

Norms, Interests and Humanitarian Intervention

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Statement

Except where otherwise acknowledged in the text, this thesis represents my original research. No part of this work has been submitted for a higher degree to any other university or institution for any degree or diploma.

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Abstract

A number of Constructivist and English school scholars have investigated the degree to which humanitarian intervention is allowed and legitimised by international society. In other words, they have examined the nature and strength of a norm permitting humanitarian intervention. It is the contention of this dissertation that another norm of humanitarian intervention – parallel but discrete – has been neglected. It is argued that ideas and beliefs shared by members of international society not only *permit* intervention but *prescribe* it in certain circumstances and this has been largely ignored in the literature. By focussing on questions of when, where and why humanitarian action is *permitted*, scholars have neglected to develop theoretical explanations for the significant inconsistencies in humanitarian action that we observe in the world. By considering when and where humanitarian action is *prescribed*, and the interplay of this prescription with the self-interests of states, we can begin to understand why states respond to some grave violations of human rights and not others; by examining the obligations that states endure and interests that states perceive, we can begin to comprehend why they will become meaningfully engaged with one humanitarian crisis while simply trying to contain or even ignore another.

This dissertation investigates the nature and strength of what is termed the *prescriptive norm of humanitarian intervention*. The central objective is to examine the extent to which the norm became internalised and institutionalised in American foreign policy in

the period between 1992 and 1999 by exploring the decisions of two American presidents, George H.W. Bush and Bill Clinton, to either intervene or fail to intervene in response to grave violations of human rights. It is concluded that, while the norm does have some degree of explanatory power, intervention during this period relied on a convergence of normative beliefs with a clearly perceived threat to US material or strategic self-interest.

‘Each of you should look not only to your own interests, but also to the interests of others. Your attitude should be the same as that of Christ Jesus: Who, in being very nature God, did not consider equality with God something to be grasped, but made himself nothing, taking the very nature of a servant, being made in human likeness. And being found in appearance as a man, he humbled himself and became obedient to death – even death on a cross.’

St. Paul, Philippians 2:4-8, *The Bible*.

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INTRODUCTION

Around two and a half thousand years ago, Corcyra was at war with Corinth. Representatives of Corcyra went to Athens with a proposal for an alliance against Corinth. Fearing that the combined strength of the navies of Athens and Corcyra would prevent them from winning the war, the Corinthians sent their own representatives to persuade the Athenians to reject the proposed alliance.

The Corcyraean representatives spoke to the Athenian assembly first. They appealed to the material self-interest of the Athenians. They believed that it was this language of interests rather than obligations that would sway the Athenians:

We must therefore convince you first that by giving us this help you will be acting in your own interests, or certainly not against your own interests; and then we must show that our gratitude can be depended upon. If on all these points you find our arguments unconvincing, we must not be surprised if our mission ends in failure.¹

It is a situation where we, whom you are helping, will be grateful to you, the world in general will admire you for your generosity, and you yourselves will be stronger than you were before. There is scarcely a case in history where all these

¹ Thucydides [460-400 BC], *History of the Peloponnesian War*, translated by Rex Warner (London: Penguin, 1972), 1:32 (Book: Verse).

advantages have been available at the same time...such a course would be very much in your own interests.²

The Corinthian representatives then addressed the assembly. Faced with the power-political reality that Athens would indeed benefit in the short-term from some form of alliance with Corcyra, the Corinthians instead appealed to the rules and norms of Hellenic society:

...it would not be right or just for you to receive them as allies...You would not only be helping them, but making war on us who are bound to you by treaty...All this we have a perfect right to claim from you by Hellenic law and custom...Do not think: “The Corinthians are quite right in what they say, but in the event of war all this is not in our interest.”³

They insisted that the Athenians had an enlightened and longer-term interest in obeying these societal norms:

(By accepting the Corcyraen offer), you will be establishing a precedent that is likely to harm you even more than us...The power that deals fairly with its equals finds a truer security than the one which is hurried into snatching some apparent but dangerous advantage.⁴

² Ibid., 1:33-5.

³ Ibid., 1:40-42.

⁴ Ibid., 1:40-42.

Ultimately, the Athenians would choose to ignore the normative exhortations of the Corinthians and enter into a defensive alliance with the Corcyraeans in accordance with their perceived self-interest. Perhaps this was to be expected. Then and now, an understanding of the self-interest of states remains the best predictor of outcomes in international relations. Rational choice theories, which have dominated the academy for so many years, assume that the interests of states are egoist. For rationalists, the power and utility-maximising preferences of states are unproblematic as they are formed prior to interaction. States inevitably act upon rational cost-benefit calculations in pursuit of given interests. Thus, the focus of the contemporary debate between two theories with a shared rational focus on material ontology – neo-realism and neo-liberalism – takes the self-interested state as the starting point and focuses on how the behaviour of states generates outcomes.⁵

While the focus on material ontology has generally prevailed, students of politics have wrestled with questions about the influence of ideas on human behaviour for millennia. While, in the above example, the normative appeals of the Corinthians may have fallen on deaf ears, enduring ideational phenomena ranging from self-sacrificial moral restraint to violent xenophobias have played an evident role in determining the behaviour of states which scholars have struggled to articulate. The last two decades has seen a re-emergence of interest in ideas and beliefs and a renewed focus on the impacts of norms and rules on state behaviour. This renewed focus can be partly attributed to the advance of the constructivist argument in recent years. Constructivism asserts that human interaction is

⁵ Alexander Wendt, 'Anarchy is What States Make of it: The Social Construction of Power Politics,' *International Organization*, 46/2: 391-425 (1992), pp. 391-3.

shaped not only by material factors but by ideational factors; the identities and interests of actors are constructed by shared beliefs. The advance of this argument has been so considerable in the post-cold war era that most constructivist scholars are now more concerned with questions of how, when and why rather than consideration of whether norms matter.

This dissertation does not seek to resolve the constructivist/rationalist debate. Moreover, it is by no means clear that this debate can or even should be resolved. Jepperson, Wendt and Katzenstein contend that there is no necessary relationship between rationalism and constructivism. Constructivism can either compete with or complement rationalism depending on empirical findings.⁶ More specifically, norms and self-interests are not always antithetical explanations of state behaviour. There is nothing mutually exclusive about calculations of self-interest and awareness of social constraints and requirements. If we treat them as competing explanations for state behaviour, Martha Finnemore suggests, we ignore the ‘potentially more interesting question of how the two (self-interest and norms) are intertwined and interdependent.’⁷

The interaction between norms and self-interests leads to state behaviours that neither rationalism nor constructivism can predict on their own. Sometimes, they can interact in quite a complementary fashion; where they conflict, the interaction becomes far more complex. Sometimes norms will constrain self-interest and sometimes self-interest will

⁶ Ronald L. Jepperson, Alexander Wendt and Peter J. Katzenstein, ‘Norms, Identity and Culture in National Security,’ in Peter J. Katzenstein (ed.), *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia Press, 1996), 68.

⁷ Martha Finnemore, *The Purpose of Intervention: Changing Beliefs about the Use of Force* (London: Cornell University Press, 2003), 16.

constrain norms.⁸ Jon Elster calls the coexistence of norms and self-interest ‘a parallelogram of forces that jointly determine behaviour.’⁹ The concern of the present dissertation is to exploit the insights offered by both constructivism and rationalism to discover the reasons why states act the way they do.

In his classic text, *Discord and Collaboration*, Arnold Wolfers observes the difficulty as well as the necessity of seeking to understand the causal reasons for the behaviour of states:

As soon as one seeks to discover the place of goals in the means-end chain of relationships, almost inevitably one is led to probe into the dark labyrinth of human motives, those internal springs of conscious and unconscious actions which Morgenthau calls “the most illusive of psychological data.” Yet if one fails to inquire why actors choose their goals, one is forced to operate in an atmosphere of such abstraction that nothing is revealed but the barest skeleton of the real world of international politics.¹⁰

The great scholar and theologian, Reinhold Niebuhr, stresses that to overemphasise man’s sin leads to cynicism; to overstress his capacity for mutuality leads to sentimentality. Each perspective must balance the other.¹¹ This dissertation attempts to find the middle ground between these two extremes that is chosen by the United States

⁸ Gregory A. Raymond, ‘Problems and Prospects in the Study of International Norms,’ *Mershon International Studies Review*, 41: 205-245 (1997), pp. 233.

⁹ Quoted in Raymond, ‘Problems and Prospects,’ 232.

¹⁰ Arnold Wolfers, *Discord and Collaboration: Essays on International Politics* (Baltimore: John Hopkins University Press, 1962), 70.

¹¹ Robert C. Good, ‘The National Interest and Political Realism: Niebuhr’s “Debate” with Morgenthau and Kennan,’ *Journal of Politics*, 22/4: 597-619 (1960), p. 616.

with regard to humanitarian action. It is hoped that a healthy pragmatism that acknowledges the inevitable role of self-interest is balanced by recognition of the potential for shared normative beliefs to impact on state behaviour. With such a balance, we can begin to understand the interplay of norms and interests with regard to humanitarian intervention.¹²

The literature dealing with norms of humanitarian intervention is often confused. Some of this confusion can be traced to inadequate description of the injunction of a norm. A norm can be *prohibitive*, *permissive*, or *prescriptive*. In literature that deals with specific norms, the distinct implications of each of the three terms are often neglected and, consequently, the terms are employed in ways that do not accurately describe the true nature of a norm's impact. This neglect of normative typology is a particular feature of literature dealing with humanitarian intervention.

In some of the literature regarding humanitarian intervention, permissive and prescriptive norms are confused with one another. As a consequence, meaning is sometimes imputed into a norm that it does not possess. The debate that considers whether the post-cold war world has witnessed the emergence of a norm that legitimates and permits intervention in response to grave violations of human rights is a debate over the existence of a *permissive* norm. Arguments that there exists an emergent norm that compels states or (re)constitutes their interests so that they have a preference for pursuing meaningful

¹² It should be noted, however, that I do not ascribe a necessary morality to humanitarian normative beliefs and to find a violation of a humanitarian norm by a state should not imply a particular ethical assessment of the actions of decision makers. This is not to say that moral assessment of humanitarian action is inappropriate or impossible. It is simply beyond the scope of this investigation. See chapter one for a brief discussion of this issue.

responses to human rights violations can be best understood as arguments about a *prescriptive* norm. It is one thing to say that humanitarian intervention is seen as a legitimate response to human rights violations; it is quite another thing to suggest that states feel obliged or have a (re)defined national interest in responding to these violations.

This dissertation focuses on what is termed the ‘*prescriptive norm of humanitarian intervention*.’ The central objective is to investigate the extent to which the norm became embedded, internalised and institutionalised in American foreign policy in the period between 1992 and 1999 by investigating the decisions of two American presidents, George H.W. Bush and Bill Clinton, to either intervene or fail to intervene in response to grave violations of human rights.

Constructivists and English school theorists have had some success in establishing a causal relationship between permissive humanitarian norms and humanitarian action. However, by focussing on questions of when, where and why humanitarian action is *permitted*, scholars have neglected to develop theoretical explanations for the significant and obvious discrepancies and inconsistencies in humanitarian action that we observe in the world. By considering when and where humanitarian action is *prescribed*, we can begin to understand why states respond to some grave violations of human rights and not others; by examining the interests that states perceive and the obligations that states are confronted with, we can begin to comprehend why they will become meaningfully engaged with one humanitarian crisis while simply trying to contain or even ignore another.

Chapter One defines and discusses the three key terms for our investigation: norms, interests and humanitarian intervention. The interplay of the prescriptive norm of humanitarian intervention with the material self-interest of states with regard to the responses of states to grave violations of human rights is conceptualised. Finally, a theoretical and methodological framework is established for understanding the decisions of states to intervene or fail to intervene. This framework emphasises the need to control for self-interest while investigating the causal explanatory power of the prescriptive norm.

The three chapters that follow are case studies of US decision making processes in the 1990s. Chapter Two examines the response of the Bush administration towards the ethnic cleansing that took place in Bosnia and the responses of Presidents Bush and Clinton to the humanitarian disaster in Somalia in the first half of the decade. In neither of these cases do we find a clearly perceived and articulated self-interest for intervention.

In the absence of a clear self-interest for ending the atrocities in the Balkans, American policy was to be one of containment rather than engagement. We find evidence for the existence of a weak norm of intervention in this case in the attempts of the administration to frame an ambiguous situation in a way that made violation of the norm socially acceptable and in the efforts of President Bush to appear to at least be ‘doing something’ in response to the crisis.

The intervention in Somalia in 1992-4 is described as an ideational false start. While there was no perceived material or strategic interests at stake, the constituted identity and interests of the United States, as understood by the Bush administration, led to a preference for intervention. President Bush's learnt values and interests led him to conclude that the United States should respond to the starvation that was occurring on the other side of the world because this was the appropriate response of a great power with the capacity to do so. However, as US troop casualties mounted and opposition to the intervention within the United States increased, Bush's successor, President Clinton, chose not to sacrifice his mandate for domestic change by ignoring the political costs of compliance with the norm of humanitarian intervention where no strategic or economic interests were at stake. The subsequent decision to withdraw from Somalia represents an ideational retreat from which the US may still not have fully recovered.

This ideational retreat was confirmed by the American response to the Rwandan genocide of 1994. In Chapter Three, we find that the interplay between norms and interests did not generate any meaningful action by the United States to prevent the slaughter of 800,000 Rwandans. The existence of the prescriptive norm of intervention is evinced by the Clinton administration's determination to frame the situation in Rwanda in a way that made violation of the norm socially acceptable. Similarly, the reluctance to use the word 'genocide' demonstrates a concern that a finding of 'genocide' might have carried with it obligations to 'prevent and punish' as expressed in the Genocide Convention. Nevertheless, the reality is that the norm was so weak that the administration did not need to work hard to eschew the political costs of inaction.

Over the course of the Balkan wars, the interplay between norms and interests with regard to humanitarian intervention began to slowly change. In Chapter Four, we find that, for two and a half years, President Clinton maintained the futile policy of containment of the Bosnian war that was developed by the Bush administration. However, in 1995, a number of forces combined in a way that led to a meaningful commitment to end the Bosnian war. As the crisis worsened and it became clear that the policy of containment was not working, normative beliefs and moral impulses were finally buttressed by clear material interests as well as international and domestic political pressures for intervention and a new policy direction was forged.

By 1999, the norm-based reconstitution of US policy preferences in favour of intervention had progressed a little further. The United States certainly had a material interest in responding to the ethnic cleansing in Kosovo. NATO's intervention served to protect the stability of Europe and the credibility of the alliance. Nevertheless, normative humanitarian concerns were also a crucial determinant in the decision to go to war against Slobodan Milosevic. Secretary of State Madeleine Albright acted as 'norm entrepreneur' forging a new direction for US foreign policy. Albright was able to successfully transfer her personal commitment to the norm of intervention into a clearly articulated American foreign policy decision.

NATO's intervention in Kosovo represented an important step in the interplay of norms and interests with regard to humanitarian action. It represented the clearest case yet of

compliance with the emerging prescriptive norm of humanitarian intervention. However, some key factors limit the extent to which we can attribute the intervention to the causal impact of a strong norm. Most importantly, the supposed commitment to the norm of intervention was undermined by the reluctance of the US to accept troop casualties. The consequent decisions not to commit ground forces and to emphasise high-altitude bombing inevitably led to greater numbers of civilian casualties. The norm of intervention conflicted with the norm of force protection. The commitment to humanitarian principles was shown to be ‘intense but also shallow.’¹³

Finally, some tentative conclusions are drawn for a post-September 11 world. The future of humanitarian intervention remains uncertain. States such as the US may come to understand that state sponsored violence and the grave violations of human rights that so often attend state failure breed undesirable spawn such as terrorism, refugee flows, drug trafficking, arms smuggling, proliferation of weapons of mass destruction and regional and global instability. The Corinthians tried to persuade the Athenians that a rejection of the Corcyraean offer was not only in accordance with the norms and rules of Hellenic society but was also in their long-term interests. Today, many scholars contend that the attacks of September 11, 2001, perceived, in part, as a product of Western hubris and neglect, demonstrate that meaningful responses to humanitarian crises are not only morally appropriate and socially expected, but that they also satisfy the enlightened and long-term self-interests of powerful states. On the other hand, as the Athenians did in forming an alliance with the Corcyraeans, the United States may choose short-term material and strategic interests over compliance with humanitarian norms. The

¹³ Michael Ignatieff, *Virtual War: Kosovo and Beyond* (London: Vintage, 2000), 4.

prescriptive norm of humanitarian intervention may be trumped by a narrowly conceived
'war on terror.'