

2018 International Summer School in Comparative Conflict Studies June 24 – July 1, 2018

From Intervention to Non-Intervention: The Triumph of State Sovereignty Over Human Rights?

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Course Description

The fundamental organising principle in the international system has long been one of state sovereignty, whereby states are considered to have authority over a defined and internationally recognised territory, protected from external intervening forces. Thus, the principle of non-intervention is inextricably linked to sovereignty and what it means to be a sovereign actor. As with so many rights and principles, however, sovereignty is not unconstrained. 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. As a result, for much of the post-Cold War period, the principle of non-intervention was challenged by successive interventions into the sovereign affairs of states by international organisations, notably the United Nations and NATO, as well as by some 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 emphasis it places on achieving justice for people, placing obligations on states to protect the wellbeing of their citizens and to face the possibility of an outside intervention when they fail to do so. However, following the so-called Arab Spring, successive states in North Africa and the Middle East have experienced instability and/or intrastate conflict, leading to enormous loss of life, injury and displacement of people. The speedy intervention in Libya in 2011, marked a turning point for Western states, since then they have shown little appetite for intervention, as the Syrian people have learned during the long conflict that has engulfed their own state.

In November 2015, the UN's Under-Secretary-General for Humanitarian Affairs spoke of this war "that has cost an estimated 250,000 people their lives, given rise to extremist and terrorist groups, and reduced much of the country, a middle-income country, to rubble". He estimated that 13.5 million Syrian people were now in need of humanitarian assistance, while more than 4 million had become refugees. Despite these figures, it was not until Syria's conflict was brought to the streets of France through the Paris attacks in November 2015 that European states began to reconsider their non-interventionist stance. In 2018, reports are that the UN has ceased to count the number of deaths, evidence not of unwillingness but of the difficulties entailed in doing so. Thus, just 10 years after R2P, circumstances are suggestive of a limited and certainly wavering commitment to the principle of rights protection and therefore to the vision of a New World Order - as the larger and longer scale consequences of intervention have been revealed. At the same time, the so-called Rising Powers have entered firmly into the debate on international intervention, with Brazil and China positing their own concepts of state responsibility in the face of conflict.

In this course, students will be introduced to the underpinning concepts and competing understandings of (non-)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 crisis, international intervention and non-intervention. Emphasis is 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 human rights have been relegated to the second tier of principles to be defended by the United Nations and its signatories.

Course Themes

Throughout the course, students will be asked to consider the causes and effects of events and actions in relation to conflict and crisis in the international arena. Four core themes in the study of Intervention will sit at the heart of our studies: Sovereignty, Legitimacy, Legality, Human Rights. The course aims 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. Finally, they will have to consider whether and how those decisions shape the wider international order.

Introductory / Background Reading

Entire issue of:

- Christensen, Hanne (2011) 'Interventions – The roles of the United Nations, the Organisation of African Unity, governments, and the NGO community' in Marjolijn Snippe, Vijay Mehta and Henning Melber (eds.). 'Erskine Barton Childers – For a Democratic United Nations and the Rule of Law. *Development Dialogue*, 56 (June)

Entire issue of:

- Murray, Robert W. & McKay, Alasdair (eds) (2014) 'Into the Eleventh Hour: R2P, Syria and Humanitarianism in Crisis', *e-IR edited collection*.
- 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.
- Bjola, C. (2008) 'Legitimacy and the Use of Force: Bridging the Analytical-Normative Divide' *Review of International Studies*, 34, 4: 627-44.

And if possible – borrow or purchase to read:

- Newman, Edward (2015) *Understanding Civil Wars. Continuity and change in intrastate conflict*. London: Routledge.

And recommended as a prompt for getting you to think about some of the challenges involved in deciding who is responsible for what and drawing lines:

- Ahmad, Idrees (2018) 'Are there really "no good guys" in Syria?' *Pulse Media*

Videos

- Head to Head – Humanitarian intervention or imperialism. Mehdi Hasan and former French PM Bernard Kouchner debate
- The Paradox of Humanitarian Interventions: Bailey Ulbricht at TEDxCarletonCollege
- The Evolution of Humanitarian Intervention: Lessons Learned from Past Interventions Council on Foreign Relations

- COURSE OUTLINE BY DAY -

Students are required to come to each class having done some reading. This is in order to facilitate informed discussion of very complex issues. Students should come to class with either an electronic or hard copy of the readings marked as required for that session; we will then spend some time on analysis of the specified literature.

The additional readings will serve to deepen understanding of the theoretical literature and empirical cases, and assist in understanding how to apply the former to the latter.

DAY 1

Understanding International Intervention

Morning Session: Introduction and Course Outline

Afternoon Session: Small Group Work: Syria

Students will work in small groups of 3-4 to answer the following questions:

- Group 1 – What are the origins and causes of the conflict in Syria? Prioritise them by order of explanatory power.
- Group 2 – Who are the actors in the conflict and in the search for resolution? Sort them into categories you decide on.
- Group 3 – Identify key moments/phases in the conflict. (Be selective and be prepared to explain your decision-making process.)
- Group 4 – Who has intervened to date and with what success? (Be sure to think about the measures for success.)
- All – What prospects exist for resolution of this conflict?

Required reading

- BBC News Middle East (2016) 'Syria: The Story of the Conflict'. *BBC News*. Available online: <http://www.bbc.com/news/world-middle-east-26116868>.
- Evans, Gareth (2014) 'The Consequences of Non-Intervention in Syria: Does the Responsibility to Protect Have a Future?'. In Murray, Robert W. (ed.) edited collection of *e-IR: Into the Eleventh Hour: R2P, Syria and Humanitarianism in Crisis*: 18-25.
- UN News Centre for News Focus on Syria.

Recommended Reading

- Heisbourg, François 'Russia's Success, the West's failure', *The New York Times*, 7 June 2013.
- Ford, Christopher M. (2017) 'Syria: A Case Study in International Law'. *University of Cincinnati Law Review*. 1-57.
- Pearlman, Wendy (2014) 'The Argument against U.S. Intervention in Syria ... And Why It's Wrong'. *Huffington Post*.

- United Nations (n.d.) *Charter of the United Nations*.
- Watt, Nicholas (2014) 'Syria crisis. failure to intervene will have terrible consequences, says Blair'. *The Guardian*.

DAY 2

Northern Iraq 1999-2001 & Theorising International Relations

Morning Session: Identifying Key Concepts & Actors

Afternoon Session: Sovereign Rights vs International Morals: The New World Order: Theorising International Intervention

Required Reading:

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

OR

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

AND

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

OR

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

Recommended Reading:

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

DAY 3

Failings and Consequences: Yugoslavia in the 1990s

Morning Session: STUDENT PRESENTATION (Groups 1 & 2): Crimes against Humanity: the Road to Dayton

Afternoon Session: STUDENT PRESENTATION (Groups 3 & 4): The Kosovo Crisis 1998-1999.

Morning Session: Crimes against Humanity

- Srebrenica – A Cry from the Grave
- Robert Fisk – Bosnian war documentary 1993 part 1, part 2, part 3

***We will not have time to watch all these in class – students are strongly encouraged to watch them in their own time. Students should also remember that the subject matter is emotive and divides opinion.**

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

- A very interesting source from ICTY: <http://kosovo.sense-agency.com/>
- 1999 – A Documentary about Kosovo War and Ethnic Cleansing
- 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.
- Freedman, Lawrence (2000) 'Victims and Victors: Reflections on the Kosovo War', *Review of International Studies*, 26: 335-58.
- Fridman, Orli (2016) 'Memories and Narratives of the 1999 NATO Bombing in Serbia'. *Sudost-Europa*.
- Fridman, Orli (2015) 'How Belgraders Remember the NATO Bombings'. *BalkanInsight*. 30 March 2015.
- 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.

DAY 4

The Responsibility to Protect

Morning Session: Theorising R2P

Afternoon Session: STUDENT PRESENTATION (Group 5): Darfur 2005-9: A Retreat from Humanitarianism?

Required Reading:

- 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.

OR

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

AND

- De Waal, Alex (2007) 'Darfur and the Failure of the Responsibility to Protect', *International Affairs*, 83, 6: 1039-1054.
- Verhoeven, Harry, Ricardo Soares de Oliveira & Madhan Mohan Jaganathan (2016) 'To Intervene in Darfur, or Not: Re-examining the R2P Debate and Its Impact'. *Global Society*, 30(1): 21-37.

Recommended Reading:

- Albright, Madeleine (2008) 'The End of Intervention', *The Washington Post/New York Times*.
- Ayoob, Mohammed (2002) 'Humanitarian Intervention and State Sovereignty' *The International Journal of Human Rights*, 6,1: 81-102.
- De Waal, Alex, and Omaar, Rakiya (1994) 'Can Military Intervention be "Humanitarian"?' *Middle East Report*, 187/188 (March-June): 2-8.
- Junk, Julian (2016) 'Bringing the Non-coercive Dimensions of R2P to the Fore: The Case of Kenya', *Global Society*, 30(1): Contesting and Shaping the Norms of Protection: The Evolution of a Responsibility to Protect: 54-66.
- Kurtz, Gerrit & Philipp Rotmann (2015) 'The Evolution of Norms of Protection: Major Powers Debate the Responsibility to Protect' *Global Society*, 30(1): Contesting and Shaping the Norms of Protection: The Evolution of a Responsibility to Protect: 3-20.
- 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.
- Welsh, Jennifer, (2010) 'Implementing the "Responsibility to Protect": Where Expectations Meet Reality'. *Ethics & International Affairs*, 24.4 (Winter 2010): 415-430.
- Williams, P. and Bellamy, A. (2005) 'The Responsibility to Protect and the Crisis in Darfur', *Security Dialogue*, 36, 1: 27-47.

DAY 5

Morning Session: DEBATE: Rising Powers versus Western Liberal States: the end of the Liberal world order?

Afternoon Session: Applying Learning: Reflections on Syria's Conflict

Required Reading:

- Brockmeier, Sarah, Stuenkel, Oliver & Tourinho, Marcos (2015) 'The Impact of the Libya Intervention Debates on Norms of Protection'. *Global Society*, 30(1): 113-133.
- Stephen, Matthew D. (2012) 'Rising Regional Powers and International Institutions. The Foreign Policy Orientations of India, Brazil and South Africa'. *Global Society*, 26(3): 289-309.

If possible, read one of these:

- Chacko, Priya (2016) 'Foreign policy, ideas and state-building: India and the politics of international intervention'. *Journal of International Relations and Development*, 1-26.
- Lee, Pak K. & Chan, Kai-Ha (2016). 'China's and India's perspectives on military intervention: why Africa but not Syria?' *Australian Journal of International Affairs*, 70(2): 179-214.
- Reeves, Shane (2014-2015) 'To Russia with Love: How Moral Arguments for a Humanitarian Intervention in Syria Opened the Door for an Invasion of the Ukraine'. *Mich. St. Int'l L. Rev.* 199, 23(1): 199-229.
- Watch: Inside Aleppo.
- Morris, J. (2013) 'Libya and Syria: R2P and the spectre of the swinging pendulum'. *International Affairs*, 89 (5), 1265-83.

OR

- Wenaweser, Christian, James Cockayne (2017) 'Justice for Syria?: The International, Impartial and Independent Mechanism and the Emergence of the UN General Assembly in the Realm of International Criminal Justice'. *J Int Criminal Justice*: 1-20.

DAY 6

Course Conclusions

Morning Session: Conclusions. 1991-2015: A New World Order Begins & Ends?

Required Reading

- Freedman, Lawrence (2014) 'Ukraine and the Art of Crisis Management'. *Survival*, 56, 3: 7-42.

OR

- MacFarlane, Neil & Menon, Anand (2014) 'The EU and Ukraine'. *Survival*, 56, 3: 95-101.

AND

- Richmond, Oliver (2015) 'Peace During and After the Age of Intervention'. *International Peacekeeping*, 21(4): 509-519.

Additional Reading:

- David, Maxine (2015) 'Transitional Times. Russian Agency and International Intervention' Special issue 'Russia in the world', *Comillas Journal of International Relations*, 3.
- Emerson, Michael (2014) 'The EU-Ukraine-Russia Sanctions Triangle'. *CEPS Commentary*. 13 October 2014.
- Mankoff, Jeffrey (2014) 'How Russia Won Crimea and Lost Ukraine'. *Foreign Affairs* 93: 60-68.

- See also my older comments for The Conversation: <https://theconversation.com/profiles/maxine-david-100989>