

2014 Summer School in Comparative Conflict Studies

June 30 – July 7, 2014

Center for Comparative Conflict Studies (CFCCS)
at the Faculty of Media and Communications (FMK)

The Challenge of International Intervention: Balancing Justice and Order

Dr. Maxine David

Follow me on Twitter: @maxinedavid

Course Description

The fundamental organising principle in the international system has long been one of state sovereignty and therefore non-intervention. Seen as fundamental to maintaining order in an anarchic international system, states are considered to have authority over a defined and internationally recognised territory, protected from external intervening forces. In 1991, George Bush Senior spoke of a 'New World Order', one in which the United Nations would now be free to fulfil its founders' visions. Human rights protection therefore rose to the top of the political agenda.

Since then, the principle of non-intervention has been challenged by successive interventions into the sovereign affairs of states by international organisations, notably the United Nations and NATO, as well as other states. As if in acceptance of this new world order in which human rights protection could – would – be privileged over traditional understandings of sovereignty, in 2005 the international "community" adopted the principle of the Responsibility to Protect (R2P). R2P has since been widely debated by reason of the obligations it places on states to protect the wellbeing of their citizens and the vulnerability of states to outside interventions when they fail to protect those citizens. In what might be seen as an extended period of probation, the commitment of states and other international actors to protect human rights (justice), even at the expense of sovereign principles (order), has been put to the test – as has the New World Order.

In this course, students will be introduced to the underpinning concepts and competing understandings of intervention in situations of conflict, state collapse, humanitarian and human rights emergencies. Students will learn to identify and deliver a critical analysis of those factors that shape international intervention. Emphasis is then placed on the application of concepts and theories to real-life scenarios, examining a few of the case studies that have been particularly significant in respect of developing international-level responses to crises. Ultimately, students will be required to deliver well-evidenced verdicts on whether the 'international community' privilege order over justice or justice over order.

Course Themes

Throughout the course, students will be asked to consider when and how real moments of change occur and to evaluate the extent to which we see more continuity than change in the international system. Four core themes in the study of Intervention will sit at the heart of our studies: Sovereignty, Legitimacy, Legality, Human Rights. The aim of the course is to help students understand the arguments for and against intervention: what motivates actors to intervene, what constrains them, the inherent costs and dangers of their choices. Through study of a number of interventions, students will debate the choices available to actors in order to achieve an understanding of the context in which difficult decisions are made and the consequences of those decisions.

Introductory / Background Reading

Essential Reading

Armstrong, David (1999) 'Law, Justice and the idea of a world society.' *International Affairs*. 75 (3): 547-561. Available online

<http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/Blanket%20File%20Import/inta093.pdf> [accessed 15 May 2014].

Read all 3 essays:

Bull, Hedley (Various). *Chapter 8. Hedley in his Own Words. Three Essays*. Available online

http://press.anu.edu.au/sdsc/hedley/mobile_devices/ch08.html [accessed 15 May 2014].

Entire issue of:

Snippe, Marjolijn, Mehta, Vijay and Melber, Henning (eds.) (2011) 'Erskine Barton Childers – For a democratic United Nations and the Rule of Law'. *Development Dialogue*, 56 (June) Online http://www.dhf.uu.se/wordpress/wp-content/uploads/2011/06/dd56_web.pdf [accessed 15 May 2014].

Highly recommended

Bellamy, A. (2002) 'What's so wrong with human rights?' *International Journal of Human Rights*, 6, 4: 121-133

Chandler, D. (2003) 'Expanding the Research Agenda of Human Rights: Reply to Bellamy' *International Journal of Human Rights*, 7, 1: 128-140.

- Course Outline by Day –

Day 1: Tuesday, July 3rd

Understanding International Intervention

Morning Session: Introduction and Course Outline: Building an Understanding of Purpose

The Reality of War – Bosnian Conflict

<http://www.youtube.com/watch?v=MNnOj088nrc&feature=related>

Afternoon Session: Identifying Key Concepts & Actors

Recommended Reading:

Ayoob, Mohammed (2002) 'Humanitarian Intervention and State Sovereignty' *The International Journal of Human Rights*, 6,1: 81-102

Coady, C. (2002) 'The Ethics of Armed Humanitarian Intervention', United States Institute for Peace: 'Peaceworks No 45' available at: <http://www.usip.org/sites/default/files/pwks45.pdf> [accessed 15 May 2014].

Mertus, Julie A (2009, 2nd ed.) *The United Nations and Human Rights. A Guide for a New Era*, London and New York, Routledge: Ch. 3

Additional Reading:

De Waal, Alex., and Omaar, Rakiya (1994) 'Can Military Intervention be "Humanitarian"?' *Middle East Report*, 187/188 (March-June): 2-8

Evans, Gareth, (2008) 'The Responsibility to Protect: An Idea Whose Time Has Come...and Gone?' *International Relations*, 22, 3: 283-298

Welsh, Jennifer, (2009) *Implementing the 'Responsibility to Protect'* Oxford Institute for Ethics, Law, and Armed Conflict Policy Brief 1/2009, available at: http://www.elac.ox.ac.uk/downloads/r2p_policybrief_180209.pdf [accessed 15 May 2014].

Day 2: Wednesday, July 4th

Northern Iraq 1999-2001 & Theorising International Relations

Morning Session: Sovereign Rights vs International Morals: The New World Order

Afternoon Session: Theorising International Intervention

Recommended Reading

Hurd, Ian (1999) 'Legitimacy and Authority in International Politics', *International Organization*, 53, 2: 379-408.

Jahn, Beate (2012) 'Humanitarian Intervention - What's In a Name'. *International Politics*, 49 (1): 36-58.

Mayall, James (1991) 'Non-Intervention, Self-Determination and the "New World Order"' *International Affairs*, 67, 3: 421-429

Orford, Anne (2009) 'What Can We Do To Stop People Harming Others?', in Edkins, J & Zehfuss, M (Eds.) *Global Politics. A New Introduction*, London: Routledge, 427-53.

Additional Reading

Adelman, Howard (1992) 'Humanitarian Intervention: The Case of the Kurds' *International Journal of Refugee Law*, 4, 1: 4-38

Snyder, J. (2008) 'Realism, Refugees, and Strategies of Humanitarianism' Presentation at University of Oxford, Centre for International Studies and the Refugee Studies Centre, October 17 2008.

White, Nigel D. (1999) 'The Legality of the Threat of Force against Iraq' *Security Dialogue*, 30, 1: 75-86

Day 3: Thursday, July 5th **Failings and Consequences: Yugoslavia in the 1990s**

Morning Session: Crimes against Humanity

The Weight of Chains:

<http://topdocumentaryfilms.com/weight-chains/>

Srebrenica – A Cry from the Grave

<http://www.youtube.com/watch?v=Flw801iX84>

(accessed 15 May 2014) We will not have time to watch these in class – students are strongly encouraged to watch them in their own time.)

Robert Bosnian war documentary 1993 parts 1-3

<http://www.youtube.com/watch?v=tsv1XlmcTGo>

<http://www.youtube.com/watch?v=xmFsyoMC9tw>

<http://www.youtube.com/watch?v=KP7kt8HEK5U>

Afternoon Session: The Kosovo Crisis 1998-1999: Overruling Sovereignty

1999 - A Documentary about Kosovo War and Ethnic Cleansing

<http://www.youtube.com/watch?v=ulPsNrMMZ3E>

2008 Debate – UN Ambassador Nominee Samantha Power vs. Jeremy Scahill

http://www.democracynow.org/blog/2013/6/5/must_watch_2008_debate_un_ambassador_nominee_samantha_power_vs_jeremy_scahill

Recommended Reading:

Chinkin, Christine M. (1999) 'Kosovo: A 'Good' or 'Bad' War' *American Journal of International Law*, 3, 4: 841-847

Kerr, Rachel (2005) 'The Road from Dayton to Brussels? The International Criminal Tribunal for the Former Yugoslavia and the Politics of War Crimes in Bosnia', *European Security*, 14:3, 319-337.

Parish, Matthew (2007) 'The Demise of the Dayton Protectorate', *Journal of Intervention and Statebuilding*, Volume 1, Special Supplement: 11-23

Solana, Javier (1999) 'NATO's Success in Kosovo' *Foreign Affairs*, 78, 6: 114-120.

Additional Reading

Freedman, Lawrence (2000) 'Victims and Victors: Reflections on the Kosovo War', *Review of International Studies*, 26: 335-58.

Day 4: Friday, July 6th The Responsibility to Protect

Morning Session: Darfur 2005-9: A Retreat from Humanitarianism?

Afternoon Session: Burma & Cyclone Nargis 2008: The Limits of International Responsibility

Recommended Reading:

Albright, Madeleine (2008) 'The End of Intervention' *The Washington Post/New York Times*, available at: <http://www.nytimes.com/2008/06/11/opinion/11albright.html> (accessed 15 May 2015)

Arbour, Louise, "The Responsibility to Protect as a Duty of Care in International Law and Practice," *Review of International Studies* 34, no. 3 (July 2008), pp. 445–58.

De Waal, Alex (2007) 'Darfur and the Failure of the Responsibility to Protect' *International Affairs*, 83, 6: 1039-1054.

Ford, Stuart (2009) 'Is the Failure to Respond Appropriately to a Natural Disaster a Crime Against Humanity? The Responsibility to Protect and Individual Criminal Responsibility in the Aftermath of Cyclone Nargis' available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1437785 (accessed 15 May 2015)

Walker, Peter (1998) 'Victims of natural disaster and the right to humanitarian assistance: a practitioner's view', available at: <http://www.icrc.org/eng/resources/documents/misc/57jpie.htm> (accessed 15 May 2015)

Additional Reading:

Barber, Rebecca (2009) 'The Responsibility to Protect the Survivors of Natural Disaster: Cyclone Nargis, a Case Study', *Journal of Conflict and Security Law* 14 (3)

Cohen, Roberta (2009) 'The Burma Cyclone and the Responsibility to Protect', *Global Responsibility to Protect* 1 pp253-257

Luck, Edward (2010) "The Responsibility to Protect: Growing Pains or Early Promise?" *Ethics & International Affairs*, Volume 24.4, also available at: http://www.carnegiecouncil.org/resources/journal/24_4/response/001.html (accessed 15 May 2014)

Massingham, Eve (2009) "Military intervention for humanitarian purposes: does the Responsibility to Protect doctrine advance the legality of the use of force for humanitarian ends?" *International Review of the Red Cross* Volume 91, Number 876, available at: <http://www.icrc.org/eng/assets/files/other/irrc-876-massingham.pdf> (Last accessed 15 May 2014)

Rosenberg, Sheri P, (2009) "Responsibility to Protect: a Framework for Prevention" *Global Responsibility to Protect* v1, 442-477

Williams, P. and Bellamy, A. (2005) 'The Responsibility to Protect and the Crisis in Darfur' *Security Dialogue*, 36, 1: 27-47.

Day 5: Saturday, July 7th Justice in Libya, Order in Syria?

Morning Session: Libya: A Successful Intervention?

Afternoon Session: Syria: a Discourse of Non-Intervention

Recommended Reading

Daalder, Ivo H. and Stavridis, James G (2012) 'NATO's Victory in Libya. The Right Way to Run an Intervention'. *Foreign Affairs*. Available online <http://www.foreignaffairs.com/articles/137073/ivo-h-daalder-and-james-g-stavridis/natos-victory-in-libya> [accessed 15 May 2014].

Kuperman, Alan J (2013) Lessons from Libya: How Not to Intervene? Policy Brief, Belfer Center for Science and International Affairs, Harvard Kennedy School, September 2013. Available online at <http://belfercenter.ksg.harvard.edu/files/Kuperman%20policy%20brief%20published%20version%202.pdf> (accessed 15 May 2014).

Pearlman, Wendy (2014) 'The Argument against U.S. Intervention in Syria ... And Why It's Wrong'. *Huffington Post*. Available online http://www.huffingtonpost.com/wendy-pearlman/us-syria-intervention_b_4823932.html [accessed 15 May 2014].

See United Nations News Centre for News Focus on Syria
<http://www.un.org/apps/news/infocusRel.asp?infocusID=146&Body=Syria&Body1=> (accessed 15 May 2014)

United Nations (n.d.) *Charter of the United Nations*. Available online
<http://www.un.org/en/documents/charter/index.shtml> (accessed 15 May 2014)

Additional Reading

BBC News Middle East (2014) 'Syria: The Story of the Conflict'. *BBC News* Available online
<http://www.bbc.co.uk/news/world-middle-east-26116868> (accessed 15 May 2014).

Ensor, Josie and Laing, Aislinn (2011). 'Battle for Libya: timeline.' *The Telegraph*. Available online
<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/10368643/Battle-for-Libya-timeline.html>
[accessed 15 May 2014].

Heisbourg, François 'Russia's Success, the West's failure' *The New York Times*, 7 June 2013
<http://www.nytimes.com/2013/06/08/opinion/global/russias-success-the-wests-failure.html> (accessed 15 May 2014).

Powell, Catherine (2012) 'Libya. A Multilateral Constitutional Moment?' *Georgetown University Law Center*. Available online
<http://scholarship.law.georgetown.edu/facpub/983> [accessed 15 May 2014].

Watt, Nicholas (2014) Syria crisis. failure to intervene will have terrible consequences, says Blair. *The Guardian*. Available online
<http://www.theguardian.com/politics/2014/apr/07/syria-failure-intervene-terrible-consequences-blair>
(accessed 15 May 2014).

Day 6: Sunday, July 8th **1991-2014: Justice or Order?**

Morning Session: The Ukraine Crisis and How It Helps Us Reach Conclusions.

Recommended Reading:

Bull, Hedley (Various). *Chapter 8. Hedley in his Own Words. Three Essays*. Available online
http://press.anu.edu.au/sdsc/hedley/mobile_devices/ch08.html [accessed 15 May 2014].

Given the timing of the ongoing Ukrainian crisis, there are currently no peer-reviewed journal articles. Students should read news, blogs etc in order to acquire a general knowledge of the nature of the crisis. I tweet regularly - follow me to get access to my entire feed on Ukraine.

See also my blogs for *The Conversation*
<http://theconversation.com/profiles/maxine-david-100989/activities?filter=articles>