

MILITARY INTERVENTION IN AFRICA AFTER THE COLD WAR

by
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Declaration

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March 2010

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Peace unto all!!

Abstract

Military intervention remains controversial when it happens, as well as when it fails to. Since the end of the Cold War, military intervention has attracted much scholarly interest, and it was demonstrated that several instances of the use of force or the threat to use force without Security Council endorsement were acceptable and necessary. Matters of national sovereignty are the fundamental principle on which the international order was founded since the Treaty of Westphalia. Territorial integrity of states and non-interference in their domestic affairs, remain the foundation of international law, codified by the United Nations Charter, and one of the international community's decisive factors in choosing between action and non-intervention. Nonetheless, since the end of the Cold War matters of sovereignty and non-interference have been challenged by the emergent human rights discourse amidst genocide and war crimes.

The aim of this study is to explain the extent to which military intervention in Africa has evolved since the end of the Cold War, in terms of theory, practice and how it unfolded upon the African continent. This will be achieved, by focusing on both successful and unsuccessful cases of military intervention in Africa. The unsuccessful cases being Somalia in 1992, Rwanda in 1994, and Darfur in 2003; and the successful cases being Sierra Leone in 2000 and the Comoros in 2008. The objective of this study is fourfold: firstly it seeks to examine the theoretical developments underpinning military intervention after the end of the Cold War; secondly, to describe the evolution of military intervention from a unilateral realist to a more multilateral idealist profile; thirdly, to demarcate the involvement in military intervention in Africa by states as well as organisations such as the AU and the UN and finally, discerning the contributions and the dilemmas presented by interventions in African conflicts and how Africa can emerge and benefit from military interventions.

The intervention in Somalia produced a litmus test for post-Cold War interventions and the departure point for their ensuing evolution. Rwanda ensued after Somalia, illustrating the disinclination to intervene that featured during this episode. Darfur marked the keenness of the AU to intervene in contrast with the ensuing debates at the Security Council over naming the crime whether or not "genocide" was unfolding in Darfur. Positively though, the intervention by Britain in Sierra Leone and the AU intervention in the Comoros are clear illustrations of how those intervening, were articulate in what they intend to do and their subsequent success.

Opsomming

Militêre intervensie, of die afwesigheid daarvan wanneer nodig, bly 'n twispunt binne internasionale verhoudinge. Namate die impak van die Koue Oorlog begin vervaag het, het militêre intervensie besonder prominent in die literatuur begin figureer en is soms so dringend geag dat dit soms sonder die goedkeuring van die Veiligheidsraad van die Verenigde Nasies (VN) kon plaasvind. Aspekte van nasionale soewereiniteit bly nietemin 'n grondbeginsel van die internasionale orde soos dit sedert die Verdrag van Wesfale beslag gevind het. Territoriale integriteit van state en die beginsel van geen-inmenging in die binnelandse aangeleenthede van 'n staat nie bly ook 'n grondslag van die Internasionale Reg soos deur die VN erken word en dit rig steeds standpunte van die internasionale gemeenskap vir of teen intervensie. Sedert die einde van die Koue Oorlog het soewereiniteit en beginsel van geen-intervensie egter toenemende druk ervaar met groeiende klem op menseregte midde in 'n opkomende diskoers oor volksmoord en oorlogsmisdade.

Die klem van hierdie studie val op militêre intervensie en veral hoe dit na die Koue Oorlog ontvou het in terme van teorie en praktyk, in die besonder op die Afrikakontinent. Die bespreking wentel om suksesvolle en onsuksesvolle gevalle van militêre intervensie in Afrika. Die onsuksesvolle gevalle wat bespreek word is Somalië (1992), Rwanda (1994), en Darfur (2003). Die meer suksesvolle gevalle wat bespreek word is Sierra Leone (2000) en die Komoro Eilande in (2008). Die studie omvat vier aspekte van bespreking: eerstens, die teoretiese ontwikkelinge wat militêre intervensie na die Koue Oorlog onderlê, tweedens, die ewolusie van militêre intervensie vanaf 'n eensydige realisme tot 'n meer multilaterale idealistiese verskynsel, derdens, die betrokkenheid in militêre intervensie in Afrika deur state en organisasies soos die VN en Afrika-Unie (AU) en laastens, die bydraes en dilemmas van intervensies in Afrika.

Die betrokkenheid in Somalië was 'n kritieke toets vir intervensies na die Koue Oorlog en het baie stukrag verleen aan die daaropvolgende debat. Rwanda het die huiwerigheid ontbloot om in te gryp waar dit werklik nodig was. Darfur vertoon weer die gewilligheid van die AU om in te gryp in weerwil van lang debatte in die VN oor volksmoord en die gebeure in Darfur. Aan die positiewe kant figureer die Britse optredes in Sierra Leone en optredes deur 'n AU-mag in die Komoro Eilande as gevalle wat toon hoe die vasberadenheid van partye om in te gryp en bedreigings in die kiem te smoor, suksesvolle militêre intervensies kan bevorder.

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CHAPTER 1
INTRODUCTION: MILITARY INTERVENTION
AFTER THE COLD WAR

1.1 INTRODUCTION

Contemporary debates on military intervention have continued to attract much scholarly attention. Of particular interest in this study is that research established after the Cold War that instances of the use, or the threat to use, military coercion were legitimate. Ortega (2001) points out that certain interventions decided upon and carried out by states devoid of endorsement by the UN Security Council, was found to be acceptable.¹ In these instances, intervention was not viewed as an instrument used by powerful states to dominate weaker ones, as it had been during the Cold War, but rather a contrivance utilised for humanitarian objectives and to maintain international peace and security. Consequently, the entirely pessimistic illustration of intervention which featured prominently before and during the Cold War has changed.²

The development of a new pattern of collective intervention has been accompanied by an extraordinary diminution of other unilateral patterns during the 1990s. Punitive intervention saw the light in the late 1980s and was confirmed during the 1990s. The United States' air strike on Libya in 1986 was the first example. The missile attacks by the United States on Iraq in 1993, and against the installations in Afghanistan and Sudan in August 1998, triggered much of the new interventionist debate.³ These attacks prompted the rising debates on the legitimising effect of humanitarian interventions as a result of unilateral state-centred interventions; hence the new interventionist debate. Humanitarian intervention, whether unilateral or multilateral in kind, became central to the polemics of the new debate on intervention. A further significant shift followed the events of 11 September 2001 (9/11) as it appears to have turned the attention back to military intervention.

Military intervention for humanitarian purposes has been contentious both when it has happened, as in Somalia, and when it failed to happen, as in Rwanda. This new activism for some has been a long overdue internationalisation of the human conscience; for others it has been an alarming breach of an international system dependent upon the sovereignty of states as well as the sacrosanct nature of their territory. Yet again, for some, the only real issue centres on ensuring that coercive interventions are effective; for others, debates about the legality process as well as the possible misuse of precedent feature more prominently. This controversy has uncovered some fundamental divisions in the international community. It is therefore incumbent that these divisions be resolved in the interest of all those victims who suffer and die when leadership and institutions fail to protect them.⁴

With Africa featuring prominently in matters relating to military intervention, the evolution and accompanying difficulties of such interventions cannot be ignored. The development of new patterns of intervention, such as humanitarian interventions has been an adjunct to the dwindling of other intervention patterns in the 1990s. In fact, most of the patterns have been abandoned and replaced by the humanitarian pattern. Nonetheless, why did Nigeria for example, unilaterally intervene in Liberia in March 1998? Internecine strife in the Great Lakes region by Uganda and Rwanda for example, has given way to some flagrant cases of military intervention.⁵ The intervention in Lesotho in the late 1990s by South Africa and Botswana under the aegis of the Southern African Development Community (SADC), added a somewhat collective approach to regional security despite the criticism levelled against the intervention. What then emerges in most African states is the link between intervention and foreign policy, which differs significantly from state to state stances on matters of intervention.

Analysts interpret state foreign policy differently. Analysts who perceive strategic interests as the determining aspect of a state's foreign policy are typically realists who interpret national interests in terms of power and security. The power-security dilemma that emanates from the structural imperatives by states to seek power and security, adds to the problematique in a seemingly normless anarchic system. The revisionist versus *status quo* debate manifests itself through the need of states to maintain their powerful positions in the international system at the expense of those states seeking to change the system.⁶ National interests in the period after the Second World War have been expressed in terms of national security and containment of the Soviet Union and communism.⁷ Morgenthau, a realist, argues that whereas national security was defined as a primary interest to defend a state's territory containment of the Soviet Union and communism was understood to be associated with the concept of "struggle for power" or "struggle for balance of power" in an anarchic international system.⁸

Huntington (1987) argues that the primary concerns of Western states, especially powerful ones, during the Cold War were to prevent Soviet efforts to achieve hegemony.⁹ For the defence of national security, geographic proximity has been envisaged as an important criterion to assess the significance of a foreign threat posed to a country.¹⁰ In this vein, Luard (1988) postulates that countries are more concerned with events, political or otherwise, of adjacent countries than with those on the periphery and are more likely to intervene in adjacent countries than remote ones.¹¹ In a sense, geographic proximity of perceived threats to national security, such as the Cuban missile crisis and the Soviet intervention in Czechoslovakia in the 1960s for example, also acts as a contributing factor in considering military intervention.

Equally, some analysts who view state interventions as driven by its economic rather than strategic power interests find their theoretical foundation in classical Marxism. This theory identifies the need for imports of raw materials, export markets, and foreign investment as the principal determinants behind the foreign policy behaviour of major capitalist powers.¹² Marxist-inclined analysts interpret such needs as the factors

leading to state intervention to such an extent that some Soviet scholars referred to “resource wars”, or to put it differently, “resource driven conflict”. They argue that states have intervened in areas where such interests have been threatened.¹³ During the 1950s, the concept “resource wars”, became somewhat celebrated in non-Western discourse, while the 1990s saw a replay of resource driven interventions in Iraq and again later.

Following the catastrophic Westphalian wars in Europe from 1618 to 1648, military intervention in intrastate conflicts was perceived as infringing upon the elementary norm of the Westphalian treaties, which state that “war is not waged against a sovereign state which has not itself militarily attacked another sovereign state”.¹⁴ Military interventions are also viewed to be in stark contrast with international rules. More essentially, the doctrine of humanitarian intervention has strong roots in the moral political theory of Just War. Matters of international law therefore cannot be ignored. In fact, international law, together with matters of responsibility and morality, became just as prominent as state, political and economic interests in the burgeoning post-Cold War debate on intervention. Although not always realised, intervention still features as a prominent facet of how some states pursue their interests and security in the international system, and post-Cold War intervention remains a prominent feature of the security landscape.

1.2 PROBLEM STATEMENT

Military intervention remains a contentious matter and Africa is no exception. The contention centres around three questions: who should intervene in the affairs of a sovereign state? On which grounds should an intervention be based? Furthermore, how applicable is the principle of non-interference in the age of globalisation where matters of sovereignty seem to have taken a backseat and been replaced by human rights?

Notwithstanding previous attempts to tone down the sovereign powers of states through non-intervention norms and the Just War Theory, intervention remains a challenge. The humanitarian argument or the legal arguments of International Law also seem to have failed to break the controversy continuum.¹⁵ With Africa being at the centre of post-Cold War military interventions, the continent is thus not immune to intervention dilemmas – despite the paradoxical need for intervention. In order to achieve peace and stability, there is a seemingly perceived need for intervention. It can also be pointed out that the prevalence of conflicts in Africa eventually require, or could require, a military response and states as well as regional and global institutions such as the African Union (AU) and the United Nations (UN) all cater for this scenario. Such an eventuality does have a negative reputation in the sense that it has to manoeuvre around complex issues of sovereignty. However, in Africa, the armed conflicts, in several cases, seem to require a harsh response. Therefore, how can African states benefit from the need for intervention, but avoid the controversies such as who should or should not intervene, as witnessed in the Darfur situation?

In view of the aforesaid it should be noted that this study intends to focus primarily on military intervention, but it acknowledges that issues such as human rights and morality have become fixtures in the interventionist debate. The AU, for example, claims the right to intervene in member states under certain conditions. As a result, the debate around sovereignty with regard to when intervention is legitimate, and who should intervene, remains a polemic question, simply because there are instances where the AU and states failed to intervene or the intervention is not viewed as legitimate by different parties. In studying military intervention, certain choices need to be made, given that this phenomenon remains a challenge in the international community in general and in Africa in particular. Based on these observations, the problematic nature of intervention consequently remains salient in the interventionist debate and calls for persistent scholarly attention. This is the case because those intervening for humanitarian purposes for example, still require authority to do, while the intervention is open to misinterpretation, if not misrepresentation, by the host state.

To be examined in this study will be military intervention in a state by one or a number of other states or collective organisations or bodies, and in this instance the concept of “military intervention” simply refers to the use of armed forces for intervention practices. Less explored in this study, will be other softer forms of intervention, such as political intervention and sanctions of an economic nature, notwithstanding the fact that they also pose certain problems in international relations. It can be appreciated that understanding the evolution of military intervention epitomises attempts at addressing the dilemmas of sovereignty and legalities surrounding intervention, in light of conflict situations so omnipresent in post-Cold War Africa.

Given the need for scholarly contributions, the research questions for the study are formulated as follows:

- Who should intervene in the affairs of a sovereign state?
- On which grounds should an intervention be based?
- How can African states emerge and benefit from military intervention amid the controversial, but inherent need for intervention?

1.3 OBJECTIVES OF THE STUDY

This study seeks to explain the extent to which military intervention has evolved since the end of the Cold War in terms of theory, practice and how it has unfolded upon the African continent. More specifically, the objectives of this study are:

- a. To examine the theoretical developments that underpins military intervention after the end of the Cold War.
- b. To describe how military intervention in Africa has evolved from a unilateral realist to a more multilateral idealist approach.

- c. To demarcate the involvement in military intervention in Africa by certain states as well as organisations such the AU and the UN.
- d. To describe the contribution and dilemmas presented by intervention in African conflicts, as well as African ways and means to disentangle themselves from these entrapments. More detail on this appears in the chapter outline section.

1.4 DEMARCATION AND LIMITATIONS OF THE STUDY

Despite acknowledging the wider spectrum of intervention and the extensive debate surrounding intervention as well as the plethora of intervention typologies and methodologies, this study leans more towards military intervention and the features and dynamics closest to its military version. It is therefore important to note that military forces play a meaningful role in interventions, but their roles change with the necessity for harsher interventions; therefore, this study will focus on the enforcement and coercive profiles that manifest during military intervention.

For the purpose of this research, three demarcations will be utilised in order to direct the study: conceptual, geographic and temporal demarcations. Conceptually, new interventionism and its military derivative form a primary focus of the study. Geographically, this study will be focusing on military intervention in Africa by individual states, regional organisations and international organisations; thus it is limited to any state, regional entity and the UN, as well as the African Union at the macro level. The temporal demarcation is the post-Cold War period up to the 2008 AU intervention in the Comoros. Broadly, two periods are significant. The period up to the 2002 establishment of the AU, followed by the post-2002 period where the AU became more active in interventions. The study will thus emphasise the more recent interventions in Africa and include those unfolding after the establishment of the AU. It is worth noting that the interventionist concepts are not interchangeable; and one matter that has to be noted across the conceptual expanse is that of sovereignty.

This study seeks to analyse matters of military intervention in Africa by looking primarily at the period set out above. The length of the study will be limited to a hundred pages, despite the upsurge in interventions. Given that the study is a 50% thesis, it is incumbent that it be limited in terms of time as well as its thematic scope. Thus, with the acknowledgement of the wider debate on intervention, time and space only allow for particular attention to military intervention as demarcated in the content outline. The study is not meant to embark upon a long discussion about post-Cold War Africa, and will only provide a brief outline.

The research will not explore detailed case studies to illuminate the evolution of military intervention in Africa since the end of the Cold War. Examples will be drawn from military intervention cases such as Somalia, Rwanda, Darfur, Sierra Leone and the Comoros. The cases of Somalia, Rwanda and Darfur will

be used here simply because of their unsuccessful nature. While Somalia remains at the brink of a totally collapse state since the departure of the Americans, Rwanda still offers no hope for the future of intervention after a humanitarian disaster such as genocide amid the reluctance to intervene by those geared to; with events in Darfur unfolding after ten years of commemorating Rwanda. It is after Rwanda where phrases such as, “never again” were used, to imply that Darfur should not have happened. On the other hand, Sierra Leone and the Comoros represent successful cases of military intervention where some optimism on the future of intervention began to dawn.

Although this study will focus on contemporary military intervention, certain instances of intervention preceding the 1990s, has helped to illustrate the evolutionary process that this phenomenon portrays. Therefore, it is worth noting that selected earlier examples will be explored, where deemed necessary, albeit very briefly. While the role of the media is not the subject of the research here, it does influence or hold some political consequences for intervention and debates around it. Significant in this study is how the media has shaped discourses on military intervention, especially propelling the humanitarian agenda for intervention. The role of the media in the cases selected manifests itself in different ways: the more unsuccessful the cases the more media coverage and controversy around the intervention and vice versa. This will be made visible by the fact that for Sierra Leone and the Comoros, media coverage was episodic, thus influencing the extent to which the role of the media will be covered in the text.

1.5 THE PURPOSE AND SIGNIFICANCE OF THE STUDY

The primary purpose of this study is to analyse how military intervention in Africa has evolved since the end of the Cold War in terms of theory and practice. In this regard the purpose is directed by research questions as well as the objectives of the study. Influenced by this broad purpose, it is imperative that some conceptual tools together with a certain degree of simplification be acquired to address the opulence and intricacy of the evolution in military intervention. It is therefore equally important that this study elucidates and discerns patterns and tendencies of military intervention in general and in Africa since the 1990s. Given the altered nature of the practice, theory, and the prevalence of military intervention in Africa; it is equally important to scrutinise the dilemmas presented by such a change.

The purpose and significance of this study stems from the need to make a contribution to the new interventionism debate and extend it to the 2008 African strategic landscape. It is significant to note that neither the UN, nor any state, has the necessary will and/or resources to bring peace in the civil wars or simmering conflicts that now mar the global security landscape in Iraq, Somalia, Sudan, Afghanistan, and Chad as well as the recent outburst in Kenya and lately in Georgia. Interventions driven by moral or humanitarian impulses may actually prolong the civil strife they seek to resolve. This pessimistic outlook coalesces around the acknowledgement that civil war is indeed a legitimate issue of international security

invoking a sentiment for crusading liberal internationalism. The new interventionists place great emphasis on the moral obligations of the international community. There is also an observable eagerness for a newly revived United Nations that should intervene in domestic conflicts throughout the world.¹⁶

The challenge to this view is that several enthusiastic advocates of the new interventionist debate lack a sufficient sense of the dilemmas, risks and costs of intervention, especially in Africa. They often fail to take cognisance of the special dynamics of civil war or the realistic limitations of the UN as the chosen vehicle for action; and these limitations are not only akin to the UN. The precepts of this new interventionist doctrine, which centre on traditional notions of sovereignty, remain at odds and are leading international actors toward a largely unfamiliar domain. Pursued indiscreetly, the new interventionism became progressively more expansive, until the United Nations ultimately took on tasks for which they are ill-prepared, leaving themselves embroiled in numerous internal conflicts without the will or resources to bring peace to any.

Despite the fact that much has been written about military intervention, persistent research has been conducted on the rise of the practice, its prevalence and how to overcome the difficulties and complexities of such interventions in Africa specifically. From this observation, this study draws its academic value: firstly, the important AU shift to non-indifference and employing military intervention when deemed necessary; secondly, the need to confront the dilemmas presented by intervention in Africa and to challenge the new interventionist debate with its underpinnings that do not take cognisance of African dilemmas and contribute little to address them; and finally, bringing this debate closer to the 2008 state of affairs in Africa.

1.6 LITERATURE REVIEW

Intervention as a field of study covers two broad fields:

- earlier Cold War needs for and views on intervention; and
- new interventionism, that gained the momentum with the demise of the Cold War.

The events of 9/11 can conceivably be viewed as a further turning point that placed new emphasis upon military intervention. This event also had an impact on the AU turning towards military intervention.

To obtain a general idea of research conducted on military intervention and its African profile in particular important scholarly works by a number of authors will be discussed. For the most part, the literature and numerous publications deal with military intervention from an analytic perspective, thus outlining the evolutionary pathway that military intervention has followed to this end. An overview of the literature

follows, were the earlier development of the interventionist debate will be discussed, as well as its post-Cold War and African outlooks.

In the study's attempt to set out the debate, a classic collection, *Intervention in World Politics*, by Bull (1984) elucidates the thinking of the 1980s on interventions and related issues.¹⁷ This publication contains widely cited essays, such as Stanley Hoffmann's *The Problem of Intervention*, Rosalyn Higgins' *Intervention and International Law*, and Michael Akehurst's *Humanitarian Intervention*. Forbes and Hoffman (1993), in their publication *Political Theory, International Relations and the Ethics of Intervention*, reflects on a myriad of contending approaches and combines history and theory concerning the question of whether and when intervention may be justified.¹⁸

The work by Smith (1974) on *Military Intervention in a Changing World*, examines the key facets of the changing world situation to determine the future applicability of armed intervention. The author argues that armed intervention has been widely applied in the past, however its usefulness is being challenged on a number of grounds; for example, the inherent risk of escalation, which was acceptable during the nuclear age; the respect for sovereignty and international law as exemplified by the United Nations; the absence of situations where vital national interests could be served by such tactics; as well as the adverse domestic and world opinions toward any form of intervention.¹⁹ Meanwhile, a study by Radharaman Chakrabarti (1974) seeks to explore the problem of intervention in the context of a contemporary demand for international control. Chakrabarti does a brief survey of the evolving public attitude towards intervention as an instrument of state policy and examines the forces that have been at work in the changing traditional *laissez-faire* regime in this realm.²⁰

Urs Schwarz (1970), in a penetrating volume, *Confrontation and Intervention in the Modern World*, examines intervention and confrontation as doctrine and as practice, in historical perspective but with a contemporary focus. The author treats confrontation as an exercise in mutual deterrence, a means of limiting the use of force and pursuing objectives without resort to war, intervention as a strategy to limit the use of armed coercion and as a strategy to keep events under control of an actor in pursuit of its national goals.²¹ Bertil Dunér (1995), in a publication *Military Intervention in Civil Wars: The 1970s*, avers that the persistent feature of the state system has been military intervention and although the system has been shaken to its foundations and remodelled, this has not changed military intervention. Dunér goes on to argue that, since the end of the Second World War, there has been an increase in military encroachment and some analysts contend that there is a move towards a world, which is incessantly intervention-prone.²²

The interventionist debate is set out by a number of authors and, in this case, the scholarly work by Ellen Stern (1977) on *The Limits of Military Intervention*, is an outgrowth of the need to identify the achievements, the misconceptions and mistakes of the recent past to assess the direction of international

relations, and to identify the changed potentials and consequences of military intervention. This analysis focuses on the limitations of military intervention primarily as an analytical tool. Through a concern with limitations, it is possible to highlight changes that are taking place in the role of force and violence in international relations. Given that conventional, popular and polemic thinking about military forces is fragmentary; this book aims to be more holistic and systemic in examining both consequences and limitations of military intervention.²³ Yoon (1997), in an article, *Explaining U.S. Intervention in Third World Internal Wars, 1945-1989*, conversely outlines the United States (US) intervention behaviour in the Third World. His work is an empirical study that analyses the U.S. intervention in such wars, by testing hypotheses emphasising strategic and economic interests.²⁴

Regan (1996), in an article, *Conditions for Successful Third-Party Intervention in Intrastate Conflicts*, attests that since the end of the Cold War, foreign policy makers appear to be devoting increasing amounts of energy to containing intrastate conflicts. They do this with little, if any, guidance from the social science community. This article uses data on all third-party interventions into intrastate conflicts since 1944, to appraise historical patterns of intervention strategies and their relative success rates. Building on this, Regan uses a logical analysis to develop prescriptive outlines for future intervention attempts. The author concludes that the characteristics of the intervention strategy, rather than the features of the conflict, largely determine the success of the intervention.²⁵

Raising the humanitarian debate, Ramsbotham and Woodhouse (1996) on *Humanitarian Intervention in Contemporary Conflict: A Reconceptualisation*, review the literature on humanitarian intervention, its essential concepts, as well as its evolution. This volume brings together perspectives of international relief organisations and the military.²⁶ In his publication, *World Orders in the Making: Humanitarian Intervention and Beyond*, Nederveen (1998) addresses the legal, military, sociological and humanitarian aspect of intervention. It is clear from this literature, that it regards humanitarian intervention as part of the changing global architecture.²⁷

Haas (2001) in a chapter, *Using Force: Lessons and Choices for US Foreign Policy*, discusses the options the United States has to choose from, when deciding whether to exert its military strength for the purpose of intervention. The author further discusses the myriad forms that military intervention can take, outlining the features of the following options: classic scenarios, preventive interventions, internal interventions, nation-building, safe havens, peacemaking and coercive interventions. The option to conduct interventions unilaterally or multilaterally is also covered.²⁸ Equally, Crocker (2001), in a chapter on *Intervention: Towards Best Practices and a Holistic View*, endorses the idea that most contemporary conflicts will require some form of intervention from outside, third-party forces in order to control and settle them. Therefore, Crocker covers a multiplicity of conflict types and situations in which third parties intervened.

The aim is to flesh out any worthwhile “best practices” as mentioned by Crocker, for the researcher to note.²⁹

Talentino (2005), in a book *Military Intervention after the Cold War: The Evolution of Theory and Practice*, explores how and why this change took place; looking at the ways in which both ideas and actions changed in the post-Cold War period to make military intervention a tool of international security and a defining feature of the international system. Although intervention is often touted as a strategy to rebuild collapsed states, successful interventions are uncommon. The author argues that standards of human rights and responsible governance have become part of the definition of international security and an intrinsic facet of the new interventionist debate.³⁰

Lyons and Mastanduno (1995), in their work, *Beyond Westphalia: State Sovereignty and International Intervention*, wrote that under the Westphalian system of international order, each nation is perceived to be sovereign, and its borders viewed as sacrosanct. However, with the emergence of global challenges and the incessant interdependence of nations, it has become apparent that what happens or does not happen to one country can have ripple effects elsewhere. This publication brings together a distinguished group of scholars, to explore the questions of whether and how recent political changes have shifted the balance between the sovereign rights of states and the authority of the larger international community.³¹

The UN *Report of the High Level Panel on Threats, Challenges and Change* (2004), envisages a new vision of collective security. The idea is based on the need to address the major threats to international peace and security globally. It is also acknowledged that we live in an age of unprecedented interconnection among threats to international peace and security, and mutual vulnerability between weak and strong states and other actors.³²

Richard Connaughton (1992), in a publication *Military Intervention in the 1990s: A New Logic of War*, takes the opportunity presented by the new international order, to argue how and why it is possible for multilateral military intervention, as part of a collective security regime in the 1990s, to succeed. Connaughton builds a plausible matrix of theories and principles, which are tested by detailed references to the 1991 Gulf Crisis. This book is the first comprehensive professional study of future interventions in terms of the complexity of political and military issues at the operational level.³³

In a book, *The Global Covenant: Human Conduct in a World of States*, Robert Jackson (2000) addresses crucial normative difficulties that arise when human beings around the world organise their political lives and conduct their political relations on the basis of a society of independent states. The study examines modern international society by taking cognisance of the norms of state sovereignty and the ethics of statecraft, with specific reference to the post-1945 and post-1989 periods. It presents a comprehensive

analysis of the most prominent international issues including peace and security, war and intervention, human rights, failed states, territories and boundaries, and democracy. The nexus between interventionist debate and the humanitarian-failed state debates is significant due to its relevance to Africa.³⁴ Jackson's work (2000) is good example of how earlier realist notions are now supplemented, if not overridden, by the "normative turn" in contemporary writings on intervention.

In an article *Where Angels Fear to Tread: Trends in International Intervention*, Michèle Griffin (2000) presents recent debates on intervention in the context of the United Nations Millennium Summit.³⁵ This article is partly a practitioner's response to some of the systemic observations made by James Gow (2000), who posited a 'revolution in international affairs' emanating from 'an abrupt, accelerated, major and profound transformation' of sovereignty, international order and legitimate self-defence.³⁶ Whilst the trends identified are important, it is unclear whether they represent an authentic paradigm shift, a clever surmise or something in between. At the least, the scope for intervention has coincided with new constraints and complications. This article seeks to demonstrate that those impelled to intervene are confronted with confusing, ever-shifting normative, political and financial environments made complex by the nature of conflicts and the proliferation of actors seeking to intervene with a myriad of instruments and imperatives.

Matlary (2004), in an article, *The Legitimacy of Military Intervention: How Important is a UN Mandate?*, investigates the status of a UN mandate for military intervention after the non-mandated interventions in Kosovo and Iraq. This article scrutinises the realist and positivist approaches to this issue, and proposes a third approach called the 'human rights model', in which public legitimacy plays a central role. The article shows that not only political assessment, but also legal assessment differs on this question according to the premises upon which they are based. This article further analyses how normative and military power interacts in today's global public discourse, and concludes that legitimacy for an intervention is established on a case-by-case basis. Thus, the existence of a UN mandate no longer provides automatic legitimacy.³⁷ In real terms, Kosovo boiled down to a rather more one-sided attempt to intimidate a people to stop killing one another, by threatening to kill or killing supporters of the perceived perpetrators – which appears to be quite a moral fix.

A study by Krain (2005) on *International Intervention and the Severity of Genocides and Politicides*, examines the efficacy of overt military intervention in slowing or stopping the killing during ongoing genocide or politicide. This study provides six hypotheses regarding the potential effects of intervention on the severity of genocide or politicide, which are tested in a cross-national longitudinal analysis of all genocides or politicides from 1995 to 1997. The results of this study suggest that interventions that directly challenge the perpetrator, or aid the target of the brutal policy, are the only effective type of military response. The study also posits that impartial interventions seem ineffective at reducing severity, and

interventions to challenge the perpetrator do not make matters worse for the targets of genocide or politicide.³⁸

Turning to Africa, in *The Logic of a Soft Intervention Strategy: The United States and Conflict Conciliation in Africa*, Rothchild (2006) contends that limited interests in Africa and the nature of public pressures leave few, if any, alternatives to utilising the soft intervention concept in most cases. This is because, within the category of soft intervention, there seems to be a continuum of means leading to possible migration into coercive intervention.³⁹ Meanwhile Gegout (2005) in an article *Causes and Consequences of the EU's Military Intervention in the Democratic Republic of Congo: A Realist Explanation* explores European Union (EU) military intervention in the summer of 2003. This article addresses a few questions: why did the EU intervene in the DRC; what were the implications of this EU intervention for co-operation among EU states on military issues, future EU military interventions, and EU presence and role-playing in the world? This article shows that realism can explain the EU policy towards the DRC, despite its stance not to consider military intervention in an African state as plausible.⁴⁰

Smith and Hay's (1999) work on *Canada and the Crisis in Eastern Zaire* includes a chapter that explains how Canada, of all countries, came to take the lead in attempting an armed intervention in eastern Zaire, now the Democratic Republic of Congo (DRC). It describes the challenges of middle-power management of a multi-state coalition, the confusion of facts on the ground in a complex emergency, and the lessons that may be drawn from the ambiguous conclusion of this unusual episode.⁴¹ In a similar vein, Ortega (2001) in *Military Intervention and the European Union*, explains how the Kosovo crisis marked a turning point in the development of the international system, not because the West was in any way improper in freeing itself from the constraints of *Realpolitik* and the United Nation's legitimacy, but because it demonstrates the limits of those constraints.⁴²

Saving Strangers: Humanitarian Intervention in International Society, by Wheeler (2000), provides a theoretically informed account of seven interventions: three in the 1970s and four in the 1990s. The author suggests that the failure of the UN to prevent and stop the Rwandan Genocide of 1994 demonstrated the limits of the evolving norm of humanitarian intervention. The traditional wisdom emerging in the literature was that humanitarian intervention was securing a new legitimacy after the Cold War but as Rwanda showed, this claim exaggerated the impact of the end of the Cold War.⁴³

Von Hippel (1995) in *The Non-Interventionary Norm Prevails: An Analysis of Western Sahara*, suggests that fears, that the purportedly sacrosanct norm of non-intervention in the domestic affairs of other states has eroded in the last few years, are not utterly baseless. This is a crucial matter as far as Africa is concerned. Excuses to intervene, which until recently receive sanction by the UN Security Council; include humanitarian concerns, as in Somalia and Rwanda; international peace and security as in Kuwait

and Bosnia; and the denial of democracy, as in Haiti – all of which differ from the intervention in the Cold War years.⁴⁴

Cilliers and Sturman (2002), in their article *The Right Intervention: Enforcement Challenges of the African Union*, argue that sovereignty has often been used to protect leaders at the expense of citizens. The Constitutive Act of the African Union (AU) allows for intervention without the approval of the target state in a way that the Organisation of African Unity (OAU) system of absolute consensus never did. Guaranteeing that intervention is effectual is as imperative as the decision of when and why to intervene. Sanctions, criminal prosecutions and military interventions are the broad options available to the AU. To be effective, though, the AU will need to agree on how intervention will be authorised as well as on mechanisms for its implementation.⁴⁵

In 1990, Somerville's collation of ten years' research resulted in a book, *Foreign Military Intervention in Africa*. In this volume, the author focuses on different aspects of political, military and economic development in Africa, as well as the prevalence of foreign intervention in African affairs. This publication's point of departure is the legacy of colonisation, from where it moves on to national wars of liberation to the question of why states intervene, as well as discussing the roots of intervention.⁴⁶

An article by Williams (2007), *From Non-Interference to Non-Indifference: The Origins and Development of the African Union's Security Culture*, explores the process of norm localisation in relation to two most recent tenets of the AU's security culture, that of intolerance to unconstitutional changes of government and the responsibility to protect. From this article, it can be postulated that an awareness of the asymmetric and often disputed nature of this process, helps explain the fact that, even though these two transnational norms have been institutionalised in the AU Charter and sanctioned by the UN, they have been internalised disproportionately by the AU member states.⁴⁷ In an attempt to challenge the conventional wisdom on the sanctity of national sovereignty and the dogma of neutrality, a publication by Mark Malan (1997), *The Principle of Non-Interference and the Future of Multinational Intervention in Africa*, points to a latent swing from national or multinational intervention in third-party conflicts towards a global paralysis. This article also examines the foundation and legitimacy of the principle of non-intervention, before commenting on the relationship between international law and the imperative for intervention.⁴⁸

Gillespie (1993), in *Unwanted Responsibility: Humanitarian Military Intervention to advance Human Rights*, suggests that the ethnic strife that persist in Somalia, Iraq and elsewhere, points to the need for a new, fully articulated doctrine of international humanitarian intervention. The author argues that this precept must include the employment of military force in those situations that cannot be resolved by less drastic measures, while there must be recognition by the international community of a responsibility to use that force. The author also goes on to argue that although undesirable, military intervention for

humanitarian purposes must be the lesser of the two evils: either allowing the continuation of impermissible abuses of internationally recognised human rights, or collective action to secure those rights for the abused by whatever means the international community deems appropriate.⁴⁹

It is worth noting that there is an emerging literature on Africa that deals with the attempt by Africans to develop the capacity of institutions, especially the AU, to deal with a myriad challenges facing the continent. This manifests in the idea of African solutions for African problems. However, much of these endeavours are only at a level of debate, given that, for example, the African Standby Force (ASF) exists only on paper. Neethling (2006) has made meaningful contribution to this body of literature, however, contends that much of ASF plans are ambitious, owing to lack of funding and the operationalisation of these plans.⁵⁰

In terms of how the media shaped intervention, Robinson (2000), in an article, *The News Media and Intervention: Triggering the Use of Air Power during Humanitarian Intervention*, provides a summary in search of evidence of media driven intervention and the scope of media impact on intervention. The article analyses US policy responses to humanitarian crises in Somalia (1992), Bosnia (1995) and Kosovo (1999).⁵¹ In an article, *Operation Restore Hope and the Illusion of a News Media Driven Intervention*, Robinson (2001) argues that the US intervention in Somalia (1992) and Iraq (1991) are held as evidence for a more powerful media in the post-Cold War era and the thesis that media coverage of suffering people is a major cause of humanitarian intervention. This paper investigates the role of the mass media during the 1992 decision to deploy ground troops in Somalia.⁵² Cohen (1994), in a chapter on *A view from the Academy*, argues that in the 1990s, television has demonstrated its power to move government. By focusing daily on starving children in Somalia, a pictorial story tailor-made for television and the media, the conscience of the nation's public institutions was stirred, compelling the government into a policy of intervention on humanitarian grounds.⁵³

In an article, *African Perspectives on Intervention and Sovereignty*, Samkange (2002) posits that intervention which violates sovereignty, is often justified by its humanitarian goals, but in Africa, the debate goes beyond humanitarian goals and considers intervention when collapsed states threaten regional security. The author argues that military intervention should be an exceptional action of last resort but should remain an option while states are unwilling or unable to protect their own citizens.⁵⁴ An IRIN news report on *Comoros: On the Edge of a 'Military Solution'*, suggest that, in line with a long tradition of foreign military intervention, official and covert international forces are moving in to help the Union government of Comoros re-establish control over the renegade island of Anjouan.⁵⁵ This is further augmented by reports from African Research Bulletin, about the AU troops invading Anjouan, forcing the self-declared rebel leader to flee from the archipelago.⁵⁶

1.7 RESEARCH METHODOLOGY

The study will be pursued principally from an explanatory approach based on existing literature. Despite using quantitative data in support of the analysis, this study will primarily be a qualitative analysis. Qualitative methods will be used to collect and analyse data from the literature on military interventions in Africa in general. The significance of qualitative approaches cannot be overemphasised in this type of study. Qualitative research seeks to make the most of a myriad of specific information that can be derived from and about that context, by purposely selecting settings and informants that differ from one another (Babbie & Mouton, 2003:277).⁵⁷ The aim in this instance is to describe how military intervention has evolved since the end of the Cold War and discuss its African profile. Qualitative methods are inextricably linked with interpretative epistemology, which primarily refers to the method of data collection and analysis reliant upon discernment as well as the prominence of meaning.

Secondary sources will be utilised extensively, however primary sources include UN and AU/OAU documentation, as well as government publications, where applicable. This study will not be based on fieldwork or questionnaires. A literature review underscores what research has been done; thus demonstrating how intervening countries sanctioned intervention and demarcating how intervention has evolved. Contemporary literature on military intervention in intrastate conflicts also informs this study.

Ultimately, secondary and primary data will be derived from UN, EU and AU documents as well as reputable academic journal sources such as the *Journal for Peace Research*, *Journal of Modern African Studies*, *Journal of Conflict Resolution*, *International Security Studies Journals* and *Institute for Security Studies* monographs and journals. These sources form an integral part of the evidential value required for this study in explaining how military intervention in Africa has evolved since the 1990s.

1.8 STRUCTURE OF THE STUDY

The study will be divided into five chapters. The introductory chapter covers the research problem, aim and methodology as well as some theory on military intervention by delineating the concept of military intervention within the wider interventionist debate and the outlay of the subsequent chapters. The second chapter of the study will deal with the conceptual debate on military intervention at the international level. This chapter will also be devoted to clarifying concepts, since several historical patterns of intervention and versions of the principle of non-intervention will be defined. The third chapter is somewhat retrospect in kind and will cover how the 1990s' new interventionist paradigm shaped military intervention globally in terms of theory, and how Africa entered this paradigm both conceptually and operationally. The fourth chapter covers contemporary African cases of military intervention since the end of the Cold War, as a way to highlight its evolutionary pathway with a more prospective focus on the interventionist-AU interface

since 2002. The last chapter, chapter five, constitutes a summary and findings of the entire study, based upon the research question and secondary questions posed at the outset.

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CHAPTER 2

MILITARY INTERVENTION: CONCEPTUAL DEBATES

Several research questions relating to military intervention in Africa and elsewhere were identified in the introduction. In view of these questions, this chapter aims at clarifying the concept “military intervention”, as well as highlighting the patterns of intervention and the principle of non-intervention.

The first part of this chapter describes the concept of “military intervention” and debates about the concept. The historic evolution of the concept “military intervention” is relevant here. The evolution of the concept is traced beginning at the philosophical foundation of the concept and the contemporary understanding of “military intervention” since the end of the Cold War. Some of the ambiguity around the meaning of “military intervention” will be discussed as well. Secondly, the different patterns of intervention in the period preceding the end of the Cold War will be outlined in order to provide a basis for understanding its historical evolution. The final part of the chapter then deals with the legal and normative scope of state sovereignty, by looking at new thoughts on state sovereignty and the principle of non-intervention.

2.1 CONCEPTUAL DEBATES ON MILITARY INTERVENTION

Hardly any subject receives more attention, or invites more controversy, than the study of war and its causes, importance, and justifications. Military philosophy, dating back at least to the works of Sun Tzu, has characterised war as a definitive experience in international relations and an inherently political act. Since the time of Karl von Clausewitz, (cited in Philips, 1984), the difficulty of preventing or limiting these most violent and volatile policy instruments has emerged as a principal dilemma for scholars of international relations. Clausewitz, (cited in Philips, 1984), refers to war, in an oft-cited axiom, as “policy carried out by other means”.¹ Stanley Hoffman (1984) has remarked that military intervention is “practically equivalent to international politics, from the genesis of time to the present.”² Although studies of war and conflict, in a general sense, have retained their significance, research on military intervention as a particular type of military activity has accelerated in recent years – in large part due to shifts in the nature of conflict since the end of the Cold War.³

2.1.1 The Concept of Military Intervention

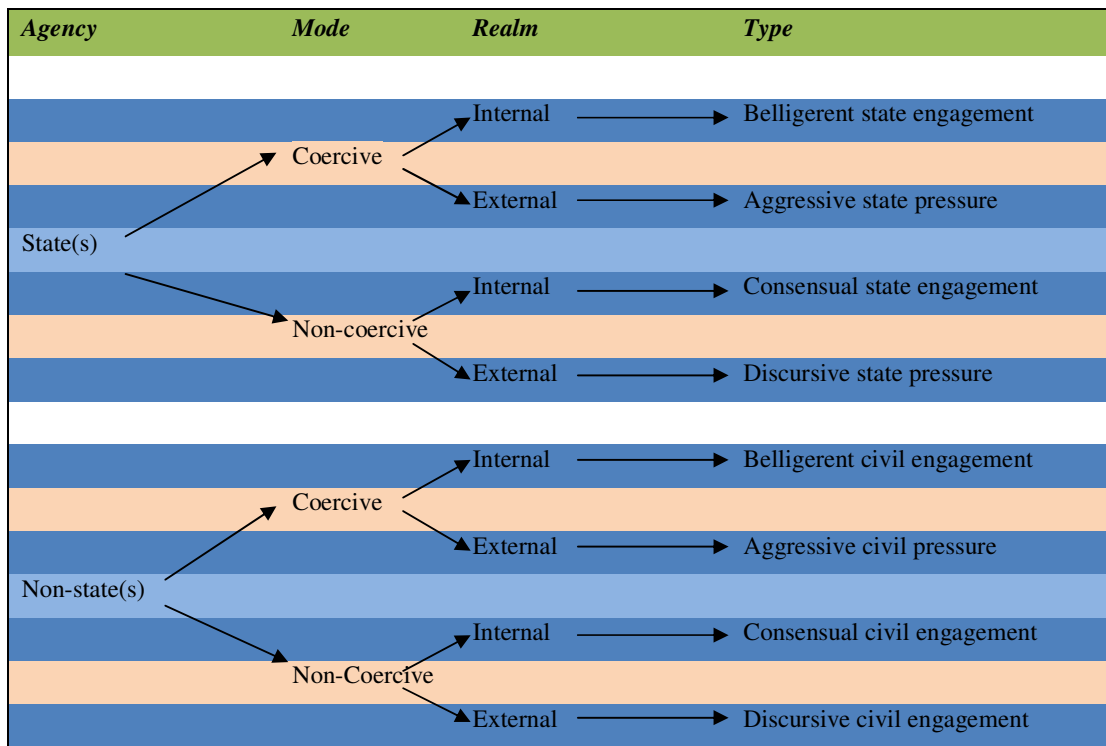
Rosenau (1969) was amongst the first to raise concerns about the inherent ambiguity of the concept of “intervention.” He attributes the paucity of “scholarly writings on the problem of intervention . . . [in developing] systematic knowledge on conditions under which intervention behaviour is initiated, sustained, and abandoned”, largely to deficiencies in conceptualisation.⁴ Kegley and Hermann (1996) extended Rosenau’s concerns over conceptual ambiguity to competing interpretations of military

intervention as well, noting that the same conflict behaviour can be classified as military intervention, other intervention, or non-intervention based on differing indices.⁵

In exploring the contribution that just war theory can make to contemporary interventionist ethics, it is essential to be lucid about our understanding of the core concept. Throughout human history, intervention has taken many forms and these patterns will be discussed later. Following the demise of the Cold War era, the sheer volume of military intervention activities has generated new modes of intervention that pose new challenges. One result is that it becomes more complex to comprehend the meaning of the term “intervention”. Garrett (1999) notes that examples of intervention stretch out almost incessantly, and in consequence, he argues, that the concept has become “inherently broad and protean”.⁶ However, two predominantly pressing reasons can be attributed to this. First is the expanding assortment of motivations that drive intervention; the other is the burgeoning array of interventionist actors, and particularly the emergence of non-state actors as influential political players. In the humanitarian domain, globalisation and changes in the international media are clearly relevant, but the creation of aggressively political non-governmental organisations (NGOs) and the rise of new humanitarianism are critical.⁷

It is often argued that intervention now takes so many political forms that it is broadly defined as interference in the political affairs of another society. Encouraged by the broad definitional nuance and dispute that characterise the terrain, writers on humanitarian intervention have already undertaken exercises of defining intervention. “Thorough analysis of the terminological turmoil would take many pages”, note Ramsbotham and Woodhouse.⁸ In their quest to provide order to this definitional debate, Ramsbotham and Woodhouse developed a five-part typology. Coercive governmental humanitarian intervention has military and non-military forms, which provides the first two types. Correspondingly, non-coercive governmental humanitarian intervention has military and non-military forms, which provides the next two types. The final type is transnational, intergovernmental and non-governmental humanitarian intervention.⁹

Holliday (2003) argues that building on this analysis, a supplementary step would be to develop a much broader typology of intervention not confined to humanitarian forms. Central to this typology is simply for intervention to have a political component and to move beyond this would create almost uncontrollable complexity. This would in any case go beyond the parameters of both the just war tradition and most contemporary interventionist analysis. Considering the key dimensions of intervention understood in this way, three are predominantly relevant and useful in constructing a typology; the first is the temperament of the intervening agency, i.e. state(s) or non-state(s); the second is the method of intervention, i.e. coercive or non-coercive; the third is the domain of intervention, i.e. internal or external to the target society. Feeding these three conditions into a matrix generates eight types. In the real world of international politics, the different types of intervention shown in Table 2.1 may traverse and overlap to some extent. For methodical lucidity, they are best viewed independently.¹⁰

Table 2.1: Typology of intervention

Source: Holliday, I. Ethics of Intervention: Just War Theory and the Challenges of the 21st Century. *International Relations*, Vol.17, No.2, 2003, p.121.

The consequence of this renewed focus on military intervention generally is the re-emergence of the tradition of “just war” or the “Just War Theory” (JWT). In the 20th century, most of the 19th century and earlier, the JWT was above all a concern for theologians and legal theorists; the former given its historical roots in the religious instruction of Augustine and Aquinas; the latter because of disagreement over the efficacy of the theory in relation to a supranational authority and international law.¹¹

St. Augustine (354 – 430) argued, in the development of the JWT, that “the justness of action could be judged without evaluating the driving intention, so also with the action of going to war.”¹² Alternatively, St. Thomas Aquinas (1224 – 74), argued that war must be waged by a capable authority and there must be a just cause for that war, so that those who were invaded must deserve to have been attacked. Consequently, “just cause for war could be found in self-defence; restoration of peace; assistance of neighbours against attack and most notably, defence of the poor and the oppressed; thus the emergence of major debate on intervention as well as its contemporary salience”.¹³

The literature on military intervention during the Cold War era has generally characterised decision-making and interests as consistent with at least one of three broad conceptual frameworks: hegemonic power, structural realism, or ideological conflict. Although these particular frameworks are far from being all-encompassing, there are numerous other typologies for thinking about military interventions

abound, ranging from the economic imperatives of the world systems perspective to the organisational machinations and inertia of a bureaucratic politics framework. Stanley Hoffman (1984), among others, has definitively argued that they all serve a particular explanatory function for thinking about interventions during the bipolar period.¹⁴

One ascendant definition, which is also employed by Kegley and Hermann (1996), is advanced by earlier work from Herbert Tillema (1989). Tillema's original definition of military intervention pertained to instances of "battles involving regular foreign military forces", generally resulting in fewer than one thousand fatalities; in subsequent analyses, he expands the criteria to include military operations undertaken openly by a state's regular military forces within a specific foreign land, in such a manner to risk immediate combat.¹⁵ Tillema clearly pursues a narrow conceptualisation, excluding less blatant forms of international interference such as covert operations, military alerts, and shows of force, deployment of units not immediately prepared for combat, and incursions across international borders that do not involve occupation of territory as out of bounds, in thinking about military intervention.

2.2 PATTERNS OF INTERVENTION

This section seeks to show the extent to which the practice of military intervention has changed since the end of the Cold War. This will be done firstly by clarifying ten patterns of military intervention from historical examples. Ortega (2001) identifies a number of patterns [see table.2.2] that have evolved over time, but for the purpose of this study, only ten patterns of military intervention will be drawn from these historical examples.¹⁶ For the purpose of this study, these interventions only serve to illustrate the ambiguities of the concept of intervention that manifest as a result of how the practice and theory of military intervention has evolved over time. Only a few typologies of these interventions will be discussed and referred to in the chapters that follow.

Table 2.2: Patterns of Intervention

Historical	More Contemporary
Imperialistic intervention	Cold War pattern of intervention
Colonial Pattern of intervention	Humanitarian intervention
The Balance of power	Collective intervention
Ideological intervention	Punitive intervention
Self-determination	Pre-emptive intervention

Source: Adapted from Ortega (2001:5)

Augmenting these historical patterns of intervention, are a myriad of normative principles that have frequently emerged. In the wake of military interventions, intervening powers claim, with varying measures of certainty, justification and reasons for their action, whereas other states employ a number of arguments to denounce interventions. Principles with regard to intervention have thus been outlined by international society as a consequence of exchanges. Naturally these, principles are broad legal norms, but they are not restricted to the legal realm. International principles are, rather, non-written formulations of the moral, political and juridical underpinnings of international order at a given

moment. In this sense, they may be considered general values, in addition to being principles, which are evolving incessantly.

In response to the phenomenon of military intervention, non-intervention has always been a powerful value linked to state sovereignty, and has evolved in parallel with the changing content of the latter. Four versions of the principle of non-intervention may be identified. First, the historic European principle of non-intervention, developed for the European concert of nations from the beginning of the modern age in the sixteenth century until the Second World War. Second, the legalistic principle of non-intervention, elaborated during the Cold War under the auspices of the United Nations, which was touted as the extreme version of the former. Third, the principle of collective intervention that emerged in a relatively short period of time, through interventions by the United Nations Security Council. The last and most recent version can be termed the “principle of limited intervention”, which allows states to use armed force in other states for humanitarian reasons as well as for the purposes declared by the UN Charter, which is to maintain international peace and security.¹⁷

2.3 LEGAL AND NORMATIVE SCOPE: NON-INTERVENTION AND STATE SOVEREIGNTY

2.3.1 New Thoughts: Reconsidering States Sovereignty and Non-intervention

Non-intervention has been an international norm ever since the Treaty of Westphalia in 1648. An updated version was legally adopted into the UN Charter in Article 2(7). Its precise meaning appears to be definitive: “Nothing contained in the present Charter shall authorise the United Nations to intervene in matters which are essentially the domestic jurisdiction of any state”. Yet an appeal to Chapter VII of the UN Charter – is permitted – the Security Council can advocate intervention in the interest of international peace and security. The recent UN-supported actions taken against Afghanistan, Bosnia, Haiti, Kuwait, Rwanda, and Somalia are cases in point.¹⁸

Traditionally, non-intervention, based on the principle of national sovereignty and reflected in international law, has been the norm for international behaviour. International covenants, including the United Nations Charter, consistently prohibit any state or group of states from intervening in the domestic affairs of another state. The non-intervention norm has been reaffirmed repeatedly in declarations by the UN General Assembly, notably the 1965 Declaration on Intervention and the 1970 Friendly Relations Declaration. The legal basis for making an exception resides in the text of Chapter VII of the Charter, which conditions the exercise of coercive powers by the Security Council on a finding that a situation constitutes a threat to international peace and security. In practice the UN has been careful to satisfy the requirement, especially in situations that could be construed as intrusions in domestic affairs, including humanitarian intervention. For this reason the Security Council's failure to invoke Chapter VII in Resolution 688, which authorised humanitarian assistance for the Kurds in

northern Iraq, has added impetus to the discourse over whether a new practice that puts “people above government” has indeed emerged.¹⁹

The idea that a military intervention within another sovereign state might, in certain extreme circumstances, be permissible, even without the endorsement of the government of that state, has a distinguished lineage in international legal and moral discourse. To use a phrase that is frequently found in the literature, the circumstances in which such intervention might be justified are those which “shock the conscience of mankind”. In other words, intervention might be justifiable as a response to such horrors as systematic attacks by a government on its own people, genocide, widespread starvation or complete failure of government to ensure the most elementary conditions of life.²⁰ Ironically, the world failed to intervene in Rwanda where almost a million people were killed, and there was a lack of consensus by the international community on intervening in Darfur amid claims of a looming genocide.

The non-intervention rule – the prohibition of military incursions into states without the consent of the government – is often criticised, but it does have a serious moral basis. Non-intervention provides a clear rule for limiting the uses of armed force and reducing the risk of war between the armies of different states. It involves respect for different societies, with their different religions, cultures, economic systems, and political arrangements. It further acts as a restraint on the territorial, imperial, and crusading aspirations of states. The actual observance of the non-intervention rule has been very imperfect. States have circumvented or violated it on many occasions and for many reasons, including the protection of nationals, support for opposition groups, the prevention of changes to the balance of power, and counter-intervention in response to another state which is deemed to have intervened first. Nevertheless, the rule has not collapsed, perhaps verification that a stringent rule can outlast its infrequent contravention, it has not served badly as an ordering principle of international relations.²¹

In international law, humanitarian intervention has meant the use of force to end genocide or other massive atrocities. As the practice of intervention has evolved during the twentieth century, the phrase has also come to mean the provision of assistance to threatened populations, especially victims of war. Intervention, in this sense, is designed not to address the root causes of a crisis, but to alleviate the worst of its effects. Interest in expanding powers of intervention has been stirred by situations in which the principle of sovereignty seems to prevent the international community from responding to severe human suffering or violations of human rights. In theory, the protection of human rights is fully in keeping with national sovereignty and the principle of non-intervention which, “consistent with other fundamental principles such as self-determination, aims at ensuring that human beings may organise themselves into political communities and create their own institutions for the realisation of human liberty and happiness, free from external domination or repression”.²²

In the past, the most common objection to advocacy of “humanitarian intervention” has been based on commitment to the rule of non-intervention; that is, the strong consensus against uninvited military

incursions into states. Non-intervention has served as an ordering principle of international relations and has both practical and moral claims to being taken seriously.²³

What non-intervention has traditionally meant is that “governments can attempt to influence each other’s behaviour only through established diplomatic channels”.²⁴ Governments cannot seek to expand influence by a direct appeal to citizens of another country, by occupation, or by using home territory as a base for opposing another regime. Furthermore, non-intervention is not synonymous with non-involvement. Co-operation between governments for mutual interest in political, economic or social affairs – including such diverse areas as increasing military co-operation, trade arrangements, or seeking to limit narcotics trafficking – is not prohibited by this principle, even though such activities usually encroach upon national sovereignty. Nor are states prohibited from opposing actions by a neighbouring country that have an adverse spill over-effect, such as narcotics production, environmental pollution or a mass exodus of refugees.²⁵

Sovereignty has come to signify, in the Westphalian conception, the legal identity of a state in international law. It is a concept that provides order, stability and predictability in international relations since sovereign states are regarded as equal, regardless of comparative size or wealth. The principle of sovereign equality of states is described in Article 2.1 of the UN Charter. Domestically, sovereignty means the capacity to make authoritative decisions with regard to the people and resources within the territory of the state. Generally, though, the authority of the state is not regarded as absolute, but constrained and regulated internally by constitutional power-sharing arrangements.²⁶ State sovereignty today carries with it the important commitment to protect the welfare of its own peoples and meet its obligations to the broader international community.²⁷

A condition of any one state’s sovereignty is a parallel responsibility to respect every other state’s sovereignty: the norm of non-intervention is enshrined in Article 2.7 of the UN Charter. A sovereign state is sanctioned by international law to exercise exclusive and total jurisdiction within its territorial borders. Other states have the corresponding duty not to intervene in the internal affairs of a sovereign state. If that duty is violated, the victim state has the further right to defend its territorial integrity and political independence. In the era of decolonisation, the sovereign equality of states and the correlative norm of non-intervention received its most emphatic affirmation from the newly independent states.²⁸

In general, intervention for human protection purposes was extremely rare during the Cold War years, where state practice reflected the unwillingness of many countries to give up the use of intervention for political or other purposes, as an instrument of policy. Leaders on both sides of the then ideological divide intervened in support of friendly leaders against local populations, while also supporting rebel movements and other opposition causes in states to which they were ideologically opposed. None were prepared to rule out *a priori* the use of force in another country in order to rescue nationals who were trapped and threatened there.²⁹

It is often argued that the opposition to military intervention or war for any purpose other than defence against aggression, or causes closely related to it, is based on the modern concept of sovereignty arising from the Peace of Westphalia, which put an end to the European wars of religion.³⁰ Simplifying to some degree, it can be argued that the concept limited states from intervening militarily in matters that were the concern of other sovereign states and gave the sovereign states themselves, the right to govern and decide on the use of force internally for control and externally for defence. This constituted the recognition of a form of “absolute sovereignty” and it seemed driven by the need to establish a peaceful stability. It is then argued that this concept is dangerously outmoded, since the idea of sovereign power has been eroded by the economic and informational processes known as “globalisation” and by the development of cosmopolitan political processes associated with bodies such as the United Nations and the various global NGOs. Moreover, the concept “sovereignty” was always flawed insofar as it left citizens at the mercy of their governments, with frequently alarming consequences. The nation-state must now be regarded, therefore, as having “conditional sovereignty”, that is, sovereignty that is conditional on some minimal level of discharge of obligations to respect the human rights of its citizens. The critique and the total rejection of aggressive resort to war need to be viewed against this background and therefore amended appropriately.³¹

There are thus recognised exceptions to the principle of non-intervention. It is subsidiary to the issue of basic human rights where these have been clearly abused, as the broad international antagonism to apartheid in the former South Africa illustrated. Moreover, where international treaties apply, or the United Nations intervenes, the prohibition against intervention is greatly weakened. There have always been grey areas where the case for or against intervention is not clear-cut. In practice some aspects of this principle have been ignored in conflicts such as the Cold War.³²

Clearly, there is some merit in this critique. The modern nation-state and its pretensions are by no means sacrosanct. Nevertheless, the reigning paradigm is not so easily dismissed. The opposition to intervention, even for the purposes of doing well, is based on deeper insights than the needs of a seventeenth-century political settlement, even though these insights had relevance to that settlement. There are two perspectives involved here. The first concerns *the need to limit resort to war*. This places prominence to restricting the impulses to resort to violent solutions to political problems, and does so by allowing such an option, only in the most palpable circumstances of justification; for example, self-defence. The second concerns *the right to national self-determination*. Here, it is not Westphalia that is significant, but a combination of the much earlier insight that jurisdiction should have a strong local and popular element, and the much later developments associated with decolonisation that gave prominence to the ethical-political value of national self-determination.³³

It can be argued that any exhaustive analysis of military intervention should investigate the three dimensions of the problems linked with intervention: legality, legitimacy and political opportunism. For the purpose of this study, the legal norm is the most important. The legalistic principle of non-intervention is not expressly referred to in the UN Charter, being a by-product of myriad sources such

as the Charter itself, treaty law, international custom and General Assembly declarations, which represent customary law. It is acknowledged that Article 2.4 of the Charter forbids any use of force in international relations – this includes international war as well as armed intervention in another state.³⁴

Article 2.4 declares that:

“All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purpose of the United Nations.”

Articles 2.4 and 2.7 of the UN Charter, together with other purposes and principles described in it, have by and large been interpreted in the light of General Assembly Resolution 2625 (XXV) and the Declaration on Principles of International Law. Concerning Friendly Relations and Cooperation adopted by consensus in 1970 and widely recognised as a valid development of the Charter’s provisions. The declaration contains the following principle of non-intervention:

“No state or group of states has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of any other state. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the state or against its political, economic and cultural elements are in violation of international law. Every state has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another state.”

Notwithstanding the general support for the Declaration, the equal condemnation of both “armed intervention” and other forms of interference, led to criticism from a number of western countries. The principle of non-intervention was also introduced in bilateral and multilateral treaties, thereby affirming its applicability in specific relationships or geographical regions, thus adding to its general value.³⁵

2.4 A WORKING DEFINITION

A diversity of definitions in relation to “military intervention” is found in the literature on the subject. Definitions in this study are those seen to be comprehensive and significant enough for the study. In response to Rosenau (1969), it should be clarified that “military intervention” in this research, the reference point is not simply about the deployment of conventional forces to the battlefield or the use of air or naval power in the combat zone, nor is it a distinct number of battle deaths or troop commitments. Rather, a broader interpretation of the term is used, encompassing not only the standard elements of military action but also what Brecher and Wilkenfeld (2000) refer to as “indirect” military action.³⁶ Indirect military action includes crisis behaviour such as the deployment of conventional forces to countries neighbouring the conflict, major transfers of arms and military hardware to one or more parties involved in the conflict, the dispatch of military advisors to one or more parties involved

in the conflict and the introduction of extensive covert operations in one or more countries involved in the conflict, and so forth.

In defining the concept military intervention, its meaning derives from a diversity of milieus in which intervention takes place and from the aim of the action itself.³⁷ In his renowned work, *Non-Intervention and International Order*, Vincent (1974) defines military intervention as:

“[the] activity undertaken by a state, a group within a state, a group of states or an international organisation which interferes coercively in the domestic affairs of another state. It is a discrete event having a beginning and an end, and it is aimed at the authority structure of the target state. It is not necessarily lawful or unlawful, but it does break a conventional pattern of international relations.”³⁸

The brief definition by Vincent (1974) contributes to a working definition in this study. Vertzberger (1998) argues that military intervention should be conceptualised in three different ways. He first defines it empirically by submitting that “the term ‘intervention’ means coercive military intrusion into the internal or foreign affairs of another state”.³⁹ Second, Vertzberger suggests that conceptually defined, foreign military intervention means:

“State-organised, state-controlled and goal-orientated military coercion by one foreign state in the territory of another. The activities are directed at its political structures with the purpose of preserving or changing that structure thereby influencing its domestic political process or certain of its foreign policies.”⁴⁰

Third, he argues, “operationally defined, military intervention involves the direct, overt commitment of uniformed, combat-ready units and formations to conduct conventional operations in a foreign state”.⁴¹ All of the interventions under study here were organised and controlled by intervening countries. In Rwanda in 1990, a foreign intervener, Uganda, changed the political structure. In the same way, in 1996 - 97, the Mobutu regime was removed from power by foreign military intervention, whereas the 1998 intervention was resisted. In Lesotho in 1998, the foreign intervention shored up the existing regime. In spite of theoretical difficulties physical military interventions continued and help to shape the debate.

Influenced by an array of definitions provided in the text, a working definition of “military intervention” (whether just or not) can thus be constructed. For the purpose of the study, “military intervention” can be defined as coercive actions by one or more states involving the use of armed force in the domestic affairs of another state. Typical examples of interventions referred to in the study include the following: the Russian and American intervention in Afghanistan in 1979 and 2001 respectively, the 1984 Indian intervention in Pakistan, the Russian intervention in Chechnya in 1994, the Tanzanian intervention in Uganda in 1978 and the Russian intervention in Georgia in 2008.

2.5 SUMMARY

This chapter dealt with historical underpinnings of the concept “military intervention” by highlighting the inherent ambiguities of the concept. It also appears that there is little consensus regarding what military intervention entails, and this is symbolic of strong debates around intervention. As pointed out in the section on the conceptual debates on military intervention the concept is not new in the international relations discourse. Its philosophical roots were laid down by St Thomas Aquinas and other scholars during the Enlightenment. The philosophers believed that there must be a justifiable reason for waging war. It was this moral political theory, which anticipated the eventual birth of the UN and the UN Charter. In 1945, the founders of the UN argued that intervention whether humanitarian or military, must be compliant with the just war doctrine. This doctrine emphasises the principles of *jus ad bellum* (going to war) and *jus in bello* (the conduct of forces in war).

Military intervention, as argued by Wheeler and Bellamy, remains one of the most misused, discordant and contested concepts in international relations. Although the concept is used to refer to both military and humanitarian interventions, it is clear that it has been mostly misconstrued and used to justify interveners’ interests, rather than the interests of the target state. Currently, there is emerging consensus that unilateral military interventions are incompatible with the UN Charter, because they serve realist interests. It was argued that only the UN, through the UNSC, has the mandate to grant authorisation for military intervention. Authorisation cannot be granted by any other grouping, state or individual in the world.

The section on the different patterns of military intervention illustrates the extent to which intervention has changed since the period before, during and after the end of the Cold War. During the Cold War, both super powers exerted political control over numerous satellite states and whenever these states tried to escape from their hegemonic political influence, they were restrained, at times by direct armed intervention, but usually through indirect intervention.

State sovereignty and non-intervention have always been fundamental principles that have helped secure the international order. Since the 1990s, non-intervention has no longer represented an unquestionable value in international relations. This is despite the fact that states continue to be the fundamental units of political legitimacy and are entitled to a broad degree of autonomy. Given the ambiguities around the concept “military intervention”, the last section of this chapter provided the working definition for the study.

2.6 CONCLUSIONS

Military intervention remains a feature in international relations despite its controversy. Numerous written and customary norms of international relations covered in the previous section of the study, present a principle of non-intervention that was both too strict and too inflexible, but which stood as the

legal regulation that prevailed into the 1990s. During the last decade, a conviction emerged among scholars, the public and states alike, that some cases of intervention were justified, even though international law did not officially acknowledge that right. As early as the 1980s, some experts on international law conceded the dilemma when they surmised that some punctual humanitarian interventions were legitimate, even though it is, in theory, proscribed by international law.

Discourse over humanitarian intervention started at almost the same time as another debate on the possibility of legitimate intervention in support of democracy despite a lack of consensus. The mounting tension between the legitimacy and the legality of intervention became apparent at the end of the 1990s, not only to scholars but also in public opinion and within governments. For these reasons, the new interventionist paradigm since the 1990s has shaped military intervention globally in theory and added a humanitarian impetus to the practice. How Africa has dealt with this paradigm conceptually and operationally will be discussed in Chapter three.

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CHAPTER 3

THE NEW INTERVENTIONIST DEBATE IN THE 1990s

In the previous chapter, conceptual debates about military intervention were explored. The ambiguities surrounding the concept were outlined. In a bid to add clarity to these ambiguities, the new interventionist debate offers a glimmer of hope in attempting to put matters of intervention into perspective. The aim of this chapter is to describe the nature and the development of new interventionism in the 1990s. This is done by looking at how the new interventionist paradigm has shaped military intervention globally, as well as how Africa entered this paradigm both conceptually and operationally.

Stedman (1993) argues that the new interventionism owes its genesis to the long-standing tendencies of most Western foreign policy, especially that of the United States. It is further argued that new interventionism brings together contrasting typologies of liberalism. This includes traditional Wilsonian liberalism, which is delineated by support for international institutions and national self-determination; as well as its Cold War offshoot, which is defined by anti-communism. In an attempt to outline the discrepancy between the two, Cold War liberals seemed to maintain a Manichaeian outlook of the world in which the United States had to employ military force against the Soviet Union.¹ Thus the ostensible dangers of international communism encouraged Cold War liberals to endorse global intervention in order to circumvent communist-inspired regimes from assuming power. It can, therefore, be concluded that the end of the Cold War made possible the convergence of these contending views of liberalism. The convergence led to the two groups ultimately reaching a consensus on matters of human rights, the conviction that the internal facet of regimes has ramifications for international peace, as well as the support for international institutional reforms.²

The first part of this chapter commences by discussing how the balance of power politics since the end of the Cold War shaped the new interventionist debate. This is followed by a glimpse at the international rule of law and the new system of interventionism. In the second part, the shifting attitudes on humanitarian intervention will be discussed. This will be done by first focusing on arguments for and against humanitarian intervention, which highlights the contradiction of military intervention and humanitarian intervention. In the final section, the African Union's (AU) right to intervene will be discussed by exploring the principle of the responsibility to protect.

3.1 BALANCE OF POWER POLITICS SINCE THE END OF THE COLD WAR

The United Nations Charter, which went into effect on October 24, 1945, established a comprehensive legal ban on the use of force; as Article 2(4) declares, "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state". The Charter leaves open only two situations in which force can be used legally. First, Article

51 establishes that force can be used by states in self-defence against aggression by other states, but only as a stopgap between an “armed attack” and action taken by the Security Council. Second, Article 24(1) establishes that the use of force is legal if it is conducted by, or explicitly authorised by, the Security Council.³ Thus, any use or threat of force that is neither in self-defence, under Article 51, nor is explicitly authorised by a Council resolution, is illegal under the Charter regime of *jus ad bellum*.

Since the unexpected collapse of the Cold World War-order in 1989 – which occurred as a result of the degeneration of the Soviet bloc–the *bipolar* power balance of the Cold War has been replaced by a *unipolar* structure. It can be argued that, in the present global constellation, only one superpower dominates, not only in the field of geo-strategy, but sets the economic, political and ideological discourse on a global magnitude. This realism of power politics incessantly undercuts the *international rule of law*, which has been hailed as a key accomplishment of the international community since the two World Wars. This has been idealistically adopted by the United Nations Charter.⁴ The “checks and balances” that existed as a basic element of the Cold War’s power structure are no longer in place. However, contemporary security challenges following the events of 9/11 have prompted a gradual return to multi-polarity.

This process, inescapably set in motion by the events in 1989, was accompanied by the gradual wearing away of the legitimacy of the United Nations as the guarantor of a just international order of peace and mutual respect among all nations on the basis of the legal notion of “sovereign equality”. As a result of the extreme imbalance in today’s power relations, the only superpower and her allies were gradually more tempted to make use of United Nations structures, in particular the Security Council, for the promotion of their own strategic interests. So-called “collective enforcement actions” on the basis of Chapter VII of the Charter – that are *de facto* unilateral military actions exclusively directed by the United States – have become the preferred tool of global hegemony in a self-declared “New World Order”, as influenced by neo-conservative ideology. It also appears that comprehensive economic sanctions are an essential part of this new form of hegemonic policy. Formally, multilateral action in the legal framework of the United Nations Charter is degenerating into “coalition wars” against those who challenge the unipolar power structure. All pertinent decisions on the conduct of such actions are, in reality, imposed upon the United Nations member states, in the cloak of “humanitarian action” by means of Machiavellian power politics.⁵ Thus, the tactics of blackmail and coercion *vis-à-vis* the rest of the Security Council member states, has become the general method of superpower “diplomacy” in the purportedly present unipolar era.

Yet, Stedman (1993) argues that the demise of superpower rivalry continues to ensconce the US with the chimera of a new world order. This illusion, alongside often violent disorder in many states especially in Africa, has produced a form of new interventionism. This outlook merges the awareness that civil war is a legitimate issue of international security, with a sentiment of crusading liberal internationalism.⁶ The new interventionists combined the emphasis on the moral obligations of the international community to an eagerness for a ‘newly’ available United Nations to intervene in

domestic conflicts throughout the world. Falk (1999) posits that the most vexing problems in the 1990s have arisen from humanitarian catastrophes in the economically and politically disadvantaged countries of Somalia, Bosnia, Chechnya, Kosovo, Sierra Leone, Liberia and Sudan.⁷ It was within this context that matters relating to the expansion of the Security Council's role progressed from being a mere academic enterprise to issues that were forcefully addressed within the new interventionist paradigm.

3.2 INTERNATIONAL RULE OF LAW AND THE NEW SYSTEM OF INTERVENTIONISM

By early 1992, the Security Council asked the incoming Secretary General, Boutros Boutros-Ghali, to prepare a report on the future of UN peacekeeping in light of the Gulf War experience.⁸ Boutros-Ghali did so and submitted his *Agenda for Peace* to the Security Council that summer. Boutros-Ghali's *Agenda for Peace* evoked a model of world order that did not concern itself solely with maintaining inter-state borders and guaranteeing state sovereignty, but rather focused as much on intra-state affairs as on inter-state affairs⁹. In his words:

“In these past months a conviction has grown, among nations large and small, that an opportunity has been regained to achieve the great objectives of the Charter – a United Nations capable of maintaining international peace and security, of securing justice and human rights and of promoting, in the words of the Charter, ‘social progress and better standards of life in larger freedom’. This opportunity must not be squandered. The Organisation must never again be crippled as it was in the era that has now passed.”¹⁰

To give credence to this new order, Boutros-Ghali offered new conceptions of peace and security. He averred that “peace” could be threatened by terrorism or by “brutal ethnic, religious, social, cultural or linguistic strife”,¹¹ and described a “new dimension of insecurity”, for which “efforts of the UN to build peace, stability and security must encompass matters beyond military threats in order to break the fetters of strife and warfare that have characterised the past”.¹² In an attempt to effect the reading of Articles 2, 24(1) and 42 of the UN Charter, it can be argued that the *Agenda* used this new conception of ‘peace and security’ to interpret the Charter as establishing that even situations entirely internal to states could be conceived of as threats to peace and security and be addressed by the Security Council with force.

It is worth noting that the dilemma for Boutros-Ghali was quite lucid. It is apparent that an international rule of law would involve a steady application of rules pertaining to intervention; that is, when certain conditions, whether human rights violations, humanitarian crises or crimes against humanity, reach a certain level, no matter where, force will be used to intervene and remedy the situation. However, the UN Charter requires no consistency, no regularity, and no explicit justification for the use of force by the Council. Thus, if the development of an international rule of law were to have any meaning, Boutros-Ghali believed the use of military force would have to be made

independent of the immediate political calculations of the five permanent members (P5).¹³ His was a quest for a more activist Council, to bring its efforts to bear on Africa in particular, and he feared that if left up to the Council, the P5 would neglect situations in places of little global strategic importance. This stood for reforms that would promote the use of force by the Council to deal with new threats globally as well as places of little importance.

3.2.1 The New Interventionist Debate

Ayoob (2002) argues that the notion of intervention has been given a qualitatively new and different impetus in two ways. Firstly, intervention became incessantly defined in terms of purposes or goals that were different from the traditional objectives that intervention was expected to achieve before the 1990s. These goals were supposed to be humanitarian and universal in nature rather than political and strategic. Secondly, intervention was sought to be projected as being undertaken by, or on behalf of, the 'international community', instead of a state or a coalition of states.¹⁴ Contemporary debate over military intervention was influenced by the many practitioners with experience in the executive or legislative branches. Of significance in this debate, are prominent figures such as Les Aspin, Collin Powell, George Bush, Bill Clinton, Madeleine Albright and William Perry – who have expressed views on the question of when and how to, or not to, use force.¹⁵

Stedman (1992) argued that the new interventionists seek to end civil wars and stop governments from abusing the rights of their peoples. For them civil war became more prevalent, violent and threatening to international security than in previous eras. They believe that active international intervention is necessary to bring a semblance of order to the post-Cold War world, based on the dubious presumption that the Cold War's end makes internal violence somehow more tractable. However, their often contradictory demands for intervention, either mediation, an active combat role on behalf of a warring side, or simply shielding civilians caught in the middle, contradict a lack of coherent understanding of peacemaking in internal conflicts.¹⁶

The new interventionists, being the American and some Western scholars and practitioners alike, advocate a new humanitarian order in which governments are held, by force, if necessary, to higher standards of respect for human life. These advocates contend that the protection of ethnic, religious and other minorities that are endangered by conflict and alienated from a hostile government is now increasingly a recognised obligation of the international community. To the adherents of this approach, sovereignty is no longer a tool for creating international order, but a political constraint on international action.¹⁷ In the words of former UN Secretary-General, Javier Perez de Cuellar, "We are clearly witnessing what is almost certainly an appealing shift in public attitudes toward the belief that the defence of the oppressed in the name of morality should prevail, transcending frontiers and legal documents".¹⁸

The new interventionists seek to establish guidelines to make certain that the UN polices any regime failing to meet the broadly, and often ill-defined, “humanitarian needs” of its people. Such guidelines are possible because, it is believed, the end of the Cold War has vanquished the ideological constraints on intervention in the domestic affairs of UN member states. Guidelines for intervention would signify a significant shift in the time-honoured meaning of the terms of international relations. Sovereignty would no longer be inherent in states, but with the people within them; self-determination would no longer refer to peoples, but to individuals.¹⁹

In contrast to international consensus that characterised the post-war order until 1989, the use of force has, apparently, become an accepted means to conduct international affairs. The Western power establishment reintroduced this concept under the guise of “collective enforcement actions” supposedly based on the UN Charter but essentially derived from the strategic interests of a small minority of member states, under the leadership of the only remaining superpower. This implies a steady return to the old system of international law as it existed prior to the First World War. According to the conventional doctrine of international law, which was considered obsolete since the banning of the use of force in international relations in the Briand-Kellogg Pact, the *jus ad bellum* constituted a generally accepted element of a system of basic norms governing the relations among sovereign states. Seen in this perspective, it is argued that what is witnessed today in the field of international law is not *progress* but, in terms of humanity and of an awareness of the legal implications of transnational action, *regression* in the direction of the anarchy of power politics.²⁰

The ability to outlaw armed intervention and interference in other states’ affairs was considered by the community of nations as a major accomplishment in the development of modern international law. Having replaced a power-centred system of norms regulating the behaviour of sovereign states by a set of principles that are above the sovereign power of the state, i.e. that are binding upon all states and from which no derogation is possible, was perceived by legal scholars as legitimate progress in the direction of a norm-centred international order, the very foundation of the universal rule of law. In a way, this is the problem that the new interventionists are attempting to circumvent. The principles of non-interference in the internal affairs and of the non-use of force or coercion in international relations have become the cornerstones of the international legal system as incorporated in the Covenant of the League of Nations and as the latter is now represented by the UN. These rules have become part of the *jus cogens* of general international law from which no derogation is possible under any circumstances, despite some transgressions by states and other actors.²¹ This has prompted many writers to articulate alternative contemplation on humanitarian intervention.

3.3 SHIFTING ATTITUDES ON HUMANITARIAN INTERVENTION

It can be argued that the events following the end of 1989 created an atmosphere of optimism about multilateral security co-operation. The atmosphere has been eroding since in the 1990s. Notwithstanding the declining optimism, humanitarian actions have taken a myriad more forms in

conflicts than before. Nonetheless before focusing on the changes in humanitarian actions, it is incumbent that the concept 'humanitarian' be defined. In addition, as the fissures between diverse typologies of international actions are narrowing, the significance of the features of humanitarian actions cannot be overstated.²² Humanitarianism is a concept derived from a range of intellectual, religious and cultural traditions. Its foundations differ from altruistic impulses to assuage adversity; to the *jus in bello* tradition and the laws of war; and lastly, to categorical notions of individual rights and radical attempts at solving the causes of suffering. Orthodox humanitarian action, which emerged in the 19th century, has aimed at alleviating human suffering caused by abrupt catastrophic occurrences. It is a tangible set of practices targeting the victims in the disaster region, and delivering medical aid or food to them. This comprises limited and neutral operations which are directed by a particular set of objectives.²³

For the purpose of this study, "humanitarian intervention" can be defined as military intervention in a state, without the approval of the authority of a particular state, and with the purpose of preventing widespread suffering or death among the inhabitants of the geographical area that falls under that state. This, of course, includes instances where there is serious and irreparable harm occurring to human beings or where it is likely to occur. This kind of intervention occurs when there is large scale loss of life with genocidal intent or not, which can be a result of a deliberate act by a state, state neglect, inability to act or a failed state situation. It also includes situations where there is large scale ethnic cleansing carried out by killing, force expulsion, acts of terror or rape.²⁴ It is within the scope of the conceptual debates delineating military intervention that divergent arguments are presented by those arguing for and against intervention.

3.3.1 Arguments for the Right of Humanitarian Intervention

Arguments for intervention maintain that 'military humanitarianism' is not oxymoronic, because military action has often defended humanitarian values. It is argued that, in accordance with the 'just war' tradition, military action is ethical because it is a lesser evil than submissiveness. In practice, armed protection and military involvement can be advantageous in circumventing or mitigating human suffering.²⁵

- Humanitarian relief in conflicts requires a secure environment which only a military force can provide. Moreover, the boundaries between securing a humanitarian space – defined as a physical, geographic expression of a humanitarian concept – the right of victims to protection and the duty of others to protect – protecting humanitarian relief and direct provision of relief are inevitably blurred. Rigid functional distinctions in the field are not always possible.
- Military and humanitarian cultures are not at polar extremes – in Hugo Slim's words (1996), 'there is a peculiar mimicry', as well as significant differences between the two. Both have in common a nobility in saving life, courage, fortitude, selflessness, organisational loyalty, a quest for adventure and a touch of prestige.²⁶

- Military operations, including traditional peace-keeping missions, have long involved a civilian affairs element, which includes activities that can be defined as 'humanitarian'. In peace-keeping missions, such as those in Cyprus and Lebanon, humanitarian relief is provided with impartial and neutral intentions.

On the matter of humanitarian intervention, John Vincent (1986) addresses the subject only tangentially.²⁷ He argues that notions of human rights infused the international system and the individual states which compose it; and that there is an area of domestic conduct which is under the scrutiny of international law. "This does not issue a general licence for intervention".²⁸ It is clear, in short, that he saw the main impact of human rights on the system of states, as being not through a doctrine of humanitarian intervention, but through the slow spread of a global cosmopolitan culture. As he put it in a dissertation published in the year of his death: "Offences against human rights are a matter of international concern, but they do not trigger intervention except perhaps when contemptible conduct shocks the conscience of mankind".²⁹ Nicholas Wheeler (1992) has noted that Vincent seems to lean a fraction further in the direction of humanitarian intervention.³⁰ Since 1990, there has been a great deal of practice which calls for a new interpretation of his conclusions on this matter.

It can be argued that parts of the international community are beginning to acknowledge that there can be a right to humanitarian intervention. This is in sharp contrast to previous notions. In order to appreciate the significance of international attitudes, especially at the UN, it becomes important to look at the emphasis, in most of the period since 1945, on observance of state sovereignty. Contained in the UN Charter, the prohibition of attacks on states is fundamental; and self-defence against armed attack is the one residual completely unequivocal justification for states using force. The Charter even places limitations, in the renowned Article 2(7), on intervention within states by the UN itself. It can be argued that in the years since 1945, there have been numerous military interventions, in many types of circumstances, but the UN has almost consistently denounced them.³¹

As John Vincent (1986) noted, by the mid-1970s, the non-intervention principle was coming under strain; but it was still more or less hanging on to its throne, at least in most UN pronouncements, and more precariously, in practice. That being the case, there was a significant debate among international lawyers about the question of whether humanitarian intervention could ever be compatible with the Charter; but this was mainly a deliberation among scholars and, until recent times, had somewhat little impact on national or international practice.³²

When the non-intervention principle was infringed upon in practice, as it often was, states appeared patently averse to alluding to the protection of human rights as their *raison d'être* for invading one another. There are three earlier examples of this reluctance to rely on a humanitarian case for intervention even when repugnant repression within the target state, and the subsequent huge refugee flows, would have seemed to provide a ready-made justification for doing so: firstly, the Indian invasion of East Pakistan in 1971 that led to the creation of Bangladesh; secondly, the Vietnamese

invasion of Cambodia in 1979; and thirdly, the Tanzanian invasion of Uganda in 1979. It emerges that in each of these cases, the government of the intervening country felt that a claim to be acting on the basis of self-defence, as spelt out in Article 51, was an easier and better means of relating to the UN Charter; and there was probably also an idea that to sanctify a doctrine of humanitarian intervention would be to stir up trouble for themselves or their allies.³³

Since the above events, the debate about humanitarian intervention has gained momentum for good reasons that, for the most part, focus on the United Nations. Firstly, there has been a substantial upsurge in the role of non-military humanitarian aid of myriad typologies in a large number of disasters, natural and man-made. The international community's awareness of the plight of victims of these disasters and their painful effects has been accentuated and made immediate by television and the media. Humanitarian aid has been provided on an unprecedented scale by the International Committee of the Red Cross, *Médecins sans Frontières* and many other bodies.³⁴

Secondly, the development of the human rights principle have led unavoidably to the stated need of the right of people in desperate circumstances to receive humanitarian aid, and of international bodies to provide it. Some aspects of this approach, still paying full respect to state sovereignty, can be found in the 1949 Geneva Conventions and in a number of resolutions in the 1980s about assistance in the wake of natural disaster. This substantiates that the apprehension towards humanitarian assistance is by no means the invention of the Security Council, nor is it a creation of the 1990s.³⁵

Thirdly, human rights notions have rarely been seen as justifying full-scale invasion. At the time of the US-led invasion of Panama in December 1989, a few Americans argued a case for humanitarian intervention on the grounds that sovereignty is vested in the people: if the popular will was suppressed within a state, then external military action to end the suppression could, in some circumstances, be justified.³⁶ This view did not then, and would not now, command support in the UN General Assembly, with its long record of opposition to military intervention.

Fourthly, events since the mid-1980s have given the UN Security Council so far inconceivable chances of acting. The great powers no longer regularly differ on virtually all questions of international relations. Through the Security Council, the UN has incessantly been involved in the internal affairs of independent states such as Nicaragua, El Salvador, Angola, Mozambique and Cambodia; as well as in Iraq in 1991 and in Somalia in 1992, where there was uninvited deployment of forces to protect refugees and other inhabitants.³⁷ There seems to be a return to this tendency with emerging Chinese, Russian and American competition.

Fifthly, many developments under UN patronage in recent years have raised questions about whether there is an unqualified need for consent for peacekeeping or humanitarian operations, and an absolute respect for state sovereignty, especially in conditions of civil war. In *An agenda for peace*, Boutros Boutros-Ghali (1995) notably suggested that consent by the host state may not be an unchanging

condition of peacekeeping operations.³⁸ The UN High Commissioner for Refugees' Operations in many countries have reflected a more general corrosion of the difference between humanitarian assistance and humanitarian intervention, having involved the creation of specially designated areas, e.g. "corridors of tranquillity", with some measure of sovereignty; and there has been rising elocution of the view that state sovereignty 'should not stand in the way of providing people with humanitarian assistance, but should facilitate it'.³⁹

Lastly, and most importantly, all of this takes place against a backdrop in which state structures have broken down in some parts of the world, giving way to anarchy and violence. Conflict, whether hailed as ethnic or communal, breaks out all too easily in successor states of suddenly collapsed empires especially where, as in the former Soviet Union and the former Yugoslavia, there are mutually irreconcilable claims to a right of self-determination. The non-existence of legitimate political systems, frontiers and armed forces makes it a muddled process. Some states which emerged decades ago from earlier colonial retreats – also in Africa – have encountered or re-encountered these problems. In short, the four horsemen of the apocalypse – war, pestilence, famine and death – seem to be having a favourable ride. Circumstances which cry out for humanitarian involvement have increased in number at the very same time as the UN's possibilities for authorising interventions have mushroomed.⁴⁰ Hence it can be argued that since 1991, there have been myriad cases in which interventions with some semblance of UN backing have had fundamental humanitarian intents. These interventions exemplify some of the central complexities of developing a doctrine and a practice of humanitarian intervention.

By the same token, Roberts (2000) argues that there can be no disputing the sheer force of circumstances that contributed to the development of the practice and doctrine of humanitarian intervention in the 1990s. The problem of whether forcible military intervention in another state to protect the lives of its inhabitants can ever be justified became politically sensitive because of a combination of factors:⁴¹

- a. Shocking situations, comprehensively reported on TV, and discussed extensively by international bodies, led to calls for action. For example, the humanitarian crisis in Darfur and the genocide in Rwanda have been debated and extensively covered by the media. The emphasis here is that media coverage of these situations led to calls for intervention than actual intervention – military or otherwise.
- b. Refugee flows from countries in crisis, coupled with the lack of enthusiasm of other countries to accept refugees on a permanent basis, meant that states had a strong interest in settling the situation in the country of origin.
- c. Whilst the trepidation of major international war – which tends to hinder military action outside the framework of self-defence – was low, the reality of violent civil wars – in many of which there was relentless repression by government forces – was all too obvious.

- d. The growth of two bodies of law in the post-1945 era – Human Rights Law and International Humanitarian Law – and the obsession of the public in many Western countries with humanitarian issues, led to a stronger sense that intervention might be legitimate in certain circumstances.
- e. The growth in international institutions, including the field of international security, increased the possibility of states acting on a multilateral basis. At the global level, the UN Security Council, no longer constrained by the East-West dispute, was able to reach authoritative decisions that gave a degree of legitimacy to interventions that might otherwise have been contested. Meanwhile, certain regional institutions had also developed some capacity for decision-making and legitimization of interventions.
- f. The rapidly growing community of non-governmental organisations (NGOs) played a significant role in crises and interventions. NGOs raised international awareness of tragic situations, demonstrated by their acts and omissions the need to protect vulnerable populations and aid activities, and occasionally called directly for international military intervention.

Underlying the developments in humanitarian intervention, is an emerging view, much emphasised by Kofi Annan, that the state should be understood to be the servant of the people, not their master. A stronger alternative of this view is that state sovereignty is vested in the people, not in the government. This latter approach could help to justify humanitarian intervention in cases, such as Haiti, in which an armed minority has seized power in a state and has overthrown a democratically elected government. However, it would be of less relevance in a case such as Rwanda in 1994 in which a government could at least claim to represent a majority of the population and was engaging in crimes – in this case genocide – against a minority.⁴²

Since becoming the UN Secretary-General on 1 January 1997, Kofi Annan has spoken eloquently of the need for intervention in cases of urgent humanitarian necessity. His first major contribution on this subject was in a speech at Ditchley in June 1998.⁴³ At the beginning of the North Atlantic Treaty Organisation (NATO) bombing campaign over Kosovo in March 1999, he issued a statement which recognised that there were occasions when force might be necessary, but also referred to the importance of Security Council authorisation.

Bring (1999) argued that, while the genocide in Rwanda continues to define for this generation the consequences of inaction in the face of mass murder, the conflict in Kosovo in 1999 has prompted important questions about the consequence of action in the absence of complete unity on the part of the international community. It has cast in stark relief, the dilemma of what has been called humanitarian intervention; on the one hand, the question of legitimacy of an action taken by a regional organisation without UN endorsement; on the other, the universally acknowledged imperative of effectively bringing to an end gross and systematic violations of human rights with grave humanitarian consequences. The author cautioned about the possible justifications under existing International Law

for humanitarian intervention not based on a Security Council decision.⁴⁴ If the considerations suggesting that there may be a right of humanitarian intervention in contemporary International Law appear to be strong, so too, do the considerations which point in the opposite direction.

3.3.2 Arguments against the Right of Humanitarian Intervention

Contemporary proponents of humanitarian intervention are unable to point to any treaty or other legal document that clearly recognises a right of humanitarian intervention. It has been argued that the closest to a legal foundation for such action, is the UN Charter: Chapter VII, which recognises the Security Council's right to take a broad range of military actions in cases where there is a threat to international peace and security. Argued above, there is virtually nothing in the Charter that gives support to humanitarian intervention not authorised by the UN Security Council.⁴⁵

In addition, no other mandatory legal text unequivocally endorses such interventions by states. Treaties in the fields of Human Rights and International Humanitarian Law do oblige states to conform to well-defined standards, and to avert and reprimand certain violations of those measures, but they do not advocate that forcible military intervention is among the means of implementation. The only possible exception is the 1948 Genocide Convention, but that firmly places the prevention of genocide in the hands of the United Nations. Proponents of a right of humanitarian intervention not under the Security Council must therefore rely on moral considerations, arguments relating to Customary Law, or the opinions of writers, to strengthen their claims.⁴⁶

It can also be argued that numerous treaties in the field of the laws of war seem to exclude the notion that a state's violations of their terms could provide a basis for military intervention. Justifiably, proponents of humanitarian intervention hardly ever mention these *provisos* because they frequently have other agendas outside the scope of humanitarian intervention.

Arguably, a litmus test for any emerging norm or practice is that it must be endorsed by all, if not the majority of states, and it is apparent that humanitarian intervention does not pass this test. It is often so that a number of powerful states including China, India and Russia, oppose this principle strongly. On a similar note, a myriad of post-colonial states, particularly in Africa and Asia, have expressed their antagonism towards the principle. A number of these states view humanitarian interventions as predisposed to foreign intervention, and are without doubt sensitive about defending their newly-found sovereignty. In some instances, other less laudable considerations are involved, including the protection of oppressive regimes from a new norm that might upset their monopoly of power within their states. In the 1999 UN General Assembly debate following Secretary-General Kofi Annan's address of 20 September, only eight states supported the position he took on the 'developing norm in favour of intervention to protect civilians from wholesale slaughter'. The great majority of states addressing this matter were opposed.⁴⁷

It is evident that some of the interventions of the 1990s did achieve significant results, including the return of large numbers of refugees to their homes. By and large, however, interventions based on humanitarian grounds lack an inspiring record of achieving their objectives or achieving a stable political order.⁴⁸ For example, neither in Somalia, following the US-led intervention in 1992, nor in Haiti following the US-led intervention in 1994, has there been a fundamental shift from long-established patterns of fractured and violent politics. In northern Iraq and Kosovo, interventions on humanitarian grounds did not, and conceivably could not, resolve issues of ethnic rivalry and disputes over political status.⁴⁹

A probing problem in literature about humanitarian intervention has been the dearth in any systematic attention to the results of such intervention, or to what the intervening armed forces are actually supposed to do. The intrinsic postulation has often been that the sheer presence of foreign military forces, or their initial action in stopping ongoing atrocities, will create the conditions for durable improvement. Frequently, the circumstances within a target society that give rise to humanitarian intervention are deeply ingrained, and are not fundamentally changed by a temporary injection of foreign military forces.⁵⁰

Nearly all attempts at developing a coherent doctrine of humanitarian intervention have depended profoundly on establishing criteria that would help in shaping justification of humanitarian intervention. The matter of criteria is intrinsically arduous. It can be posited that if the criteria are based on numbers of casualties within the target state, they may be too perfunctory, and in particular, may fail to notice momentous concerns such as the circumstances that led to such casualties, or the realistic possibilities of an intervention being launched and achieving results. Another complexity of criteria based on numbers of casualties is that humanitarian interventions may have a preventive function, and depend primarily on inescapably tentative judgements about the likely future course of events in a given country.⁵¹

Similarly, a fundamental difficulty in getting inter-governmental agreement on any doctrine of intervention, and on the criteria that are a necessary part of such a doctrine, is that a large number of governments around the world, seeing themselves as potential targets of intervention, explicitly oppose any doctrine. An even more sombre difficulty is that prospective interveners are averse to bind themselves in advance, to any obligation to intervene. Powerful states often decide to deal with, or evade major humanitarian issues by means other than military intervention, and are unlikely to want to limit their freedom of action in this regard.⁵²

Arguably, the arguments against humanitarian military intervention rest on the deontological argument that military humanitarianism is a contradiction in terms. It is averred in this instance that military acts are intrinsically political and usually suggest imposition, whereas humanitarian relief is morally autonomous and, in theory at least, neither politically conditioned nor imposed. The following other arguments relate to judgements about military humanitarianism's practical suitability and upshots:⁵³

- a. The prospect of troop deployments to secure humanitarian relief can make it look as though the insecurity of humanitarian workers will be used as an excuse for military intervention. This harms the relief programme by creating suspicion among protagonists about the real motives of humanitarian efforts.
- b. The activities of the military can be directly counter-productive or compromising to civilian actors. The uniformed presence can be resented by local people and the civilian effort then becomes associated with foreign imposition.
- c. Troops are not well-suited to humanitarian tasks. Their virtual advantage in emergencies is the maintenance of security. Their expertise, ethos and culture are designed to accomplish political goals. Indeed, from a military point of view, combat readiness and the soldierly ethos are degraded by humanitarian distractions.
- d. The military chain of command and hierarchical structure are not likely to concur with the principle of accountability to the local population and long-term attempts to build local capacity for relief and regeneration.

It is worth noting that the divisions in this debate are not definite, and there is an element of probable junction between the classical and political approaches through the concept of aid rights: the duty to provide assistance and the right to receive it. Nor do the lines of debate clearly reflect affiliate interests. Deontologists – those who look for a moral or ethical basis – who suspect militarism and humanitarianism to be inherently incompatible, can be found in both the military and civilian sectors, as can those who take a more political approach. Conceivably the bulk of commentators and participants in both sectors are guided by the circumstances in particular cases to determine the validity of military involvement in humanitarianism. Their responses are determined by their assessments of requirements and likely outcomes.⁵⁴ Further strengthening the humanitarian drive for intervention is the role of the media. Though not the primary focus of this study, the role of the media becomes significant when it makes human suffering public. The media holds some influence in public debates, be it national or international. For this reason the author will refer briefly to the media here. The role of the media *per se*, does not form part of the research questions posed, but the interface between media debates and intervention should be mentioned.

3.3.3 Agenda Setting or Denial: The Role of the Media in Shaping Intervention Policies

The media has an effect on policy, but this is perhaps stating the obvious. Lippman and Lasswell in Parsons (1995) pointed out the links between public opinion and the media.⁵⁵ Important though, is that the media can positively effect or negatively affect actions by other actors nationally or internationally. Schattsneider, Cobb and Elder in Parsons (1995), points out the policy process may not be as open as we believe, because not all problems are brought to the public attention.⁵⁶ The same applies to international activities by major actors. The media, because of their vested interests or setting in society, frequently has its own agenda or may serve other vested interests.⁵⁷ This means that they can choose to influence the public debate through what Parsons referred to as *agenda-setting*.⁵⁸ Jakobsen

(2000) argues that the media ignores most conflicts, most of the time. The coverage of the pre- and post-violent phases is negligible, at best, and only few armed conflicts are covered in the violent phase. Discerning media coverage contributes to illogical allocation of short-term emergency relief, simply because coverage is determined by factors other than humanitarian needs. Thus, this undetectable and tortuous media impact on conflict management is far greater than the direct impact on intervention and withdrawal decisions.⁵⁹

The media often determines what the public regards as important issues. The more attention is given to an issue, the more it becomes a high agenda item in the public view, and vice versa.⁶⁰ This is called the *agenda setting* element.⁶¹ The media, therefore, by being in the business of ‘manufacturing’ news is also involved in the production of problems. The media selects what is ‘newsworthy’ and in doing so, include and exclude issues, events and ideas; in Eastonian terms, they act as ‘gatekeepers’.⁶² The role of the media should be viewed alongside how they use, or choose how not to use, experts and the impact of bureaucratic propaganda.⁶³

Conversely, the media can choose to “submerge” some issues – to not talk about it or remain silent about it – with what Parsons refers to as *agenda-denial*. Or; the media can also infuse public panic.⁶⁴ They can choose not to influence a debate, yet influence a debate by “dropping” some issues from the public discourse. In other words, the media consciously contribute to an atmosphere of non-decision making, i.e. “constriction” or “containment” of decision-making which leads to policies not being drafted and/or implemented.⁶⁵ This is also known as a non-decision making effect. Media, like other actors influence the “pressure side” of policy making and hence influence policy outputs.

Some examples suffice: The British media in Afghanistan in 1836 –1842 saw Afghans as inured to bloodshed, simplistic in their religion and revengeful thus illustrating how the media can set an agenda.⁶⁶ Setting of pro-US and Western agendas in the 1991 Gulf War, were followed by denialist and non-reporting of Iraqi deaths frequently by means of “embedded journalism”.⁶⁷ The cases explored in this study will shed some light regarding the role of the media in shaping the agenda for intervention, if not how lack of media coverage led to non-intervention policies.

Compare for example the role of the media highlighting human suffering in Bosnia and Kosovo, thus prompting intervention while the plight of people in Rwanda was initially largely understated, if not ignored, and intervention delayed. The role of the media cannot be addressed here in detail given the selected research questions. However, there is clearly ample space for future research in this field.

Military interventions are not alien to the African continent, thus any debate on intervention issues remains pertinent for Africa. Ten years after the Rwandan genocide, the mass killings in Sudan further heighten international attention on questions of intervention. This is made worse by the inherent need for intervention, while matters of intervention remain marred by controversy and the pronouncements made by the AU to intervene in member states.

3.4 THE AFRICAN UNION (AU) AND THE RIGHT TO INTERVENE

The AU came to life in July 2002; with fifty-three founding members, with all African countries joining except Morocco. With a wide-ranging agenda, the AU replaced the Organisation of African Unity (OAU) and reflects a fundamental shift in thinking for African leadership. Based in Addis Ababa, Ethiopia, the current AU is structured and better designed to respond to conflicts on the continent than its predecessor. The OAU, which emphasised the principles of national sovereignty and non-interference, lacked both the statutory authority and institutional capacity to intervene in matters related to peace and security. The AU, which embraces international co-operation and recognises the primacy of the UN Charter in peace and security, has also adopted a wider field of engagement options, from mediation, to using force to intervene in specific circumstances. Article 4 of the Constitutive Act specifies:

“The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect to grave circumstances, namely: war crimes, genocide and crimes against humanity... the right of Member States to request intervention from the Union in order to restore peace and security.”⁶⁸

The decision by the Assembly of Heads of State and Government of the OAU, who adopted the Constitutive Act of the African Union to include the right of intervention in that Act, stemmed from an apprehension about the OAU's failure to intervene in order to stop the gross and massive human rights violations witnessed in Africa in the past. Three such cases are the excesses of Idi Amin in Uganda, Bokassa in the Central African Republic in the 1970s, and the genocide in Rwanda in 1994. Certainly, this concern about their inability to prevent or halt the Rwandan genocide, had already led the said Heads of State and Government to set up an International Panel of Eminent Personalities, to scrutinise the 1994 Genocide in Rwanda and surrounding events. This panel held responsible the neighbouring countries, but also the OAU, the United Nations and the international community at large, for failing to call the killings in Rwanda by their proper name, namely genocide, and for failing to stop the violence.⁶⁹

It is most probably along these lines that some of the Heads of State might have recalled the ringing words of Ugandan President Museveni in his speech to the Ordinary Session of Heads of State and Government of the OAU in 1986, in which he accused them of condoning the wholesale massacre of Ugandans by Idi Amin under the guise of not interfering, because it was an internal affair of Uganda. Referring to previous regimes in his country, Museveni stated:

“Over a period of 20 years three quarters of a million Ugandans perished at the hands of governments that should have protected their lives ... I must state that Ugandans ... felt a deep sense of betrayal that most of Africa kept silent ... the reason for not condemning such massive crimes had supposedly been a desire not to interfere in the internal affairs of a Member State, in accordance with the Charters of the OAU and the United Nations. We do not accept this reasoning because in the same organs there are explicit laws that enunciate the sanctity and inviolability of human life.”⁷⁰

As referred to in the earlier section of this chapter, the Agenda for Peace by Boutros Boutros-Ghali echoes these very sentiments, in which he argued for proactive peace-making and humanitarian intervention. The report delineated proposals for enabling intergovernmental organisations to respond speedily and efficiently to threats to international peace and security in the post-Cold War era. In particular, four major areas of activity were identified: preventive diplomacy, peacemaking, peacekeeping, and post-conflict peacebuilding. Nonetheless, during the 1990s and following the end of the Cold War it was difficult to operationalise humanitarian intervention. At that time the UN was by and large unenthusiastic to issue Security Council resolutions that were perceived as infringing upon the sovereignty of member states. The corollary was unmanageable violent conflict perpetuated principally within states. Africa was, for the most part, affected by the conflicts in Angola, Liberia, the DRC, Sierra Leone and south Sudan, and the genocide in Rwanda. With the advent of the new millennium, intrastate violent conflict continued unabated and tragedies like the situation in the Darfur region of Sudan raised new questions about the doctrine of humanitarian intervention and drew in the newly established AU.⁷¹

Fuelled by ambitious leadership and prompted by multiple conflicts, the AU, the Economic Community of West African States (ECOWAS), and other African sub-regional institutions are developing better abilities to tackle regional peace and security questions. These organisations are focused on anticipating major conflicts, planning and managing missions of all kinds, and supporting deployments of peacekeepers. Sequentially, donor governments are offering support bilaterally, through regional avenues, and via the Group of 8 (G8), to enable African national, sub-regional and continent-wide capacities for such efforts. And the burgeoning political will – the key component needed for political and structural change in institutions – is helping drive this effort in Africa and internationally.⁷² Numerous initiatives were put in place in order to enhance the capacity of selected African militaries to respond effectively to peacekeeping or humanitarian relief operations on the continent. These include, among others, the African Crisis Response Initiative (ACRI), Reinforcement of African Peacekeeping Capacities (RECOMP) and quite recently, the Africa Command (AFRICOM).

3.4.1 The Expansion of the Constitutive Act of the African Union

The AU Act had originally provided for the right of the Union to intervene in a member state, pursuant to a decision of the Assembly, in respect of grave circumstances, namely war crimes, genocide and crimes against humanity. The latest amendments introduce a new ground of intervention by recognising the rights of the AU to intervene upon the recommendation of the Peace and Security Council when there is a serious threat to legitimate order, for the purpose of restoring peace and stability in a member state of the AU.⁷³ The amendment of the Act has been marred by controversy, especially in matters relating to the meaning of serious threats to legitimate order.

Unlike the justifications of war crimes, crimes against humanity and genocide, the definitions of which are provided for in the statutes of the international criminal tribunals for Rwanda and Yugoslavia and

have been further clarified by the jurisprudence of these two tribunals, the justification of serious threat to legitimate order is not defined anywhere.⁷⁴ It can therefore be assumed that a *legitimate order* can only result from a free and fair election which allows the majority to determine whom they wish to govern them. However, what constitutes a free and fair election is itself a highly contentious issue. What unfolded after Zimbabwe's 2000 parliamentary elections, the 2002 presidential elections and the 2008 parliamentary and presidential elections, bear testimony to the contentious nature of what constitutes free and fair elections in Africa. The events in Kenya following the 2007 presidential elections provide another illustration to this debate.

Adding to the controversy is the question relating to what constitutes a threat to legitimate order. Are peaceful demonstrations by people demanding political changes, to be considered a threat to legitimate order justifying intervention by the AU? The delineation of unconstitutional changes of government excludes this eventuality, but it is not specifically excluded from the amendment to Article 4(h). This begs the question of whether this provision could have helped President Didier Ratsiraka of Madagascar to get the assistance of the AU, in order to crush an uprisings against his attempts to hold on to power despite his apparent electoral defeat?⁷⁵

It can be argued that in establishing the African Union, the Heads of State thus intended to endow their continental organisation with the necessary powers to intervene, if ever the spectre of another Rwandan genocide loomed on the horizon. But the controversy and dilemma surrounding intervention have been monumental at the dawn of interventionist opportunities.

3.4.2 The Dilemmas of Military Intervention in Africa

A number of questions have been posed as to the responsibilities and interventionist claims in the international society. Quite perplexing, is whether the failure to prevent violent conflict and the ambivalence to the unvoiced suffering of millions through malnutrition and poverty, call the humanitarian credentials of new interventionism into question? Is the time not ripe to invoke new thinking, instead of an insidious military humanism that employs the rubric of human solidarity to legitimise the violent pursuit of the interests of the affluent?⁷⁶ The debate about the legitimacy of military intervention has been a domain of the international society's approach to International Relations. Their concern with the relationship between principles of order and justice and the questions of legitimacy and norm construction in international society, correlate with the dilemmas associated with intervention. This debate is between pluralists, who argue that state sovereignty and the principle of non-intervention are sacrosanct, as well as solidarists, who argue that state sovereignty is not ontologically prior to human kind and that a universal solidarity exists between humans.⁷⁷

These dilemmas are accentuated by works of scholars from numerous intellectual traditions who identified four key challenges to the discourse. First, a disjuncture remains between discourses of human rights and the incessant practice of human wrongs.⁷⁸ Second, there is a deep contradiction

between the supposed norm of non-intervention and the consistent interventionist practices of states.⁷⁹ Third, it is argued that the normative quality of state sovereignty is paradoxical, in the sense that pluralists argue that states are a moral good in themselves, because the *raison d'être* is the guarantee of human welfare and security. Conversely, the non-intervention rule effectively protects the state despite human rights violation by the state. Finally, a discrepancy exists where states are not consistent in their interpretation of the link between sovereignty and human rights. In some instances, some states argue that gross human rights violation creates room to legitimise exceptions to the non-intervention rule. While in other similar cases, it is argued that sovereign imperatives refute the possibility of military intervention.⁸⁰

Many of the African dilemmas regarding interventions are influenced by domestic debate between neo-realists, who believe that the only criterion of action abroad ought to be national interests. Conversely, post-modernists seem to decry so narrow an approach, and call for structural reform and global co-operation. Meanwhile, African states are caught up in domestic and cross-border conflict, fuelled and sustained by ancient feuds, foreign interests, arms smugglers and mercenaries. The fundamental question facing African states is how to keep the cost of intervention below that of failing to intervene, and this is pertinent to South Africa which shares borders with many of the conflict ridden states in the region.⁸¹

Steyn (1998) argues that for South Africa for instance, this conundrum is exacerbated by the need to sail between the Scylla of national interest and humanitarian imperatives, and the Charybdis of financial and military prudence. Central to this dilemma, is the defining circumstances that justify intervention whether diplomatic or military, in a community of states that do not share identical perceptions of state and government legitimacy, and in circumstances where the outcomes of a conflict in one state, or between states, may have quite different results for neighbouring countries and peoples. The different reactions and roles of a number of neighbouring African states, to the political crisis in former Zaire in 1996 and early 1997 are cases in point. In what are often known as 'failed states', the conventional rules of peacekeeping provide little guidance for appropriate action.⁸²

Numerous commentators have contended that intervention is a deplorable attack on state sovereignty. Portella (2000) has argued that NATO's action in Kosovo, carried out without authorisation by the UN Security Council, breached International Law.⁸³ In his 2000 Millennium Report to the UN General Assembly, then Secretary-General Kofi Annan put some of these concerns into perspective:

“If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to Rwanda, to a Srebrenica – to gross and systematic violations of human rights that offend every precept of our common humanity?”⁸⁴

In the case of failed states accompanied by disorder and ensuing loss of life, as in Somalia, intervention becomes inevitable and not an academic matter. However, the AU will have to bear in mind the high costs involved in such an intervention and the prospects that it may be a protracted affair. Moreover,

intervening in one failed state could set a precedent that may have to be replicated in other countries more often than the capacities of the AU and its member States would allow. As Cilliers and Sturman (2002) have argued:

“The concept of State sovereignty, on which the international system and the OAU were founded, presumes that each state has the power, authority and competence to govern its territory. For many African States, however, sovereignty is a legal fiction that is not matched by governance and administrative capacity.”⁸⁵

While there is no consensus regarding what intervention is all about – when and who should intervene – Africa is beset with a myriad of challenges that often require some form of intervention. The African stance via the AU is driven by the idea that Africans should solve African problems and this is despite a dearth in capacity to do so. With the realities of Somalia still lingering in the minds of those endowed with the resources to intervene – especially the West – and the subsequent reluctance by the West to intervene in areas of less strategic importance, Africa finds itself at the crossroads of those advocating intervention and those averse to intervene. Reminiscent of the Rwandan genocide, states appeared divided along matters of intervention, whether military or otherwise.

3.4.3 The African Union and the Responsibility to Protect

Within the AU, support for the responsibility-to-protect principle emerged from broader concerns with promoting human rights standards on the continent. The principle is closely associated with the work of Francis Deng (2001) and the report of the International Commission on Intervention and State Sovereignty (ICISS).⁸⁶ The ICISS report argued that within contemporary international society, governments are responsible for protecting their populations. If a government proves either unable or unwilling to protect its civilians from ‘large scale loss of life’ or ‘large scale ethnic cleansing’, then international society bears a collective responsibility to protect them and can override the sovereignty of the state in question.⁸⁷

Within Africa, it was arguably the oppression in Idi Amin’s Uganda in the late 1970s and the 1994 Rwandan genocide that generated the most local resonance with the ICISS approach. African states displayed significant support for this principle when they adopted the Constitutive Act of the African Union in July 2000, wherein Article 4(h) institutionalised the AU’s right to intervene in a member state ‘in respect of grave circumstances: war crimes, genocide and crimes against humanity’. In addition, as members of the UN, African states have also endorsed the responsibility-to-protect principle in the General Assembly’s World Summit Outcome Document (2005) and, more recently, in Security Council Resolution 1674 (28 April 2006).⁸⁸

Since the end of the Cold War, debate over international peacekeeping has been dominated by the question of the so-called ‘right of humanitarian intervention’. Proponents of the right of intervention, largely Western states, have tended to uphold liberal internationalist claims that new international norms prioritising individual rights to protection promise a framework of liberal peace, and that the

Realist framework of the Cold War period – when state security was viewed as paramount – has been superseded. In the quest to codify and win broader international legitimacy for new interventionist norms, the ICISS released a two-volume report, *The Responsibility to Protect*, in December 2001. In light of this report and the broader developments in international security after 9/11, it can be suggested that, rather than a moral shift away from the rights of sovereignty, the dominance of the liberal peace thesis, in fact, reflects the new balance of power in the international sphere.⁸⁹ The framework of liberal peace assumes that democratic states do not go to with one another, something which in reality is not often lived up to.

The issue of humanitarian intervention has become a key challenge in international relations. During the UN General Assembly in 1999, and again in 2000, the former Secretary-General, Kofi Annan, ‘made compelling pleas to the international community to try and find, once and for all, a new consensus on how to approach these issues, to “forge unity” around the basic questions of principle and process involved’ in humanitarian intervention.⁹⁰

Yet, despite such institutionalisation, many African states remain suspicious of the concept and have been reluctant to internalise this norm. At present, therefore, certain African states and members of the AU Commission are acting as entrepreneurs in a process of norm localisation, in order to build congruence between the responsibility-to-protect norm and the AU’s security culture.⁹¹ Examples of entrepreneurial activity were evident at the UN Security Council debate on the responsibility to protect, where Benin, Rwanda and Tanzania all gave strong explicit support for the idea. Benin tried to build congruence by suggesting that collective responsibility-to-protect is the basis of the creation of the African Union and its structures concerned with the maintenance of peace and security.

Belloni (2006) argues that the responsibility-to-protect doctrine is not likely to convince the critics of military intervention. First, sceptics highlight how a diffuse ‘responsibility-to-protect’ can be exploited in order to legitimise the pursuit of the interest of the strong – usually Western, well-off and powerful well-armed states; vis-à-vis the weak; poor, failing states in the global South. It can be argued, from this perspective that the supposed universal humanitarian values amount to nothing less than the interest of the powerful masqueraded in universal terms.⁹² Chomsky (1999) contends that military intervention remains an exception and, when it does occur, the selfish motivations of the interveners are predominant over the altruistic drive to save lives.⁹³ Thomas Weiss (2004) points out that intervention for the ‘right reasons’ remains a rare occurrence.⁹⁴ While this might be true, such criticism fails to consider intervention from the point of view of the victims. The primacy of altruistic motives cannot be a test of legitimate intervention, since states can act for non-humanitarian reasons and still produce humanitarian outcomes.⁹⁵

Second, critics have highlighted the potentially negative outcomes of military intervention; in particular how it might precariously undercut the values, rules and institutions that allow the existence of a relatively peaceful and orderly society of states. The norms of sovereignty, equality and non-

intervention guarantee a minimum set of rules of co-existence among states. They are the prerequisite for a just and moral international society, allowing individuals and groups to enjoy their rights. Because such a society provides a context for order, it is logically and morally superior to other values, in particular human justice, and thus must be prioritised.⁹⁶ On this account, the ultimate negative consequence of military action is the possibility that international order will break down, leading to even greater international conflict. Moreover, humanitarian intervention is subversive of the egalitarian structure of inter-state order and violates the independent choices of political communities by opening the door to the imposition of the interveners' views of a post-war settlement.⁹⁷

While this is a realistic prospect, the main difficulty with this argument is that it fails to consider that the protection of human rights might essentially strengthen international order, instead of undermining it. An unjust world is likely to be disorderly, for example, by provoking the mass flight of individuals and groups escaping persecution. Military intervention can sustain order and co-existence, while not overturning it. However, within the African context, what has emerged is an attempt by the AU to shift from non-interference to what is now referred to as the doctrine of non-indifference.

In summation therefore, notwithstanding the AU's institutionalisation of the responsibility-to-protect principle, this norm has not been internalised, to the extent that the organisation is willing to challenge the sovereignty of one of its more powerful members, even if that member has engaged in norm-violating behaviour. Certainly, such a stance is not restricted to the AU. Despite a raft of Security Council resolutions passed under Chapter VII of the UN Charter, no state has seriously acted toward humanitarian intervention in Darfur. In this sense, the responsibility-to-protect principle has yet to be fully internalised anywhere in the world.

3.5 SUMMARY

The aim of this chapter was to illustrate the nature and development of new interventionism in the 1990s, by exploring the extent to which this new interventionist paradigm shaped military intervention globally, and how Africa entered this domain both conceptually and operationally.

New interventionism was driven by an attempt to bypass the power-centred system of norms that regulated the behaviour of states by a set of principles beyond the sovereign power of the state. Proponents of this paradigm advocated a new humanitarian order in which governments are held accountable to the well-being of human life; thus recognising the obligation of the international community.

It is evident, that since the collapse of the Cold War, the *bipolar* balance of power has been replaced by a *unipolar* structure. This led to *de facto* unilateral military actions as a preferred contrivance of global hegemony in a self-proclaimed new world order driven by neo-conservative ideology. However, the

world has, since 9/11 witnessed a return to a *multipolar* world order via the declaration of War on Terror by the US and its Western allies.

With the humanitarian agenda infused into the military intervention debate by those advocating new interventionism, different scholars were prompted to present alternatives to this approach. This was done by articulating both arguments for and against humanitarian intervention.

The AU included the right of intervention in the Constitutive Act, something which stems from the apprehension about the OAU's failure in its quest to deal with gross human rights violations in Africa. It is clear that the AU's espousal of the responsibility-to-protect principle emerged from concerns with endorsing human rights standards in the continent.

3.6 CONCLUSIONS

Some suggest that much of the enthusiasm underpinning the new interventionism is misplaced. Intervention does have a role to play in international political life but an interventionist policy has to be elaborated with considerable care. For an interventionist system to be viable, it needs in particular to have a general aura of legitimacy. In the case of intervention in the Third World, the system needs to be supported especially by the major Third World countries that can be expected to be very suspicious of it.

Numerous enthusiastic proponents of the interventionist doctrine lack a sufficient sense of the dilemmas, risks and costs of intervention. They often fail to take account of the special dynamics of civil war or the realistic limitations of the United Nations as the chosen vehicle for action. The precepts of this doctrine, chafing at conventional notions of sovereignty, remain paradoxical and are leading international actors toward a largely uncharted domain. Followed injudiciously, the new interventionism could become incessantly expansive, until states and the United Nations in the end take on tasks for which they are ill-prepared, leaving themselves embroiled in numerous internal conflicts without the will or logistics to do so.

The *raison d'être* as to why humanitarian intervention has expanded at such unprecedented level remains a daunting question. If the general changes in humanitarian actions are combined with practical outcomes at an operational level, it becomes clear that there is no single justification to this unexpected upsurge. In this case, both the suppleness, or of course the ambiguity, of humanitarianism and the confusion of the current international system have enabled the actors in humanitarian crises to interpret humanitarianism according to their social, political and professional identity.

The right of intervention by decision of the African Union, as provided for in the Constitutive Act, was a result of the ignominious evidence of massacres, gross and massive violations of human rights and large population displacements, which have made the African continent host to the greatest number of

refugees and displaced persons in the world. This was due to factors ranging from conflicts, to bad governance, poverty, failed states and others. Although well intended, the *proviso* on the right of intervention, will not be easy to decide upon or put into practice. It can only be hoped that the new thresholds of democracy, accountability and good governance enforced by the Constitutive Act's provision for the possible imposition of sanctions, will inhibit the need for costly interventions. Nevertheless, any interventions are likely to be necessitated by failure to observe the values and standards pronounced in the Act, which form the fundamental basis of the African Union.

The initial aim of providing for the right to intervene in the AU Act was informed by the desire to protect the individual by allowing intervention in situations of grave violations of human rights including crimes against humanity, genocide and war crimes. This argument is connected with the next chapter with its focus on contemporary African cases of military intervention since the end of the Cold War in order to highlight the evolutionary pathway of intervention.

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CHAPTER 4

AFRICAN CASES OF MILITARY INTERVENTION

The previous chapters expounded the concept of military intervention, highlighted the patterns of intervention and the principle of non-intervention as well as the nature and development of new interventionism in the 1990s. In view of the research questions posed in the introductory chapter, this chapter takes the debate on military intervention further; exploring selected African cases of military intervention after the Cold War.

The cases under discussion include the 1992 United States (US)-led intervention in Somalia, the 1994 intervention in Rwanda, the intervention in Darfur in 2004, the 2000 intervention by Britain in Sierra Leone and 2008 African Union (AU) intervention in the Comoros. The criteria for these interventions hinges upon the unsuccessful ones as well as successful ones. Somalia, Rwanda and Darfur are epitomes of unsuccessful cases of intervention, given that in Rwanda intervention never, or happened much too late after the death of almost a million people; while Somalia is an extreme case of an ongoing conflict amidst numerous military interventions and an almost totally collapsed state. Darfur on the other hand represents a case which followed Rwanda, where in the latter case pronouncements were made to avoid a repeat of the former. Sierra Leone and the Comoros illustrate successful cases of intervention, where a state, in the form of Britain, with the capacity to carry out such an intervention was willing and able to stage an intervention; while the Comoros represents a more contemporary case where the AU intervened successfully.

Interrogating issues leading to these interventions helps in addressing questions relating to the following: who should intervene in the affairs of another sovereign state; on which grounds should intervention be justified or be seen as legitimate; and how can the African states benefit from military intervention amid the controversial and intrinsic need for intervention? The uncertainty of future interventions as a result of the unceremonious departure of the US forces in Somalia, has arguably led to lethargy in terms of the need for intervention as in Rwanda. Similarly, the international community has been involved in the semantics of delineating the events in Darfur as genocide, rather than designing an intervention strategy that seeks to address an ostensibly catastrophic humanitarian disaster. However, the interventions in Sierra Leone and the Comoros provide some optimism on how both regional entities, such as the AU, and Western powers should go about intervening for future reference.

With much of the causes and the course of the conflicts under debate having been covered in the literature, this chapter deviates from a historical exposition of the different cases, but focuses on the circumstances surrounding these interventions. The aim of this chapter is to discuss the different cases of intervention by focusing on what informed or misinformed these interventions, who authorised them, and who intervened

and why? This will be done by first discussing the unsuccessful cases of Somalia, Rwanda and Darfur in terms of how the AU and the international community responded or chose not to. The second section of the chapter focuses, briefly, on the more successful cases of Sierra Leone and the Comoros. The concluding section of the chapter addresses the question of who should intervene in Africa, as well as determining the extent to which Africa states can benefit from intervention.

Since the end of the Cold War, the most contentious revolution in United Nations (UN) activities has been the amplified resort to peace enforcement, i.e. armed intervention, or the threat of armed intervention, pursuant of a UN mandate authorising the coercive use of military power to induce conformity with UN sanctions or resolutions. While the UN launched only one enforcement operation between 1945 and 1990 – in Korea in 1950 – four have been authorised since then; Kuwait in 1990, Somalia in 1992, Rwanda in 1994 and Haiti in 1994; and two others have been supported; Liberia in 1990 and Northern Iraq in 1991. The emergence of this new practice of UN-sponsored military intervention has generated debate in academia and among political elites concerning the legitimate use of force, the arguments for and against a UN standing army and the conditions for success. Less attention has been given to the question of why a variety of military interventions were initiated.¹

4.1 THE CASE OF SOMALIA, 1992

Due to its geographic location, Somalia drew super power attention for much of the Cold War period. By March 1991 after the demise of the Cold War, Somalia again emerged central to post-Cold War interventions. One and a half years before the 1992 intervention, assistant Secretary of State, Herman Cohen pronounced Somalia a civil strife disaster, at which point the United States Office of Foreign Disaster Assistance began to fund relief efforts. Nonetheless, it was not until the spring of 1992, that Somalia became a major issue in Washington. An admixture of strenuous lobbying by officials within the US executive coupled with increased media attention raised the profile of Somalia during this period. By 14 August 1991 the Bush administration had ordered a major airlift of relief supplies – Operation Provide Relief to Somalia. The airlift represented a major intensification in US involvement with the Somalia crisis. It epitomised George Bush's political commitment to the country.²

According to Talentino (2005), emergency aid became the only currency of an already collapsed economy, thus indicative of a method of acquiring both money and power. As aid poured in, it provided both prospects and competition for resources, and this led to two problems. Firstly, the availability of aid amplified violence as gangs and factions competed for control of international supplies. Secondly, the focus on Mogadishu as a distribution point brought the displaced population into the areas of intense conflict, thus subjecting more desperate people to the zones of warlords. With the situation exacerbating

on a daily basis, the distribution of aid became intricate and impossible, threatening the humanitarian operation in its entirety.³

After a series of interagency meetings, which were called in order to develop policy options for President Bush, three options had been developed. The first was continuing with aid operations and seeking to enhance the UN presence in Somalia. The second involved organising an international coalition of forces under UN command in which US military airlift, sealift and logistical and communications support would be offered but not ground troops. The third option was sending in a division of US troops under US command and control.⁴ On 25 November Bush agreed on the third option and proceeded to offer the UN up to 28 000 troops to spearhead an intervention. It was on 4 December that the UN Security Council voted to support intervention, and an announcement was made by Bush that US troops would be sent to Somalia. By 9 December, the first US troops were arriving in Somalia.⁵ These troops were subsequently joined by other forces, to create United Task Force (UNITAF), which was charged with restoring security in limited geographic areas to allow the distribution of aid.⁶ The story from this point on is now infamous departure of US troops but, of significance to this chapter, is the rationale behind the intervention. Why did the international community choose to respond in Somalia in the manner that it did?

4.1.1. International Response to the crisis in Somalia

Bolton (1994) avers that, since the end of the 1991 Persian Gulf War, pressure mounted to involve the UN in a burgeoning number of countries experiencing internal civil strife, and Somalia is a paradigm case. What President Bush originally decided, and the Clinton administration later did, reflects a disjuncture in terms of approaches. It is evident that the Bush administration sent US troops into Somalia strictly to clear relief conduits that could forestall mass starvation and resist UN attempts in expanding the mission. On the other hand, the Clinton administration set about pioneering “assertive multilateralism” and efforts at nation-building that led to the violence and the humiliation that ensued.⁷

It is further argued that, as a UN imperative, legitimating its involvement in internal civil strife evolved as an extension of the duty to preserve international security. The turning point came in the aftermath of the Persian Gulf War, when the UN Security Council adopted Resolution 688 in 1991. Having to contend with immense flows of Kurdish refugees from northern Iraq into Turkey and Iran, as well as callous military assaults against Shiites in southern Iraq, the council acted summarily. It was then declared, for the first time, that a member government’s repression of its own people, resulting in urgent humanitarian needs, constituted a threat to international peace and security.⁸

When the Somalian crisis came, the Security Council achieved little progress in early and mid-1992, brokering a ceasefire among the warring clans and sub-clans. General Mohamed Farah Aideed rejected the

deployment of peacekeepers until autumn. By not deploying the UN Operation in Somalia (UNOSOM), the Secretary-General followed standard peacekeeping procedures: no “blue helmets” would be deployed unless all parties consented. The result was that the civil war in Somalia continued unabated, humanitarian assistance could not be delivered, thousands of Somalis died of disease and starvation, and the threat to hundreds of thousands more, grew daily.⁹

It is worth noting that the conflict in Somalia had been ongoing for several years by the time which military intervention began in 1992. This, of course, is indicative of the fact that it was not so much the presence of violence that prompted action, but something else. Instead of seizing the moment created by instability, the international actors tried not to get involved and virtually ignored the political crisis. The initial efforts were, to a large extent, driven by the humanitarian agenda and the notion that the crisis might have security upshots was voiced in UN debate in early 1992. This was not broadly accepted.¹⁰ These circumstances marked an important milestone for intervention and not only in Somalia but in post-Cold War international relations. They brought about change in the perceived uses of intervention by producing a humanitarian *raison d'être* for military actions. It is clear that nations do not employ their militaries to do good for others and intervention in a sovereign state is usually considered amiss. Without doubt, Somalia presented a case where the scope of the tragedy induced by both humans and nature, created pressure on observers to act in unusual ways on behalf of humanitarian interests.¹¹

It also appears as though the normative fervour to provide humanitarian relief was based on the premise that doing so would be easy and less costly. In a way, this case does correspond to explanations of why states intervene, and does not offer a complete departure from the rule of self-interests. Significant though, the US did not construe UNITAF as aiding itself or Somalia, only Somalis. The distinction is delicate, yet significant. Therefore, for all parties involved, the humanitarian crisis – not the political crisis – justified intervention.¹² Intervening in Somalia was important for another reason, but US policy-makers felt that they faced a choice between joining an intervention in Bosnia or lead an effort in Somalia. Despite the fact that intervention in Somalia would not yield any benefits, they certainly preferred its problems and terrain to the violence in Bosnia. For the US acting in Somalia helped in sparing them from international pressure to act in Bosnia; thus proving the humanitarian *bona fides*, but in a slightly less costly manner.¹³

In addition, the increased level of agreement within the Security Council as a result of the end of the Cold War meant that, for the first time, military action could be linked to, and thus restrained by UN consensus. In this case, Boutros-Ghali endorsed the use of the military to distribute relief supplies and conceived of intervention as part of a larger programme of conflict resolution. It is evident that his arguments were augmented by the fact that Somalia involved two issues with normative connotations: sovereignty and human rights. It is also clear that Security Council debates relied on the conviction that complete anarchy justified force, because it created “a unique situation” that demanded an equally unique solution. By

judging the humanitarian and political crisis as a threat to international peace and security, the Security Council could invoke the right of enforcement, but did not consider this argument to establish a rationale for action outside Somalia. Accordingly, it can be argued that this case was not intended to set up broad legitimacy for military interference and the arguments were limited to Somalia. Such a position was espoused without any attempt to engage broader issues by making internal violence or its consequence components of international agenda. The uniqueness of this case, they hoped, should not set precedence and should not shape expectations in the future.¹⁴ The extent to which media coverage influenced intervention in Somalia and elsewhere remains debatable. It is worth noting that there are arguments that the media exposed Somalia to public debate, thus shaping the agenda for intervention. When intervention indeed happened in Somalia, it was the same media which hinted how wrong that military intervention was.

4.1.2 The Role the Media in Prompting Intervention in Somalia

In the 1980s, the proliferation of new technologies transformed the potential of the news media to provide a constant flow of global real-time news; and perhaps distorted virtual realities. The Tiananmen Square incident in June 1989 and the collapse of communism in 1989 signified by the fall of the Berlin Wall became major media events communicated to global audiences instantaneously via television news media. By the end of the decade, the question was being asked about the degree to which this “media pervasiveness” had impacted upon government, particularly the process of foreign policy-making.¹⁵ The new technologies appeared to reduce the scope for calm deliberation over policy, forcing policy-makers to respond to any issue journalists focused on.¹⁶ The US interventions in Iraq in 1991 and Afghanistan in 2001 are cases in point.

If the Gulf War reminded observers of the immense power that governments had when it came to shaping the media analysis,¹⁷ events subsequent to the 1991 Gulf War conflict undoubtedly seemed to validate the contrary.¹⁸ Martin Shaw (1993) argues that poignant and often critical reporting of Kurdish refugees fleeing from Saddam Hussein’s forces¹⁹ literally caused “the virtually unparalleled proposal for Kurdish safe heavens” to an extent.²⁰ Operation Restore Hope in Somalia quickly followed, and once again, it was believed that the inopportune sortie into the Horn of Africa in 1992 had effectively been forced upon the West by media pressure. The two interventions – in northern Iraq and Somalia – prompted a huge debate within academic and government circles, and significant here, is Somalia. Kennan (1993) argued that media coverage of suffering people in Somalia had usurped traditional policy-making channels, setting off an ill-conceived intervention.²¹

It appears that there is a relationship between media coverage of the unfolding humanitarian crisis in Somalia and the subsequent intervention because of growing humanitarian imperatives of the time. In order to stress this point, it is worth looking briefly at four other major forcible interventions during the

1990s, namely Operation Provide Comfort in Northern Iraq, 1991; Operation Deliberate Force in Bosnia, 1995; Operation Restore Democracy in Haiti, 1994; and Operation Allied Force in Kosovo 1999. In all these cases as well as others, other clear non-media related factors were present. The crisis in Northern Iraq for example was precipitated by Turkish refusal to allow half a million Kurds fleeing from Iraqi forces, to cross into Turkey.²²

However, Security Council Resolution 688, which authorised the intervention, was couched in terms of the “threat” posed to regional security by cross-border refugee flows. Similarly, in all of the other major cases large scale cross-border refugee flows, as well as geo-strategic interests were present.²³ In the case of Somalia however, refugee flows, out of the country were limited and there were no clear strategic interests that might have motivated the intervention. In short, of all the cases mentioned above, cross-border refugee flows and its humanitarian impact meant that Somalia is a most likely candidate for a case of media driven intervention.²⁴ Conversely, it is worth-noting the relations between the US and Somalia before the intervention, where the former supported Barre’s regime with military equipment. Thus it becomes inaccurate to conclude that US intervention in Somalia was not influenced by geo-strategic interests.

Other commentators followed Kennan in expressing concern at the dangers of media-dictated foreign policy.²⁵ Hoge (1994) for example, observed that “today’s pervasive media increases the pressure on politicians to respond promptly to news accounts that by their very immediacy are incomplete, without context and sometimes wrong”.²⁶ Working from a realist perspective, critics generally decried the CNN-effect and stressed the need for elite control of the foreign policy-making process. Within humanitarian circles, there was also a good deal of debate about the apparent power of the news media to cause intervention. Indeed, ever since the 1984 Ethiopian famine, there has been much discussion about the purported impact, which the media has had upon crises in the Third World.²⁷

Standing at opposite ends of the policy debate, both realists and humanitarians believe that the news media is capable of driving policy.²⁸ Rarely, if ever, did either question the claim that the news media had played a pivotal role in causing recent interventions.²⁹ In this way, the CNN-effect became an untested and unsubstantiated reality for many in foreign policy and humanitarian circles. Whilst media coverage has been associated with recent interventions, it has also accompanied instances of non-intervention, for example during the 1994 genocide in Rwanda. Analysing the sources of news reports might explain why journalists covered, for example, both Rwanda and Somalia. However, such analysis fails to explain why media coverage appeared to promote intervention in Somalia, but failed to do so in Rwanda. One explanation being that it followed so soon after Somalia.

4.2 THE CASE OF RWANDA, 1994

Subsequent to the death of Rwandan President Habyarimana on 6 April 1994, the Hutu-dominated Presidential Guard began systematically killing critics of the regime and members of the Tutsi minority. The UN reacted by inconceivably reducing its presence from 2500 to 270. Apprehensions of another Somalia initially deterred the Western powers from acting and one million people had to die before France finally offered to undertake a “humanitarian intervention” in mid-June 1994. The Security Council accepted the offer and French troops entered Rwanda to set up a humanitarian protection zone in the border area. The French force handed over the operation to the United Nations Assistance Missions for Rwanda (UNAMIR) on 21 August.³⁰

4.2.1 International Response to the Rwandan Genocide

Since the story of the Rwandan genocide has been recounted in numerous studies, as well as academic and journalistic accounts,³¹ this section will not recount that story in detail. Instead, it seeks to outline the politics behind intervention. As early as April 1994, non-governmental organisations (NGOs), the press and the commander of the UN peacekeeping force in Rwanda Major General Romeo Dallaire, began using the term “genocide” to describe the events in Rwanda³². The use of the term “genocide” to describe these events in Rwanda prompted a conflagration of controversy at the UN. With the 1992 failure of Somalia in such recent memory, the Clinton administration had no interests in getting involved in another conflict in Africa. Developed against the backdrop of the Somalia meltdown, the dogmatic lynchpin for this US policy was the presidential decision directive 25 (PDD-25), which circumscribed the conditions under which the US will intervene. This directive required that US participation in any UN operation must “advance US interests”, while limiting US participation in UN missions and US support for other states intending to carry out UN sanctioned missions.³³

Thus, when it comes to the political manoeuvring involved in “naming the crime”, conventional wisdom holds that the Clinton administration officials avoided using the term “genocide”. This was premised on the fear that using the term would have obliged the US to take actions in terms of the 1948 Genocide Convention.³⁴ It is evident that the US did not want to admit that something was indeed happening, which would impose a moral, if not legal, responsibility to intervene. Consequently, US officials did not publicly utter the word “genocide” until after it became apparent to observers that genocide had taken place.³⁵

While the humanitarian case for intervention could almost not be stronger, international support was unenthusiastic. The notion that the French offer was driven by national interest implied that the Security Council only authorised the French intervention for lack of anything better. It is argued that ten of the Council's fifteen members voted for the intervention while Brazil, China, New Zealand, Nigeria and

Pakistan abstained. The prevailing national interest explanation of the intervention is endorsed by two factors. First, French actions were short of humanitarian outlooks until the decision to intervene was taken in June. The French government did not allow its paratroopers who were evacuating French citizens from Rwanda to stop the massacres. It supported the initial withdrawal of the UN peacekeeping force, and eventually failed to offer logistical and financial support to an African peacekeeping force that was approved by the Security Council on 8 June.³⁶

Second, it is evident that France traditionally regarded Francophone Africa as an area of strategic interests. Close contact has been maintained by France with its fifteen former colonies, and eighteen military interventions have been undertaken in support of Francophone governments since 1962. Therefore, the intervention in Rwanda was broadly viewed as a bid to circumvent the overthrow of the Francophone Hutu government, by the Anglophone Rwanda Patriotic Front (RPF), seeing that it would diminish French standing in Africa.³⁷

Though not officially, the PDD 25 was used as an informal guide for US policy towards Rwanda and was augmented by a general sense of indifference regarding intervention. In response to requests by the African Affairs Bureau in the Pentagon to consider Rwanda a potential trouble spot, high-level administration officials were reported to have responded, "Take [Rwanda] off the list ... US national interest is not involved ... just make it go away."³⁸

The UN Security Council began in April 1994, to mull over the question of whether genocide was actually taking place after the emasculation of UNAMIR, with death tolls reaching an estimated 200 000. Representatives from the Czech Republic and New Zealand publicly entertained the possibility of genocide, while the US took a leading stance in opposition to the use of this strong discourse. Attributed to this was the absence of an intervention force that was ready and willing to intervene in Rwanda to stop the killing despite the fact that the prospect of genocide had caused a moral upsurge of support for action among the advocacy community. Barnett (2002) suggests that the innuendo was that to make such a move would only expand the gap between the moral imperative and the lack of action.³⁹

Three factors can be attributed to the consensus regarding the decision to reduce UNAMIR's presence and mandate. First, the office of the Secretariat, Boutros-Ghali's office and the Department of Peacekeeping Operations (DPKO) gave an impression of distance and aloofness from emerging tragedy. This stance reinforced the aversion among member states in the Security Council to propose a greater role for UNAMIR. It is apparent that, it was at this time when most of the representatives of member states contributing troops to UNAMIR were concerned about the whereabouts or safety of their troops. Arguably, Boutros-Ghali also emanated indecision to the point of paralysis, if not complacency.⁴⁰

The second reason for the consensus to reduce UNAMIR's role was that no country was prepared to contribute its troops for an expanded mandate. Subsequently, those in the Security Council, mainly non-permanent members – who were arguing for an intervention force had little ammunition: the Secretariat, who would be responsible for carrying out the mandate, was silent; which was generally interpreted as censure. No troop contributing countries were volunteering for an expanded mandate and soon after the death of its soldiers, Belgium, which represented the backbone of UNAMIR, withdrew instantly and no state offered replacements.⁴¹

Finally, with UNAMIR's mandate to oversee the Arusha Accords concluded, with many countries averse to contributing troops into an increasingly chaotic environment, and with access to the airport difficult, the Security Council had to protect its peacekeepers and the UN's reputation. This, regrettably, was a position argued by the US with others who constantly argued that the Security Council had a duty to protect the lives of peacekeepers. This was premised on the fact that failure to do so would result in a difficulty in obtaining troops in future, further diminishing the UN's repute.⁴²

When the Secretariat eventually made public its long-awaited plan, it was met with substantial fervour by the Security Council. This was more so because it merely created an image of a UN that was poised for intervention than because the plan was prone to contributing to stopping the genocide. Simply put, this proposal was purely symbolic and unrealistic: it proposed the dispatch 5 000 troops to Kigali, acknowledged that these troops might not be located for months, if ever, and confessed that it had no idea what they would do once they arrived. It is not surprising that the US rightly disapproved of the plan as little more than smoke and demanded that the Secretariat and others in the Security Council design a pragmatic proposal. The United States also circulated its own suggestions for protecting and providing relief to the rising number of refugees. Because the US demurred to this preliminary proposal, the US was widely portrayed in the media as representing an impediment to military intervention by the UN.⁴³

The decision on France's proposed intervention was greeted with much scepticism. France had long-standing ties to the same Hutu military that was being accused of genocide and the Security Council was concerned that France would seek intervention under humanitarian pretext on behalf of its Hutu allies. Towards the end of 1994, UNAMIR returned to Kigali in their numbers, long after the RPF had captured the country, approximately 800 000 people had died, and 2 million had become refugees.⁴⁴

The oft-cited pessimistic *raison d'être* that the international community have not responded to international humanitarian emergencies because of some moral deficiency, is recurrently repeated. Critics have argued that the failure of states to take action, illustrates the failure of norms: that the norms supported by individuals are inconsistent with state interests. It is worth noting the existence of the Genocide Convention, as well as taking cognisance that such failure on the part of states is not necessarily

inconsistent with a resilient convention. Any failure of the convention is the result of a “badly phrased, unclear convention,” as Bauer (1999) notes, but it remains a “convention all the same”, with international support.⁴⁵ Thus, the focus should be to transform this normative commitment into a pragmatic set of guidelines.

A significant relationship exists between the discourse of acting in the best interests of the international community, the bureaucratisation of peacekeeping and the production of indifference. The conventional outlook offered by scholars of international relations is that states pursue their security interests, and therefore no matter how aggrieved member states were by the genocide in Rwanda, they were reluctant to commit money and manpower, because it was not in their interest. In part, this provides an answer, but it does not sufficiently capture the dynamics of the Security Council’s debate over Rwanda, nor does it explain why the Security Council vacillated over its decision or why the UN’s reputation was part of the moral calculus. Misplaced from the traditional approach, is an understanding of how the decision not to halt the genocide came to be understood and defined as ethical and moral.⁴⁶

While it is irrefutable that states define interests in terms of measurable products such as wealth and power and intangibles such as security and influence, this ostensible self-centred outlook is neither unanticipated, nor the reason for inaction during the Rwandan genocide. States are not moral actors, responsible for the welfare of all global citizens. In fact, states are broadly believed to be rational actors that protect themselves from unwanted conflict for pragmatic self-interested reasons. Simply put, states are selfish beings in this anarchic world, as realists doggedly point out.⁴⁷ Therefore, in this view, to argue that the US inaction was immoral is to argue that it was irrational. It can be argued that states did not fail, nor did the international system; rather the system is neither designed, nor prepared, to deal with humanitarian world problems.

International record of intervention in Africa displays patterns of indifference, scepticism, impotence and manipulation by states. States will continue to determine which international security issues to respond to and the significant change to make is to decrease the role of the state in matters of intervention. The norm to protect is becoming well-entrenched, implying that structural change is necessary. By eliminating from the centre of intervention, discourse financial motives, state interests and partisanship, a moral argument comes to define success by the values and conditions delineated. It was argued in the previous section that the role of the media in shaping policies on intervention is far from over.

4.2.2 The Role of the Media in Shaping Intervention in Rwanda

In a study of UN involvement in international emergencies, Peter Jakobsen (1996) concluded that countries were more prone to intervene in humanitarian crises if there was an awareness of national interest involved

and if media coverage generated public commiseration, often referred to as the “CNN-effect”.⁴⁸ These factors are central to understanding why the international community and the Security Council were sluggish and indifferent in responding to the catastrophic events in Rwanda.

Arguably, notwithstanding an apparent humanitarian crisis, gross violations of International Law and an international consensus on the need to act, lack of national interests proved to be a main factor in the decision of individual states not to take decisive action. States only committed to action once public opinion, shaped by extensive media coverage, forced them to act. There can be little doubt that the media plays a major role in mobilising public and thus political, support for humanitarian interventions. Jakobsen (1996) observes “that no conflict has been put on the international agenda without sustained media coverage supports the finding that the CNN-effect can be regarded as a necessary condition for humanitarian enforcement”.⁴⁹

The case of Rwanda illustrates that many states only become involved in humanitarian intervention in the presence of perceived national interests. They do this as a result of pressure from the public that is concerned about the suffering they see through the eyes of the international media as well as their interests. The manner in which media coverage of the events in Darfur shaped intervention discourse will be discussed in the following section.

4.3 THE CASE OF DARFUR, 2003 AND BEYOND

The contemporary crisis in Darfur started in February 2003, when two rebel groups emerged in Darfur to challenge the National Islamic Front (NIF) government. The Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) claim that the government of Sudan discriminates against Muslim African ethnic groups in Darfur and has methodically targeted these ethnic groups since the early 1990s. The government of Sudan dismisses the SLA and JEM as terrorists. The conflict centres on the three African ethnic groups, the Fur, Zaghawa, and Massaleit, in opposition to nomadic Arab ethnic groups. Intermittent hostilities between the largely African-Muslim ethnic groups and the Arab inhabitants of Darfur can be traced back to the 1930s and most recently surfaced in the 1980s. Consecutive governments in Khartoum have long neglected the African ethnic groups in Darfur and have done very little to prevent or contain attacks by Arab militias against non-Arabs in Darfur.⁵⁰

4.3.1 International Response to the Crisis in Darfur

The systematic atrocities of the counterinsurgency war in Sudan’s western province of Darfur have coincided with the tenth anniversary of the Rwandan genocide. Arguably, this has led to perceptions about Darfur as a test case by which to measure the extent to which the international community has improved at

responding to genocide and crimes against humanity in the past decade. Kofi Annan (2004) explicitly created the connection between international responsibility in respect of Rwanda and Darfur in his memorial address for the Rwandan genocide in Geneva, on 7 April 2004. Speaking of ethnic cleansing in Darfur, he said that “the international community cannot stand idle” in the face of such widespread human rights violations.⁵¹

In this address, Annan unequivocally referred to the mounting humanitarian crisis in Darfur, calling on the international community to take action.⁵² At the time when Annan gave his speech, approximately 30 000 people were already dead, and about a million had fled their homes with 200 000 of those pushed into refugee camps in Chad.⁵³ Fact-finding missions sent into Darfur and Chad by the UN and Human Rights Watch, provided further evidence of “systematic” crimes, killings, rape, and forced displacement perpetrated predominantly by the Sudanese government and the Janjaweed militia.⁵⁴

During the crisis, many have looked to the US and the European Union (EU) to undertake greater measures, either unilaterally or through the UN, to end the violence in Darfur. Other than providing some logistical support to the African Union Mission in Sudan (AMIS), the West has remained uninspiring. For several reasons, European inaction in Darfur is more complex to explicate than American inaction. First, the EU arguably has a larger interest in African security and stability. Belgium, England, France and Portugal are European countries that have maintained extensive historical relationships with Africa, and boast enduring relationships with their former colonies. Trade agreements, aid packages, and foreign investment link the EU and Africa, and European concerns with illegal immigration and internal security threats, are also being incessantly associated with volatility in Africa.⁵⁵ Second, distinct from the US, the EU does not have a tarnished image as a norm-carrier. Moreover, the EU is not facing the sort of military overstretch that the US is experiencing in Iraq. Pentland (2005) argues that the EU’s capability for military action in Africa is in fact growing as the EU develops and enhances its military mechanisms.⁵⁶ Finally, European intervention in Africa is not unprecedented. Of late, the UK sent troops to Sierra Leone in 2000, and France deployed its military to Cote d’Ivoire in 2003.⁵⁷

China’s opposition to sanctions and intervention in Darfur, reflects a difficulty to the US and European action through the Security Council. Of the permanent members in the Security Council, the US has taken the most assertive standpoint against Sudan, but the threat of China’s veto has made pushing tougher resolutions even more complex.⁵⁸ While realists might maintain that the Security Council deliberations over Darfur expound the triumph of state power and interests over norms, analytical eclecticism suggests a more complex relationship between norms, interests, and power. Dissimilar to realism, constructivism does not presuppose state interests; to a certain extent, constructivists seek to explore how interests and identities are created. This sets aside norms, and not just material interests, to comprise a state’s identity.⁵⁹ It can be argued, from a realist perspective, that norms fall short of the necessary clout to triumph on international

issues, but from a more constructivist point of view, the US can use material power to pursue specific norms within the Security Council. Therefore, China's material power did not trump normative considerations categorically; to some extent, the US, Britain and France failed to push for stringent measures against Sudan's contravention of international human rights norms.

Certainly, the 2004 Naivasha peace process was aimed at ending Sudan's civil war between Khartoum and the Sudanese People's Liberation Movement/Army (SPLM/A). It is argued that the agreement was still very delicate and the trepidation of endangering the cessation of Africa's longest civil war contributed to virtual lethargy in terms of international intervention. It was further argued that intervention would derail the essential co-operation between the SPLM/A and the government by buoying up both the SPLM/A and the rebels in Darfur, further protracting the civil war.⁶⁰ Further complicating this was President al-Bashir's trepidations of a potential movement for regime change if Sudan Liberation Army (SLA), JEM and SPLM/A all made some inroads. Subsequently, some argued that exerting pressure on Khartoum over Darfur and Naivasha concurrently, not only jeopardised a protracted civil war, but also threatened the possibility of deposing President al-Bashir; thus unravelling the security structures in Sudan.⁶¹

It is evident that the apprehension of exacerbating the conflict in Sudan is a clear illustration of the utilitarian nature of decision-making employed by the international community, especially the West. Thus, also evidence of states facing a moral dilemma. A combination of the risk associated with intervention and the perceived significance of ending Sudan's civil war in the South, downgraded Darfur to a less important issue all together.⁶² Such a stance calls into question the upshot of non-interference achieved via utilitarian rationale. It is also perceptible that the violence in Darfur has incessantly spilled over into Chad, rendering the conflict irresolvable and further elevating the humanitarian cost of perpetual violence. Evidence suggest, that the Janjaweed have been attacking Darfurian refugees as well as Chadian citizens; and that the Janjaweed co-ordinated attacks with both the Sudanese military and the Chadian rebels.⁶³ Debatable in these cases, is the manner in which states as well as institutions such as the Security Council that are geared to intervene chose not to do so, notwithstanding the preconditions that invoke intervention in Somalia, Rwanda and Darfur.

It is improbable that the Security Council would have objected had others used force to halt the 1994 Rwandan genocide.⁶⁴ Throughout the Security Council's deliberations about Rwanda, no state publicly argued that either the ban on force (Article 2(4)) or the non-intervention rule (Article 2(7)) ought to prohibit armed action to halt the bloodshed.⁶⁵ Moreover, as Chesterman (2001) has argued, little evidence suggests that sovereignty concerns inhibit states from saving strangers when they have the means and aspiration to do so.⁶⁶ Throughout the 1990s, the Security Council expanded its interpretation of "international peace and security", authorising interventions to protect civilians in so-called safe areas in Bosnia, maintain law and order, protect aid supplies in Somalia, and restore an elected government toppled by a coup in Haiti. Slim

(2005) has argued that the central question of international responsibility for stopping intrastate violence remained essential, but unanswered in moral terms, legally, practically and institutionally.⁶⁷

Devoid of intervention from the Security Council or the West, the AU was the only foreign force in Darfur.⁶⁸ In August 2004, the AU deployed its first 300 of an envisaged 3 000 troops to protect its civilian observers monitoring the oft-broken ceasefire agreement between the rebels and Sudanese government.⁶⁹ Khartoum's repugnance for foreign intervention and the aversion and inability of the AU's Peace and Security Council to violate Sudanese sovereignty led to a provisional AU mandate in Darfur.⁷⁰

4.3.2 The Role of the United Nations in Darfur

In the case of the Darfur crisis, for the UN, its ability to take collective measures for the prevention and removal of threats to the peace, was diminished by the strong principle of sovereignty as enshrined in the Charter and utilised by the Sudanese Government. In addition to this constitutional dilemma for the functioning of the UN, the members of the UN Security Council have throughout the crisis remained in deep disagreement over which action to take in the Darfur Crisis. Sudan's disinclination to accept proposals put forward by the UN remained a deep obstacle for a peaceful solution to the crisis. Unlike the US, the UN has yet to refer to the crisis in Darfur as "genocide". According to the 1948 Genocide Convention, once the UN acknowledges that it is genocide, it has to act. The dilemma for the UN is that if it does this, it fears not receiving the military, political and financial means it would need to act, by its member states, which could create an illegitimate UN.⁷¹ Notwithstanding differences, the UN Security Council has gradually called for greater UN involvement in the crisis.⁷² It can be argued that the UN is aware of its limitations in this crisis.

In the cases discussed in the preceding sections, Somalia marks an era of intervention sanguinity, as Farrell (2007) notes, the intervention pessimism that followed in Rwanda⁷³ and Darfur. Failure to intervene in Rwanda and Darfur begs the question of who should intervene and why? These questions stem from the fact that neither states nor non-state actors intervened at a time when intervention was necessary. Support for international intervention to address gross human rights abuses, emerged with the revival of multilateralism following the end of the Cold War. The UN and US intervention in Somalia in 1992 was driven by humanitarian concerns, but the subsequent mortification and unseemly departure of those forces in early 1994, promptly emasculated international optimism for intervention.

4.3.3 The African Union Intervention in Darfur

The end of the Cold War saw an upsurge in internal armed conflicts in many parts of the African continent. Following the decision to establish the AU, the constitutive legal text of the Union was drafted by the OAU

Secretariat, and the AU entered into force in 2001. The AU Act is the first international treaty to recognise the right to intervene for humanitarian purposes – often referred to as “humanitarian intervention”. The Act provides, in Article 4(h) that the AU has the right to intervene in a member state, pursuant to a decision of the Assembly in respect of “grave circumstances”, namely war crimes, genocide and crimes against humanity.⁷⁴ The recognition of the right to intervene in the AU Act has been hailed as reflective of the compassion of the new African intergovernmental organisation to contemporary demands and aspirations of ordinary Africans. However, the recent amendments of the AU Act, introduced a new ground of intervention cognisance of the rights of the AU to intervene upon the recommendation of the Peace and Security Council. In this view, intervention will occur when there is a threat to legitimate order, as well as for the purpose of restoring peace and stability in a member state of the AU. It is unclear whether the intervention in Darfur was prompted by these pronouncements, despite the AU being at the forefront of this intervention. Perhaps the AU saw a testing ground for their stance on non-indifference, as well as demonstrating their African commitment.

The AU has advocated formal mechanisms with comprehensive peace and security responsibilities unparalleled in Asia, South America or the Middle East. Within Africa, leaders offer many reasons for this focus. Some view peace operations as the equivalent of putting out a fire in a neighbour’s house a moral impulse and a realistic understanding that, if left unchecked, the flames could spread throughout the neighbourhood. Other African leaders cite a responsibility to prevent future genocides on the continent, a call echoed by “no more Rwandas” – or cast it as “a matter of survival” for Africa.⁷⁵ The AU operationalised its Peace and Security Council in 2003, as outlined by its Protocol, adopted in 2002.⁷⁶ Soon after, the African Union launched its first peacekeeping operation in Burundi. The AU deployed its second operation, a ceasefire monitoring force in Darfur, in June 2004. The ambitious AU agenda also includes development of sub-regional brigades to comprise its proposed African Standby Force (ASF), by 2010. It is unclear whether the intervention in Darfur was prompted by these pronouncements and the subsequent ASF, despite the AU being at the forefront of this intervention. It should be mentioned that the African Mission in Somalia (AMISOM), African Mission in Sudan (AMIS) and the AU intervention in the Comoros later, were AU driven initiatives. By the time of writing this thesis, the ASF was not yet operational and ready to undertake interventionist missions.

The AU has done as much as could be expected with its limited resources and mandate, but its limitations are now being exposed. It is argued that when the degree of the catastrophe became impossible to overlook, in mid-2004, the AU established a small monitoring mission in Darfur, consisting of some sixty monitors with 300 troops to protect them. Over the next couple of years, the mission has steadily expanded to some 7 000 troops. Nonetheless, there has been a mismatch between objectives and capabilities. A significant drawback of the AU mission was its mandate principally an observer mission without a mandate

to proactively protect civilians. The mission could only protect civilians where they were being attacked in its presence, and then only if enough troops were available to intervene. Too often it has failed.⁷⁷

There are two fundamental ideas and norms entrenched within the AU's collective security identity that elucidate why it became involved in Darfur. The connections between the AU's identity and empirical realities in Sudan have shaped the role of AMIS. The first central idea constituting the AU's collective security identity reflects the notion of a pan-African security regime. The AU's predecessor, the Organisation of African Unity (OAU), attempted to develop a collective security framework for the continent, but an effective pan-African security apparatus never fully emerged.⁷⁸ To remedy the ineffectiveness of the OAU's security mechanisms, the AU created and institutionalised the Peace and Security Council (PSC) in December 2003. Pan-African in scope, the PSC is designed to "promote peace, security and stability in Africa... implement peace-building and post-conflict reconstruction ... protect human rights ... [and] develop a common defence policy for the Union".⁷⁹

The second idea comprising the AU's collective security identity is a strong institutionalisation of the norms of humanitarian intervention. While the AU's Constitutive Act affirms the primacy of state sovereignty, it also provides for a strong protection mandate in the cases of genocide, war crimes, and crimes against humanity (Article 4(h)). In addition, distinct from the OAU, the AU does not require the consent of the state whose sovereignty is being violated, to proceed with an intervention.⁸⁰ Thus, the AU has taken the institutional steps necessary to operationalise a pan-African security regime, even when it requires the violation of sovereignty.

These foundational ideas and norms underline the AU's motivation to intervene in Darfur. The AU aims to provide pan-African security and it has formalised a strong protection mandate within its Constitutive Act. Darfur is arguably the largest contemporary humanitarian crisis in Africa.⁸¹ Thus, if the AU remained on the periphery then the goals and foundational ideas of the AU would be rendered ineffectual and insignificant. It is conflicts such as Darfur, that the AU's security mechanisms are designed to prevent or resolve. Notwithstanding these robust foundational ideas, the AU has accepted a very limited protection mandate in Darfur and has proceeded only with the consent of Khartoum. This is, in part, due to the empirical realities in Sudan and the AU, coupled with the fears about splitting the organisation into Arab and African schisms. Khartoum is averse to give the AU greater scope in Darfur, and the AU has neither the political capacity to force the Sudanese government to acquiesce to a stronger mandate, nor the military capacity to intervene without consent. As it stands, the AU is incapable of adequately carrying out the limited mandate it does have, let alone acting as an intervention force.

The AU has demonstrated leadership, but it seems as if only the UN can guarantee a synchronised, resourced, and justifiable international response to a conflict of this enormity. The UN, an architecture of

its member states, has been found wanting in Darfur. It has been inexcusably sluggish in applying pressure on the Sudanese government. It was only in March 2005, some two years after the conflict started, and in the face of repeated provocations from the Sudanese government – including its utter failure to disarm the Janjaweed – that the Security Council belatedly moved to impose sanctions against those hindering the peace process and committing human rights violations.⁸² In relation to the indifference displayed by the international community and the subsequent intervention by the AU, how did the media contribute to the decision to intervene?

4.3.4 The Role of the Media in Shaping Intervention in Darfur

The deteriorating situation in Darfur has been known to the wider world since about 1999, but only through specialised publications such as *Africa Confidential* or the *Indian Ocean Newsletter*. However, the international media did not pick up on the crisis. It was non-governmental organisations that began noting Darfur, first Amnesty International and then the International Crisis Group, and it is largely through them that the crisis began to emerge from the shadows. Given their interest in Chad, the French media were among the first to give attention to the Darfur situation.⁸³ Initially, the Darfur crisis went almost unnoticed by the media. For almost a year, there was barely any reaction on the part of the international community, which had constantly misconstrued the Sudanese civil war, interpreting it to be a religious conflict and not a racial one.⁸⁴

Prunier (2005) argues that, notwithstanding an emerging awareness of the conflict in Darfur – which was prompted by reports from advocacy organisations like Amnesty International and Human Rights Watch in the second half of 2003 – media coverage and popular awareness of the situation was virtually non-existent. This led *Medecins sans Frontieres* to offer the paradoxical but insightful observation, that Darfur was a “forgotten crisis”, even though it had not yet emerged as an event which could be remembered.⁸⁵ All of this changed when the United Nation’s Human Rights Co-ordinator for Sudan, Mukesh Kapila, pronounced in a March 2004 BBC interview, that Darfur was the world’s worst humanitarian crisis which differed from the genocide in Rwanda only in terms of the numbers affected. At the time there was significant media attention on the 10th anniversary of the genocide in Rwanda, and Kapila deliberately looked for a way to use that concern for the remembrance of the past to overcome the forgetfulness of the present.⁸⁶

Ricchiardi (2005) argues that the lack of media attention to what the UN referred to as “the worst humanitarian crisis on earth” carried with it a hint of *déjà vu*. When 800 000 Rwandans were slaughtered during a spasm of violence, the words “never again” sent shock waves throughout the international community.⁸⁷ On the other hand, Pintak (2007) argues that there is no issue in Arab journalism today that is more controversial than how the region’s media cover Darfur. In other regional conflicts, it is argued, Arabs are the victims, but in Darfur, Arab militias are the perpetrators.⁸⁸

It is evident, in this case, that the role of media coverage of the events in Darfur did not prompt intervention from the international community, not initially, but later on. An admixture of factors interacted to influence the timing and enormity of the international response to the evolving crisis in Darfur. Initial awareness of events in Darfur was largely restricted to the regional level, due, in part, to the aloofness of the region, the lack of access by international humanitarian agencies, journalists, and other observers, and the news blackout imposed by Khartoum. This begs the question about the extent to which media coverage, if not lack thereof, shaped discourse on intervention by the AU in Darfur.

Somalia, Rwanda and Darfur are clear cases depicting interventions gone wrong or the reluctance to intervene by those geared to, as well as the willing but incapable. There have been other instances in Africa where pronouncements to intervene were marked by positive results of those interventions and Sierra Leone in 2000 and the Comoros in 2008, are cases in point. This section seeks to demarcate briefly the pessimism following some interventions in Africa and the subsequent optimism that followed other interventions.

4.4 BRITISH INTERVENTION IN SIERRA LEONE, 2000

The Lomé peace agreement of 1999 sought an end to the civil war in Sierra Leone via a number of restricted political compromises to the Revolutionary United Front (RUF). UN Security Council Resolution 1289 noted the withdrawal of the Economic Community of West African States Monitoring Group (ECOMOG) force, with its meaningful contribution towards the restoration of democracy and the maintenance of peace, security and stability, and reinforced the UN Mission in Sierra Leone (UNAMSIL). At the beginning May 2000, RUF rebels reneged the agreement by returning to arms, attacking UN forces and detaining about 500 people. The United Kingdom decided to intervene seeking to achieve a set of goals: to protect and evacuate almost 500 British nationals, to secure the use of Freetown airport, to provide technical advice to UNAMSIL, and to help stabilise the situation in Sierra Leone.⁸⁹

The British government's "ethical diplomacy" ended the violence in Sierra Leone against a population that had been subjected to a particularly brutal war since 1991. The 650 paratroopers who landed in May 2000 to support pro-government forces and the 11 000 UN blue helmets carried the war to the rebels of the RUF, forcing them to sign and abide by a final peace agreement. Nonetheless, peace had been imposed at a heavy price: willingness to overlook the war crimes committed by pro-government forces, an embargo on aid to RUF zones and the transfer of the most intransigent combatants to Liberia, where some of them were encouraged to overthrow Charles Taylor.⁹⁰

The decision to deploy British troops in the largest unilateral military intervention since the Falklands war was take amid some confusion. Arguably, the Sierra Leonean crisis came when Prime Minister Blair was

preoccupied with the situation in Northern Ireland and the Irish Republican Army's statement on decommissioning. It is argued that the main catalyst stemmed from a panic-stricken report from the UN, claiming that Freetown was poised to fall to the rebels. Nonetheless, it appears as if British military intervention in Sierra Leone was not a foregone conclusion. It is argued that British presence in major operations outside Europe remained less likely, in part because of its strategy to enhance peacekeeping capacity of African governments, and partly because peacekeeping would most likely assume a profile of infrastructural support for other nations, specifically in Africa.⁹¹ Another inspiring tale of a successful military intervention was staged by the AU in the Comoros in 2007.

The extent to which the media played a role in the events preceding the British intervention in Sierra Leone remains a mystery. There was an intervention driven by the interests of its citizens, as well as a faltering UN mission. Even though what unfolded in Sierra Leone invoked humanitarian concerns by those geared to intervene, these events did not inspire extensive media coverage and its subsequent effect in shaping matters of intervention. This intervention was shrouded in secrecy especially during its planning phase and towards the execution. The role of the media in this case was *ex post facto*, largely focusing on the successful nature of the intervention, rather than the humanitarian concerns. Another inspiring tale of a successful military intervention was staged by the AU in the Comoros in 2007, as will be put forth in the next section.

4.5 THE AU INTERVENTION IN THE COMOROS, 2007

In an exchange of gunfire, national government troops stationed in Anjouan, one of the three semi-autonomous islands that make up the Comoros, clashed with police in May 2007. Following elections for each island, which were scheduled for June 2007, the archipelago's delicate power-sharing agreement hung in the balance. In the development that ensued, the AU pronounced its intention to send troops to the Comoros.⁹² The AU was reported to have sent troops to the Comoros following secessionist tendencies displayed by Anjouan's out-going leader, Mohamed Bacar. Bacar refused to step down as the constitution demanded, if he intended to run for president again.⁹³

After a series of negotiations and the AU attempts to resolve the political impasse between the Union of Comoros and one of its semi-autonomous islands, sanctions against Anjouan's "authorities" were imposed. It was also indicated that in the event of Bacar's unremitting non-compliance with the AU and the Union government, stringent measures including air and sea blockade would be implemented as well as the AU Electoral and Security Mission to the Comoros (MAES).⁹⁴

Military action to restore the authority of the Union government was approved, subsequent to a meeting, held under the auspices of the AU's PSC, by the Ministers of Foreign Affairs of Tanzania, Libya, Sudan

and Senegal on 20 February 2008, in Addis Ababa.⁹⁵ Despite South Africa's opposition to the use of force, the AU forces and troops from the Indian Ocean archipelago of Comoros seized the rebel island of Anjouan on March 2008. More than 1 300 troops attacked at dawn to topple Bacar, a French-trained former gendarme who had taken power in 2001 and had clung on after an illegal election in 2007. Tanzania and Sudan spearheaded the AU mission in the Comoros and these are the two states facing calls for independence from semi-autonomous Zanzibar and southern Sudan respectively. Conversely, South Africa, after failed attempts at mediating the crisis, criticised the AU's military assault. Then President, Thabo Mbeki was quoted as saying, that it is unfortunate that the military action had taken place, because it had taken the Comoros back to the history of the use of force, instead of resolving matters in a peaceful manner.⁹⁶

The events leading to the AU intervention in the Comoros were not extensively covered by the media. It can be argued that perhaps what unfolded in the Comoros lacked humanitarian overtones to justify concerns by the international community to consider intervention. The nature of the crisis was such that it did not create an atmosphere of empathy within the international community, despite the condemnation it received from the AU and its subsequent intervention. The successful nature of the interventions in Sierra Leone and the Comoros indicated that not much was newsworthy, simply because the interventions were short and successful. As a result, the length of media coverage in these two cases is rather limited as compared to the extensive nature of events in Somalia and Darfur.

4.6 WHO SHOULD INTERVENE IN AFRICA?

In the early 1990s, the answer to the question ‘‘who can and will intervene’’ was that it should be the UN, as the global political authority, merged with ad hoc multinational forces assembled for each operation and composed of military units from numerous and diverse nations. The UN record suggests relative success in peacekeeping operations over the 1970s and 1980s. With the demise of the Soviet Union, which had sometimes vetoed UN peacekeeping missions, it appeared that the UN could build upon its peacekeeping record and even expand its scope to enforcement. Consequently, when Somalia posed humanitarian problems in 1992, the major powers, including the United States, proposed this UN formula. It was also the perceived solution originally applied to Sierra Leone, when its state failed and the country fell into anarchy, murder, and turmoil.⁹⁷

As things turned out, each of the UN interventions in failed states ended in ignominy. In Somalia, the UN forces first had to be rescued by US forces, before both withdrew and left the Somalis in anarchy. The country remains in this situation even today. In Rwanda, the UN forces were prevented by the UN leadership in New York from stopping the genocide of 800 000 Tutsi. In Bosnia, the UN forces did not stop the ethnic cleansing, which culminated in the murder of 7 000 men and boys in Srebrenica in 1995.

And in Sierra Leone, the UN forces had to be rescued by British forces, which then carried out a successful military intervention.⁹⁸

In contemporary geo-strategic conditions, it seems that a successful military intervention can be enacted when a modern state with modern military forces is disposed to do so. These forces must not only be highly professional, but must also be capable of expeditionary operations. The number of modern states is rather large, but of them, the US, Britain, France, Canada, and Australia possess modern, professional, and expeditionary military forces. Thus, it is no surprise that the five successful humanitarian interventions were carried out by three of these countries; the US, Britain, and Australia; that another, France, has a long history of non-humanitarian military interventions in Africa, and that Canada has a long history of participating in peacekeeping operations.⁹⁹ It is worth noting that successful military interventions cannot be confined to the West, African as well as Asian states have staged successful interventions. ECOMOG has intervened in West Africa and the Southern African Development Community (SADC) intervened in Lesotho in 1998 and the DRC in 1998.

The dominant paradigm in world politics, realism suggests that military intervention may take place when national interests are at stake, as is perhaps proved by the discussion of Sierra Leone and the case of the Comoros.¹⁰⁰ Contrasting models, however, hypothesise that ethical issues and domestic politics can play a leading role in the decision to intervene.¹⁰¹ Therefore, the question of when and whether to intervene, and which states must intervene, especially after the end of the Cold War, remains problematic.. This is because of the uncertainty of states that may consider intervening but chooses not to. This problem is common to deterrence studies.¹⁰² States self-select themselves out of potential intervention for a number of reasons related to both domestic and international considerations. The decision to intervene is tantamount to the relative success in that policy and there are three pre-conditions to be met before embracing an intervention policy: First, there must be a reasonable expectation for success; second, the projected time for achieving the outcome must be short; and third, there must be domestic support for the policy.¹⁰³

It can be argued that the practical repercussions of these assumptions were visible during deliberations over intervening in, Somalia and Rwanda. In the debates over whether to participate in a Canadian-led effort to assist refugees in the former Zairian conflict in late 1996, the short-term nature of the envisaged intervention was central to the US decision. Rwanda seemed to pose insurmountable challenges and in spite of the enormity of the slaughter, the US overcame its humanitarian proclivity and decided against intervention. Adding up all of the potential afflicted African states that might be rescued by Britain, France, Australia, or Canada, it is evident that numerous states are at the periphery of interests of those that can intervene.¹⁰⁴

Herzfeld (1993) offers a conceptual apparatus useful for thinking about these issues, and he opens with a succinct concern: “How and why can political entities that celebrate the rights of individuals and small groups so often seem cruelly selective in applying those rights?”¹⁰⁵ How is it possible for Western bureaucracies, which are supposedly rooted in a democratic context, to be so unaccountable to, and to demonstrate so little concern for, those they represent? Why do citizens of a democratic society come to accept, if not expect, such arrangement?¹⁰⁶ International relations occur within the structure of an international system that is state-centred, meaning that the interests and policies of states’ unilateral action and states’ multilateral co-operation, define the international system. This state-centred system that developed after the end of the Thirty Years of War in 1648 places confidence in state barriers and state sovereignty.¹⁰⁷ However, the slaughter in Rwanda does not require new motivations for intervention, but institutional design for robust intervention. Realism has converged with liberalism in the most significant ways and interests and values clash and demand solutions.

Africa presents a particularly catastrophic and paradoxical challenge, in regard to the prospects for military intervention. This is a continent with a large number of states, where massacres and genocides are occurring and likely to occur in the future; hence the need for intervention becomes paramount. It can be argued, that for a few small African countries, former colonial powers such as Britain and France might be able to undertake interventions. Nonetheless, for most African states, only the US has the military capacity to intervene. In the absence of deep historical links or vital interests in Africa, the US has little historic interests to intervene in Africa.¹⁰⁸ It can only be hoped that the resurgence of interests in Africa by China as an emerging power and its need for resources, which Africa has in abundance, can re-ignite US interests to intervene in the continent; hence the establishment of the Africa Command (AFRICOM). However, the spectre of an Iraq syndrome has dawned and is likely to haunt the US and deter future interventions; including interventions in Africa.

4.7 THE BENEFITS OF INTERVENTION FOR AFRICA

The majority of African states are among the weakest in the world. State institutions are less developed in the sub-Saharan region than almost anywhere else. Political instability, as indicated by coups, as well as internal wars and violence, is prevalent. Most of the national governments exercise only tenuous control over the people, organisations and activities within their territorial jurisdictions. In almost all of these countries, the populations are divided along ethnic lines, where in some instances, there has been a threat of political disorder stemming from such divisions and in a few, disorder has deteriorated in to civil war. Some governments have periodically ceased to control substantial segments of their territory and population. The cases discussed in this chapter are a clear illustration of these weaknesses. Clearly, the need for intervention in Africa cannot be overstated, despite the controversy. It is these occasions that

demand the need to override the presumption against moving forces across borders, as well as using force inside countries that have not threatened or attacked their neighbours.¹⁰⁹

Liberia, though not significant here, is just one example in a long list of African states that have spent years on the brink of collapse despite international efforts to help them. Collectively, these countries – the list also includes Sierra Leone, the Democratic Republic of the Congo, and Somalia – point to an austere truth that the conventional methodology for helping Africa's failed and failing states, does not work. Part of the problem involves the way that the international community understands failed states in the first place. The traditional outlook relies on an ambiguous mechanical allegory, which leads policymakers to suppose that, like broken machines, failed African countries can be repaired by good mechanics. Achieving real gains will take time, however, and the international community must start thinking about how to help African states in more than just three- to five-year increments. International actors should be prepared to spend ten years or longer on Africa's hardest cases. A new approach will also require new institutional frameworks that draw in all interested parties, including some of Africa's more capable states and regional institutions. International financial bodies, especially the World Bank and the International Monetary Fund (IMF), must also be brought onboard.¹¹⁰

In some cases, a form of international trusteeship will be required. This idea, anathema since the end of colonialism, deserves analysis. Done properly, it need not involve the comprehensive dismantling of national sovereignty, a precedent that would rightly worry many parties. As a substitute, trusteeship should entail a new, enhanced form of international responsibility. Instead of more money, what Africa really needs is governments that are responsible to their own voters, that are largely self-financing, that are internationally respectable, and that can attract home some of the hundreds of thousands of talented Africans who currently live in the West. New infusions of aid would likely just perpetuate the kleptocratic regimes that have slowly strangled the continent since independence.¹¹¹

To craft a better approach to Africa, one other problem must be confronted head-on: effectual intervention is going to require overriding customary national sovereignty, a very controversial matter as pointed out earlier. Numerous African governments have never managed to create resilient working administrations. In these countries, sovereignty has become a mere legal fiction, one that provides cover for all sorts of internal abuses. For too long, legitimate worries about infringing on Africa's independence have stymied international efforts to address this problem. Providentially, there is now a growing body of international jurisprudence defining the circumstances in which the international community is justified, or even required, to bypass such nominal sovereignty in order to protect people who have been abandoned or abused by their governments. And several African governments, most notably those of Nigeria's and South Africa's, have started to signal a new flexibility on this question, as have the leaders of the AU. All seem to agree that in some cases when states are unable or unwilling to prevent massive human rights abuses, intervention is appropriate whether local powers like it or not. Invasive outside meddling often smacks of

colonialism and is thus a bitter pill for African nationalists to swallow.¹¹² However, sometimes there is simply no alternative to intervention.

4.8 SUMMARY

This chapter was aimed at discussing the different African cases of intervention, with focus on the rationale for such interventions. The intervention in Somalia produced a litmus test for post-Cold War interventions and the departure point for their ensuing evolution. Of interest here, is the prevalent optimism that existed prior to the intervention and the subsequent pessimism after the departure of US forces. The Rwandan crisis, on the other hand, came immediately after Somalia, explaining how the reluctance to intervene featured during this episode. The case of Darfur marked the willingness of the AU to intervene, in contrast with the ensuing debates at the Security Council over naming the crime whether or not genocide is unfolding in Darfur. In a more positive light, the intervention by Britain in Sierra Leone and the AU intervention in the Comoros are clear illustrations of how those intervening were vociferous on what they intend to do and their subsequent success. While the interests motivating Western states to intervene seem to have metamorphosed fundamentally with the end of the Cold War, the demand for military intervention in Africa immensely exceeds the supply.

4.9 CONCLUSION

It can be concluded that the US decision to deploy ground troops in Somalia was a utilitarian case to study. The intervention marks conceivably the most outstanding illustration of forcible intervention during humanitarian crisis. Establishing the origin of the intervention in this case is therefore of significant interest to those in humanitarian and foreign policy circles, who seek to explain what triggers intervention. This justification underpins other major studies that have focused on Somalia. In terms of examining the thesis that media coverage was a major cause of intervention during the humanitarian crisis Somalia is an easy case. Both geo-strategic and regional security motives at the time were, to a certain degree unclear or a lesser priority due to events in the Middle East.

The number of humanitarian-driven enforcement operations is reduced by the disinclination among the Western powers to intervene, unless it can be done quickly with a minimum of risk. Few contemporary conflicts can be found in this category. The dearth in zest for humanitarian intervention amongst the Western powers and the international community at large was underlined by the genocide in Rwanda. Not one of the nineteen governments, which, at that time, had undertaken to have troops on standby for UN service wanted to contribute troops to a UN operation in Rwanda and almost one million people had to be massacred before France felt pressed to act.

Since states are more risk averse in conflicts not involving national interests, an enforcement operation is unlikely to be undertaken unless the risk of casualties can be kept to a minimum and the operation can be limited in time. However, exceptions to this rule do exist, as the Bosnia case illustrates. In this case, the Western powers found themselves on a slippery slope that made it impossible for them to limit their engagement. They were gradually dragged deeper into the conflict and were eventually “forced” to use force in order to prevent a humiliating withdrawal.

Matters of who should intervene remained marred in controversy, especially when those inclined to do so reside in the West. The pursuit of global collective security is prone to entangle the West in a myriad of intricate and costly operations that have nothing to do with their national interests, and are doomed to fail. The UN remains an instrument in the hands of sovereign member states and not an independent actor in its own right. There is also a danger in sanctioning US power calculus to be concealed under the UN flag. Such a stance will authenticate Huntington’s (1993) claims that the West, in effect, is using international institutions, military power and economic resources to run the world in ways that will maintain Western predominance, protect Western interests and promote Western political and economic values.¹¹³

The centrality of subjective estimates of the probable outcome of an intervention cannot be overstated. It can be argued that, if the intensity of a conflict is a legitimate measure of subjective approximates of successful intervention policies, these estimates then seem crucial in shaping the outcome of policy debates. Ambiguity over likely outcomes, therefore, shows up as a waning probability of interventions. Realists will argue that states will intervene in instances where their interests are threatened. Unclear still, is the manner in which the US chose to intervene in Somalia on humanitarian grounds and not in Rwanda or Darfur. It is also unclear how Britain successfully intervened in Sierra Leone, and the AU intervention in the Comoros. On the other hand, the UN, comprising of the same member states reluctant to intervene, continues to be divided on matters of intervention. It becomes intricate to delineate matters of who should intervene in Africa, especially when the UN appears divided on the issue. Still beset by security challenges which inhibit development, Africa remains posed to encounter military interventions in future.

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CHAPTER 5

SUMMARY AND FINDINGS

The aim of this study was to explain the extent to which military intervention in Africa has evolved since the end of the Cold War in terms of theory, practice and the way it unfolded upon the African continent. The research question revolved around three issues: who should intervene in the affairs of a sovereign state; on which grounds should an intervention be based and how can African states emerge and benefit from military intervention amid the controversial, but inherent need for intervention? These questions were answered by focusing on both successful and unsuccessful cases of military intervention in Africa. Unsuccessful cases included Somalia in 1992, Rwanda in 1994 and Darfur in 2003, and the successful cases included Sierra Leone in 2000 and the Comoros in 2008.

The objectives of this study were fourfold:

- firstly, it sought to examine the theoretical developments underpinning military intervention after the end of the Cold War;
- secondly, it described the evolution of military intervention from a unilateral realist to a more multilateral idealist profile;
- thirdly, it demarcated the involvement in military intervention in Africa by states as well as organisations such as the SADC, ECOWAS, IGAD, the AU, the EU and the UN; and
- finally, it discerned the contributions and the dilemmas presented by interventions in African conflicts and how Africa emerged out of these entrapments.

5.1 SUMMARY

5.1.1 Conceptual Debates on Military Intervention

In Chapter two, the historical underpinnings of the concept “military intervention” and the intrinsic equivocations of the concept were dealt with. Ostensibly, there is little agreement regarding what military intervention is all about. It was pointed out that the concept is not new in the international relations discourse. St Thomas Aquinas and other scholars forged its philosophical underpinnings during the Enlightenment. The philosophers believed that there must be a justifiable reason for waging war. It was this moral political theory, which anticipated the ultimate birth of the UN and the UN Charter. In 1945, the founders of the UN argued that intervention, whether humanitarian or military, must be acquiescent of the just war doctrine. This doctrine emphasises the principles of *jus ad bellum* and *jus in bello*. The concept “military intervention”, as argued by Wheeler and Bellamy, remains one of the most misused, contradictory

and contested concepts in international relations. While the concept is used to refer to both military and humanitarian interventions, it is clear that it has been mostly misconstrued and used to justify interveners' interests, rather than the interests of the target state. The diverse patterns of military intervention are a clear illustration of the scope of an evolutionary process which intervention has followed since the period before, during and after the end of the Cold War. The theoretical discussions presented in Chapter two, provide an understanding of the extent to which state sovereignty and non-intervention have always been fundamental principles that have helped secure the international order.

However, can states defend their sovereignty as a definitive rule of international law, while at the same time, oppressing and murdering the legitimising source of this sovereignty - their people? It can be surmised that states that violate those rights, undermining the one reason that justifies and legitimises their political power, should not be protected by international law. Such actions, in spite of the notion of the responsibility-to-protect, provide little ground for doubting either the existence or the legitimacy of the state, and hence provide no warrant for overriding the principle of non-intervention. In such cases, even the most cautious state can recognise the neutralisation of the sovereignty due to the absence of genuine consensus. The Chinese government, in the context of the Security Council, authorised the US-led intervention in Somalia, only because the Somali state had no sovereignty to breach.

There are recognised exceptions to the principle of non-intervention. It is secondary to the issue of basic human rights where these have been evidently abused, as the broad international opposition to apartheid in the former South Africa demonstrated. Moreover, where international treaties apply, or the UN intervenes, the proscription against intervention is immensely weakened. There have always been grey areas where the case for, or against, intervention is not clear-cut. In practice, some aspects of this principle have been ignored in conflicts such as the Cold War, when both sides sought to appeal over the heads of governments to influence each other.

5.1.2 The New Interventionism

The discussion in Chapter three focused on the nature and development of new interventionism in the 1990s. The chapter explored the extent to which this new interventionist paradigm shaped military intervention globally and how Africa entered this realm, both conceptually and operationally. The end of the Cold War led to *de facto* unilateral military actions as a preferred tool of global hegemony, in a self-proclaimed new world order driven by neo-conservative ideology. The humanitarian agenda infused into the military intervention debate by those advocating new interventionism, presented alternatives to this approach. The opponents of the interventionist doctrine maintain that humanitarian intervention undermines global stability, both by the very act of intervening and by creating a precarious precedent, which lends itself to abuse by aggressive states or hegemonic forceful international actors. In particular,

intervention threatens to introduce a form of vigilantism into those states that fear that they may become targets of an intervention used as pretext in the absence of an impartial arbitral mechanism of hidden national self-interest.

One may conclude that the end of the Cold War order of international relations has produced a degree of revolution in the structure of power, which usually results only from a major war. The peaceful achievement of this major change has been one of the striking features of the 1990s. In an attempt to comprehend the impact of this transformation in world politics, analysts have been undivided in pronouncing the bipolar, nuclear-dominated international system obsolete, but have seldom agreed about the pattern of power likely to emerge in the post-Cold War future. A myriad of proposals fill the literature, but none has shaped a consensus. The end of the Cold War also brought with it, an evolutionary process of the key principles of international order usually linked with the Westphalian legacy of world politics: sovereignty and non-intervention. Normative assertions for the role of human rights, interdependence and the process of merging sovereignty, have all challenged the traditional concept of sovereignty.

Significant to this study, military intervention has always had a conspicuously dissimilar standing than that of other forms of intervention. Nevertheless, the upsurge in non-military intervention has transformed the milieu in which military intervention occurs. Equally, the non-intervention rule always stood on a delicate ethical underpinning. The moral calculus behind the rule involves a clear consequentialist choice to give priority to order over justice in international relations. Thus, in an era of fundamental transformation in world politics, both theory and practice in international relations are moving toward a re-examination of the costs and benefits of the non-intervention rule.

In short, it may be for the best that the general principle of humanitarian intervention, notwithstanding its absolute significance, remains cloaked in legal vagueness. It is almost unlikely that a significant number of states will actually agree upon the so-called right of humanitarian intervention. If it were to be agreed upon, even with the best interventionist strategies, it would risk being open to misuse. The matter of humanitarian intervention needs to be addressed less in terms of general legal dogma or ethical imperative, and more in terms of the fastidious legal, ethical and practical issues raised by each case. In other words, it requires a contextual evaluation of each case. The emergence of the AU and the subsequent Constitutive Act on the right to intervene provide some impetus towards promoting human rights issues – something which its predecessor was found wanting. Non-intervention no longer represents an unquestionable value in international relations. It is in this section where a working definition is provided, borrowing from Vincent (1974) and Vertzberger (1998)'s work. For the purpose of this study, "military intervention" was defined as coercive actions by one or more states involving the use of armed force in the domestic affairs of another state.

5.1.3 African Cases of Military Intervention

The experiences of Somalia have raised questions about the efficacy of military intervention in bringing humanitarian relief to the victims of civil wars and ethnic strife. In the wake of this failure, Thomas Weiss has referred to what he calls the “Somalia syndrome” to describe the idea that multilateral military interventions on humanitarian grounds are no longer politically or operationally practicable. The Somali case represents a paradigm shift of how a military intervention that commences with humanitarian recommendations can collapse into one that contradicts humanitarian appeals.

The failure of states and the broader international community to intervene during Rwanda’s genocide is not the result of state moral deficiency or normative restraints of international policy. To a certain extent, the international community, comprising all states, international institutions, non-governmental organisations (NGOs) and minor actors such as the media and academia, failed to respond because of structural and institutional paralysis. Simply put, the world accepted inaction during the humanitarian emergency, because neither sufficient response mechanisms nor proper clearly outlined rules of intervention during tragedies of massacre exist. Here, the humanitarian imperatives did not provide the expected impetus.

Cases where humanitarian intervention fail to occur, for example, can expose the nuanced relationship between humanitarian norms and the material and strategic self-interests of states. Rwanda provides rich insights into the strength and nature of the norm prescribing intervention. The unwillingness to describe what was occurring in Rwanda as genocide, points to the substance of the norm prescribing intervention. It is evidently awareness among administration officials, that any portrayal of the situation creates expectations of an appropriate response. While the norm of intervention was by no means strong enough to compel action even in the perceived absence of material and strategic self-interests, its impact can be noted in the care taken by the Clinton administration to ensure that norm violation was socially acceptable.

There are some cases of humanitarian intervention where the impact of ideas and norms on the decision to intervene is more readily discernable and possible to articulate. For example, the decision to respond to suffering in Kosovo stands in stark contrast to the relative apathy from the international community towards the crisis in Sierra Leone, which in 1999 was generating a greater number of deaths. It appears that the Somalian debacle was also employed to justify inaction in Rwanda. It is also apparent in this case that there was a perceived duty to intervene, which the international community chose to violate. The Darfur region of Sudan poses similar concerns and this time around, the US has led the international community in labelling the atrocities as “genocide”.

Much has changed in the manner that the international community responded to the mass killing in Darfur in contrast to the 1994 Rwandan genocide. Much of the shift occurred in the collective belief system and

norms underpinning international society. Indeed, international response to the investigations into the UN's inadequacies in Rwanda and reports by the ICISS, suggests emergent support for the notion that state sovereignty should not become a cover for mass killing and genocide. It seems as if the international society is experiencing an era of normative instability in which matters of sovereignty are incessantly provisional upon states maintaining specific domestic behaviour. The most prominent upshot of this turbulence in Africa is Article 4(h) of the AU Charter, which authorises the organisation to intervene in a member state, in severe circumstances. This includes war crimes, genocide and crimes against humanity. However, the AU has failed to invoke this article in the Darfur crisis. Darfur markedly differs from Rwanda on the basis that the US government declared, in the first statement of its kind, that genocide was being committed. The decision by the US government not to respond militarily to stop the genocide, suggests that this shift was not helpful, if not pragmatically ignored.

Darfur suggests that little has changed since 1994. Indeed, change did not occur fast enough for the victims of extremist political campaigns. It would seem that the international community is not geared to intervene militarily in response to mass killing. Darfur also shows that a genocide debate can divert attention from the most difficult questions surrounding humanitarian intervention. Perhaps, a better strategy might be to develop a specific humanitarian threshold for intervention, including, but not limited to, genocide; and to establish institutional mechanisms to move from recognition of a grave humanitarian crisis to international action. It is evident that an international consensus for effective action on Darfur has been lacking. Most European states seem constrained by their preference for diplomatic, rather than military solutions and are also focused on NATO's commitment in Afghanistan. Other governments, such as China, have staunchly defended Sudanese sovereignty and their own rights to access Sudanese oil. While others, mainly the Arab League, have denied the Sudanese government's responsibility for war crimes in Darfur and described the situation as a civil war.

The intervention by Britain in Sierra Leone and the AU intervention in the Comoros, are clear illustrations of how those intervening were vocal on what they intend to do and their subsequent success. Whereas the interests motivating Western states to intervene seem to have metamorphosed fundamentally with the end of the Cold War, the demand for military intervention in Africa immensely exceeds the supply. The interests of its citizens, as well as rescuing a faltering UN mission were central to the intervention in Sierra Leone. Certainly, the intervention demonstrated the willingness of Britain to commit their resources with a clear mandate and intention. In the Comoros, the AU pronouncements of an interventionist approach in matters undermining international peace and stability became a leitmotif for the intervention. In this case, a military solution was reached in a similar manner as in Sierra Leone. Perhaps these successful cases of military intervention, suggest that interventions with clearly defined intentions by states, are more likely to succeed, as opposed to complex situations such those in Somalia, Rwanda, Darfur and elsewhere, where the UN failed.

Conversely, the political framework of the UN and its foundational ideology as a force for global peace itself, determines the operational limits of UN military action. Within UN quarters, there is a common belief that the UN should maintain its “neutrality” – something often confused with impartiality – as well as a belief that “peacekeepers should not kill”. The intervention in the Democratic Republic of Congo (DRC), where UN peacekeepers killed a number of militia members, appears to have raised more concern in New York, as opposed to the deaths of UN peacekeepers or of Congolese civilians expecting protection.

5.1.4 The Role of the Media

The research here is limited in addressing the influence of the media on military intervention decisions. The role of the media in influencing intervention cannot be ignored. It was not within the scope of this study to include an expanded discussions on the role played by the media. The significance of the media to this study emerged where it concerned human suffering, and shaping opinions and decisions about intervention. This occurs in an international system where sovereignty and non-intervention norms prevail, while the media plays a somewhat legitimising role for intervention. The media-policy interface presents a way forward with respect to this dilemma, by providing a theoretical foundation upon which to scrutinise the impact of the news media on intervention decisions and analyse the outcomes thereof. Of the five cases discussed, Somalia, Rwanda and Darfur display a pattern where the role of the media was prominent in influencing decisions to intervene. This is, of course, despite diverse opinions about its role in all three cases. However, the role of the media in the military interventions in Sierra Leone and the Comoros appeared as rather low-keyed. Interestingly, Sierra Leone and the Comoros, represent successful cases of intervention, as opposed to the other three cases of intervention. The manner in which the media succeeded in influencing the decision to intervene did not translate into successful intervention in Somalia, Rwanda or Darfur.

The influence of the media is noticeable during periods of critical and empathy-framed media coverage and policy uncertainty. Those seeking evidence of media influence on policy, should examine periods when “do something” coverage ran concurrently with policy uncertainty. Further research into these questions should enable us to verify the extent of media-power in the post-Cold War era and its effect on the interventionist debate.

5.2 FINDINGS OF THE STUDY

The research question comprised a subset of secondary questions that guided the study. On the matter of who should intervene in the affairs of another sovereign state, the study found just how contentious this matter became, especially after the end of the Cold War. Informed by a realist paradigm, it was almost a norm during the Cold War that states were at the forefront of intervention along the lines of national

interests. However, following the end of the Cold War, the UN became a vehicle to carry out intervention, in a bid to ensure impartiality. Thus, any form of intervention without Security Council endorsement came to be viewed as illegitimate. Ironically, the world has recently witnessed an intervention by the US in Iraq short of Security Council approval. Conversely, UN records suggest relative success in peacekeeping operations during the 1970s and 1980s. When Somalia posed humanitarian problems in 1992, the major powers, including the United States, proposed this UN formula. In contemporary geo-strategic conditions, it seems that a successful military intervention can only be enacted when a modern state, with modern military forces, is disposed to do so. Arguably, the number of modern states is rather large, but only some of them possess modern, professional, and expeditionary military forces. As for these states, it is suggested that their employment for military intervention only takes place when vital national interests are at stake.

On the second question about changing grounds for intervention, the study found that the patterns of military intervention demonstrated that the practice of military intervention has changed. Much of this change has to do with the shifts in the rationale for intervention. It becomes evident that, in earlier instances of military interventions, intervening powers claimed, with varying measures of certainty and justification, reasons for their action, whereas other states employ a number of arguments to denounce interventions. The pattern of military intervention driven by national interests gave way to one strongly influenced not only by humanitarian drives, but national interests remain prominent. The latter drive reflects opposing views on humanitarian grounds for intervention and thus it contains its own polemics. By 2000, progress was made with the ICISS's coining the idea of the responsibility to protect, as a measure to overcome issues of sovereignty, the non-intervention norm and concerns with human rights issues. It was agreed that the international community could not be spectators to genocides and large scale ethnic cleansing in the name of sovereignty.

As for how African states can emerge and benefit from military intervention amid the controversial but inherent need for intervention, remain a mystery. It was arguably the 1994 Rwandan genocide, which generated the local resonance with the ICISS approach. It is hoped that this is also true of Darfur. Article 4(h) of the Constitutive Act of the African Union, institutionalised the AU's right to intervene in a member state in respect of grave circumstances: war crimes, genocide and crimes against humanity. Certainly, this marked a departure from the OAU non-intervention stance amidst human rights violations, to a more nuanced position on the right and responsibility to intervene. It also appears as if there is not much consensus on matters of military intervention. This creates a situation where Africa finds itself at a crossroads, given the need for intervention amid disagreements over the issue. Darfur is a case in point. However, Africa can benefit from interventions for several reasons.

It is widely accepted that the majority of African states are among the weakest in the world and could benefit from intervention. State institutions in the sub-Saharan region remains less developed than almost

anywhere else; political instability, marked by coups, as well as internal wars and violence, are prevalent. Most of the national governments exercise tenuous control over their people, organisations and activities within their territorial jurisdictions. In almost all of these countries, the populations are divided along ethnic lines, where in some instances, there has been a threat of political disorder stemming from such divisions and in a few, disorder has deteriorated into civil warfare. The need for intervention in Africa is not an understatement, and this is despite lack of consensus over matters of intervention. It appears that, although certain benefits from intervention can be listed, the cases discussed illustrate just how difficult it can be to bring about the benefits. Somalia and Rwanda hardly demonstrate a success story, while the verdict is still out on Darfur. For the moment, it appears that in Sierra Leone and the Comoros, the military interventions stemmed the tide of anarchy, and one can cautiously argue for the benefits of military intervention.

The cases of Somalia, Rwanda and Darfur have numerous idiosyncrasies, something that does not allow for generalisation. However, one inference from these cases suggests that a departure point for prospective research on the reasons that states intervene in some instances is to examine contending normative principles and the politics of intervention. In Rwanda, Sierra Leone, Somalia, Sudan, and elsewhere, Western foreign policy elites have expressed conflicting normative beliefs about when and where to intervene. These opposing beliefs seem to revolve around the discerning the intervening entity and liberal humanitarian affiliation. The cases presented here suggest that these beliefs not only exist, but that they contribute considerably to understanding why states intervene.

Finally, further research is necessary pertaining to the moral framework, national interest and conflict patterns in each case before concrete steps can be advised or practitioners can make policy pointers uncritically. International Humanitarian Law, the role of the media as a global player and the scope of vulnerable societies in Africa, offers an unlimited, but morally compelling domain of research to address a complex and very difficult field of enquiry.

5.3 CONCLUSION

International military interventions are seemingly always shrouded in controversy and Africa is no exception. It appears as though the ethical foundation of supporting human rights in foreign countries tends to empower those considering military intervention, but the controversy remains. The perception that they are acting on their own behalf or in national self-interest, instead of on behalf of the victims themselves, lingers on. The difficulty is that there is no convincing mechanism to ensure that the interventionists are also accountable to the citizens of the states in which they choose to intervene. Military intervention also became more complicated as the conditions within countries requiring intervention became even more complex and exposed in the international media.

Future military intervention on humanitarian grounds should not be undertaken without considering its unintended consequences for host nations. Interventions in Somalia, Rwanda or Darfur have been driven by the impulse to also provide humanitarian aid to those affected by internal strife. This laudable goal did not however make these interventions easier or more successful. The interventions in Sierra Leone and the Comoros had a starker military profile and appear to have been more successful. However, military interventions in Africa, undertaken for the right reasons, do not always benefit African societies, irrespective of who intervenes and even whether they do so under the auspices of the UN or of the AU, as legitimising authorities.

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