

## Humanitarian Crises and World Politics: the Conflict between Ethics and Pragmatism in Humanitarian Intervention Decisions

### Executive Summary

This paper explores the conflict between ethical and pragmatic considerations in the decision of a state, or states, to undertake intervention in response to a humanitarian crisis. Humanitarian intervention is controversial and yet gaining wider acceptance within the international community. On the one hand are arguments against intervention of any kind that center on the sovereignty of states, upon which the international system is built. On the other hand are arguments in favor of humanitarian intervention that center on the establishment of fundamental human rights and the duty of states to respect and protect those rights.

This paper explores the decisions whether or not to intervene through four case studies of humanitarian crises in Rwanda, East Timor, Haiti, and Bosnia. In Rwanda there was no intervention in spite of evidence that genocide was being carried out against Tutsi and moderate Hutu segments of the population. In East Timor intervention was carried out only after circumstances changed the relationship between Indonesia and Australia. In Haiti intervention was carried out because of the convergence of political pressure within the United States and the self-interest of the United States in stopping the flow of “boat-people” (or refugees) from Haiti to the United States. In Bosnia intervention was supported by the United States after media coverage of the human rights abuses created pressure within the American public for an intervention to halt the abuses.

From the case studies, this paper concludes that there are several factors, both ethically and pragmatically, that influence the decision for a country or countries to commit to humanitarian intervention. From the ethical perspective there are two. First, the scale of the violation of fundamental human rights; is the abuse against a few thousand or a few hundred thousand people. Second, the form of the human rights abuses; are they fundamental, defined as genocide, massacres, ethnic cleansing, and forced labor, or are they secondary human rights, so to speak, such as censorship, disenfranchisement, economic deprivation, and the like. From the pragmatic perspective there are three factors. First, the ‘CNN effect’, in which continued exposure to scenes of conflict and the victims of human rights abuses through the media can cause a population

to pressure political leaders to intervene. Second, domestic politics/ public opinion can influence the decision of a government to intervene in that election cycles and institutional power struggles between different branches of government can affect the decision to intervene; and political leaders are generally reluctant to take a position could potentially adversely affect their political careers. Finally, states consider the national self-interest in the decision to intervene in order to determine if the proposed intervention would be helpful, harmful, or neutral to the national interest.

### Theory

The idea of ethics in international relations is a controversial one, responsible in large part for the differences between realists and liberals, and one not given much serious consideration by scholars of international relations until recent decades. The end of the Cold War saw a dramatic increase in the number and extent of interventions by one state into the affairs of another, often in response to humanitarian crises, such as civil war, ethnic cleansing, and large-scale population displacement after natural disasters. However, just as conspicuous as the increase in humanitarian aid and intervention are the various instances when the international community has failed to take action in the face of widespread violation of fundamental human rights.

This paper seeks to explore the ethical and pragmatic considerations that go into the decision of a state or states to commit to a humanitarian intervention. The first section of this paper will cover the theoretical background of humanitarian intervention. Included in this background will be discussions of issues of sovereignty, liberal peace theory, the work of the International Convention on Intervention and State Sovereignty, and the arguments for nonintervention. The second part of this paper will look at the specific cases of Rwanda, East Timor, Bosnia, and Haiti in order to show the pragmatic and ethical contexts in which interventions were or were not carried out. The final section of this paper will discuss the effects of pragmatism on humanitarian intervention.

Humanitarian interventions can be defined as forcible, military interventions, carried out without the consent of the offending state, in response to widespread and massive violations of fundamental human rights.<sup>1</sup> Fundamental human rights are limited to massacres, ethnic cleansing, and forced labor. The scope of fundamental human rights is limited because humanitarian intervention involves a disregard for sovereignty by the intervening power(s); and sovereignty, defined as independence from outside authority, is the foundation of the international system.<sup>2</sup> Sovereignty is dependent upon two principles: “the norm of the equality of rights of states and the norm of nonintervention in a state’s domestic affairs.”<sup>3</sup> The norm of equality of rights of states is based on two

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<sup>1</sup> Pavel Barsa, “Waging War in the Name of Human Rights? Fourteen Theses about Humanitarian Intervention,” *Central European Review of International Affairs*, 24 (Summer 2005), 6-7.

<sup>2</sup> Stanley Hoffman, et al., *The Ethics and Politics of Humanitarian Intervention*, 3 (Notre Dame: 1996), 12.

<sup>3</sup> Hoffman, 12

ideas. The first is an individualistic idea, in which state's rights are based on the rights of individuals. The second is a communitarian idea, in which states are seen as political communities as long as the state is founded on the principle of self-determination. The norm of nonintervention is meant to minimize inter-state conflict and to preserve state autonomy.<sup>4</sup>

Liberal peace theory argues that human rights can best be protected within the international community through multilateral, cosmopolitan frameworks wherein "democratic and peaceful states take a leading responsibility for ensuring the interests of common humanity."<sup>5</sup> Democratic and peaceful states are most able to press for the respect of human rights by non-democratic regimes because legislatures and public opinion "restrain executives from policies that clearly violate the obvious and fundamental interests of the public, as the public perceives those interests."<sup>6</sup> Second, because liberal principles involve "an appreciation of the legitimate rights of all individuals," which lend themselves to international respect when practiced at home and abroad.<sup>7</sup> Third, economic integration and the practice of capitalism lead to incentives for states to remain open and transparent so as not to damage their trade relations with other states. However, liberal peace theory is limited in that cosmopolitan frameworks and international law are based on state-centered collective security concerns "rather than the individual rights posited in the liberal peace thesis."<sup>8</sup>

Ensuring the protection of human rights implies that there are limits to sovereignty, for if there were not there would be no grounds on which to justify humanitarian intervention except in cases in which it was requested. According to Stanley Hoffman, humanitarian intervention can be justified and sovereignty overridden "whenever the behavior of states even within its own territory threatens the existence of elementary human rights abroad, and whenever the protection of the rights of its own

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<sup>4</sup> Hoffman, 12-13

<sup>5</sup> David Chandler, "The Responsibility to Protect? Imposing the 'Liberal Peace'", *International Peacekeeping*, 11 no. 1 (Spring 2004), 60.

<sup>6</sup> Michael W. Doyle, "Three Pillars of Liberal Peace", *American Political Science Review*, 99 no. 3 (August 2003), 464.

<sup>7</sup> Doyle.

<sup>8</sup> Chandler, 60

members can be assured only from the outside.”<sup>9</sup> Related to this, the International Commission on Intervention and State Sovereignty (ICISS) argues that there is a right to protect the victims of human rights abuses and a subsequent duty that is held first by the home state and second by the international community. If the home state is unable or unwilling to put an end to the human rights abuses going on within its borders, the international community has a duty to intervene to stop them. Therefore, “sovereignty then means accountability to two separate constituencies: internally, to one’s own population; and internationally, to the community of responsible states.”<sup>10</sup>

The ICISS makes clear, however, that “the international responsibility to intervene and halt mass killings and ethnic cleansing is located in the Security Council and that any intervention should be efficient and effective.”<sup>11</sup> There are six elements that should be a part of any just, efficient and effective humanitarian intervention. Just cause, according to the ICISS can be defined as “large scale loss of life, actual or apprehended” and “large scale ethnic cleansing, actual or apprehended.” Second, states must have the right intention, meaning there should be no other motives than to stop or prevent human suffering. Third, all humanitarian interventions must be undertaken with the right authority, meaning UN Security Council approval. Fourth, “military intervention can only be justified when every non-military option for the prevention or peaceful resolution has been explored, with reasonable grounds for believing that lesser measures would not have succeeded.”<sup>12</sup> Fifth, the intervention must be carried out using proportional means, meaning the least possible amount of force for the shortest period of time leading to the least destruction possible in order to successfully stop or prevent human suffering. Sixth, the mission should only be undertaken when there is a reasonable chance of success.<sup>13</sup>

Despite the work of the commission, there are still states that oppose the idea of humanitarian intervention. “Traditional international law has been hostile not only to unilateral intervention in domestic affairs, but also to collective coercive action *except* in

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<sup>9</sup> Hoffman, 23

<sup>10</sup> Chandler, 65

<sup>11</sup> Thomas G. Weiss, *Military-Civilian Interactions: Humanitarian Crises and the Responsibility to Protect*. 2 ed., (Lanham: 2005), 22.

<sup>12</sup> Weiss, 24

<sup>13</sup> The six criteria of a just intervention were taken from Chandler, pgs 69-71 and Weiss pg. 24.

cases of threats to peace, breaches of peace, and aggression.”<sup>14</sup> And even now, many states are opposed to the idea of humanitarian intervention, regardless of the ICISS’s work in providing limits and definitions of responsibilities and actions. States opposed to the idea of humanitarian intervention argue that “humanitarian action can be an alibi, an escape from politics.”<sup>15</sup> Hoffman points to various obstacles to humanitarian intervention, such as the lack of consistency or presence of double standards by the intervening power(s); and the problem of the lack of political support for an intervention by the offending country. Additionally, “while state sovereignty is a well recognized principle, its companion principle of nonintervention into particularly internal affairs has never been codified into a clear set of rules.”<sup>16</sup> The United Nations Charter states that “Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this article shall not prejudice the application of enforcement measures under Chapter VII.”<sup>17</sup> However, within this prohibition against intervention by the United Nations, there is no definition of intervention, and in a world that is increasingly interconnected there remains no distinction between “permissible influence and impermissible influence and intervention.”<sup>18</sup>

Further, the UN is widely seen as lacking the “possibility even to conceive of a coercive intervention in the domestic affairs of a major power, either in the ‘North’ or in a given region.”<sup>19</sup> Hoffman also cites the “continuing resistance to intervention—unilateral or collective—by many states marked by their colonial experience... The fact that many states have skeletons in their closets with respect to human rights..., and that in particular many new states have—like India—formidable problems with ethnic or

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<sup>14</sup> Hoffman, 28

<sup>15</sup> Hoffman, 31

<sup>16</sup> Kelly Kate Pease and David P. Forsythe, “Human Rights, Humanitarian Intervention, and World Politics”, *Human Rights Quarterly*, 15 no. 2 (1993), 291.

<sup>17</sup> UN Charter art. 2, sec. 7

<sup>18</sup> Pease and Forsythe, 293

<sup>19</sup> Hoffman, 33

religious minorities, explains this resistance to any brushing aside of the norm of nonintervention.”<sup>20</sup>

Despite these arguments for and against humanitarian intervention, it is an idea that is gaining increasing legitimacy within international law and the international system. However, humanitarian intervention is still not carried out in every case in which it could be (Rwanda for example) and is carried out in places where it should not have (Iraq). Therefore, there must be some other considerations than purely ethical, humanitarian motives to stop or prevent large scale human suffering at work in the decision of states to, unilaterally or collectively, intervene. In an attempt to discover what these additional factors may be this paper will now look at the cases of human rights abuses in Rwanda, East Timor, Bosnia, and Haiti, and at the decisions of states to intervene or not intervene in these humanitarian crises.

#### Rwanda

On April 6, 1994 a plane carrying the presidents of Rwanda and Burundi was shot down near Kigali, Rwanda killing all on board. To this day it is not known under what circumstances the plane crashed, however, what is known is the consequence of that attack, the Rwandan genocide. For a hundred days following the assassination of the Rwandan president genocide was carried out against the Tutsi and moderate Hutu segments of the population by Hutu extremists. It is currently unknown exactly how many people died during the genocide, but estimates range from 500,000 to one million people. The reaction of the international community, and the United States in particular, was one of indifference or ambivalence.

Rwanda is a small country in western Africa, without any strategic interests. The genocide was preventable and stoppable; however, in the United States the genocide was portrayed as civil war and tribal conflict, not serious enough to warrant humanitarian intervention. By portraying the violence as the product of civil war, and explicitly avoiding the use of the word ‘genocide’, the Clinton administration was able to avoid

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<sup>20</sup> Hoffman, 31-32

being held to their commitment under the Convention on the Prevention and Punishment of the Crime of Genocide to prevent and punish acts of genocide.<sup>21</sup>

The United States government shied away from using the word genocide in an effort to shy away from any responsibility for intervention. This was done for several reasons. First, was the so-called Somalia effect, which describes the fact that after the death of 18 US soldiers during the humanitarian operation in Somalia in 1993, and footage of their bodies being dragged through the streets of Mogadishu, the American public was unwilling to risk the lives of more American soldiers for an intervention into what was portrayed as an internal conflict. Second, Clinton administration claimed an already full foreign policy agenda at the time, including negotiations with China over most favored nation status as a trading partner, the continuing conflict in Yugoslavia, and intercepting and returning thousands of Haitians attempting to flee to the United States. Third, was Presidential Decision Directive 25, which was the result of a review commissioned by President Clinton of the nation's peacekeeping policies and programs "in order to develop a comprehensive policy framework suited to the realities of the post-Cold War period."<sup>22</sup> This directive states that "Peace operations are not and cannot be the centerpiece of U.S. foreign policy. However, as the policy states, properly conceived and well-executed peace operations can be a useful element in serving America's interests."<sup>23</sup> Fourth, the UN mission already in Rwanda, already inadequate by many estimates, was further reduced after the deaths of 10 Belgian soldiers.

There is evidence to suggest that the United States government and the United Nations were aware of the possibility of genocide and were aware of its outbreak after the assassination of the Rwandan president. However, "[t]he United States and other great powers such as France, with their own intelligence networks in Rwanda, were able to manipulate the international community's understanding of the violence in a way that made inaction socially acceptable."<sup>24</sup> Therefore, the United States, as a party to the Genocide Convention, was obligated under international law to take action to end it.

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<sup>21</sup> Convention on the Prevention and Punishment of the Crime of Genocide, Article 1.

<sup>22</sup> Presidential Decision Directive 25

<sup>23</sup> Ibid

<sup>24</sup> Pease and Forsythe, 195

### East Timor

East Timor occupies half of an island, the other half of which is controlled by Indonesia. In the mid 16<sup>th</sup> century, the island of Timor was colonized by the Portuguese. In 1859, Portugal was forced to cede control of the western half of the island to the Dutch. Between 1942 and 1945, the island was control by the Japanese, and after the surrender of Japan, control of East Timor reverted to Portugal. On November 28, 1975 East Timor declared its independence from Portugal and nine days later was invaded by Indonesia, which controlled the western half of the island. It was incorporated into Indonesia as the province of East Timor in July 1976. During the next 20 years, an estimated 100,000 to 250,000 Timorese lost their lives during Indonesia's "unsuccessful campaign of pacification."<sup>25</sup> "Until 1998 there had been a consensus in Australian foreign policy that good relations with Indonesia were more important than the self-determination of the Timorese."<sup>26</sup>

The policy of Australia towards Indonesia and East Timor was influenced by several factors. First, Australia has long been wary of the potential threat posed by Indonesia, which is the fourth most populous state in the world. Second, Indonesia provides a large export market for Australian goods, and "the two states recognize that there are significant mutual economic gains to be made from cooperation."<sup>27</sup> Third, Australia would rather deal with one centralized state to its north than several small, and potentially unstable, states. And finally, as a party to the Association of South-East Asian Nations (ASEAN), Australia is committed to non-intervention in the domestic affairs of its member states. The views of Western states towards the invasion and occupation of East Timor largely coincided with those of Australia, which valued Indonesia's cheap labor markets, export markets, and oil.

The United Nations refused to accept the legitimacy of Indonesian rule over East Timor. "The view of the UN was that sovereignty did not belong to Indonesia. East Timor had been an overseas possession of the Portuguese since the early seventeenth century: in accordance with the norm of self-determination, the end of colonial rule

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<sup>25</sup> CIA. "Timor-Leste." *CIA World Factbook*. <https://www.cia.gov/library/publications/the-world-factbook/geos/tt.html> (4 April 2008).

<sup>26</sup> Nicholas J. Wheeler and Tim Dunne, "East Timor and the new humanitarian interventionism", *International Affairs*, 77 no. 4 (2001), 808.

<sup>27</sup> Wheeler, 809

should have led to independence.”<sup>28</sup> However, Australia used its influence to limit criticism of Indonesia’s actions within the UN during the course of Indonesian occupation.

Australia’s policy towards East Timor changed as the result of changes in Indonesia, and in their relationship. First, the financial crisis of 1997 severely affected Indonesia and changed the beneficial dynamic of Indonesian, Australian trade. Second, in 1998 President Suharto was forced from power and “the leader of the interim government, President Habibie, announced that he was prepared to offer ‘special status’ for East Timor”, while refusing to agree to independence.<sup>29</sup> And finally, the growing public support for East Timorese self-determination influence the Australian government to change its policy towards Indonesia and the situation in East Timor. Despite President Habibie’s announcement of ‘special status’ for East Timor, little progress had been made on the issue in tripartite talks and the situation on in East Timor was becoming increasingly violent with growing opposition to Indonesian rule.

On January 27, 1999, the President Habibie announced that “if the East Timorese rejected a proposal for autonomy within Indonesia, he would ask the People’s Consultative Assembly to grant them independence.”<sup>30</sup> Subsequently, an agreement was signed between the UN, Portugal, and Indonesia providing for a UN supervised ballot, which granted the Indonesian military (TNI) sole responsibility for law and order, and mandated the UN to organize the election. “The consequences of this decision were disastrous... The UN Mission in East Timor (UNAMET)... faced a very hostile environment as pro-integrationist militias sought to intimidate the mission and destabilize the process.”<sup>31</sup>

The vote, carried out on August 30, 1999, was judged relatively free of violence and coercion. Seventy-eight and a half percent of registered voters had voted for independence from Indonesia. “Immediately after the result was announced, rampaging militiamen began killing key figures in the independence movement and terrorizing

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<sup>28</sup> Wheeler, 810

<sup>29</sup> Wheeler, 811

<sup>30</sup> Wheeler, 812

<sup>31</sup> Wheeler, 812

civilians.”<sup>32</sup> The wave of post-referendum violence resulted in the deaths of several UNAMET personnel and the withdrawal of UN civilian staff; “more than 1,000 deaths; the destruction of most utilities; damage to 60-80 percent of private and public property; paralysis of the education system; and the disruption of more than 70 percent of health care services...”<sup>33</sup> The humanitarian crisis resulted in the displacement of over 300,000 East Timorese (this number includes both refugees and internally displaced persons). With the TNI blocking humanitarian efforts, the UN organized the International Force in East Timor (INTERFET), which functioned from September 20, 1999 until February 23, 2000; and was charged with restoring peace and security, protecting UNAMET, and facilitating the humanitarian missions. The UN Transitional Authority for East Timor was authorized in October 1999, and operated until May 2002. It was mandated to replace INTERFET as a peacekeeping mission as soon as possible; “to provide security and maintain law and order; establish an effective administration; assist in the development of civil and social services; and ensure the coordination and delivery of humanitarian aid, rehabilitation, and development assistance.”<sup>34</sup>

Australia’s ambivalence to intervention in East Timor can be seen as a result of two competing interests. First, its desire to remain the West’s representative to the region; and second, its reluctance to take action that would severely damage its relationship with Indonesia and the other ASEAN nations. However, the intervention in East Timor is significant in that it led to a significant changes in the “traditional interpretation of state sovereignty” and the application of norms of human rights.<sup>35</sup>

## Haiti

In 1991, the first democratic election in Haiti since independence brought Jean-Bertrand Aristide to power. Among the reforms he instituted included: retiring senior military officers, discussion of civilian control of the military and police, corruption reduction, and attempts to punish political and military leaders that had been involved in past human rights abuses. All of these measures created opposition to Aristide from the

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<sup>32</sup> Wheeler, 816

<sup>33</sup> Weiss, 133

<sup>34</sup> Weiss, 137-138

<sup>35</sup> Wheeler, 827

political and military elite within Haiti, which were supported monetarily and politically by the U.S. Department of Defense and the CIA. On September 29, 1991 military forces removed Aristide from power via a coup. Aristide fled to first Venezuela and then Washington. “The crisis resulted in human rights abuses by the regime, the flight of refugees and displaced persons, substantial humanitarian dislocation created by economic sanctions, and later the forcible repatriation of the refugees by the Bush and Clinton administrations.”<sup>36</sup>

The Organization of American States (OAS) condemned the coup. On October 3<sup>rd</sup>, the OAS called for “economic, financial, and diplomatic isolation of the military regime, and the cessation of all non-humanitarian aid.”<sup>37</sup> The Protocol of Washington, negotiated between the OAS, Aristide, and members of the Haitian Senate and Chamber of Deputies called, ultimately, for Aristide’s return. UN action was hampered by the reluctance of many developing countries to commit to an intervention that could set a precedent for humanitarian intervention in the name of human rights and democracy, however, the General Assembly did pass a resolution on October 11<sup>th</sup> calling for the return of Aristide and pledging Security Council support for OAS actions.<sup>38</sup> An embargo was instituted against the regime, but enforcement of its proved difficult at best, and was not helped by the exemption passed by the U.S. Congress for all U.S.-owned manufacturing companies in Haiti.<sup>39</sup> In November 1992, the UN and OAS agreed to deploy the International Civilian Mission in Haiti (MICIVIH), which was mandated to “monitor human rights abuses by the de facto authorities.”<sup>40</sup>

Despite the efforts of the UN and OAS, resolution to the problem and the embargo and sanctions resulted in the increased suffering of the poor (the elites were able to smuggle through what they needed) and the further weakening of the economy. In response to the worsening conditions and human rights abuses of the government, an estimated 60,000 to 100,000 refugees “fled Haiti by small craft for the shores of Florida

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<sup>36</sup> Weiss, 118

<sup>37</sup> Weiss, 118

<sup>38</sup> Weiss, 118

<sup>39</sup> Weiss, 119

<sup>40</sup> Weiss, 119

and the Dominican Republic between 1991 and 1994.”<sup>41</sup> At first, the Bush administration intercepted the refugees and returned them to Haiti without an interview, and action violates international law pertaining to refugees. After a lower court decision that suspended the policy until appeal, between November 1991 and April 1992, refugees were picked up and taken to Guantanamo Bay for interviews granting or denying asylum in the United States. After a Supreme Court decision supporting forced repatriation, President Bush resumed the practice, instead setting up, in Haiti, a processing procedure “to offer political asylum to those with a legitimate fear of persecution”, although most applicants were rejected.<sup>42</sup>

During the presidential campaign, Clinton criticized President Bush’s policy, however, after becoming president, Clinton continued the forced repatriation of all refugees. In response to growing political pressure in the U.S., Clinton was forced to rescind the policy, instead bringing refugees to Jamaica and Guantanamo Bay while determining if they were refugees.

“Human rights violations increased at a particularly alarming rate between January and July 1994” precipitating the Security Council resolution authorizing “under Chapter VII the creation of a US-led Multinational Force (MNF), or the Pentagon’s Operation Restore Democracy” under the rationale that Haiti was “a threat to international peace and security.”<sup>43</sup> Two last efforts at a diplomatic solution preceded the military intervention. The first was a failure, the second resulted in an agreement “that granted amnesty to the coup leaders if they left Haiti, lifted economic sanctions when Aristide returned, called for the cooperation of the [Haitian Armed Forces] with the MNF, and provided for legislative elections.”<sup>44</sup>

On September 19, 1994 22,000 troops invaded Haiti. In October opposition leaders agreed to cooperation with the MNF and the return of Aristide and democracy. The MNF also helped with reform of military, police, judicial, and penal systems. In March 1995, the MNF was replaced by the UN Mission in Haiti, which continued with lessening the effects of the humanitarian crisis, political reform, peacekeeping, and

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<sup>41</sup> Weiss, 120

<sup>42</sup> Weiss, 120

<sup>43</sup> Weiss, 123

<sup>44</sup> Weiss, 123

economic development. However, the long term success of the mission was undermined when, after the final UN peacekeepers left in December 1997, there were still severe problems with the police, penal, and judiciary systems.<sup>45</sup> “The lack of commitment for long-term nation-building activities in fact left the stage set for another bout of political violence in early 2004” after Aristide’s party used fraud and violence to increase their votes in the May 2000 elections, followed by the presidential election in November, “which was boycotted by the political opposition and resulted in the return of Aristide for a second term.”<sup>46</sup> Opposition to the results of these election resulted in increased violence, the departure of Aristide from the presidency in 2004, and a Security Council resolution authorizing a Multinational Interim Force (MIF) to “assist in establishing a secure environment and to support the interim president... with a constitutional political process.”<sup>47</sup>

### Bosnia

The breakup of Yugoslavia was preceded by the death of President Tito, an economic crisis, political fighting between the various states and autonomous provinces. There has been much scholarly debate on the exact reasons for the break up Yugoslavia ranging from ethnic nationalism (often derived from past ethnic clashes), weak political institutions, and arguments that Tito was the only person who could hold Yugoslavia together.<sup>48</sup>

Slovenia and Croatia declared independence on June 25, 1991. Although the Yugoslav National Army (JNA) invaded Slovenia a few days after the declaration, after only 10 the JNA retreated. Only 2.4 percent of Slovenia’s population was Serbian, and “the impending violence in other republics with larger Serbian populations would take priority for scarce military resources.”<sup>49</sup> The elections within Croatia that led to the declaration of independence brought to power the ethnically nationalist Croatian

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<sup>45</sup> Weiss, 127

<sup>46</sup> Weiss, 128

<sup>47</sup> Weiss, 128

<sup>48</sup> Rober M. Kokta, “Sharing Risks, Burdens and Benefits: American Foreign Policy in the Balkans in the 1990s”, *Southeast European and Black Sea Studies*, 3 no. 2 (May 2003), 187-193.

<sup>49</sup> Weiss, 76

Democratic Union, and created fears within the Serbian minority that they would become victims of ethnic violence as under the Ustashe during World War II. Serbia, able to focus its military on Croatia, was able to gain control of over one-third of Croatia in the next couple months. The violence created a large humanitarian situation, and UN activity in the region was based on the consent of the parties. “UN peacekeepers were authorized to protect only humanitarian personnel,”<sup>50</sup> and because of international politics, including concerns over Russia’s support for Serbia, there was a reluctance to target Serbia. All of these factors created a situation in which “international responses were incoherent, at times even contradictory.”<sup>51</sup> The situation was complicated further by Bosnia’s declaration of independence on October 15, 1991. Bosnia, like Croatia, has a large Serbian minority. Independence was followed by a declaration by the Serbs in Croatia’s Krajina region and in Bosnia of autonomy and unity, and resulted in the policy of ethnic cleansing of Bosnia Muslims and Croats and the eventual occupation of 70 percent of Bosnia until 1995. Ethnic cleansing and other human rights violation continued in spite of the presence of UN peacekeeping troops until 1995, when NATO began its bombings over Bosnia, which forced the parties to the negotiating table in Dayton, Ohio.

Early involvement in the political, military, and humanitarian crisis that was the breakup of Yugoslavia was not conducive to intervention by the United States on the scale called for by the crisis.

[W]estern actors would be needed to insert an expensive peacekeeping and peace-building force in Croatia and Bosnia, an unprecedented action in itself. However, political pressures in the United States against inserting ground troops into a potential quagmire, miscalculations on both Croatian and Serbian sides as to how far each would push its demands, and the general focus of the international community away from the Balkans toward the Gulf War in the Middle East combined to keep serious consideration of a comprehensive resolution of the conflict early in the conflict from taking shape in policy makers’ minds.<sup>52</sup>

The late involvement of the United States, through NATO, in the military action and peacekeeping can be attributed to political factors.

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<sup>50</sup> Weiss, 78

<sup>51</sup> Weiss, 78

<sup>52</sup> Kokta, 195

The landslide victory of the Republican Party in the congressional elections of November 1994, and the overt support of key Republican congressional leaders toward lifting the Bosnian arms embargo, pushed the Clinton administration to act before Bosnia had the potential to become a presidential campaign issue in the 1996 US presidential election. The failure of the NATO airstrikes of November 1994 against Bosnian Serbs convinced US policy makers that force could only be used in support of a political settlement to the conflict, thereby requiring the United States to reopen negotiations with the Serbs directly.<sup>53</sup>

### Conclusion

From these four cases of humanitarian intervention, the decision whether or not to intervene can be said to be influenced by many factors such as: the ‘CNN effect’, domestic politics/public opinion, national self-interest, and the scale and form of a humanitarian crisis.

The CNN effect can be defined as “viewers exposed to repetitive television coverage of a particular problem generally become more convinced of its importance and the need for action.”<sup>54</sup> “The situations in Somalia, Kosovo, and East Timor were largely unknown until CNN began to broadcast stories about these humanitarian crises. Indeed, many argue that Rwanda was not perceived to be a crisis in the United States because CNN was not on the ground in Kigali.”<sup>55</sup> The lack of television and press coverage of the genocide in Rwanda is seen as one reason for the lack of support for intervention. Especially in the United States, because of competition with other international events (including the Bosnian War, negotiations with China over most-favored nation status, and the crisis in Haiti) the crisis in Rwanda did not receive much press coverage. Further, the framing of the issue as a civil war and mere tribal conflict added to the lack of a sense of urgency in preventing and halting the genocide. In East Timor and Bosnia the CNN effect had an opposite effect on the decision to intervene. As already mentioned, one of the factors that motivated the Australian government to change its policy towards Indonesia and East Timorese self-determination was the growing support among the Australian population. And in Bosnia, the sight of the effects of ethnic cleansing and war

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<sup>53</sup> Kokta, 195

<sup>54</sup> Henry F. Carey, “U.S. Domestic Politics and the Emerging Humanitarian Intervention Policy: Haiti, Bosnia, and Kosovo”, *World Affairs*, 164 no. 2 (2001), 73.

<sup>55</sup> William A. Boettcher, “Military Intervention Decisions Regarding Humanitarian Crises: Framing Induced Risk Behavior”, *Journal of Conflict Resolution*, 48 no. 3 (2004), 336.

on the civilian population, as well as reports of rape of Bosnian women by Serbs spurred public support for intervention to stop the conflict.

Domestic politics, public opinion and election cycles also affect decision by national leaders to undertake a humanitarian intervention. “Public opinion bears directly on the decision to intervene because presidents weigh the effects on their own political fortunes in upcoming elections.” As already mentioned in the case of Haiti President Clinton, during his campaign criticized the Bush administration for its policy towards the Haitian refugees. The African-American community supported intervention, and as a large bloc of support for the Democratic Party, the decision of President Clinton to invade Haiti improved his public approval ratings six weeks before the 1994 mid-term elections.<sup>56</sup> The same was true in the case of the intervention in Bosnia, which began a year before President Clinton’s 1996 presidential election. Further, “Clinton’s stand on the use of force in Bosnia largely mirrored the ups and downs of U.S. public opinion polls.”<sup>57</sup> However, the same effect worked against intervention in Rwanda. Because of the images of dead U.S. soldiers being dragged through the streets of Mogadishu, the public was opposed to intervention, which would risk the lives of more American soldiers, in another dangerous conflict in Africa. The fact that the genocide occurred the summer before mid-term elections in November 1994 certainly affected the decision to not intervene as much as it did affect the decision to intervene in Haiti. The convergence of upcoming elections and lack of public support for intervention in Rwanda made it politically impossible for President Clinton to support any intervention involving the United States.

As in the case of Rwanda, national self-interest plays a part in the decision to intervene. As stated in Presidential Decision Directive 25, humanitarian intervention should not be the centerpiece of U.S. foreign policy, but can be “a useful element in serving America’s interests.”<sup>58</sup> With Rwanda lacking in natural resources and geopolitical strategic interest, in light of PDD 25 and the other factors already discussed, it was hard to justify any sort of intervention based solely on humanitarian principles. It

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<sup>56</sup> Carey, 75

<sup>57</sup> Carey, 75

<sup>58</sup> Presidential Decision Directive 25

has been argued that the interest of the United States in intervention in Bosnia was to redefine the role of NATO after the dissolution of the Warsaw Pact. In Haiti, intervention could be justified as a way to stop the flow of refugees seeking asylum in the United States and in terms of regional stability. And in East Timor, intervention could be justified in terms of natural resources, and regional stability for Australia and in terms of economic interests with other Western states.

Finally, the scale and form of the humanitarian crisis is an important factor in the decision to intervene. The larger and more morally objectionable the human rights violation, the more likely it is that an intervention will be carried out. While this is not always true, it is an important factor in the decision whether or not to intervene. As stated earlier, for the principle of sovereignty to be overridden a state must be unable, or unwilling to secure the safety of its own people, in which case the international community has a duty to intervene. However, in practice this has usually been limited to cases in which crises have spilled across borders or led to large-scale population displacement across international borders and large-scale humanitarian crises.

This paper has tried to show the pragmatic and practical considerations that influence the decision to intervene in a humanitarian crisis. Very often these pragmatic and practical considerations can be said to take precedence over the ethical arguments for humanitarian intervention. Therefore, while almost all states have signed the various UN declarations and conventions affirming respect for and protection of human rights, nearly no state is willing to take solely their obligations under the documents of international law as a primary reason for stopping or preventing the widespread violation of fundamental human rights in a conflict through humanitarian intervention.

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