1 Towards a history of humanitarian intervention

D. J. B. Trim and Brendan Simms

If it bee objected . . . that God hath appointed limits and boundes to everie nation, and that we may not as it were thrust in our sickle into their harvest, neither is my counsell to the contrarie, that under pretence of ayde we should invade . . . an other nation, or chalenge their jurisdiction . . . but rather that we should cut short . . . any tyrant afflicting his own people, any king throwing downe the props and stays of his common wealth.

Vindiciae, contra tyrannos, first English edition (1588)1

It is too late in the day . . . to tell us that nations may not forcibly interfere with one another for the sole purpose of stopping mischief and benefitting humanity.

John Stuart Mill, 18492

Is it permissible to let gross and systematic violations of human rights, with grave humanitarian consequences, continue unchecked?

If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond . . . to gross and systematic violations of human rights that offend every precept of our common humanity?

Kofi Annan, UN Secretary-General, September 20003

The essays in this book sketch out the long-term history of what, since the nineteenth century, has been termed ‘humanitarian intervention’ – that is, action by governments (or, more rarely, by organisations) to prevent or to stop governments, organisations, or factions in a foreign state from violently oppressing, persecuting, or otherwise abusing the human rights of people within that state. The problem of how to protect human rights and safeguard human security is one of the most persistent problems facing the international community; although the

1 VCT–Apologie (1588), sig. B6; see Chapter 2, by D. J. B. Trim, below.
2 J. S. Mill, ‘Vindication of the French Revolution of February 1848’ (1849); see Chapter 5, by John Bew, below.
'dilemma of what to do about strangers who are subjected to appalling cruelty by their governments’ has been particularly pressing in the last hundred years, it is of a truly ancient vintage. Attempts to find answers to this dilemma are also not new. However, until recently humanitarian intervention was treated as though it were a subject without a history.

The chapters that follow examine not only the first episodes that were called ‘humanitarian interventions’ by contemporaries, but also the concepts and practices from which intervention emerged and which, sometimes after considerable evolution, eventually fused to make the modern concept. They also consider concepts that stood in the way of concern for oppressed people groups, including the concept of sovereignty usually associated with the Peace of Westphalia in 1648 (often identified as the starting point for modern international relations), which almost 400 years later was (apparently) to be endorsed uncritically by the Charter of the United Nations. Because this book is a history, fifteen of the sixteen chapters that follow deal with events before 1980; one chapter considers the celebrated (or notorious) interventions of the 1990s in historical perspective. Most of the literature on humanitarian intervention, whether by academics, lawyers, activists, or policy-makers, has been focused on recent interventions. It is precisely for this reason that this book turns the spotlight away from recent events, to history.

* The term ‘humanitarian intervention’ lacks clarity, for both conceptual and practical reasons. The literature on intervention reflects a wide range of perspectives, written by scholars of ethics, philosophy, politics, international relations, international law, strategic studies, war studies and peace studies, and by policy practitioners and media commentators. The different presumptions and disciplinary perspectives they bring to the subject are often valuable, but inevitably lead to some conceptual confusion. But the lack of clarity is partly also because, in practice, it can be difficult to distinguish clearly between, for example, coercive diplomacy and ‘gunboat diplomacy’; armed participation in foreign civil wars, revolts, revolutions, and insurgencies; and peace-keeping, peace-enforcement, and armed distribution of humanitarian aid. The different types of involvement in another state’s affairs can blur into each other. As Rosenau observes: ‘So many diverse activities, motives, and consequences are considered

to constitute intervention that the key terms of most definitions are ambiguous and fail to discriminate empirical phenomena'.

Another common problem is that most definitions of humanitarian intervention, even ones proposed by scholars who take historical examples into account, seem to be primarily concerned with accurately describing interventions since the Second World War. As a result, there can be difficulties in trying to apply their definitions historically. This difficulty is compounded because the meaning of the word ‘humanitarian’ has changed.

While it has a relatively clear meaning today, it is a rather recent neologism. In the eighteenth century it was used purely theologically, in reference to questions about the humanity or divinity of Christ. In the senses in which it is most often used today, ‘concerned with human welfare as a primary or pre-eminent good’, or ‘with humanity as a whole’, and ‘action on the basis of [these] concern[s] rather than for pragmatic or strategic reasons’, both it and the cognate ‘humanitarianism’ date only to the mid-nineteenth century. Thus, if by ‘humanitarian’ one intends to imply a reference to human rights and international human right law, then it self-defines humanitarian intervention as something only carried out since the mid- to late nineteenth century, when the concept of ‘human rights’ emerged. Yet this cuts it off from the concepts and praxis that gave rise to it – acceptable for a political scientist, perhaps, but not for an historian. In this book, several chapters examine interventions arising from concerns that today would be called humanitarian, or relate to what now would be called ‘human rights’ or ‘crimes against humanity’, but which were not called that in the past. This approach is essential if we are to have a truly historicised understanding of the origins of the modern concept and practice of what, since the nineteenth century, has been termed ‘humanitarian intervention’.

In practice, moreover, actions termed (whether formally or informally) ‘humanitarian interventions’ have usually been undertaken in response to only certain kinds of humanitarian tragedy. When combined with ‘intervention’, ‘humanitarian’ typically refers to a response to mortality and brutality inflicted by humans on others, rather than accidentally arising from bacterial, viral, meteorological, or climatic caprice (though it is increasingly being argued that, where human failings in responding to so-called ‘acts of God’ result in considerably increased mortality, then a humanitarian intervention could be justified). However, if humanitarian, in the context of intervention, generally refers to concern about atrocities,

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6 OED, s.v. ‘humanitarian’, A.3, B.2.a, ‘humanitarianism’, 2: the earliest usages it notes are from the 1840s or 1850s.
the aims of humanitarian interventions can also relate to wider humanitarian concerns: ending tyranny, stopping slavery, or ensuring efficient and equitable delivery of disaster relief or general humanitarian aid.

The term ‘intervention’ has been much examined, especially by social scientists and lawyers, and for the purposes of this history there is no need to go into detail. We have taken a considerable number of definitions into account in defining, or describing, ‘humanitarian intervention’ as considered in this book. Despite their different academic disciplinary origins, most definitions have in common three key definitional aspects. These are, as it were, the site, the subject, and the object of the action in question. A humanitarian intervention is:

1. Carried out in, or intended to affect events within, a foreign state or states – it is an intervention;
2. Aimed at the government of the target state(s), or imposed on and only accepted reluctantly by it/them – it is thus coercive, albeit not necessarily involving use of force;
3. Intended, at least nominally (and at least to some extent actually), to avert, halt, and/or prevent recurrence of large-scale mortality, mass atrocities, egregious human rights abuses or other widespread suffering caused by the action or deliberate inaction of the de facto authorities in the target state(s).

Because humanitarian intervention involves at least a degree of compulsion of a state with regards to events within its sovereign territory, it can (at least in theory) be distinguished from wider ‘humanitarian action’ or

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assistance, such as that carried out regularly by a range of religious
groups and other non-state actors, as well as by state agencies.9

The key element is that one state, or a non-state actor, attempts to
impose its will on another state or group within it. When a state acts in
another state at the request of its government and with its cooperation, it
is rarely controversial (at least internationally, rather than internally).
When action in another state’s affairs is imposed on its government, or
occurs in its despite, then intervention is controversial (and, some argue,
illegitimate). In consequence, just as humanitarian action can take place
in a foreign state without intervention, so military action in a foreign state
does not necessarily constitute intervention either. Where the govern-
ment of a state, or a party claiming de jure or de facto authority in that
state, invites a foreign power to provide military assistance to deal with a
domestic situation, the response is not an intervention, unless there is a
clear, credible rival authority, as in a civil war situation. Thus, the
despach, for example, of US Marines to Lebanon and British para-
troopers to Jordan in 1958, of French troops to Gabon in 1964, and of
French and Belgian troops to Zaire in 1978, were not interventions, as in
each case the deployment of troops was approved and/or requested by
the governments of the three states in question and no credible alternative
authority existed or emerged.10 In contrast, the United Nations
action in Bosnia was an intervention, for though the Sarajevo govern-
ment invited the UN in, and was widely recognised as the de jure
authority, it governed less of Bosnia-Herzegovina than Croatian and
Serbian separatists and especially the de facto government of the Serbian
‘state’ of Krajina, which objected to the UN presence. The UN thus
effectively intervened in a civil war, rather than helping a state to quell
internal dissent.11

Humanitarian intervention has almost always been perceived as
breaking the ‘conventional pattern of international relations’.12 This
has been true even when, as has often been the case, intervention has
been regarded as perfectly licit within international law; it was still
regarded as a last, rather than first, resort. From the authors of late

9 Howard Adelman, ‘The Ethics of Humanitarian Intervention: The Case of the Kurdish
10 Vincent, Nonintervention and International Order, 6; MacFarlane, Intervention in
Contemporary World Politics, 13–14; and ICISS, The Responsibility to Protect, 2 vols.
(Ottawa: International Development Research Centre, 2001), vol. II: Research,
Bibliography, Background: Supplementary Volume to the Report of the International
11 See Matthew Jamison, Chapter 16, below.
12 Vincent, Nonintervention and International Order, 13.
sixteenth-century treatises on the ‘Law of Nations’, described in Chapter 2, to the European statesman planning the nineteenth-century humanitarian interventions examined in Chapters 7–9, to the Vietnamese contemplating their Cambodian intervention in 1978–9, described in Chapter 15, intervention has been seen as an extreme step, to be taken only in an emergency. Indeed, as R. J. Vincent observes, it is typically carried out in response to ‘extraordinary oppression’ – ordinary oppression, persecution, and state violence have been sufficiently common that it takes the perception of extreme violence to motivate action! By its nature, then, humanitarian intervention is likely to be controversial.

There is a final point. While it is true that generally the literature of ‘intervention focuses on military action’, even scholars who define intervention in military terms concede that it may well involve political and economic, as well as military, action. Economic power can be used to compel, instead of (or as well as) military power (and economic assistance can be supplied by non-state actors). Diplomatic initiatives can be effective. At times the threat not to use force on behalf of a state with which an intervening state might otherwise ally can also be an effective instrument to prescribe action. Yet if the Westphalian principles of sovereignty are truly normative, as many political scientists and international lawyers aver, then even diplomatic interference in a nation-state’s affairs could be considered illegitimate. Diplomacy and the threat or use of force are properly conceived not as dichotomous alternatives, but as points on a spectrum.

This view is reinforced by what the chapters in this book indicate about the interrelationship of force and diplomacy.

1. The use of military force has usually been preceded by diplomatic intercession.
2. When a violent, or human rights-abusive, state has halted repressive actions with no coercive force used against it, it has often been partly or wholly because use of force had been threatened.
3. On some occasions military or naval forces have been deployed without hostilities breaking out, though this eventuality was far from certain at the time.

Moreover, even when armed force is used, different types of action are involved; and again, the boundaries between them and diplomatic or economic action may be blurred. These include:

13 For example, MacFarlane, Intervention in Contemporary World Politics, 13; Holzgrefe, ‘The Humanitarian Intervention Debate’, 18.
(a) Overt ‘humanitarian war’ between states, as arguably took place between India and Pakistan in 1971, Tanzania and Uganda in 1978–9, and Vietnam and Cambodia in the same years (the latter the subject of Chapter 15).

(b) The despatch of expeditionary forces whose objectives include using force to compel cessation of atrocities and oppression, as happened in Greece in the 1820s and Cuba in 1898–9 (see Chapters 5 and 13).

(c) Deployment of military and/or naval forces after atrocities or violence in order to prevent recurrence and maintain peace, as happened for example in Lebanon and Syria in 1860–1 (Chapter 7), in Haiti in 1994, and in Kosovo in 1999 (Chapter 16).

(d) Employment of military forces to protect and manage distribution of humanitarian aid, as for example in Lebanon and Syria in 1861 (Chapter 7) and Somalia in 1991–2.

(e) Targeted use of naval or military force against specific actors or types of activity, as in British action against the slave trade in West Africa in the early nineteenth century and in East Africa and the Middle East in the late nineteenth and early twentieth centuries (Chapters 10–11).

(f) Limited demonstrations of force, as threats to persuade an unwilling government to accept terms, as happened in the Ottoman Empire in 1905 (Chapter 9).

(g) The provision of military training, supplies and sometimes troops to oppressed and victimised people groups, as by the English government in the Netherlands and France in the sixteenth century (Chapter 2) and some Anglo-American missionary groups in the Sudan in the twentieth century (Chapter 12).

In sum, to confine ‘debates about humanitarian intervention to its military dimensions’ will be too often to separate ‘arbitrarily . . . issues that in practice overlap’.14

For all these reasons, the chapters that follow consider sustained actions to end oppression, tyranny, persecution, or human rights abuses in another state, where the action was against the will of the government, its ruling elites, or a predominant faction or party, regardless of whether that action was diplomatic, logistical, economic, or military-naval.

*Having set out what is being considered here, it is important to note the way in which it is treated: historically. This is not the definitive

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history of humanitarian intervention. But one of its goals is to stimulate more treatment of intervention by historians, in the hopes that soon a definitive synthesis will become possible. For to a great extent, humanitarian intervention has been treated as though it did not have a history.

For a decade after the end of the Cold War, even while humanitarian interventions proliferated, analysts tended to argue that they represented a fundamental breach with the rules that had hitherto governed relations between states, and yet did so largely in the absence of ‘systematic historical’ analysis. From prominent proponents of intervention, such as Michael Ignatieff, to celebrated opponents, such as Noam Chomsky, to more ambivalent commentators, such as Samantha Power (the distinguished writer on genocide), it was taken for granted that both the term and the very concept of ‘humanitarian intervention’ were recent inventions without any real history. However, assertions that ‘humanitarian intervention’ originated after the end of the Cold War, and that interventions on behalf of endangered foreign populations to prevent human rights abuses are a creation of the 1990s, betray an almost astonishing lack of historical awareness.

However, in the last decade there has been an increasing awareness that the history of humanitarian intervention did not begin in the 1990s. The Independent Commission on Intervention and State Sovereignty (ICISS), whose 2001 report originated the influential concept that nation-states individually and collectively have a ‘Responsibility to Protect’ citizens from a range of crimes against humanity, included in that report explicit recognition of the importance of the ‘historical, political and legal context’ of ‘the long history [of] “humanitarian intervention”’. The Global Centre for the Responsibility to Protect (based at


the Ralph Bunche Institute for International Studies, City University of New York) replies to the question ‘Is R2P really new?’ with the statement ‘No. The core underlying idea that states have an obligation to protect men and women from the worst atrocities is well established.’ It then goes on to cite the UN Convention on Genocide of 1948, and the body of international human law governing the treatment of civilians during armed conflict. What R2P added, the Centre continues, was simply the acceptance of a ‘collective responsibility’ to act against genocide, ethnic cleansing, war crimes, or crimes against humanity. It was thus a development of a longstanding concept of ‘humanitarian intervention’.18

Scholars and practitioners of international law, especially legal historians, have long been aware that the term ‘humanitarian intervention’ dated to the nineteenth century, and they had integrated debates over the nineteenth-century precedents into analysis of the legal status of intervention. Unfortunately, most of their studies are not widely known; they have limited applicability, being largely focused on questions of legal interpretation; and they are part of an essentially internal disciplinary debate. As Sir Adam Roberts neatly summarises, even though ‘substantial discussion among international lawyers’ continued in the last three decades of the twentieth century over ‘the question of whether humanitarian intervention could ever be compatible with the [UN] Charter’, in particular, or international law more generally, ‘this was mainly a debate among schoolmen, especially American schoolmen, and until recent times had relatively little impact on national or international practice’.19 In the twenty-first century, Simon Chesterman’s superb study of humanitarian intervention and international law broadened the context of legal history, taking a comprehensive approach, albeit one still anchored in legal texts, rather than in state practice.20

In addition, more and more social scientists writing on humanitarian intervention now take the history of the concept into account. Thus, Nicholas J. Wheeler, in his path-breaking Saving Strangers: Humanitarian Intervention in International Society, briefly highlights the fact that legal historians trace the notion back to Hugo Grotius in the seventeenth century and lists some nineteenth- and twentieth-century precedents

18 See the Centre’s website: www.GlobalCentreR2P.org.
ranging from the Greek Revolt of the 1810s–1820s, to Bangladesh, Cambodia, and Uganda in the 1970s. J. L. Holzgrefe has a similar listing in an important chapter in *Humanitarian Intervention: Ethical, Legal and Political Dilemmas*. Likewise, Jennifer Welsh is an expert on Edmund Burke and thus familiar with some of the historical roots of the phenomenon, even if this knowledge is not much to the fore in her edited collection on *Humanitarian Intervention and International Relations*. Historical sociologists are increasingly applying their disciplinary perspective to International Relations, including to issues related to intervention, such as sovereignty; their emphasis that ‘history matters’ holds out considerable promise of ‘a more nuanced, complex’ understanding ‘of the principal causal flows that lie at the heart of world historical development’. One history of nineteenth-century humanitarian intervention, based on detailed archival research, has recently been published by Gary Bass and another, by Davide Rodogno, has recently been completed.

*We believe, however, that these works, welcome as they are, do not yet permit a synthesis of the history of humanitarian intervention. Any claims to have established its history are premature and incomplete.*

Gary Bass’s recent *Freedom’s Battle* unquestionably is a valuable first step towards a more comprehensive history. The tradition of humanitarian intervention, he points out, ‘once ran deep in world politics [and] . . . is anything but new’. The author begins with the Greek revolt, and moves via the intervention in Syria of the 1860s and the Bulgarian agitation of the 1870s to the beginning of the Armenian question; he thus ends where Samantha Power’s *Problem from Hell* starts. Bass anticipates some of the points made here: the importance of the press (pp. 31–8); the ‘flexible’ view of sovereignty which made interventions possible in the past (p. 352); the occasionally ‘paralysing’ effect of

23 Welsh (ed.), *Humanitarian Intervention and International Relations*.
multilateralism (p. 363); the way in which humanitarian concerns were often linked to confessional solidarity, but also often transcended them (pp. 6, 19, 357–61 et passim). He has conducted extensive research in French and British archives as well as having consulted an impressive range of primary printed sources.

A significant part of this book overlaps with Freedom’s Battle, but Chapters 2–4 and parts of Chapters 5 and 10 cover an earlier period, and Chapters 12–16 cover the century after his terminus. Moreover, while Chapters 10 and 11 examine the same period as Bass, they examine West and East Africa and the Middle East, which he does not, while the intervention in the Ottoman Empire examined in Chapter 9 is one not considered in Freedom’s Battle.

Furthermore, Bass’s approach is very different from that adopted in this volume. He is self-consciously concerned to defend the concept of humanitarian intervention from the charge that it has ‘no real historical standing’; this accusation, he rightly notes, ‘has been used powerfully to oppose US and European missions abroad’ (p. 4). His purpose is to undermine this opposition, not least by refuting claims that cynicism, national aggrandisement, or abusive practical implementation, inevitably characterised historical interventions – hence, by implication, he vindicates present-day interventions (for example, pp. 40–1, 371, 378–82). In contrast, while the contributors to this volume have their own views on intervention in the present day, both positive and negative, our collective purpose here is primarily historical rather than political. In consequence, we take a longer-term perspective than Bass and show that the concept of humanitarian intervention goes back much further than the Greek Revolt against the Ottoman Empire in the 1820s, which produced the first nineteenth-century European intervention to be justified in terms of the emerging discourse of humanitarianism. Despite occasional references to Grotius (p. 4), for example, Bass is essentially unaware of eighteenth-century, much less earlier, precedents and antecedents. Moreover, even in the ‘long nineteenth century’ (1815–1914) on which Bass focuses, there were many more actions on behalf of suffering foreigners than he chronicles, including unexamined interventions in Crete and Macedonia (the former summarily, the latter comprehensively treated in this book). It is not that Bass is wrong, therefore, but rather that he is even more right than he claims.

This is indicative of a wider problem: even where there is an awareness of the historical dimension, there is still confusion about how far

back this history stretches. Even where a history is acknowledged, it is almost invariably one of less than 200 years.

Now, as already noted, legal historians or other scholars of international law have considered pre-1990 precedents for intervention, but most still pay only summary attention to events before the twentieth century.\(^{29}\) The few studies that do consider a longer chronological span generally begin substantive analysis with, at earliest, the Western interventions in the Ottoman Empire on behalf of the Greek Revolt in the 1820s and pay no more than a kind of lip service, if that, to precedents of the seventeenth and eighteenth centuries.\(^{30}\) Chesterman’s *Just War or Just Peace?* is a partial exception: he considers not only these but also medieval concepts, and while his treatment of the period before c. 1800 is still relatively brief, and focused on legal texts, rather than state practice, (pp. 8–21), it is not much shorter than his treatment of the nineteenth and early twentieth centuries (pp. 22–41); however, all this is dwarfed by his analysis of the second half of the twentieth century (pp. 45–217). Martti Koskenniemi’s history of the development of international law in the nineteenth century is impressively researched, but while it includes some treatment of developments in attitudes towards intervention, its subject is broader than that, and of course it does not examine the centuries before c. 1800.\(^{31}\) Now, all this is partly natural, since lawyers have as their concern what the law is and so are bound to consider recent precedents at length. It is not a criticism of their method, then, but rather an observation of the state of scholarship, to observe that legal scholars, though considering history, actually largely do so superficially – they do not provide a history of humanitarian intervention.


The French Revolution was the starting point for a work that bridged the gap between international law and international relations: R. J. Vincent’s classic study of *Nonintervention and International Order*. Although he definitely identifies a long history of debate over intervention and non-intervention, and though he examines early theorists of the Law of Nations, he goes back no earlier than Grotius, in the 1620s, and briefly surveys only three seventeenth-century commentators, Grotius, Hobbes, and Pufendorf (pp. 21–6). His analysis of early and mid-eighteenth-century theorists of the ‘law of nations is not much longer’ (pp. 27–30). In contrast are his detailed studies of late eighteenth-, nineteenth-, and early twentieth-century theory and practice (pp. 45–141). For practical purposes, then, Vincent identifies the history of intervention as starting around the time of the French Revolution.

This is, finally, also effectively the starting point for the only major studies that consciously attempt to historicise intervention. We have already treated the strengths and weaknesses of Bass’s *Freedom’s Battle*, which really starts with the 1820s. Mar Swatek-Evenstein’s avowed ‘history of “humanitarian intervention”’ likewise begins in 1822. While it is comprehensive, it is a synthesis, unlike Bass’s archivally grounded study.32 Wheeler’s *Saving Strangers*, which like Vincent bridges international law and international relations,33 actually dehistoricises intervention to a significant degree with his avowal that, with the creation of the United Nations ‘[f]or the first time in the history of modern international society, the domestic conduct of governments was now exposed to scrutiny by other governments, human rights non-governmental organisations (NGOs), and international organisations’ (p. 2, emphasis supplied). He has the usual nod to Grotius – but only at second hand (utilising a slightly inaccurate translation that makes Grotius seem even more favourable to intervention than he was);34 and Wheeler recognises the significance of the interventions in the Ottoman Empire (p. 46); however, having done so in passing, he then overwhelmingly focuses on interventions since 1945.35 Stephen Garrett and Neil MacFarlane seek to provide historical context for

34 The quotation from Grotius is from Abiew, *Evolution*, 35; see Tesón, *Humanitarian Intervention*, 59n., on the inaccuracy, in the quoted passage from *De jure belli ac pacis*, of the nineteenth-century abridged English edition that was used (for some quotations from Grotius, including this one, though curiously not some others) by Abiew.
their studies of intervention, which are largely focused on the present: Garrett begins in 1827, though he surveys some nineteenth-century episodes others miss; MacFarlane notably includes some pre-French revolutionary, as well as nineteenth- and twentieth-century, examples. However, in both cases, analysis of all pre-Cold War instances is brief and not based on original historical research.36

Even scholars of international relations who recognise the broad historical context to modern security and human rights challenges, and deal (if only in passing) with the early modern era, treat humanitarian intervention as a late twentieth-century phenomenon.37 The Responsibility to Protect report is symptomatic, in that even though it acknowledged an historical lineage and claimed to have incorporated it into its analysis (as noted above), its work seems to have been based on a very narrow chronological evidential basis. The actual Report makes virtually no reference to actual historical episodes – a literally passing reference to the Peace of Westphalia (1648) as the starting-point of the modern concept of sovereignty is the exception (p. 12, para. 2.7). Research commissioned by the ICISS and published as a supplementary volume includes some treatment of history, but only two of nine essays in volume II are on the history of humanitarian intervention, and they examine interventions only ‘from the birth of the UN Charter regime’ (p. 47). Furthermore, whereas twenty-nine pages cover interventions in the forty-five years from 1945 up to the end of the Cold War (pp. 49–77), forty-eight pages cover the interventions of the 1990s (pp. 79–126). The history of intervention before World War II is dismissed in less than a page in all (pp. 16–17).

In sum, although historical approaches are now more common, the new historical scholarship on intervention assumes, either explicitly or implicitly, that intervention is really a creation of the nineteenth-century world at the earliest.

In any case, historical studies remain few. Most major studies of intervention produced in the last decade remain focused on the 1990s: they betray superficial knowledge of historical precedents; simply lack interest in them; or restrict historical analysis to some events from the

36 Garland, Doing Good and Doing Well, 8–13; MacFarlane, Intervention in Contemporary World Politics, 19–32 (‘Intervention in pre-Westphalian Europe’ at 21–3).
Cold War, before concentrating on the 1990s. The attitude of a leading authority, one of the co-chairs of the body that produced the Responsibility to Protect report, is indicative; in a monograph on R2P and atrocity crimes published in 2008 he dismisses the entire history of ‘mass atrocities’ before World War II in less than four pages, part of them under the heading ‘Centuries of Indifference’.

This reflects the fact that scholarship on humanitarian intervention, as a whole, is at present overwhelmingly the preserve of scholars of politics, international law, international relations, strategic studies, sociology, and ethics and philosophy. Academics working in these disciplines, together with analysts from think tanks, NGOs, and the media, often produce well-researched, richly textured studies of recent and current events. Yet their focus on the present and the recent past is a major weakness.

We certainly do not suggest that studies of intervention lacking a historical dimension are therefore poor; nor that works which do have that dimension, but do not take into account pre-nineteenth-century history, are in consequence fatally flawed; nor that only academic historians can conduct effective archival research or write capably on the past. Nevertheless, historical training and perspective has something to offer. Furthermore, much of the history of humanitarian intervention is largely or wholly unwritten.

This volume is the first overview of the history of humanitarian intervention from its origins to the present day. Unlike many contemporary analysts, we are not so much concerned with making normative judgments about what ought to have happened in the past, but rather with

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exploring what did happen and why. But where the language of the time echoes that of our own, we note and investigate this.

It is important to note that this is not a comprehensive history, which would require a multi-volume work. This necessarily is a selective history, although it is intended to be complete in the sense that it ranges across the entire history of humanitarian intervention, from origins to recent examples. We have deliberately sought to draw attention to the earlier history of the subject – to its roots and antecedents, in the sixteenth, seventeenth, and eighteenth centuries. As a result, space does not permit examination of some episodes of the nineteenth and twentieth centuries. In order that the reader will have a complete overview of the history of humanitarian intervention, we briefly highlight here several significant interventions most of which are not examined or referred to in the following chapters; and we point the reader to relevant scholarship.

In 1830, at the Conference of London, the five Great Powers (Great Britain, France, Russia, Prussia, and Austria) recognised the independence of Belgium, separating it from the Kingdom of the Netherlands. In 1831, the Dutch attempted to reassert their authority in Belgium by force; but French military intervention and a British naval blockade of Antwerp (1831) eventually obliged them to end their campaign. Eventually, the Netherlands formally acknowledged Belgian independence.41

In 1866–8, Austria, France, Italy, and Prussia proposed an International Commission of enquiry into Turkish misrule of Cyprus. The Turks initially rejected it as an unjustified meddling in domestic jurisdiction, leading to Great Power threats of military intervention. This was avoided after Britain and France pressured the Ottoman government into making human rights concessions and reorganising local government: the *Re`glement organique* of 1868. This in turn was partly along lines inspired by the settlement in Lebanon in 1861 (discussed in Chapter 6). A conference of the five Great Powers (plus Italy) compelled Greece to accept this settlement, despite Greek attempts to mobilise

public support in the West for European military intervention in Crete, in the hope it might result in reunion with Greece.42

The deployment of US and Belgian troops in the Congo in 1964, to rescue endangered Westerners without the Congolese government’s approval, was justified by the American representative to the United Nations Security Council on the basis that the troops had conducted a ‘humanitarian mission’.43 A prominent international jurist, Richard Lillich, was not alone in considering the deployment as ‘a valid exercise, at least in the classical sense, of humanitarian intervention’.44

India intervened in the Pakistan civil war of 1971, which ended what is generally accepted to have been genocide in what was then East Pakistan and is now the independent nation of Bangladesh. Pakistani troops killed at least one million people in East Pakistan and raped an estimated 200,000 females, including young girls; many more died of hunger and disease in the resulting chaos, and some ten million Bengalis fled as refugees into India.45 In late 1978, in an episode examined below, Vietnam sent troops into Kampuchea (today’s Cambodia), completing in 1979 the overthrow of the inhumane dictator Pol Pot and ending the appalling genocide of the ‘killing fields’, in which more than one million Cambodians – perhaps as many as 1.8 million – died.46 In 1978, Tanzania repelled an invasion launched from Uganda, launched by the latter’s vicious dictator Idi Amin; in early 1979, Tanzania launched its own invasion, which toppled Amin’s brutal regime, which had been responsible for mass atrocities in which some 300,000 Ugandans died.47 The Indian and Vietnamese interventions rival each other as probably the most effective interventions in history, in terms of the death-tolls in the genocides they terminated, and which might otherwise have increased to unknowable heights.


43 Quoted in Franck and Rodley, ‘After Bangladesh’, 288.


45 Power, Problem from Hell, 83; see Wheeler, Saving Strangers, ch. 2; Murphy, Humanitarian Intervention, 97–100.

46 See Wheeler, Saving Strangers, ch. 3; Power, Problem from Hell, ch. 6; see also Murphy, Humanitarian Intervention, 102–5; and Sophie Quinn-Judge, Chapter 15, below.

In *Saving Strangers*, Wheeler presents meticulously researched and nuanced accounts of the three humanitarian crises of the 1970s and the resultant interventions, breaking a path other scholars are following.\(^{48}\) The Indian government only ever informally justified its action as a humanitarian intervention to protect ethnic Bengalis, but the revivification of an ancient, but apparently moribund, international-legal principle, along with the fact that there undeniably had been appalling loss of life in East Pakistan, led to a renaissance of legal scholarship on humanitarian intervention in international law, igniting a vigorous debate among lawyers over intervention’s legality and legitimacy, a debate that mostly died down, smouldering until the end of the Cold War, when of course it exploded again.\(^{49}\) Strikingly, however, even though the Vietnamese and Tanzanian interventions could have been credibly presented as humanitarian interventions, they were not; instead they were justified by the respective governments as acts of self-defence and thus in accord with the UN Charter.\(^{50}\) This attitude was mirrored by US officials who, as Power observes, never ‘thought to ask the State Department legal adviser’s office’ if events in Cambodia constituted genocide, as defined by the International Convention against Genocide.\(^{51}\) We include in this book (Chapter 15) an analysis of the Vietnamese ‘intervention’ by Sophie Quinn-Judge, whose expertise on (and first-hand knowledge of) Vietnam enables her to provide a fresh perspective.

What follows are empirical studies of the history of humanitarian intervention from its origins to the recent past. The examples are mostly drawn, in one form or another, from the experience of the Western world. This reflects the historical record, at least until the important interventions by African and Asian states in the 1970s. However, the attitudes of the Indian, Tanzanian, and Vietnamese governments were shaped largely by Western concepts of international relations. Indeed, as already hinted, Vietnam’s government in 1979 did not draw on long-standing indigenous concepts of the immorality of tyranny to justify its

\(^{48}\) See the preceding footnotes.


\(^{50}\) Mayall, ‘Humanitarian Intervention’, 125; Quinn-Judge, p. 348, below.

\(^{51}\) Power, *Problem from Hell*, 124.
intervention in Cambodia; rather, as Quinn-Judge shows, they argued that it was ‘in harmony with the principles of . . . the United Nations Charter’. Thus, the Asian and African experiences of intervention in the 1970s to a great extent reflected the experience of the Western world and the ‘Law of Nations’, which began to emerge in early modern Europe, drawing partly on concepts in late medieval European philosophy and theology.

The seventeen chapters are divided into five Parts, arranged partly chronologically and partly thematically. After an introductory chapter, the three chapters in Part I examine intervention in early modern Europe. The next eleven chapters, in Parts II, III, and IV, deal with nineteenth- and twentieth-century history and are divided by the geography of intervening states or target states. The two chapters in Part V are concerned with recent interventions and what long-term historical perspective suggests about intervention across history and in the present day.

The three chapters in Part I cover two-and-a-half centuries and inevitably more could have been said. While Chapter 2, which covers up to the mid-seventeenth century, examines some military interventions, it also considers the theoretical position advanced in the nascent ‘Law of Nations’ legitimating intervention against ‘tyranny’. Chapters 3 (on the late seventeenth and early eighteenth centuries) and 4 (the eighteenth century) examine humanitarian diplomacy but also pay sustained attention to the developing discourses that delegitimated oppression and argued for the legitimacy of action against it.

The five chapters in Part II are all concerned with interventions by the Great Powers of the ‘Concert of Europe’ in the Ottoman Empire – this is Bass’s territory, but Chapters 5–9 cover a longer period than Freedom’s Battle, and consider geographical areas and types of intervention that Bass does not. Some of these interventions involved military force, some were purely diplomatic (Chapter 6) or economic, and some involved a mix of methods. Indeed, it is notable that the Great Powers adopted a comprehensive approach to humanitarian trouble spots in the Ottoman Empire, recognising the necessity of reconstruction and preventative measures as well as remedial military action, though in practice comprehensive programmes were not without their problems on the ground.

The three chapters of Part III examine interventions in Africa, though Chapter 11, on late nineteenth- and early twentieth-century action to suppress the East African slave trade, also necessarily deals with the Ottoman Empire, which was then a major market for African slaves.

52 Quoted below p. 343.
Chapter 12, the final chapter of Part III, extends the examination of Africa into the twentieth century, and also expands the coverage from governments to non-state actors – in this case, missionary groups operating in the Sudan. Chapter 12 is extremely important because it shows that intervention need not necessarily be undertaken by a state – it can be undertaken by NGOs. One of the phenomena of the late twentieth century has been the effective transfer of power from states to non-state actors; NGOs (many of them religious in affiliation) are some of the most important and influential of the latter, especially in the developing world, where they have taken on state functions. The missionaries’ activity in the Sudan is illustrative of this trend.

The three chapters in Part IV examine interventions by non-European states: Chapters 13 and 14 consider interventions by the United States (one from the 1890s, the other from the 1970s), and Chapter 15 considers Vietnam’s intervention in Cambodia, also from the 1970s. The first and last of these were military interventions, the second purely diplomatic. Chapters 13 and 14 consider the debates preceding intervention, the discourses arguing for intervention and the use of the press to promote an interventionist agenda. Chapter 15 is focused on the nature of the Vietnamese intervention and the international debate surrounding it.

Last, in Part V, Chapter 16 is on the post-Cold War years of ‘liberal interventionism’; it examines several recent famous (or infamous) interventions and debates surrounding their legitimacy and puts them in historical perspective. Chapter 17 treats the period as a whole and examines key issues in humanitarian intervention in historical perspective; it outlines the chief conclusions that can be drawn collectively from the chapters in this book.

Some chapters of this book naturally examine episodes and debates that have been treated by other scholars (notably Bass and Wheeler). However, this is the first book to trace the history of humanitarian intervention even across the whole of the nineteenth and twentieth centuries, and is certainly the first to treat the subject from the origin of the concept and practice in the early modern world up to today. Even though, as we have seen, it examines neither every intervention nor even every major intervention – which would require several volumes – it examines a significant and indicative sample of interventionist theory and practice. It thus provides an overview of the whole history of humanitarian intervention, from its roots and antecedents in the sixteenth century, up to c. 2000.

Although conclusions will be drawn in Chapter 17, the remainder of this chapter sets out some of the important themes that subsequent chapters address.
Part I demonstrates that in early modern Europe states threatened or used force, and/or applied strong diplomatic pressure, against foreign regimes which ill-treated minority people groups. It also shows that influential contemporary theorists specifically located the basis for such actions in the nascent Law of Nations. In early modern Christendom, the right to protect foreign populations was widely accepted, perhaps even normative, as Chapter 2 posits; and certainly, as Chapters 3 and 4 emphasise, it was a right provided for by international instruments, for around a hundred years after 1648. In consequence, Part I also collectively shows that the Treaties of Westphalia, which brought the Thirty Years’ War to an end in 1648 (and are widely described as creating the modern paradigm of national sovereignty and non-intervention in other states’ internal affairs), were much less of a watershed than usually is assumed (a point addressed in Chapter 17).

The early modern period emerges as a time of ‘incubation’. Notions of the common interest of ‘Christendom’ provided a starting point for doctrines that were to evolve and mutate, first in the Enlightenment (Chapter 4) and then in the nineteenth century (Chapters 5–8, 10–11, and 13), via concepts such as ‘liberty’, ‘civilisation’, and ‘humanity’, into the ideas current today. The conceptual and terminological evolutions involved are sketched out later in this introduction, but Chapters 4 and 5, which bridge Parts I and II, and the late eighteenth and early nineteenth centuries, are important; they investigate developments in political thought that helped to make the nineteenth century the high noon of intervention. Subsequent chapters mostly are case studies or surveys of intervention in practice, but these essays in intellectual history and the attitudes of statesmen demonstrate the roots of nineteenth-century state praxis.

It is widely accepted that the emergence of the ‘humanitarian’ impulse goes back to the universalism of the Enlightenment(s). So far, however, scholarly literature on the subject has tended to concentrate on reduction in the savagery of warfare itself. In fact, the Enlightenment also drove a debate on the use of force to defend and even enforce universal values against transgressing states. Enlightenment values were perpetuated in the liberal constitutional consensus that emerged in some nineteenth-century Western European states; they are very evident in concepts of ‘civilisation’ and civilised behaviour that motivated opposition to the slave trade and generated much Western concern for imperilled minorities ruled by the ‘Sublime Porte’ (as the sultan’s court was known). The slave trade was largely destroyed, Christian and Jewish minorities in the Ottoman Empire were (sometimes) protected, and tyrannical rule (at some times and in some places) was ended, by the
threat or actual use of force. Precisely because of the frequency of such interventions, ‘human rights’ emerged as a term and legal concept in the mid-nineteenth century and the term ‘humanitarian intervention’ emerged in the late nineteenth century.

The five chapters in Part II (5–9) and the first two chapters of Part III (10–11) chart the evolution of the concept of intervention, and the way intervention was practised, in the century after the end of the Napoleonic Wars. Chapter 6 includes the role played by non-state actors, in this case religious voluntary groups in European nations, both in helping minorities abroad and in publicising oppression and atrocity, thereby creating a political climate in which diplomatic or military intervention became possible; it is based on their records and publications. Chapters 7–11 are all based largely on evidence from state papers and diplomatic correspondence, and all emphasise governmental, ‘top-down’ perspectives – an important part of the story of how interventions were conducted.

However, these chapters additionally examine public debates that helped to make intervention possible. Chapters 7, 9, and 11, in particular, bring out the vital importance of the emergence, in the mid- to late nineteenth century, of transnational pressure groups: what Bass terms ‘atrocitarians’.53 Their significance is considered further in the Conclusion (Chapter 17, below), where we suggest that a vitally important factor in the history of humanitarian intervention is the emergence of a ‘humanitarian public’, which is both consumer and generator of stories about mass atrocities and humanitarian crises, both a source of pressure on politicians and manipulable by them.

A humanitarian lobby also emerged in the United States. Chapter 13 examines the Spanish–American War of 1898, and stresses that the same rhetoric that led some Americans to advocate to humanitarian war was also used to justify acquiring an empire. This tension between intervention and imperialism (which, as already noted also, characterised humanitarian lobbying in Europe) was markedly present in debates before, during, and after the Spanish–American War. But Chapter 13 also brings out that, while the rhetoric and logic of humanitarianism overlapped to some extent with that of imperialism, humanitarians were not necessarily imperialists. Some of the strongest proponents of war with Spain, to save people from an abusive regime, became the strongest critics of the subjugation of former Spanish subjects by the United

States, and of arguments that, because American rule would be more benign, the creation of an American empire was justified.

It is clear from the chapters in Parts II, III and IV that Western states did not act against the ailing Ottoman Empire, the equally ailing Spanish Empire, or minor African or Arab princes, simply to save individuals and communities from abuse. Geopolitical aims were always significant. Nevertheless, it is also clear that, in the interventions considered, the rights of individuals were always an issue, and that humanitarian motives were present even when not the most important factor in them. These chapters show that there is a long-standing and genuine danger of humanitarian rhetoric becoming ‘simply a cloak of legality for the use of force’. But they also show that it actually eventuates less often than is frequently assumed in recent studies.

Chapters 6 and 12 (along with Chapters 7 and 9) show that, even before the twentieth century, ‘transnational political movements’ were beginning to ‘engage in intervention’; although the height of action by the missionaries examined in Chapter 12 was the later twentieth century, non-state actors have taken a ‘significant role’ in intervention for longer than perhaps most political scientists are aware. John Brown’s 1859 raid on Harper’s Ferry, intended to spark an uprising that would end slavery in the South of the United States, could be regarded as a failed humanitarian intervention by a non-state actor.

Chapter 14 is a final illustration of the role of pressure groups with transnational concerns. Populist lobbying helped to overcome the opposition of foreign-policy ‘realists’ in the United States in the early 1970s, allowing a formal linking of trade concessions to the Soviet Union to the latter’s human rights record; this established a precedent of diplomatic intervention in the domestic policies of another nation-state. In contrast, Chapter 15 examines the Vietnamese intervention in Cambodia in 1978–9 against the genocidal government of Pol Pot and shows that humanitarian influences could be marginalised in the United States by the rhetoric of realpolitik and the geopolitics of the Cold War.

By the late twentieth century, the concept of humanitarian intervention was no longer a solely ‘Western’ one. Indeed, as we have seen, in the 1970s intervention was the prerogative of former colonies, rather than colonial powers. This was not something highlighted at the time, yet nor

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56 Pace MacFarlane, Intervention in Contemporary World Politics, 16, 17.
was it welcomed in the former heartlands of humanitarian intervention. The US government opposed Indian intervention in the Pakistan civil war and genocide; then in 1978, while rejecting calls by US senators for an intervention in Cambodia on humanitarian grounds, it also opposed Vietnam’s intervention; indeed, as Chapter 15 stresses, for the next eleven years, it denied ‘any positive or humanitarian aspects linked to Vietnam’s removal of Pol Pot. Thus, one of the few successful humanitarian interventions in the decades of the Cold War passed without recognition... by international bodies.'58 Geopolitical considerations, in sum, can not only generate, and/or taint, humanitarian interventions, they also effect the way they are viewed by other states. Realpolitik and its role in decision-making during episodes of mass atrocities is thus a recurrent theme of the chapters that follow. Whether its repeated influence makes truly ‘humanitarian’ intervention impossible is a point we consider in Chapter 17.  

* Perhaps the most important point to emerge from the following chapters is that the modern phenomenon known as ‘humanitarian intervention’ is like a river formed from the combination of several different tributaries: these include confessional solidarity, opposition to ‘tyranny’, abolitionism that transcended race, and belief in a variety of values, including liberty, civilisation, democracy, and (eventually) human rights. A complete analysis of intervention must incorporate the long-term history and must begin, not in 1990, nor in 1945, nor even the 1820s, but in the late sixteenth century.  

Our collection is not the first word on this subject, and it will certainly not be the last, for further work is needed from a range of experts: further research, discussion, and debate. Historians need to be part of that process and that dialogue, because ‘humanitarian intervention’ has a long-term history, developing from a variety of sources, over several centuries, in ways that were complex and historically contingent. Far from being a subject without a history, humanitarian intervention is a subject with a rich and varied history; it demands to be studied in historical perspective.

57 Power, Problem from Hell, 133. 58 Quinn-Judge, below, p. 344.