

Emerging Trends in Military Intervention

Brigadier Gurmeet Kanwal (Retd)

Introduction

The post-World War II era has witnessed a large number of undeclared wars and military interventions. Most of the interventions were without sufficient cause and without the moral sanction of the international community or the United Nations (UN). They were also mostly unsuccessful. America's bitter defeat in Vietnam, the erstwhile Soviet Union's ruthless march across Hungary and Czechoslovakia and, later, her long adventure in and ignominious withdrawal from Afghanistan, China's unprovoked aggression against Vietnam, Vietnam's justifiable but unsuccessful foray into Cambodia and India's unfortunate excursion into Sri Lanka are some of the major examples. However, it is no longer possible for individual nations to attempt to impose their will by force on any other nation, no matter how small. Iraq learnt this lesson about attempting to subjugate the international will at great cost to her own survival, consequent to her ill-advised foray into Kuwait in 1990.

Wars of Interest, Wars of Conscience and Intervention

Even though most countries of the world no longer have serious differences of opinion with each other about politics and economics and ideological confrontation is becoming irrelevant, many of them continue to be inimical to their neighbours. "Countries have long quarrelled and will continue to quarrel, about many things besides ideology."¹ The advance of democracy will be slow, patchy and prone to interruptions. Economic pluralism does not automatically guarantee political maturity and balance. Hence, the world's democracies will have to be vigilant and prepared to respond to threatening situations before these situations develop into serious eruptions with a potential for causing major damage.

Brigadier Gurmeet Kanwal is a Senior Fellow, Institute of Security Studies, Observer Research Foundation, New Delhi.

Journal of the United Service Institution of India, Vol. CXXXIV, No. 556, April-June 2004.

Far-flung and weak members of the democratic club will need to be protected. Continuous raw material supplies will need to be ensured to keep the economies running smoothly. Threatened interruptions in vital resources like oil are likely to lead to war, such as the Gulf War in 1990-91. If rogue regimes or nations seize control of strategic areas or vital resources, it would call for a swift response to restore the situation through a coalition of forces. Conflicts of this type are being termed as "wars of interest". Two obvious areas fall under this category. One is the Korean Peninsula where North Korea's acquisition of nuclear weapons could endanger world peace. The other is the Islamic crescent, running through Southwest Asia and North Africa, "with its powerful combination of oil, Islam and a long history of anti-Western resentment."²

In this era of heightened human rights consciousness, democracies of the world may also have to be ready to fight a different kind of war not directly related to the immediate vital interests of a participating country. Large-scale human rights violations by a dictatorial regime, civil wars leading to genocide, natural or man-made calamities and the systematic extermination of minorities by fanatical despots, are likely to anger the world community enough to initially impose economic and military sanctions and, in case of failure to stem the rot, to eventually go to war to find a solution to the problem. Future conflicts of this type are being termed as "wars of conscience". The interventions in Haiti, Somalia and Rwanda could be said to fall in this category, though the level of military commitment remained short of actual fighting.

To the above mentioned categories of future conflict, a third category, "wars of intervention", has now been added. Drawing on the "messily but successfully fought" war in Kosovo and a "near-war" of the same sort in East Timor as indicative pointers to the future, *The Economist* stated in a recent essay entitled "Wars of Intervention: Why and When to Go In"³ that wars of intervention may be increasingly necessary and called such wars a "just and necessary part of the international politics of the 21st century." Some of the comments in the essay bear repeating:⁴

Indeed, the whole theory of sovereign inviolability would probably have come into question earlier had it not been for the Cold War... If wars of intervention have to be a serious part of tomorrow's agenda, they will have to be based on a simple, straight forward and more or less universally accepted set of rules... Human rights are a useful rule of thumb for judging a country's moral performance, but a wobbly basis for wars of intervention... At least two grounds for intervention pretty clearly pass (muster)... The first... is when a clearly definable people in a clearly definable geographical area is being violently denied the right to govern itself by another, stronger lot who say that the smaller group is part of their own "sovereign" territory... The second fairly solid argument for intervention... if it becomes reasonably obvious that a government has decided to hold on to power against the wishes of most of the people it governs, and is not going to change its mind, it should not think that its denial of the democratic principle will go unchallenged... (such an intervention) rests upon the simple and now more or less universally accepted principle that a government should stay in office only with the continuing consent of the people it governs... Even one rescued country is better than none, not least because the example set improves the chances of the next rescue.

The impassioned plea for interventionist evangelism made by *The Economist* notwithstanding, it remains obvious that despite overwhelming military superiority, groups of countries will mostly intervene only when their own national interests are also at stake. *The Economist* agrees that "It is hard to imagine the warmest advocates of democracy cheerfully accepting the casualties required for the liberation of Tibet or Chechnya, or the removal of Myanmar's election-defying junta... The genocide in Rwanda in 1994, which killed about 800,000 people, was so vast and so primally brutal that an intervention in the name of humanity would have been right if it had been militarily possible. But not every bloody outbreak, everywhere, can bring in the peacemakers."⁵

This is also the reason why the West was reluctant and even unwilling to intervene to stop the Taliban's excesses in Afghanistan or put its troops and money into Sierra Leone. No single nation's or group's vital interests appeared to be at stake.

Kofi Annan's Humanitarian Intervention Theory

Initiating a debate on humanitarian intervention, in his address to the General Assembly on 20 September 1999, UN Secretary General Kofi Annan said, "A tragic irony of many of the crises that continue to go unnoticed and unchallenged today is that they could be dealt with by far less perilous acts of intervention than the one witnessed recently in Yugoslavia."⁶ He was of the view that national sovereignty and a state's interpretation of its national interest can both be challenged in the interest of humanitarian intervention and if forceful intervention becomes necessary, the Security Council must be capable of rising to the challenge. He argued, "If states bent on criminal behaviour know that frontiers are not the absolute defence; if they know that the Council will take action to halt crimes against humanity, then they will not embark on such a course of action in expectation of sovereign impunity."

Predictably, India, China and several other countries opposed to North Atlantic Treaty Organisation's (NATO's) intervention in Kosovo and, subsequently, that of the US and its allies in Iraq in March 2003, promptly rejected the humanitarian intervention theory. India's External Affairs Minister Jaswant Singh told the General Assembly, "It would be an error to assume that the days of the state are over. The state continues to have a crucial role and relevance... The UN was not conceived as a super state, it will not ever become so, principally because there is no viable substitute to the sovereign state."⁷ Intervening in the debate on the UN Secretary General's report, India's permanent representative, Kamlesh Sharma was critical of the rising interventionist impulse under the pretext of human rights violations. He said the call for intervention is being heard "When regressive elements are espousing ideologies supporting enforced homogenisation or separation of ethnic groups, as against support for multi-cultural and pluralistic societies which respect human variety."⁸

The Secretary General's advocacy of a more activist role for the UN was taken several steps further by the then US President, Bill Clinton, who affirmed the validity of NATO's intervention in Kosovo and said that in the real world, principles often collide and tough choices must be made. In his view, the response of the international community was bound to depend on the capacity of the concerned countries to act and on their perception of their own national interests. Analysing these developments, former Indian Foreign Secretary JN Dixit wrote, "The sharp political reality is that important powers take their own individual or collective initiatives and then call on the UN and its Secretary General to play a secondary role to legitimise their actions, the motivations of which do not necessarily conform to the objectives of the UN."⁹

The UN can be a peacekeeper or a peacemaker only when the major world powers, including the P-5, agree on the desirability of putting a UN label on their common will, as was witnessed in the Coalition Forces joint action against Iraq in the 1990-91 Gulf War. Since then, the increasing marginalisation of the UN Security Council in decision-making for the enforcement of peace has become a cause for concern. This was a perceptible trend throughout the long drawn out enforcement of no-fly zones over Iraq since the termination of the First Gulf War and the launching of the recent Gulf War II. On a number of occasions, the US resorted to aerial attacks against Iraq without first obtaining Security Council approval. Also, there were six conflicts in six years during the 1990s, most of them in Africa, in which individual states or regional groups resorted to the use of force without specific Security Council authorisation. In 1998, the US attacked Afghanistan and Sudan with cruise missiles (some of which even fell on Pakistani territory) in retaliation for terrorist attacks on the US embassies, allegedly by Osama bin Laden's fundamentalist Islamist terrorists. Expressing his concern, the UN Secretary General Kofi Annan said, "The scourge of terrorism cannot be eliminated by unilateral action. I was, therefore, concerned by these actions. Terrorism can only be combated by joint international strategies and action. The UN should take a leading role in such efforts."¹⁰ This view is unexceptionable.

However, nothing undermined the credibility and the future effectiveness of the UN as much as the deliberate bypassing of the Security Council before the commencement of the US-led NATO air strikes in Kosovo in 1999 and the war in Iraq in 2003. Once again Kofi Annan expressed his displeasure at "the emergence of the single super power and new regional powers" and "the preference of the willing" to resort to unauthorised force. He said, "Unless the Security Council is restored to its pre-eminent position as the sole source of legitimacy on the use of force, we are on a dangerous path to anarchy... Unless the Security Council can unite around the aim of confronting massive human rights violations and crimes against humanity on the scale of Kosovo, we will betray the very ideals that inspired the founding of the United Nations."¹¹ The recent war in Iraq has completely polarised the international community. Major powers like France, Germany, India and Russia expressed strong reservations against such unilateral action, particularly as it was based on inconclusive evidence of Iraq's possession of weapons of mass destruction. It will take a long time to undo the damage done to the world order by this action even though no nation holds a brief for Saddam Hussein.

Evolving Doctrine of Intervention

John Mackinlay has argued that in the "complex emergencies which increasingly threaten security in Eastern Europe, Central Asia and Africa, international response mechanisms have failed from the outset to take a realistic approach that reflected the needs of the crisis... due to vested interest, conservatism and a lack of vision beyond the narrow limitations of national and professional interest."¹² With some exceptions, most nations today agree to join an international intervention effort only when their own national interests are served by intervening, except where the cause is humanitarian. Even then, the people's elected representatives demand clear political goals and a reasonable assurance of success. John Hillen, a policy analyst at the Heritage Foundation, a US think tank dominated by neo-conservatives, has suggested the following criteria¹³ for future US military interventions :-

- (a) Military intervention should defend national security interests.
- (b) Military intervention should not jeopardise the ability of the US to meet more important security commitments.
- (c) Military intervention should strive to achieve military goals that are clearly defined, decisive, attainable and sustainable.
- (d) Military intervention should enjoy Congressional and public support.
- (e) The Armed Forces must be allowed to create the conditions for success.

However, John Hillen makes no reference to the need to abide by international law before deciding to intervene. Recent US interventions in Kosovo and Iraq have clearly established that the "coalition of the willing" chooses to intervene militarily purely to further its perceived national interests. Hence, it emerges that in today's world, when national interests are at stake, there are no qualms about violating international law. Such a muscular approach to the conduct of foreign policy is extremely damaging to international stability and is bound to encourage similar adventurism elsewhere in the world.

The current doctrine of intervention is configured around the ability of the international community, mainly the US-led Western alliance, to impose its collective will in order to restore a deteriorating situation or to prevent a nascent conflict from burgeoning into full blown war with wider ramifications. The international community's right to intervene may manifest itself in many ways. It may begin with a warning through a UN Security Council resolution. A military embargo and economic sanctions may follow. Where applicable, a naval blockade may be enforced. Failing all other means, the international community may sanction the use of military force. (The overwhelming belief among members of the international community is that when this happens, it must first be approved by a UN Security Council resolution.) A multilateral Coalition Force with widespread representation is likely to be assembled. Even

then the emphasis will be on the minimum use of force. Maximum use will be made of surgically precise air power to achieve the desired aim. Ground forces action is likely to be limited to achieve strictly military objectives. Emphasis will be laid on preventing collateral damage, with particular reference to civilian casualties and property.

The following justifications¹⁴ of the right to intervene militarily are being increasingly propagated and are finding reluctant acceptance among some countries forming part of the Western alliance:-

- (a) Defence of democracy and the prevention of the excessive curtailment of a people's right to participate in decision making.
- (b) Prevention of severe violation of human rights of a people by a totalitarian regime.
- (c) Protection of minority groups from severe repression.
- (d) Prevention of acute environmental degradation.
- (e) Prevention of possible attempts to acquire or develop weapons of mass destruction. The acquisition of excessive armaments and unjustifiable military expenditure would also fall in this category.

In addition to these situations justifying intervention, the following happenings may also warrant an international response in the future, depending on the prevailing circumstances, provided the response is unambiguously supported by a majority of the members of the UN Security Council or the General Assembly:-

- (a) The persecution of a people due to religious affiliation.
- (b) Aiding and abetting of terrorists, narcotics smugglers and crime gangs by rogue regimes.
- (c) The wilful repeated violation of World Trade Organisation (WTO) quotas and undercutting of tariffs through unfair trade practices.

- (d) Excessive interference with the production facilities, movement and sale of goods and the transfer of funds by Trans-National Corporations (TNCs).
- (e) Plausible threat to paralyse or interfere with international communications, navigation, remote sensing and surveillance satellites and ground control facilities.
- (f) Interference with the internet and subversive attempts to infect its software.
- (g) Malicious intervention in and manipulation of the international banking system.

The "International Commission on Intervention and State Sovereignty", constituted by the Government of Canada in September 2000, declared in its report that "sovereign states have a responsibility to protect their own citizens from avoidable catastrophe, but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states."¹⁵ In fact, the Commission's report is entitled "The Responsibility to Protect", which is also its central theme.

However, regardless of the emerging doctrine of interventionism, it must remain a cardinal principle of international relations that the territorial integrity of each member state of the UN must be collectively guaranteed by all the other member states. The non-observance of this collective security imperative can only lead to anarchy and the rule of the jungle where might is right. This can be done only by strengthening the UN system to emerge as the sole arbiter of the need for intervention. Individual nation-states must not be permitted to assemble "coalitions of the willing" to intervene anywhere in the world to further their own necessarily narrow individual national interests.

References

1. 'The Shape of the World', *The Economist*, London, 23 December 1995 - 5 January 1996.
2. 'Security in the 21st Century', *The Economist*, London, reprinted in *The Economic Times*, Bombay, 12 October, 1992.

3. 'Wars of Intervention: Why and When to Go In', *The Economist*, London, 6 January 2001.
4. Ibid.
5. Ibid.
6. Apratim Mukherjee, 'India Will Have to Counter Annan's Humanitarian Intervention Theory', *The Hindustan Times*, 27 September 1999.
7. Ibid.
8. 'India Flays call for Intervention by UN', *The Hindustan Times*, 8 October 1999.
9. JN Dixit, 'Role of the UN', *The Hindustan Times*, 29 September 1999.
10. Siddharth Varadarajan, 'Strong and Fresh Kofi', *The Times of India*, 12 October 1998.
11. 'US, Allies Draw Flak from Kofi Annan', *The Hindustan Times*, 20 May 1999.
12. John Mackinlay, 'Beyond the Logjam: A Doctrine for Complex Emergencies', *Small Wars and Insurgencies*, Vol. 9, No. 1, Spring 1998.
13. John Hillen, 'American Military Intervention: A User's Guide', Backgrounder, The Heritage Foundation, Washington D.C., No. 79, 2 May 1996.
14. Major General Dipankar Banerjee, 'An Emerging World Order', *USI Journal*, New Delhi, January-March 1994, p. 43.
15. 'The Responsibility to Protect', International Development Research Centre, Ottawa, 2001, (<http://www.idrc.ca>).