs): some 29 per cent of the pre-war population. Humanitarian NGOs were calling for intervention and drawing the media's attention to the suffering in Somalia. CARE was particularly influential and held regular meetings with the Bush administration. Fred Cuny was calling for armed protection of relief enclaves. The ICRC hired armed guards for the first time in its history. The European Commission was calling for UN convoys as early as August under the influence of European NGOs. A large advertisement in a Dutch newspaper calling for intervention was signed by several European NGOs including Oxfam. According to Eurostep, an organisation representing some 20 European NGOs, there is 'general agreement among many European NGOs that it was not sufficient to send aid without a certain level of military protection to stop piracy'⁷

A few NGOs opposed the intervention. These included Save the Children, particularly its director, Mark Bowden, and a group of individuals, including Alex de Waal and Rakiya Omaar, who broke away from Human Rights Watch because they opposed the intervention and formed Africa Rights. They believed that the negotiations carried out by the UN envoy Mahmoud Sahnoun were bearing fruit, that the immediate needs for food supply had already been solved, and that a US-led intervention could be the harbinger of a new form of imperialism (Africa Rights 1993).

United Nations Security Council Resolution 794, which was passed unanimously on 2 December 1992, was widely considered to break new ground. Even though the resolution mentions, as in 688, the threat to 'international peace and security', it was the first resolution to authorise the use of force, under Chapter VII of the UN Charter, to relieve human suffering. Many states that had opposed 688, particularly in Africa, supported 794. For Kouchner, it was a triumph: 'a fantastic step forward, a new legal base for the international Droit d'Ingérence'. The headline in *Liberation* the next day was: 'L'humanitaire s'en va t'en guerre' (Allen and Styan 2000: 838).



Mogadishu, August 1993: A Somali points at human remains and fragments of US army cloth allegedly belonging to a US soldier (photo: © Reuters/Popperfoto).

The Somali intervention turned out, however, to be a debacle, as a few groups had predicted. The American-led Unified Task Force (UNITAF) succeeded at first in protecting aid convoys and providing secure relief centres but failed to disarm the militias, disappointing most local Somalis. In May UNITAF was replaced by UNOSOM II (United Nations Operation in Somalia) with an even stronger mandate. However, attacks on Pakistani troops led the American Commander Admiral Howe to engage in warfare against the clan faction responsible, led by General Aideed. Despite the use of what many considered to be excessive force, the Americans failed to capture Aideed. On the contrary, Somali militia succeeded in shooting down two American helicopters, killing 18 American soldiers and wounding 75. The bodies of the American soldiers were paraded publicly in front of international television cameras. Shortly thereafter the Clinton Administration took the decision to withdraw from Somalia.

The debacle in Somalia led to the decision to issue Presidential Decision Directive 25 in May 1994, which one author has described as a 'Somali corollary to the Vietnam syndrome' (Weiss 1999: 90). PDD 25 strictly limited American participation in future peacekeeping operations. It was invoked as pressure mounted from NGOs and the media to intervene to stop the horrifying genocide of Tutsis and tolerant Hutus that was taking place in April, May, and June 1994 in Rwanda. Between 500,000 and 1 million people were killed in 100 days. The massacre was orchestrated by the government and the army, and carried out by local officials and government-organised paramilitary

⁷ *Interpress Service*, 12 August 1992.

groups using machetes and mobilised through 'hate radio', Radio Milles Collines.

There was at the time a small UN force of 1,500 troops, United Nations Assistance Mission to Rwanda (UNAMIR). Despite warnings from the local commander General Dallaire and proposals to seize weapons and create safe havens, the Security Council took the decision to prepare for withdrawal and to scale down the UN force. Later, when it was clear that Dallaire's warnings should have been taken seriously, the Secretary-General proposed an intervention force of 5,500; several African forces were prepared to take part but they needed American logistical support, which was not forthcoming. Indeed, the Clinton Administration actively mobilised against those governments, NGOs, and media who wanted to describe what was happening in Rwanda as 'genocide' for fear that this would oblige it to act under the 1948 Genocide Convention (see Wheeler 2000: 224–5).

At the end of August 1994, a French intervention force was dispatched. But by this time the genocide was over and the Rwandan Patriotic Front had succeeded in overthrowing the extremists in part. The French intervention was suspect because of French support for the previous regime; and all it was able to achieve was to provide safe havens for fleeing Hutus, many of whom were former militiamen engaged in the genocide.

The tragedy and disgrace of Rwanda had a powerful impact on the humanitarian NGOs and on public opinion. The ICRC lost 13 staff: it was the moment of change of heart towards humanitarian

intervention. All the same, the immediate aftermath of the tragedy seems to have led to excessive enthusiasm for interventions; many humanitarian NGOs called for intervention to protect the refugee camps of eastern Zaire, which were run by former Hutu militiamen. Before a Canadian intervention force could be mobilised, however, the camps were overrun by Zairian rebels, and the refugees returned to Rwanda. It was a low point for the humanitarian NGOs. As Mark Bowden of Save the Children, one of the few NGOs to oppose intervention, put it, 'Agencies are competing for dwindling resources, competing for contracts and position and profile in the media. Philosophically, we are bankrupt. "Go and feed them" is always our response' (*Financial Times*, 3 December 1996). Only the human rights NGOs took a different tack, calling for the militia to be brought before a war crimes tribunal.

Interestingly enough, at the very moment that Rwanda was being debated, the Americans, with UN authorisation, undertook a classic humanitarian intervention in Haiti. Operation Restore Democracy was launched in July 1994 to overthrow a brutal military dictatorship that had displaced the democratically elected government. In Clinton's words, the purpose was 'to protect our interests, to stop the brutal atrocities that threaten Haitians, to secure our borders and to preserve stability and democracy on our continent' (quoted in Weiss 1999: 184). Many NGOs were doubtful about intervention by the United States, the dominant power in the region. But perhaps the intervention in Haiti can be considered the most successful intervention of the 1990s.

During this period, there were also significant regional interventions—ECOWAS Monitoring and Observation Group (ECOMOG) in Liberia, the CIS (mainly Russia) in Tajikistan—although it would probably be misleading, especially in the Russian case, to describe them as humanitarian. An important part of the story is, of course, the wars in Chechnya in 1994–6 and since 1998. Despite the fact that these wars involved widespread violations of human rights, outside involvement was minimal even from the hardest NGOs: it was here that Fred Cuny met his end. The fact that there was no consideration of humanitarian intervention there has been cited by opponents of intervention as evidence of its selective character. Although NGOs and movements like Soldiers Mothers and Memorial and the well-known human rights leader, Sergei Kovalev, did try to mobilise international support, none of these groups



An estimated 250,000 Rwandese refugees swept into Tanzania in 24 hours, fleeing the genocide. (photo: © UNHCR/P. Moutmsiz).

or individuals advocated international military intervention. The war against the Kurds in Turkey is also often cited as a case of double standards since even international condemnation is rare.

The case of Kosovo was different. The crisis had been developing throughout the 1990s. From 1991, NGOs and commentators were warning of a likely war in Kosovo. After Milosevic, the Serbian president, removed the autonomy of Kosovo and imposed a form of apartheid on the province, the Kosovar Albanians organised a non-violent resistance movement including the establishment of parallel institutions, especially in health and education. They called for international intervention and the establishment of an international protectorate. It was evident that this situation could not be sustained. A turning point was the Dayton Agreement, from which the issue of Kosovo was deliberately excluded. Many Kosovars, exhausted by the parallel system, concluded that non-violence was an ineffective strategy for calling international attention to their plight. In 1997, the Kosovo Liberation Army first made its appearance with the deliberate strategy of using violence to provoke an international intervention (see Independent International Commission on Kosovo 2000).

As the conflict intensified in the spring of 1998, Western leaders began to make strong statements about the necessity for action in Kosovo. 'We are not going to stand by and watch the Serb authorities do in Kosovo what they can no longer get away with in Bosnia', said the US Secretary of State, Madeline Albright, in March. Similar pronouncements were made by the UN Secretary-General, Nato's Secretary-General, and various foreign and defence ministers. However, the method chosen to prevent war was diplomacy backed by the threat of air strikes. American leaders had drawn the—probably wrong—conclusion from Bosnia that the Dayton Agreement succeeded because of air strikes. Many groups inside Kosovo and elsewhere in Europe were calling for the deployment of ground troops to protect civilians from the ethnic cleansing that had already begun. But the Americans were unwilling to commit ground troops until a very late stage in the negotiations. When diplomacy failed, a campaign of air strikes was undertaken. At the same time, ethnic cleansing was dramatically accelerated. Over a million Kosovar Albanians, the majority of the population, were expelled from the province, and some 10,000 people were killed. Eventually, Milosevic capitulated; an international protectorate was established in Kosovo

and the refugees returned. Bernard Kouchner was chosen to head the UN Mission.

The war over Kosovo deeply divided civil society. Some groups felt the intervention was justified. Some favoured military intervention but criticised the form of intervention: the use of air strikes instead of ground troops, which could have directly protected people. Human Rights Watch (2000b), in particular, drew attention to the ways in which NATO bombings may have violated international humanitarian law.⁸ For many human rights groups Kosovo was a troubling moment. Many sympathised with the plight of the Kosovars but at the same time found bombing repugnant and an inappropriate way to enforce human rights. This was especially true in eastern Europe, where bombing has always been regarded as much more unacceptable than in the West. Yet at the same time east European human rights groups were uneasy about criticising the air strikes, both because of sympathy with the Kosovars and because of the legacies of the cold war. Dimitrina Petrova (2000) writes that:

Human rights defenders feared that whatever they say immediately places them in one of two camps—for or against NATO. And if one is against NATO, one is enemy to democracy, etc. The black and white scheme prevailed and nuances were only possible if they were about details. Political correctness dictated unholy alliances.



Kosovars, dumped out of trains near the F.Y.R. Macedonia, wait to cross the border (photo: © UNHCR/R. LeMoyné).

Among Palestinians almost an opposite dilemma had to be confronted. On the one hand, there was a deep and innate suspicion of any action by NATO and the United States. On the other hand, many could see the similarities between the plight of the Kosovars and their own situation. Even an organisation like Human Rights Watch was torn by the NATO bombing between those who were strongly in favour and those who felt that bombing had accelerated ethnic cleansing.⁹

Others argued more strongly that 'military humanism', the phrase coined by Noam Chomsky (1999), had become the new justification for American imperialism and the American military industrial complex following the demise of the Soviet threat. This was the predominant view among groups which viewed themselves as peace activists, for example at the Hague Peace Conference, attended by some 8,000 activists from all over the world, which took place in May during the bombing. As mentioned above, there were mass demonstrations against the bombing, or against the 'double war', in several countries.

The final intervention of the 1990s was in East Timor. The intervention in East Timor was simply too late, as many civil society groups had earlier foreseen. In reaching agreement with the Indonesian government to hold a referendum on independence in East Timor, the United Nations made the tragic mistake of leaving the Indonesian government to provide security. Subsequently, Western powers may have been too preoccupied with Kosovo as army-supported violence against the population intensified in the spring and summer of 1999. When the East Timorese voted overwhelmingly for independence, militia groups supported by the Indonesian army went on an organised rampage, killing and displacing people from their homes. It was not until the Indonesian government agreed to a United Nations military presence that an Australian-led force was able to restore order, although by then much of the damage had been done. In terms of the evolution of norms of humanitarian intervention, the courageous

behaviour of the non-military United Nations Mission in East Timor deserves mention. They refused to be evacuated from their headquarters in Dili until local staff, family members, and also Timorese who had sought refuge in the UN compound were evacuated with them. This was a notable contrast to the OSCE monitoring mission in Kosovo, which withdrew before the NATO bombing, leaving their local staff behind to be killed.

Part of the story of the 1990s is the way in which political leaders consistently learned the wrong lessons from each intervention, which then contributed to the failures of the next intervention, rather as generals tend to fight the previous war. In particular, international policy seems to have swung from inaction or inadequate action to overwhelming force, especially the use of air strikes, and back again. It seems to have been very difficult to chart a middle course. The safe haven in Iraq was initially successful but was not sustained. The intervention in Bosnia was too weak and it was (probably) wrongly concluded that air strikes had been a crucial factor in the success of the final agreement. The intervention in Somalia was supposed to compensate for the weaknesses of the mandate in Bosnia, however, the US-led force emphasised the use of overwhelming force at the expense of politics. The Somali debacle resulted in the non-intervention in Rwanda, which was probably the most serious failure of the whole period. The need to restore credibility and act forcefully led to the NATO air attacks against Yugoslavia. And the intervention in East Timor was too late.

What can be concluded from this sorry story? Is the notion of humanitarian intervention inherently flawed? Is there no middle ground between inaction and overwhelming force? Or is it still possible to adapt thinking and institutions to fit the new reality? These are the questions that confront the civil society actors concerned with this issue.

The Global Public Debate

As this story indicates, civil society actors took different positions in different conflicts, and opinions evolved throughout the period. Four broad strands of opinion can be identified, although there are overlaps and nuances that are not necessarily captured by these categories. Table 5.2 summarises the different positions and the actors. These categories parallel the those adopted in the other issue chapters in this Yearbook.

⁸ These included cases where NATO forces: 'conducted air attacks using cluster bombs near populated areas; attacked targets of questionable military legitimacy including Serb Radio and Television, heating plants and bridges; did not take adequate precautions in warning civilians of attack; took insufficient precautions in identifying the presence of civilians when attacking convoys and mobile targets; and caused excessive civilian casualties by not taking sufficient measures to verify that military targets did not have concentrations of civilians (such as Korisa)'.

⁹ Interview with Human Rights Watch, February 2001.

Table 5.2: The debate about humanitarian intervention

Position	Arguments	Civil society groups	Bosnia
Sovereignist	Believe in non- interference. Wars for national interest only.	Individual politicians, especially on right. Traditional left and nationalist groups.	War was a civil war. Should not risk lives of nationals for others in civil war. Should not jeopardise principle of non- intervention.
Just war	War is justified for humanitarian purposes. Morality is more important than legality.	Rhetoric of centre politicians and prominent intellectuals. Civil society groups among victims of large-scale human rights abuses.	War was an international war of aggression by Serbia (and Croatia) against Bosnia. Support for Bosnian government including lifting arms embargo and air strikes against Serb positions.
Humanitarian peace	Governments cannot be trusted. Humanitarian intervention is a cover for imperialism. Should be civil society intervention.	Many humanitarian and peace groups. Human rights groups divided.	Opposed military intervention. Favoured negotiation at both governmental and grass-roots levels.
Human rights enforcement	Civil society needs framework of law. Humanitarian intervention is not war but international law enforcement. Must involve direct protection of civilians and arrest of war criminals.	International human rights groups especially in Europe and North America. Also some think tanks and commissions.	Pressed for safe havens and international criminal tribunal. Wanted more robust military role on the ground in support of these objectives.

Sovereignist (rejectionists)

This is a French term which describes those people or groups who oppose humanitarian intervention either because they support the principle of non-intervention or because they believe that intervention should be carried out only in the national interest. The former are known in the international relations literature as 'pluralists' who believe in a rule-governed society of states in which an important rule is the principle of non-intervention. The principle is considered important because it promotes stability and inhibits powerful states from imposing their hegemony on weak states (see Wheeler 2000; Ramsbotham and Woodhouse

1996; Jackson 2000). The latter are known as 'realists' in the international relations literature; they believe in a Hobbesian world characterised by international anarchy where states have to act according to the dictates of survival. With the collapse of communism and the spread of democracy in Africa and Latin America, the number of sovereignists is declining. However, they are still to be found among Third World and Eastern elites, particularly in authoritarian states, and on the Western right.

Among intervening countries, an important version of the realist argument is the nationalist argument that nationals are privileged over foreigners. The job of states is to protect their own

Somalia	Kosovo	Sierra Leone
Intervention was human rights imperialism. Should not risk lives for others in civil war.	Air strikes were NATO imperialism. Should not prioritise Kosovo over relations with Russia.	Authoritarian leaders with geo-political interest in non-intervention by others.
Favoured overwhelming force against warring clans particularly Aideed.	Supported air strikes against Yugoslavia.	Support for unilateral interventions: Executive Outcomes, ECOMOG, and Britain.
Opposed military intervention. Supported efforts of UN negotiator, Mahmoud Sahnoun, to involve civil society in talks.	Against 'double war': both NATO bombing and Milosevic war against Kosovar Albanians. Supported stronger OSCE presence.	Distrust of all military forces. Interventions too one-sided. Favour civil society reconciliation.
Favoured military intervention aimed at disarming militias and providing security on the ground, not just delivering aid.	Favoured ground intervention to protect Kosovar Albanians based on more robust OSCE presence.	Favour more robust UN presence. Greater efforts to protect civilians, arrest criminals, and implement disarmament and demobilisation.

nationals and not others. Thus, for example, Samuel Huntington wrote in 1992 that 'it is morally unjustifiable and politically indefensible that members of the armed forces should be killed to prevent Somalis from fighting one another' (quoted in Weiss 1999: 90). Similar views were expressed during the Bosnian war, especially among those who understood the war as an endless continuation of ancient rivalries. Richard Goldstone (2000: 74), for example, describes meeting Edward Heath just after he had been appointed Chief Prosecutor for the Yugoslav and Rwanda Tribunals:

'Why did you accept such a ridiculous job?' Heath asked me in a friendly tone. I told him that I thought prosecuting war criminals was important, especially given the magnitude of the crimes committed in Bosnia. Heath replied to the effect that if people wished to murder one another, as long as they did not do so in his country, it was not his concern and should not be the concern of the British government. At the time, his opinion startled me. Little did I realise that he was candidly stating what many leading politicians in major Western countries were saying privately—and what many of them believe.

Among Third World and east European nationalist movements, intervention is viewed as imperialism. In Serbia and Iraq, nationalist demonstrations, undoubtedly orchestrated by the governments, were held to oppose Western intervention. Serbian opposition to sanctions and later to the bombing during the Kosovo war seems to have strengthened nationalist feelings and helps to explain the nationalist character of the post-Milosevic regime.

The imperialist argument is also shared by radical anti-globalisation groups. These groups oppose the spread of global capitalism and see the state as defending the poor. For them, Chomsky's theory of 'military humanism' is an expression of a view of the United States and NATO as the military arm of global capitalism. They point to the selective character of intervention and suggest that so-called humanitarian intervention is undertaken only in places where it suits Western interests and not elsewhere. These groups bring together remnants of the traditional left and a new generation which has not experienced the traumas of communism. Of course, it needs to be stressed that these groups overlap with the humanitarian peace position (see below); they may not be against all forms of intervention.

Just war (supporters)

The most well-known proponent of the just war position is the British Prime Minister Tony Blair, who famously proclaimed that the NATO air strikes over Kosovo represented the first 'war for human rights': 'This is a just war, based not on territorial ambitions but values' (Blair 1999). The 'just war' position differs from the human-rights enforcement position (see below) in that it combines national and humanitarian assumptions. War is between two sides and the goal of war is to defeat an enemy with minimum casualties on one's own side. Typically, the 'just war' proponents favour air strikes and the use of overwhelming force, although they also favour precision bombing to minimise 'collateral damage', that is, civilian casualties.

'Just war' proponents tend to place more emphasis on morality and military necessity than on legality. If the cause is just, they favour unilateral intervention, that is to say, intervention without UN Security Council authorisation. (According to the UN Charter, all forms of force, except self-defence, are prohibited unless authorised by the Security Council.) Although they would insist that wars should be fought according to

the 'laws of war', military necessity is considered to override the laws of war in some instances. Moreover, they privilege the lives of nationals. Thus, the lives of foreign civilians are sometimes risked in order to save the lives of soldiers.

The Blair position is supported by many intellectuals who took a similar stance during the Bosnian war, especially in France, the United States, and central Europe. They argued that the war in Bosnia was international, initiated by Serbian (and Croatian) aggression against the Bosnian state; they lobbied for military intervention and tended to favour air strikes and lifting the arms embargo on Bosnia to allow for self-defence as a way of minimising outside casualties. These groups are often the descendants of the cold war human-rights community. Kouchner belongs to this strand of opinion, as do some American intellectuals like Aryeh Neier.

Another important group that supports the just war position is the direct representatives of the victims. Civil society groups in Kosovo, Rwanda, Haiti, or East Timor supported intervention of any kind—it did not matter how or by whom the intervention was carried out nor whether it was approved by the UN Security Council. They wanted protection. The Kosovars, of course, favoured ground troops but they were grateful for the air strikes.

Humanitarian peace (alternatives)

The third strand of opinion is to be found among some humanitarian organisations and among peace groups. These groups share some of the scepticism of the sovereignists. They distrust US-led interventions because they fear a new form of Western imperialism; defending human rights becomes a new 'colonising enterprise'. They do not believe that governments, whose job is to protect the 'national interest', can act for 'noble purposes'. In addition, some of these groups are pacifist and believe that it is a fundamental contradiction to suppose that human rights can be defended by military means. Where they differ from the sovereignists is in their insistence on civil society intervention. Human rights protection, the delivery of relief, and conflict prevention and resolution, according to this view, are the job of civil society, not governments.

This debate about humanitarian peace versus just war was an important reason for the split in MSF in 1979. Kouchner and his supporters, known as the '*légitimiste*' tendency, took the view that NGOs lacked

the capacity to meet serious humanitarian needs. Their role was symbolic: to draw attention to the plight of victims, to mobilise the media, and to influence governments. The other group, known as the 'indépendantiste' tendency, argued that morality should not be confused with politics and that only NGOs were capable of genuinely humanitarian action (see Brauman 1996). As François Jean of MSF put it:

We were against this principle [of humanitarian intervention] because we felt that it was mainly the right for a strong state to intervene in a weak state . . . we questioned the purity of any state undertaking so-called humanitarian intervention.
(Allen and Styan 2000: 836)

A similar position is taken by peace groups, especially those that took on humanitarian roles, and conflict resolution groups. Groups in Germany and Italy often argued that the Bosnian war was a civil war between different nationalist groups; they opposed any form of military intervention and favoured negotiations both at a political level and at the level of civil society. Many of these groups mobilised humanitarian assistance and undertook local mediation projects. Indeed, the practice of civil society intervention in conflicts greatly increased in the 1990s not only in the former Yugoslavia but in other regions as well, especially the Transcaucasus and the Middle East. An important aspect of this civil society activity is the links that are made with local groups and the knowledge that is gained about the local situation. The argument is that civil society is better equipped than governments to undertake actions at the level of society that are needed in the new types of wars (Marcon and Pianta 2001).

Human rights enforcement (reformists)

The fourth strand of opinion is to be found among parts of the peace movement, especially those which took up human rights issues like the Helsinki Citizens Assembly, and large parts of the human rights movement. It distinguishes humanitarian intervention from war. Humanitarian intervention is a method of enforcing international law with respect to human rights and the laws of war where the state has collapsed or where the state itself violates the law. Law enforcement is different from war. It involves minimising casualties on all sides, direct

protection of the victims, and the arrest of war criminals. It scrupulously respects human rights and humanitarian law in implementing its mission. It is more like policing than war, although it may require more robust action than domestic policing. It involves impartiality in the sense that all civilians, whatever their views or ethnic background, need to be protected and, likewise, all war criminals need to be opposed whatever side they are on. But this is not the same as neutrality—a position implied by the sovereignists and the humanitarian peace groups—since one side is almost always more responsible for human rights abuses than the other. The war in Kosovo, justifiable or not, cannot be classified as a humanitarian intervention since it was a war between NATO and Yugoslavia rather than a direct intervention to protect Kosovar Albanians on the ground.

For the human rights enforcement position, legality is very important since the very concept of humanitarian intervention is based on the idea of strengthening international law. In effect, humanitarian intervention is understood as filling the enforcement gap in international law. Those who support this position would accept that, at present, there is a gap on occasion between morality and legality since the Security Council is dominated by the great powers, who can veto humanitarian intervention for reasons of self-interest. They would favour a strengthening of international law to close that gap. A thoughtful expression of this view has been elaborated by the president of the Sierra Leone Bar Association in comparing the legality of the NATO intervention in Kosovo and the ECOMOG intervention in Sierra Leone:

Regardless of the legality, missions such as NATO's and ECOMOG's will become the norm rather the exception. The United Nations made a mortal mistake in Rwanda, when it sat back and watched genocide occur. This must never happen again . . . Increasingly, the question will not simply be whether it is legal but whether it is moral. These moral and ethical questions will increasingly force the international community to accept this exception and formulate better laws to avoid these catastrophes and better protect human rights. (Tejan-Cole 2001)

Those who favour human rights enforcement share the views of the humanitarian peace groups about the

important role of civil society. But they take the view that civil society, while playing a crucial role in correcting the abuses of the state, can exist only in the framework of the rule of law. This lesson was rudely learned at the outbreak of the Bosnian war, when, in the euphoric aftermath of the 1989 revolutions, it was hoped that citizens could prevent war through mass public action. In the months leading up to the war there were demonstrations and campaigns throughout Bosnia. But the war began when snipers fired on a mass demonstration in Sarajevo, demanding the establishment of an international protectorate. In wars, civil society is the first victim, and the longer the wars are the more civil society is destroyed.

Humanitarian intervention cannot resolve conflicts. But it can create a secure environment in which civil society can be strengthened and peaceful solutions found. It was this strand of opinion, mainly to be found in western Europe and inside Bosnia, that in the case of the Bosnian war favoured a new kind of military intervention aimed directly at protecting civilians and creating space for political alternatives. Hence, it was this group that, together with some of the humanitarian NGOs, called for an international protectorate for Bosnia, and later for safe havens, for local protectorates especially in Sarajevo and Mostar, for opening Tuzla airport, and for lifting the siege of Sarajevo. Likewise, it was this group that favoured ground intervention in Kosovo.

The version of humanitarian intervention favoured by the human rights enforcers occupies the middle ground between inaction (favoured by sovereignist and humanitarian peace proponents) and overwhelming force (favoured by just war proponents). So far, no international military operation easily fits this description of humanitarian intervention. Does this mean that the human rights enforcement position is utopian? Will either the just war position or the humanitarian peace position bring us closer to coping with 'new wars'? It is certainly true that neither the legal system nor the structure and training of military forces is yet adapted to humanitarian intervention. But those who insist on human rights enforcement would argue that this has to be done. The humanitarian peace approach, they would say, can do no more than alleviate suffering. The just war position can have the opposite effect from that intended by engaging in forms of violence that are not so very different from those they are supposed to prevent; there is no such thing as a civilised war any longer if there ever was.

Intervention in 2000: The Case of Sierra Leone

There were two main new UN missions in 2000. One was the force sent to Congo to implement the ill-fated Lusaka Peace Accord, which has never been able to fulfil its mandate since none of the parties has respected the agreement (International Crisis Group 2000). The other was the intervention in Sierra Leone, which led to an additional unilateral British intervention. The war in Sierra Leone is a typical 'new war'. Events during 2000 attracted the attention of the humanitarian, peace, and human rights communities; all of the positions described above can be illustrated in relation to outside intervention. For these reasons, and because it took place in 2000, it is worth exploring the example in some detail.

Background

The war in Sierra Leone began on 23 March 1991, when the Revolutionary United Front (RUF) led by Foday Saybana Sankoh invaded Sierra Leone with a group of dissident Sierra Leoneans, Liberians, and mercenaries (Hirsch 2001). The rebels, the RUF, were led by a group of radical student leaders trained in Libya and backed by Charles Taylor of Liberia. According to one view, they were angry about the corrupt character of the patrimonial state and their exclusion from power (Richards 1996). They mobilised poor, unemployed, rural young people through a combination of fear, material inducements, and the offer of adventure. The methods of the rebels were particularly brutal: the practice of amputation in the areas they conquered is legendary.¹⁰ Whatever their original motivations, however, the conflict increasingly became a war about 'pillage not politics' and about control of the lucrative diamond trade. The rebels were under the control of Charles Taylor and the war enabled him to gain access to the diamond fields. Diamonds have always played a central role in

¹⁰ According to Paul Richards (1996: 164), 'Rebel violence in Sierra Leone is no instructive response to population pressure but a mobilisation of youth on behalf of a small group of people angry at their exclusion from an opaque patrimonial political system serving mineral extraction interests. In working through their anger some of the cultural scar tissue from the days of the slave trade—a trade active in the forests of eastern Sierra Leone until mid-nineteenth century—is once more exposed. The upper Guinean forests continue to resonate with the seizure of young people and their induction into a world of heightened violence.'

Sierra Leonean politics, involving a murky mixture of the various warring factions in Lebanon, Israeli 'investors', and American and Russian crime families, not to mention the Antwerp diamond traders. As Smillie, Gberie, and Hazelton (2000: 1) put it: 'The point of the war may not actually have been to win it but to engage in profitable crime under the cover of warfare.'

Since the war began, around 75,000 people have died and around half the population of 4.5 million has been displaced. All sides have recruited children and have given them drugs, particularly cocaine and marijuana. Terrible atrocities have been committed including 'amputation of limbs, ears and lips with machetes, decapitation, branding, and the gang rape of women and children' (*Conciliation Resources* 2000: 13). The first outside intervention occurred in 1993, when Gurkha Security Group, a private security company mainly made up of Nepalese Gurkhas, was hired by the government; it was forced to withdraw after suffering heavy casualties, including the murder of its American commander, Robert Mackenzie. Then in 1995 the private South African company Executive Outcomes repelled an RUF attack on Freetown. Indeed, throughout the period a number of private security companies have been present in Sierra Leone.

In 1996, as a result of pressure from civil society, elections were held and were won by Ahmed Tejan Kabbah of the Sierra Leone People's Party; this was followed by the Abidjan peace agreement. However, the following year Kabbah was overthrown in a coup by parts of the Sierra Leonean army led by Major Johnny Paul Koroma. He formed the Armed Forces Revolutionary Council (AFRC) and invited the RUF to join it. Then in February 1998, the AFRC, in turn, was overthrown by the Nigerian-led West African force ECOMOG. Despite a brutal attack on Freetown by the rebels in January 1999, the return of Kabbah paved the way for a peace agreement signed in July 1999. The agreement included a blanket amnesty as well as important positions in government for the rebels. As the then American Ambassador, John Hirsch (2001: 80), put it, 'For the democratic forces, the Lomé negotiations were a bitter and painful reversal from the international ostracism of the RUF almost two years earlier'. The Agreement was criticised by Mary Robinson, the UN High Commissioner for Human Rights, and several international NGOs, primarily for the blanket amnesty. In a letter to the UN Security Council dated 19 May 2000, Human Rights Watch requested the setting up of an International Criminal

Tribunal for Sierra Leone as well as confirmation of Mary Robinson's position that the agreement cannot apply to 'crimes of genocide, crimes against humanity, war crimes, and other serious violations of international humanitarian law'.

In October 1999 the UN Security Council authorised the establishment of the United Nations Mission in Sierra Leone (UNAMSIL), which replaced the UN Observer Mission set up in 1998. At that time, up to 6,000 troops were authorised. UNAMSIL's mission was to assist the implementation of the Agreement and it included an explicit mandate, under Chapter VII of the UN Charter, to 'protect' civilians under 'imminent threat of physical violence'. In February 2000 UNAMSIL's troops were increased to 11,100 and its mandate further extended to include the provision of security at key locations in and near Freetown and at all disarmament sites. Despite the mandate, UNAMSIL was very slow to implement the disarmament and demobilisation provisions of the agreement and was considered insufficiently robust in protecting civilians. In May, the RUF attacked UN personnel; a number of troops were killed and some 500 taken hostage.

At this point, the British sent to Sierra Leone some 700 troops, who were well-trained and well-equipped and given a robust mandate; they helped to protect the capital and to create the conditions for the release of the hostages. The UN troops were also increased to 13,000. In August, eleven British soldiers were also captured by the rebels. Five were released and the remaining six were rescued in September. In the process, the notorious West Side Boys, one of the most brutal rebel groups, were rounded up. British troops later withdrew but additional reinforcements were announced in October; emphasis was placed on training the army and the police. The Indian and Jordanian contingents also withdrew after the Indian commander, Major-General Vijay Jetley, wrote a secret memorandum to the Security Council accusing Nigerian officials, including the UN Special Representative and the UNAMSIL deputy commander, of colluding with the rebels. A new ceasefire agreement was signed in November 2000.

Other measures taken by the United Nations include further strengthening of UNAMSIL, the imposition of an arms embargo and a diamond embargo on Liberia (from where rebel diamonds are exported), the introduction of diamond certification, and the establishment of a war crimes tribunal, although funds for the latter have not been secured.

Box 5.3: A chronology of the interventions in Sierra Leone

23 March 1991: RUF invades Sierra Leone with support from Liberia and Burkina Faso, led by Foday Sankoh.

29 April 1992: Coup against authoritarian leader, Joseph Momoh. Formation of National Provisional Ruling Council (NPRC), led by Captain Valentine Strasser.

1993: NPRC hires mercenaries including Gurkha unit, which is later defeated.

April–July 1995: South African-led company Executive Outcomes expels the RUF from Freetown and the environs, retakes the bauxite and rutile mines, and secures the Kono diamond fields. Payment is cash and diamond concessions.

August 1995: After massive demonstrations organised by women's groups, a National Consultative Conference is held. The conference calls for elections and for a negotiated settlement.

March 1996: After Strasser is overthrown in a palace coup, elections are held. Won by former UN bureaucrat Ahmad Tejan Kabbah.

November 1996: Abidjan peace accord. Includes amnesty for RUF, transformation of RUF into a political party, disarmament and demobilisation of combatants, reduction of armed forces, and withdrawal of Executive Outcomes. (Executive Outcomes is dismissed in January because Kabbah cannot pay them.) Within a few weeks, fighting resumes.

March 1997: Sankoh is arrested in Nigeria on weapons charges.

25 May 1997: Coup by junior officers calling themselves Armed Forces Revolutionary Council (AFRC). New Leader is Major Johnny Paul Koroma. The junta suspends the constitution and invites the

RUF to join them. Widespread civil disobedience and international condemnation. Thousands flee Sierra Leone, including Kabbah and many civil society activists.

February 1998: Nigerian led ECOMOG forces overthrow AFRC.

6 January 1999: RUF and AFRC attack Freetown. After two weeks of fighting in which 5,000–6,000 people die and hundreds are mutilated, ECOMOG restores control.

7 July 1999: Signing of Lomé Peace Accord. Includes power sharing between government and rebels, blanket amnesty for rebels, disarmament and demobilisation, and establishment of commissions for human rights and for truth and reconciliation. Civil society groups play an active role through parallel negotiations. Although civil society has an important role in implementation, there is great disappointment about power sharing and the blanket amnesty.

22 October 1999: UN Security Council authorises establishment of UN Mission in Sierra Leone (UNAMSIL) of up to 6,000 troops including 260 unarmed observers, under Chapter VII (Resolution 1270).

7 February 2000: UN Security Council expands UNAMSIL to 11,100 troops. Mandate expanded to provision of security at key locations in and near Freetown and at all disarmament sites.

1 May 2000: RUF seizes nearly 500 Kenyan and Zambian peacekeepers in remote locations in north and east. Britain sends 700 paratroopers to restore security in and around Freetown and to bolster morale and resolve of peacekeepers.

The role of civil society

Since 1994 and 1995 a number of civil society peace initiatives have been taken. Most of these initiatives were local but they would not have been possible, at least not on the same scale, without international support. This included support from international

donors, like the US and the UK, diaspora groups, international NGOs present in Sierra Leone, and West African networks, particularly links with Nigerian civil society.

In 1996 a coalition of groups including trades unions, journalists, paramount chiefs, and well-known academics began to press for elections. Particularly

8 May 2000: Massive civil society protest in Freetown demanding release of peacekeepers. 30,000 people move towards Sankoh's house. Sankoh's bodyguards open fire, killing 19 people and injuring dozens. Sankoh flees over a back wall in women's clothing.

12 May 2000: Funeral of civilians killed in protest.

14 May 2000: Friends of Sierra Leone send letter to President Clinton calling for stronger action in Sierra Leone

17 May 2000: Sankoh captured and arrested.

19 May 2000: UN Security Council authorises further increase in strength of UNAMSIL up to 13,000 (Resolution 1299).

20 May 2000: Human Rights Watch letter to UN Security Council.

June 2000: Most hostages released after negotiations through Charles Taylor of Liberia.

5 July 2000: UN Security Council imposes an embargo on all rough diamonds from Sierra Leone unless they have a government of Sierra Leone Certificate of Origin (Resolution 1306).

22 July 2000: UNAMSIL Operation Thunderbolt frees roadblocks between Freetown and airport and attacks Occra base of West Side Boys, a paramilitary group including RUF and AFRC personnel.

14 August 2000: UN Security Council authorises the UN Secretary-General to negotiate the establishment of an independent Special Court to try persons responsible for war crimes, crimes against humanity, and violations of international humanitarian law, as well as crimes under relevant Sierra Leonean law committed on the territory of Sierra Leone (Resolution 1315).

25 August 2000: Eleven British military personnel taken hostage by West Side Boys together with one member of the Sierra Leone Army.

10 September 2000: British rescue mission releases hostages and attacks the West Side Boys' base. Some West Side Boys killed and many surrender as a result of both British attacks and Operation Thunderbolt.

20 September 2000: India announces the withdrawal of Indian troops from UNAMSIL following disagreement between Indian commander and Nigerian officials about conduct of war.

26 September 2000: US Congressional hearing on child amputees.

9–14 October 2000: UN Security Council Mission to Sierra Leone. Stresses need for a comprehensive strategy and for regional approach (S/2000/922).

10 October 2000: British government announces a package of additional measures, including military assistance to the Sierra Leone government, a rapid-reaction capability in support of UNAMSIL, and staff officers seconded to UNAMSIL.

19 October 2000: Jordan announces the withdrawal of Jordanian troops from UNAMSIL.

10 November 2000: Ceasefire signed under ECOWAS auspices in Abuja. Under agreement, RUF agrees to free movement of persons and goods throughout the country, to return seized weapons, and to disarm. UNAMSIL guaranteed free movement throughout Sierra Leone

30 March 2001: UN Security Council authorises further increase in UNAMSIL up to 17,500 troops (Resolution 1346).

important was the women's movement. Women's groups had always been active in Sierra Leone, in the churches, local communities, or Descendants groups – that is, descendants from original slave settlers. These groups were active all over the country and had an enormous mobilising potential.¹¹ But it was not until 1994 that they came together to establish the

Women's Forum, in order to prepare for the United Nations' Women's Conference in Beijing, with international support. This was the moment they became aware of their potential, and some of the

¹¹ Interview with Yasmin Jusu-Sherif, a prominent member of Sierra Leone Women's movement, 27 March 2001.

women argued for a more political stance and in particular the need for women to play a role in securing peace; as a result the Sierra Leonean women's peace movement was formed. It was felt that women were able to play a more active role because they were less threatening to the military government and therefore had more room to act. The first peace demonstration was held in January 1995. It was:

a joyous carnival affair led by a then little-known paediatrician, Fattima Boie-Kamara . . . Female professionals, previously known for standing aloof from the concerns of ordinary people, danced through Freetown, linking arms with female soldiers, petty traders, and student nurses, singing choruses. The message of the demonstrators was simple and compelling: 'Try peace to end this senseless war.' (Yasmin Jusu-Sherif in Conciliation Resources 2000: 47–9)

Previous peace groups had been considered rebel sympathisers or 'fifth columnist'. The emergence of a mass women's movement made peace a respectable option. The demand for democratisation was seen as a condition for ending the war and women played a key role in the National Consultative Conference that was held in August 1995 and prepared the way for elections. In the event, there was disappointment that the first peace agreement and the Kabbah government, in practice, excluded women.

After the coup, some 200,000 people left Sierra Leone, many of them civil society activists. Branches of the Women's Forum were established in London and in Conakry, Guinea. Nevertheless, civil society groups were to play an active role in the Lomé agreement. In addition to the women's movement, new groups were important like the Inter-Religious Council, established in 1997, and the Campaign for Good Governance led by Zainab Bangura. A Nigerian NGO, the Centre for Democracy and Development (CDD), organised a Round Table in parallel with the formal negotiations. According to Zainab Bangura:

To my mind, more was achieved in the two-day meeting than during the entire process of negotiation. The round-table brought together two extreme positions and unveiled the arrogance of the rebels and the defiance of civil society. The two forces clashed and accepted for the first time that they would have to deal with each other. It was a reality that was

needed to cement any agreement that would come out. Both parties were confronted with what was going to happen after the signing of an agreement and the problems to be confronted in the process of peace consolidation. It also helped to bring into the open the bitterness of the war that had caused so much destruction both in terms of human life and property. The RUF needed to see and feel the bitterness of Sierra Leonean society against them to bring them down from the Ivory Tower they had created for themselves at Lomé. (Oludipe 2000: 88)

Civil society representatives were appointed to the various commissions responsible for the implementation of Lomé. The capture of UN equipment and peacekeepers was a bitter disappointment. As Zainab Bangura put it: 'When civil society groups realised that true peace was still an illusion, despite all efforts and sacrifices, they became very angry.' The consequence was a massive demonstration in Freetown, demanding the release of the peacekeepers. Some 30,000 people moved towards the house of Foday Sankoh, where his bodyguards opened fire and killed 17 people. Sankoh ran away but a few days later he was captured and arrested.

The public debate about intervention

All four global civil society positions can be identified in relation to the debate about intervention in Sierra Leone.

The *sovereignist* position is rather limited, put forward primarily by President Charles Taylor of Liberia and President Blaise Compaore of Burkina Faso. Both are authoritarian leaders supporting the rebels and engaged in the illegal diamond trade.

The dominant opinion among civil society groups inside Sierra Leone lies somewhere between *just war* and *human rights enforcement*. Civil society groups inside Sierra Leone were strongly supportive of effective outside intervention, whether or not it was authorised by the United Nations. Thus, they supported Executive Outcomes, ECOMOG, and the latest British intervention, although they have become increasingly disillusioned with UNAMSIL. When the British arrived, the main reaction of Sierra Leonean civil society, according to Kayode Fayemi of CDD was 'thank god'.¹²

¹² Interview, March 2001.

The failure of the two peace agreements has left civil society activists disillusioned with the possibility of a negotiated peace, while the weakness and corruption of the government have underlined the necessity for outside intervention. In an e-mail communication of 24 January 2001, Zainab Bangura explains:

The only language the RUF understands is violence. For there to be peace, the military capability of the RUF has to be reduced. This can be only done by force. This is a fact that every Sierra Leonean with the exception of the government understands. And the only people who have ever successfully subdued the RUF are the Executive Outcomes and the ECOMOG. This is why Sierra Leoneans have very fond memories of the two forces and always want them to stay. . . . On the issue of neo-colonialism over 90 per cent of Sierra Leoneans believe and know that our predicament is due to mismanagement, corruption, and bad governance. The people responsible are still running the country. So there is big disdain, hatred and bitterness for the ruling class. Most people would like to see the bulk of the institutions of government run by expatriates. This tells you how despondent they are with their own people.

In other words, civil society groups inside Sierra Leone want order restored and see the rebels as the main problem. Of course, they would prefer an intervention that minimises casualties and prioritises the protection of civilians, just as the Kosovar Albanians would have preferred ground intervention to air strikes, but they prefer any kind of intervention to none.

Outside Sierra Leone, views are more mixed. Ambrose Ganda, who runs the influential Website Focus on Sierra Leone (URL), puts forward an argument that is closer to the *humanitarian peace* position. Ganda argues that the intervention is too one-sided. Basically it is propping up a corrupt government—a 'bunch of discredited, crooked and obnoxious politicians'. In theory, it should be possible to have a genuine humanitarian intervention that is non-partisan and even-handed and under UN auspices. However, in practice it is difficult to conceive of genuinely disinterested outside intervention. The UN is dominated by the great powers, which have little interest in Africa. Moreover, the mainly Nigerian UN peacekeepers at present in Sierra Leone, according to

Ganda, are interested only in diamonds. Ganda thinks that the British ought to have put their forces under UN command and to have helped to enhance the legitimacy and effectiveness of the UN forces. Instead, they are retraining an army which had earlier been involved in coups and repression. What is needed, according to Ganda, is grass-roots reconciliation on a broad scale and not elections since 'politicians prey on the prejudices and fears of the electorate to retain or gain power'.

A similar view is expressed by Christopher Clapham, an Africanist at the University of Lancaster. According to Clapham, the Lomé Agreement of 1999:

ostensibly established a coalition between an ineffectual elected government and a ruthless armed opposition with a record of reneging on agreements. It is open to the UN to send real fighting forces into situations like Sierra Leone, to kill or be killed, if the states concerned would allow it. That would be a very hazardous enterprise and unlikely to lead to the reconstruction of Sierra Leone. But at least the UN would have some idea of what it was supposed to be doing. Peacekeeping in recent conflicts is a farce, fuelled by wishful thinking. We'd be better off without it. . . . No matter how tragic the loss of life, and how appalling the abuse of rights, the UN and its leading states must recognise the limitations on their capacities and come to terms with a world they cannot control. They must resist the temptation to send peacekeepers into situations where they add to the number of victims of the UN's naivety and over-ambition.¹³

Clapham argues that both intervention and efforts at negotiation have failed. The only alternative is a massive internal civil society effort at reconciliation (CDD 2000).

The final position, *human rights enforcement*, can be found among international and Nigerian NGOs. Throughout 2000, human rights groups like Human Rights Watch, Amnesty International, and Friends of Sierra Leone—a group made up of former Peace Corps volunteers in Sierra Leone—were lobbying for a more forceful UN presence. They pressed for more robust protection of civilians, for the prosecution of war

¹³ 'Saturday Debate: Should the UN get out of Sierra Leone?', *Guardian*, 22 May 2000.



Freetown, Sierra Leone, March 1998: Welcome messages were daubed on the roads in February 1998 when ECOMOG peacekeepers intervened (photo: Reuters/Popperfoto).

crimes, and for the control of diamonds. They also favour a regional approach towards negotiation. Friends of Sierra Leone (URL) organised a US congressional hearing in September for child amputees.

Nigeria dominates ECOMOG and Nigerian NGOs faced real dilemmas about its role. The Nigerian dictator, General Abacha, was using ECOMOG to serve his own ambition of becoming a regional hegemon. This was costing some \$1 million a day. Moreover, by using humanitarian arguments he was able to shore up his own position. At the same time there was much sympathy for the plight of the Sierra Leoneans. As Kayode Fayemi put it, 'The internal project of dislodging the military from power conflicted with the pan-African ideal of helping Africans in need which all Africans imbibe from birth'.¹⁴ A public debate after the death of Abacha and the transition to democracy led to the withdrawal of ECOMOG and the establishment of UNAMSIL, to which the Nigerians were the main contributors.

Thus the human rights enforcement position basically entails the view that outsiders do need to provide security in Sierra Leone if the project of civil society reconciliation is to be achieved. However, that outside role has to take a specific form. At present there is a proliferation of military forces in Sierra Leone: the rebels, various government forces including militia groups such as the *kamajors*, the

British, the UN forces, and private security forces. The primary mission of an outside force is to protect civilians and to reduce and control these various soldiers and rebels. Up to now, the most that outside forces seem to be able to achieve is to freeze the status quo with the rebels still controlling the eastern diamond areas and the government with British support in control of Freetown. Under the Lomé agreement the UN forces were supposed to protect civilians from physical harm and to carry out a disarmament and demobilisation programme, which would offer fighters a more productive and stable alternative to their present employment and provide an opportunity to integrate the country. That is still the priority. Reducing the number of men in arms and the amounts of armaments requires more effectiveness and robustness than has been displayed so far. The advantage of the UN is that, at least in theory, it enjoys more legitimacy than forces closely identified with the government.

Conclusion

What is striking about the last decade is the emergence of what might be called a global humanitarian regime. It involves changing norms: a growing consensus about respect for human rights, a strengthening of international law (the International Criminal Court, international protectorates, land mines convention, universal jurisdiction for grave human rights violations, and so on), a growing readiness by governments to commit resources (money and troops) to humanitarian purposes, and above all a significant growth of global civil society groups who focus on the issue of humanitarian intervention in various ways.

The role of global civil society has been crucial in underpinning this global humanitarian regime. During the 1990s, international NGOs, think tanks, and commissions concerned with conflict prevention, management, and resolution have proliferated. Many of these groups are actively engaged on the ground in conflict zones. Equally, if not more important, has been the emergence of local grass-roots groups, as in Bosnia and Sierra Leone, which have seen the advantage of making transnational links or developing networks as a way of protecting local civic space, as a source of technical and financial assistance, and as a way of transmitting local knowledge, proposals, and ideas to global decision-makers. Global civil society has provided a direct form of protection for civilians in conflict zones,

¹⁴ Interview, March 2001.

with or without the support of outside governments, and has generated a global public debate about whether, when, and how humanitarian intervention should be undertaken.

Of the four positions outlined in this chapter, three (just war, humanitarian peace, and human rights enforcement) favour humanitarian intervention, although they differ about what this means. For the just war position it can mean war; for the humanitarian peace position it means civil society intervention; and for the human rights enforcement position it means a combination of civil society intervention and a new form of international policing. Few of the conflicts of the 1990s have been resolved. Indeed, one of the characteristics of 'new wars' is that pre-conflict and post-conflict phases increasingly resemble each other. Agreements stabilise the violence but tend not to provide solutions. Moreover, the 'new wars' have a tendency to spread through criminal networks, refugees, and the virus of exclusivist ideologies. The risk is that the just war and humanitarian peace positions could end up prolonging these wars perhaps indefinitely. Air strikes and overwhelming force tend to reinforce particularist views of the world and can contribute to polarisation and destabilisation while giving the impression of action. Humanitarian peace may alleviate hunger and even sometimes protect people, but, by being ineffective, too even-handed, and sometimes vulnerable, there is a risk of discrediting the non-violent civil society position.

For human rights enforcement, the third option, to work, there needs to be a much more substantial commitment than displayed hitherto: a commitment that goes beyond rhetoric. In part it is a commitment to resources. Humanitarian intervention perhaps needs to be reconceptualised as international presence in conflict-prone areas, a presence that represents a continuum from civil society actors to international agencies up to and including international peacekeeping troops on a much larger scale than seen so far. In part it means a change in outlook, especially the training, equipment, principles, and tactics of peacekeeping troops. But above all it involves a genuine belief in the equality of all human beings; and this entails a readiness to risk the lives of peacekeeping troops to save the lives of others where this is necessary. It should be stressed that I am not talking about full-scale war, and the risks are therefore, less than in a conventional ground war; nevertheless, they exist. Neither the just war position nor the humanitarian peace position is ready to risk soldiers' lives. The former privileges the lives of soldiers; the latter is willing to risk the lives of human

rights activists but opposes the use of soldiers. Even in the most well-ordered societies, police take risks to maintain the security of ordinary citizens. The human rights enforcement position would require the same sort of commitment at an international level.

The trend towards global humanitarianism is, of course, reversible. The fourth position—the rejectionist sovereignist position—seemed to be a minority view during the 1990s. However, the new Bush administration in the US is much closer to a sovereignist position than the previous administration; and the spread of nationalist and fundamentalist political movements shows no sign of abating. An equally plausible scenario is one in which global civil society finds itself increasingly embattled both on the ground in conflict zones and in the global debate.

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