Remarks by Sir John Holmes at the University of Toronto, Munk Centre, 22 September 2014

International intervention: when can it be justified?

Intervention has been a fraught topic for many years. We continue to face alarming situations around the world where the clamour to ‘do something’ can become almost deafening. Iraq is only the latest example.

International intervention can take many forms, from humanitarian aid at the softest end of the spectrum, to full-blown military invasion at the other. There are many potential stops on the way, including efforts to prevent conflict before it starts; economic sanctions; mediation between warring parties; secret interventions, including these days cyber interventions; or agreed introduction of UN or other peacekeeping forces. So the question is not really whether we should intervene in any big international issue, but how.

Nevertheless what people usually mean by international intervention is military intervention: the introduction of outside military forces against the wishes of the government of the country concerned, and sometimes of other actors on the ground too. This debate has focused in recent years on the concept of humanitarian intervention, the use of outside force to stop unacceptable suffering in a particular country. But it is of course a wider question than that.

The issues are at once simple and complex. There is an imperative felt by all of us to stop atrocities when we see them on our televisions, or to help ‘moderate’, democratic forces. If we have the capability to do so, how can we sit on our hands in our comfortable, democratic surroundings, and do nothing?

The main starting point for current thinking is the massacre in Rwanda in 1994, when the international community wrung its collective hands, but did nothing else.

A strong and widespread reaction was ‘never again’, inspiring a view that a new and more robust international approach was needed.

However, many governments in the developing world, with the support of Russia and China, continued to take a more cautious view: the key principles of the primacy of national sovereignty and the unacceptability of interference in the internal affairs of another country should not be prejudiced. Humanitarian or human rights concerns should not become an interveners’ charter, providing an excuse for western countries with double standards to invade other countries whenever they felt like it, without regard to international law or the role of the UN Security Council.

Subsequent debate over the NATO Kosovo intervention in 1999 prompted then UN Secretary General, Kofi Annan, to establish an International Commission on Intervention and State Sovereignty. The Commission’s report in 2001 on what they called ‘The Responsibility to Protect’ cleverly turned the sovereignty argument on its head: sovereignty should be seen not as giving governments freedom to act without check inside their borders, but as conferring responsibility to ensure the welfare of the citizens of their own state. Governments should be helped to exercise this responsibility wherever possible. But ultimately where a government proved unable or unwilling to do so, or was actually abusing its own people, the principle of non-intervention should yield to that of international responsibility. Four conditions were attached to any intervention:

* The intentions had to be right
* It had to be a last resort
* Only proportional means should be used
* There should be reasonable prospects of success

The report also emphasised the crucial role of the Security Council in authorising any intervention.

After a long and difficult debate, the UN World Summit of 2005 unanimously agreed to support this notion of the Responsibility to Protect.

This was a significant step in setting international rules about intervention. However it was hardly the end of the argument. Many states wanted to ignore what they had signed up to because of their fear of how it might be used in the future. The context was of course the disastrous aftermath of the invasion of Iraq by a US-led coalition, without specific Security Council authorisation, and the military intervention in Afghanistan. The cost in lives and the staggering expense of these interventions, together with their at best limited results, have strongly shaped the debate ever since.

To illustrate the current arguments and dilemmas I will look quickly at the recent cases of Libya and Syria, before coming on to Iraq.

But let me make four general points before then. First, military action designed to protect one group usually ends up harming and killing members of another group, often civilians, however inadvertently. Whose lives are worth more? The balance may be very hard to strike.

Second is the critical question of who should decide when a situation merits intervention, and what should be done. The obvious answer, as we all know, is the UN Security Council, which has the mandate and the legitimacy. This is the ideal scenario, to be sought at all times. But if the Security Council cannot agree, as so often, what then? Views are very divided on this point.

A third question, often ignored in the theoretical debate, is who is actually going to carry out the intervention, assuming one is agreed. Some country or countries, or some organisation, is going to have to put their soldiers in harm’s way; and to bear the financial costs, which may be very considerable, unless it is turned into a UN peacekeeping operation where the burden can be shared.

For many years, the political and military reality has been that if something was going to be done, it would usually have to be done by western countries or organisations such as NATO - which naturally increased the suspicion in other parts of the world that the whole business was some kind of western conspiracy to impose their own views and deal with regimes they didn’t like, under the cloak of humanitarian concerns.

This reality has not changed. While regional organisations such as the African Union and the Arab League are becoming more vocal in this area, and their support for any intervention in their regions is increasingly vital, their own capacity and will to intervene militarily remain weak.

Fourth, and in some ways most importantly, there is always the question of whether we really understand the country and situation in which we are planning to intervene, with all their complex local dynamics, well enough not only to make an immediate military intervention effective, but, just as important, to enable us to sustain our effort successfully over time. Western countries have on the whole proved singularly inept at the next step of establishing a new, sustainable economic, political and social system.

Libya was the first action explicitly based on R2P principles. The immediate aim of the NATO-led intervention was clearly humanitarian: to save the population of Benghazi and other rebel-held cities from imminent attack and presumed - because explicitly threatened - massacre by Colonel Gadaffi’s forces. The air operation was explicitly approved by the Security Council in Resolution 1973, not least because of regional support, particularly from the Arab League. It was being called for by the rebel forces on the ground. It therefore had legitimacy as well as legality, if we can maintain this distinction (originally from Kosovo). And there were forces from western and other countries willing to carry it out.

The Gaddafi regime was destroyed relatively quickly, and the immediate aim of saving Benghazi and other threatened cities was achieved. So far so good. But big questions were still asked.

First, how deep was international support for the operation? The Arab League involvement was for the most part theoretical, and the African Union was ambivalent. Some of those who had voted for the Security Council Resolution were afterwards less sure of their vote and Russia and China definitely regretted their abstentions, believing that they had been duped: the aim of the operation had quickly changed, in their eyes, from protection of civilians to regime change. They have made clear they won’t be conned like that again.

Second, did we really know what we were doing? The rebels were very diverse in their motives – political, tribal, regional, or religious - and had no coherent political platform. How could we be sure that they would be significantly better, including in behaviour towards civilians, than their predecessors? No-one had any sympathy for Gaddafi, but such doubts have been strongly reinforced by the chaos and confusion since the fall of the regime, with armed militias increasingly calling the shots.

A third and particularly difficult question was why we were intervening in Libya but apparently not interested in doing so elsewhere in the region or the world. Where was the consistency? There is no easy answer here. Perfect consistency in foreign policy has never existed and is certainly unattainable. The main answer given is often that the impossibility of intervening everywhere does not mean you should not intervene anywhere. If you can save lives in any particular case, you should. Otherwise you are condemned to impotence in all circumstances. This is indeed a powerful argument. But we still have to have some kind of convincing narrative about what we are doing and why, with a minimum of consistency and without obvious double standards. I am far from sure we always do.

In any case the question was whether Libya was to be the first of a new generation of coercive interventions, based on remote power rather than foreign boots on the ground, much cheaper and easier (at least for the intervening powers) than Iraq-style invasions, and with no complex about ‘we broke it, therefore we have to fix it’ ?

After Libya we saw the French-led interventions in Mali and CAR, which illustrated that in some quarters the appetite to go in was still there. But the extreme reluctance to get involved militarily in Syria has suggested that the Iraq syndrome was still uppermost in most minds.

The situation in Syria is tragic and desperate. Bashir al Assad is no less steeped in blood than Muammar Qaddafi, and the casualties of the war, now approaching 200,000, and the humanitarian consequences, are truly appalling. So why have we been so reluctant to intervene militarily in this case, even until very recently to give weapons to the rebels?

I think the answer lies in a combination of geography, military reality, and politics, as well as the Iraq syndrome. Geographically, Syria is far more heavily populated than Libya, without the wide open spaces of Libya, where air power could be used against regime targets relatively easily. Militarily, Syria is much better armed and a much tougher nut to crack than Libya, and has important external backers in Russia and Iran which Libya did not have.

Politically Syria is in a far more sensitive and volatile neighbourhood than Libya, with the likelihood of spill-over of any conflict into Israel, Lebanon, Jordan and Turkey; it is far more sensitive and divided internally from ethnic and religious points of view; internationally there is no chance of Security Council authorisation of even a limited operation, given Russian and Chinese attitudes; and perhaps above all the rebel opposition itself has been particularly deeply divided.

In other words, although from a western point of view there are lots of reasons to want the Bashir regime to disappear, there have also been lots of concerns about what might follow, and plenty of arguments about not wanting to be part of such an uncertain and risky process. The risk of negative unintended consequences has seemed particularly high. The issue has been further complicated by the dual proxy war dimension it has acquired over the last couple of years: that between Shia and Sunni adherents competing for dominance in the region, and the linked struggle between Saudi Arabia and Iran for influence.

Of course, to repeat a point I made at the beginning, the absence of military intervention does not mean western countries are not intervening at all in Syria. On the contrary, they have been doing so in several different ways all the way through - diplomatically, obviously, including through the so far unsuccessful negotiations; economically through sanctions; and politically through non-lethal support for some of the rebels.

So does this mean that we have finally learned some wisdom and restraint, or should we conclude on the other hand that we have gone too far the other way in shrinking from engagement and allowing a catastrophe to unfold in front of our eyes without responding? Has President Obama been wisely cautious, or foolishly weak?

Before answering that question, we need to look also at the latest case of Iraq. We were all suddenly faced three months ago with the astonishing military progress of ISIL/Islamic State across large swathes of the country, and in parts of Syria too. This very quickly started to change the terms of debate, as their advance posed not only a threat to the central government of Iraq, but also to the very existence of the country, and to regional stability, as well as of course to Shia communities in its way, to other religious groups (eg Christians and Yazidis), and indirectly to western countries through murders of hostages, and the presence of many foreign fighters from our countries, with all the accompanying risks of the return of hardened and highly dangerous individuals.

Political and public pressure quickly mounted, therefore, not only to help the Iraqi government, despite huge and justified doubts about then Prime Minister Maliki, but also to intervene more directly. This pressure has told. President Obama has now authorised air-strikes against IS in Iraq and Syria, and more help to non-fundamentalist rebels in Syria, including weapons. An international campaign to destroy, not just contain, IS is under way, led by the US – without any Security Council authorisation so far, and with little possibility of one in the future either.

So is this another swing of the pendulum back towards intervention, as the lessons of the Iraq and Afghanistan messes begin to fade? Or a one-off operation in the face of a unique new threat? The jury is inevitably still out on this question, but it is worth noting a few points from the current operation: insistence on no boots on the ground (though in reality there are some there, eg trainers, no doubt special forces etc); insistence on an inclusive Iraqi government, in an attempt to get the politics right; and insistence that local and regional forces need to be fully involved in the fight against IS, and indeed in the lead wherever possible. There is a degree of recognition that the ultimate solution must be political, not military.

These are clearly reactions to past failures. It could still be argued however that one lesson of Libya, that air intervention without full involvement on the ground afterwards does not work, has not really been learned. It is certainly far from clear that a coherent political strategy is yet in place, or that local allies are signed up fully.

Does the new intervention in Iraq mark another fundamental turning point in US policy, or at least Obama’s policy, away from the overwhelming desire to get out of foreign wars and stick to nation-building at home; and back to the view that without US leadership and propensity to intervene, however much it is criticised at times, the state of the world is much worse, with the horrific disasters in Syria and now in Iraq exhibit no 1 for the case for US involvement?

Again it is too soon to come to any definite conclusions But it is worth noting that there does seem to be public support for the intervention in this latest case, in the US and in Europe and more widely, even though the overall mood in the west against acting as the world’s policeman has not so far shifted significantly.

Inevitably other possible intervention moments will come along in the future, where non-military efforts to affect events will seem inadequate, and the pressures on our politicians to do something on the ground will once again mount. One of these moments may well be the absolute real thing, the Rwanda-type situation where we are absolutely morally bound to do something. But there are also likely to be plenty of hard and marginal cases too, where the debate about the rights and wrongs of intervention will continue to rage.

So, to put my own views on the line, when can international military intervention be justified and effective? Rarely, is my short answer. I do believe that intervention must remain in the international community’s toolbox as the last resort for unacceptable situations. I also believe it is impossible to define in detail in advance what such cases will look like. Each will be sui generis and involve vital elements of political and other judgment. We cannot specify the right circumstances in advance, by laying down detailed rules, or somehow pretend that international law is like national law, and can cover every eventuality.

And because coercive outside intervention raises so many short and long term problems, and produces so many unintended consequences, whenever the issue arises we must think through the angles very carefully indeed, even where events are moving fast, before we intervene. We need to learn properly the lessons of past failures. On each occasion we need to reflect on whether we really know what we are doing, and ask ourselves some basic questions. Is the goal achievable, are we the right people to be trying to achieve it, are our motives the right ones, do we have the legitimate right to intervene, and what are the broader consequences likely to be? Even once we seem to have answered these questions satisfactorily, I would say we still need to reflect once again before we finally decide whether to go in.

The risks and consequences of getting it wrong are too high for any other approach to be acceptable. We have too often in recent years intervened in haste and repented at leisure. Let us hope we have at least learned this lesson for the future, however the pendulum of fashion about intervention may swing.