

# Foreword

Workshop Participants

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**I**N the United States and much of Europe support may be growing for a regime obliging the international community to intervene when states or groups within them brutalize their fellow citizens, but a large obstacle stands in the way: Much, maybe most, of the UN membership, including two of the Security Council's five permanent members, dissent. Their strident objection to NATO's armed intervention in Kosovo in spring 1999 seriously detracted from the effort to give this act of collective responsibility international legitimacy. More basically, neither Russia, China, India nor significant numbers of Third World countries can be said to sympathize with the notion that the time has come to rank human life above undefiled state sovereignty. This much is clear.

In contrast, however, the impulses and calculations that lead to their resistance are less well understood. Yet, if a regime condemning massive inhumanity and possessed of means for doing something about it is to be created, their objections need to be understood and overcome. For this reason the Pugwash *Study Group on Intervention, Sovereignty and International Security* has sponsored the four essays contained in this Occasional Paper. They lay out the views of three major players, China, India, and Russia, and of states from an important Third World region particularly prone to the problems inviting humanitarian intervention, Africa. By some combination of luck and perspicacity the project's leaders managed to find five authors who not only know thoroughly attitudes within their respective states but who are able to frame and then judge them with dispassion. They provide the reader with a particularly frank and balanced insight into the perspectives of what might be called the dissenting states.

These begin with some notable common ground. In all four instances, the very thought of outsiders setting aside the safeguard of state sovereignty to intrude in domestic events – no matter how ugly – rouses deep historical reflexes. Chu Shulong recounts how difficult it is for the Chinese to separate their reaction to contemporary humanitarian intervention from the seared memory of the indignities inflicted on China over much of the 19<sup>th</sup> and 20<sup>th</sup> centuries by marauding great powers. Adekeye Adebajo and Chris Landsberg offer a parallel in what the colonial experience has done to the outlook of African states. Even the Russians, Vladimir Baranovsky indicates, react in part out of a left-over Soviet bias against the West's "imperialist" depredations, a repugnance drummed into Russian heads from the British, French, U.S., and Japanese intervention in the 1918-22 Russian civil war to, as Soviet propaganda had it, the incessant Cold War meddling of the United States and its partners in Third World conflicts. The word intervention itself, he says, carries powerful negative connotations in the Russian language.

More than remote but emotional subtexts, however, unite the critics of humanitarian intervention. They also, each in their own way, react out of a sense of vulnerability. Radha Kumar traces India's long-held commitment to non-intervention back to the late 1940s, when United Nations involvement in the Kashmir question led some to challenge the original partition arrangements, and persuaded Indian leaders that intrusions from outside risked jeopardizing their control over a crucial internal sphere. Presumably this aversion grew apace with Pakistan's insistence that the Kashmir dispute could only be settled through international intervention.

In China's case, Chu Shulong stresses the government's sensitivity to the perils of China's existence as "a large multi-nationality state." Fearing nationalist and then separatist pressures in the non-Han borderlands of Tibet, Xingjiang, and "others" – pressures that well might be abetted by external powers rallying to the cause of local ethnics under the guise of protecting "human rights, religious freedom, and a unique cultural heritage" – Chinese authorities cling tenaciously to the shield of sovereignty. As he suggests, Chinese leaders meld together their conception of state sovereignty with the imperative of national unity. Any erosion of the former, they worry, threatens the latter. Add to this their steely determination to keep the issue of Taiwan's status an internal matter, vigilantly guarding against the slightest prospect of Taipei using international organizations as a small step toward independence. On both counts China's rulers start from a deep mistrust of external parties, including international agencies, claiming any role for themselves.

Adebajo and Landsberg recount Africa's long-standing prejudice against outside involvement because of the fragility of borders artificially drawn by colonial powers and, therefore, the tenuousness of the states they delimit. The Russians, Baranovsky notes, react at a more immediate level. For them, the notion of humanitarian

intervention raises the specter of the United States and its NATO allies using their military supremacy to intercede when and where they choose. Kosovo, rather than offering a reassuring example of effective international action against egregious human rights abuses, arouses the fear that the mighty – in this case NATO – will take it upon themselves to dictate the outcome of internal Russian matters, such as the conflict with Chechnya. Or, if NATO hesitates to take on Russia directly, then that NATO will try to do on Russia's borders what it did in the Balkans.

These self-regarding apprehensions, in turn, are connected to another kind of misgiving best described by Baranovsky: Namely that the United States' and the West's new found commitment to humanitarian intervention merely represents the latest version of their effort to export a particular system and set of values. Even if one subscribes to those values, which presumably Russian democrats do, one can still, as Baranovsky writes, raise questions about how productive the path of intervention will be. Thus, on this score, he suggests, the Russians are divided. Many see in humanitarian intervention a new form of Western messianism, which may threaten Russia itself, and they reject it out of hand; others who are more sympathetic to the values underlying humanitarian intervention nonetheless doubt its modalities and effects. Either way, the idea of humanitarian intervention is suspect. If true in Russia, the same breakdown, although not emphasized by the other authors, doubtless prevails in the other dissenting states as well.

The trouble is that the behavior of many if not all the dissenting states has historically been less virtuous than the high-minded basis on which they object to the new interventionism. Kumar points out that, when India intervened with force in East Pakistan in 1971, it did so on "humane and pragmatic grounds" not all that different from NATO's rationale for intervening over Kosovo. Moreover, India's view of intervention and peace-keeping within South Asia has long had a "Monroe-Doctrine" quality: That is, intervention is something for India to decide and others to eschew.

Nor can the Chinese, who in 1979 took it upon themselves, rifles in hand, to "teach the Vietnamese a lesson," in part for humanitarian reasons, and who reserve the right to resort to force not only if Taiwan declares independence but if it drags its feet too long on reunification, pretend to be above what they criticize in others. As for African states, Adebajo and Landsberg report how easily the norm of non-intervention was set aside when national liberation, particularly in southern Africa, became an end justifying the means. Or, when the excesses in Uganda exceeded the patience of neighbors, and Tanzania invaded in 1979.

Nowhere, however, is the tension between a state's opposition to contemporary humanitarian intervention and its own past actions more evident than in the case of Russia. Even if one accepts that somehow the majority of Russians saw as justified

violent Soviet interventions in Berlin (1953), Hungary (1956), Czechoslovakia (1968), and Afghanistan (1979), a fair-minded Russian would have to understand – as Baranovsky clearly does – that a large part of the rest of the world would beg to disagree. Indeed, the point is effectively conceded, when Baranovsky attributes opposition today among many Russians to the West's alleged messianism to the sad lessons they have drawn from their own earlier crusading. Nor is the Russian case enhanced by, as Baranovsky reports, the tendency of Russians to excuse their own military actions in Chechnya by reference to what they condemned in NATO's campaign in the Kosovo case.

This is not to take away from the more refined and compelling aspects of the dissenting states' critique. But the lapses in their own record do help to explain why so many in the United States, Europe, Japan, and elsewhere tend to treat their arguments with either suspicion or indifference.

The five authors, however, do not simply lay out the reasons that their states resist what they fear are altogether too casual norms governing intervention in the name of humanitarian objectives. They also survey the signs that opposition is softening, and suggest areas where the broader international community might find common ground.

In some instances the sources of change remain remote from the immediate issue of humanitarian intervention. When, for example, Chu Shulong notes the ways in which globalization is challenging China's strict constructionist view of state sovereignty, one has not trod very far along the path to mutual understanding on the question at hand. But Chu also goes on to underscore that China's heels are not dug in against peacekeeping interventions. On the contrary, since the late 1980s, when they with other outside powers helped to make peace within Cambodia, the Chinese have been willing to participate in other undertakings. On at least four other occasions, including most recently, the UN intervention in East Timor, the Chinese have supported external involvement, and in the East Timor case contributed money and personnel.

Kumar too reports a slow evolution of thinking in India and among South Asian states. As in the case of China, this appears to be gestating in the larger context of an altered international environment. In India and among its neighbors the shift unfolds in the remote spheres where the changes brought about by the end of the Cold War interact with pressures to deal more effectively with internal centrifugal forces, even if at the expense of rigid notions of sovereignty. India, she says, no longer protests with the same vigor the sanctity of sovereignty and the illegitimacy of third party intervention. Even in the case of Kosovo, while India joined Russia and Belarus at the UN in a motion to condemn NATO bombing, its support appeared more perfunctory than passionate. India, she suggests, realizes that, absent Cold War preoccupations, momentum has gathered behind a sense that the international community has a

responsibility to act against grave excesses within states. Moreover, to the extent that India and other states in the region commit themselves to a more active quest for a peaceful resolution of their many internal conflicts, Kumar seems to say, they are likely to be less on edge over sovereignty issues and more open to a constructive role for outsiders.

Africa, to judge from Adebajo and Landsberg's essay, has come furthest in reconciling the conflicting priorities of sovereignty and human rights. Its most respected statesmen – figures such as Thabo Mbeki of South Africa and Olusegun Obasanjo of Nigeria – now urge their fellow African leaders to take more initiative in managing conflicts that threaten to tear apart African societies. They have also led efforts within the Organization of African Unity (OAU) to enshrine democracy as the goal of government and to deter unconstitutional changes in government by instituting a regime of penalties. More to the point, through a variety of agencies, African governments are increasingly acting to manage and end conflicts in neighboring states, a trend that Adebajo and Landsberg label "the new interventionism." In several instances this has meant military intervention, and the authors describe in detail three of these.

Even Russia, the harshest critic of NATO's approach to humanitarian intervention, displays traces of a shifting attitude. Baranovsky refers to statements by Russia's new president as well as to a basic foreign policy document that acknowledges the need for the international community to "develop concrete forms" for dealing with "various acute situations, including humanitarian crises." Moreover, as he notes, even before Vladimir Putin arrived in power, the Russians had (at the 1999 G-8 summit in Cologne) begun to wrestle with the problem of working out ground rules for the use of force in cases like Kosovo.

Thus, while on the issue of humanitarian intervention much divides the West and its supporters from states like Russia, China, India, and other dissenting states, the gulf appears to be narrowing. In Beijing, Delhi, Moscow, and elsewhere, political leaders and elites are not oblivious to the sad challenge that massive assaults on human life by wayward governments or warring parties represent. Nearly all seem ready to consider ways that the international community might prevent or, if necessary, step in to stop the violence. Their concession, however, comes with a huge proviso. If coercion is to be used to preempt or end the egregious acts of government, it must only occur under the auspices of the United Nations. It cannot be the unilateral initiative of a single state or a particular set of states unsanctioned by the United Nations. Moreover, the Russians and Chinese insist that interventions be with the acquiescence of the state in which the intervention is to occur. True, the Chinese allow that in exceptional circumstances – cases of clear-cut genocide or when the overwhelming majority of UN states favor intervention – the international community may act without this

consent. While evidently not an official stance, Baranovsky identifies Russian specialists in international law who too would in rare instances build in this exception.

Therefore, it appears that the basis for a minimum consensus exists. Most governments, including those of the "dissenting states," would agree that murder on a genocidal scale warrants action – if necessary, forceful action – by some external agency, provided the action has UN approval. Alas, however, it is also a paltry consensus. One that begs the hard issues.

To wait until massive numbers of lives have been lost before acting will not only compound the tragedy but guarantee that subsequent stages of the conflict will be vastly more difficult to contain. Yet, to reach agreement on forceful action in response to warning signs before tragedy strikes promises to be difficult in the extreme, if the evidence is ambiguous, as it is likely to be, and, if a sizable number of states, including major powers like Russia, China, and India, start from a strong bias against intervention.

Second, even were an international consensus reached on the grounds for legitimate intervention and on the agency to authorize it (presumably the United Nations), none of this would address the structural and practical reasons the UN would have difficulty fulfilling its role. Nor would any of this resolve the hard problems of coordinating a division of labor between the United Nations and regional or sub-regional organizations deputized to do the intervening.

Third, and still more problematic, with or without the "minimum consensus," much of the argument misses the point. What has come to be the contentious category of humanitarian intervention is in fact but part of a larger fundamental problem facing the post-Cold War order. From Bosnia to East Timor, the violence that inspires humanitarian intervention most often derives from the failure of states to create cohesive, safe, and effective political societies. In short, from a failure in state building. Because the number of candidate failures is so great, so great because (a) a sizable set of important states are struggling to replace authoritarian, planned, socialist systems with democratic, market-oriented systems, (b) a still larger group cannot meet the imperatives of an increasingly globalized world, and (c) in too many the lid is off nationalist, ethnic, and other extremist passions, the failure of state building represents the new core challenge to international peace and stability.

Thus, deciding whether to intervene or not in places like Rwanda, the Balkans, and East Timor is not merely an issue of state sovereignty versus human rights. Nor is it merely a matter of human conscience. It is at root part of the broader skein of forces determining how unstable or degenerate the international order now taking shape will be. Unless the great majority of states, beginning with the major powers, can find

ways to circumvent or transcend their dispute over the relative priority of state sovereignty and the rights of individuals, they have small chance of shaping to any significant extent the larger outcome.

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