

# Armed Intervention

## Grotius

The most extensive motive [for undertaking war for others] is the **common tie of one common nature**, which alone is sufficient to oblige men to assist each other....

No one is bound to give assistance or protection, **when it will be attended with evident danger**.... A state's **own existence and preservation** are... objects of **greater value** and prior consideration than the welfare and security of other individuals....

## Pufendorf

It can very easily be **our highest interest**, and in fact redound to the general **good of mankind**, to prevent a man from injuring and insulting others with impunity.

Yet there **ought to be some restraint** in this, so that not every man, **even though he live in natural liberty**, should have the right to coerce and punish by war any person who has done any other person an injury, on the sole excuse that the public good demands... and what concerns one should concern all.

Nay, for a person to **thrust himself forward as a kind of arbitrator of human affairs**, is **opposed even to the equality granted by nature**, not to mention the fact that such a thing **could easily lead to great abuse**.... Therefore, an injury done another can only give us cause for war **when the injured party calls upon us for aid**.

## Mill

To suppose that the **same international customs**, and the **same rules of international morality**, can obtain **between one civilized nation and another**, and **between civilized nations and barbarians**, is a grave error...

**Barbarians have no rights as a nation**, except a right to such treatment as may, at the nearest possible period, fit them for becoming one. The only moral laws for the relation between a civilized and a barbarous government are the **universal rules of morality between man and man**...

## *On secession*

Whether one country is justified in helping the people of another in a **struggle against their government for free institutions...**

The only **test** possessing any real value, of a people's having become fit for popular institutions, is, that they, or a sufficient portion of them, to prevail in the contest, are **willing to brave labor and danger for their liberation....** It is during an arduous **struggle to become free by their own efforts** that these feelings and virtues [necessary for maintaining freedom] have the best chance of springing up.

To assist a people thus kept down **is not to disturb the balance of forces** on which the permanent maintenance of freedom in a country depends, but to **redress that balance** when it is already unfairly and violently disturbed.

## *On the U.S. Civil War*

But we are told, by a strange misapplication of a true principle, that the South had a right to separate; that their separation ought to have been consented to, the moment they showed themselves ready to fight for it.... I have sympathized more or less ardently with most of the rebellions, successful and unsuccessful, which have taken place in my time. But I certainly **never conceived that there was a sufficient title to my sympathy in the mere fact of being a rebel**; that the act of taking arms against one's fellow citizens was so meritorious in itself, was **so completely its own justification, that no question need be asked concerning the motive**.... Neither rebellion, nor any other act which affects the interests of others, is sufficiently **legitimated by the mere will to do it**.

Suppose, however, for the sake of argument, that the mere will to separate were in this case, or in any case, a sufficient ground for separation, I beg to be informed **whose will?**... Before admitting the authority of any persons, as organs of the will of the people, to dispose of the whole political existence of a country, I ask to see **whether their credentials are from the whole, or only from a part**.

But (it is said) the **North will never succeed** in conquering the South; and **since the separation must in the end be recognised, it is better to do at first** what must be done at last; moreover, if it did conquer them, it could not govern them when conquered, consistently with free institutions. **With no one of these propositions can I agree**.

## Nardin

(Universalism/Cosmopolitanism)

We must distinguish **common morality** from the **mores of particular communities**. Its principles constitute a common moral world in which human beings have rights not as members of this or that community but as **members of the human community**. Common morality rests neither on positive laws nor on custom. It is, rather, the **product of critical reflection** on laws and customs, and in this sense may be said to be **known by “reason.”**

## Walzer

(Communitarianism)

The **presumption against intervention** is strong.... It seems best that people who have lived together in the past and will have to do so in the future should be **allowed to work out their difficulties... among themselves**.

Nonintervention is **not an absolute moral rule**; sometimes, what is going on locally cannot be tolerated. Hence the practice of “humanitarian intervention” — much abused, no doubt, but **morally necessary whenever cruelty and suffering are extreme** and no local forces seem capable of putting an end to them.

# U.S. National Security Strategy

*September 2002*

The United States must defend liberty and justice because these **principles are right and true for all people everywhere**. No nation owns these aspirations, and **no nation is exempt from them**.... America must stand firmly for the nonnegotiable demands of human dignity: the rule of law; limits on the absolute power of the state; free speech; freedom of worship; equal justice; respect for women; religious and ethnic tolerance; and respect for private property.

These demands can be met in many ways. America's constitution has served us well. Many other nations, with **different histories and cultures, facing different circumstances**, have successfully **incorporated these core principles** into their own systems of governance. History has not been kind to those nations which ignored or flouted the rights and aspirations of their people....

Today, these ideals are a lifeline to lonely defenders of liberty. And when openings arrive, we can encourage change.... Embodying lessons from our past and using the opportunity we have today, the national security strategy of the United States must start from these core beliefs and look outward for possibilities to expand liberty.

# UN High-Level Panel on Threats, Challenges and Change

*A More Secure World: Our Shared Responsibility, 2004*

There is a growing recognition that the issue is **not the “right to intervene”** of any State, but the **“responsibility to protect”** of every State when it comes to people suffering from avoidable catastrophe--mass murder and rape, ethnic cleansing by forcible expulsion and terror, and deliberate starvation and exposure to disease. And there is a growing acceptance that while **sovereign governments have the primary responsibility to protect their own citizens** from such catastrophes, when they are unable or unwilling to do so that **responsibility should be taken up by the wider international community**--with it spanning a continuum involving prevention, response to violence, if necessary, and rebuilding shattered societies.

We endorse the emerging norm that there is a collective international responsibility to protect, **exercisable by the Security Council** authorizing military intervention as a last resort, in the event of **genocide and other large scale killing, ethnic cleansing or serious violations of international humanitarian law** which sovereign governments have proved powerless or unwilling to prevent.

# UN General Assembly

## *World Summit Outcome, 2005*

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

# UN Security Council

## Resolution 1674 (2006)

Reaffirms the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity...

## Resolution 1970 (Libya 2011)

Recalling the Libyan authorities' responsibility to protect its population...

## Resolution 1973 (Libya 2011)

Reiterating the responsibility of the Libyan authorities to protect the Libyan population and reaffirming that parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians...

## Resolution 1975 (Côte d'Ivoire 2011)

Condemning the serious abuses and violations of international law in Côte d'Ivoire, including humanitarian, human rights and refugee law, reaffirming the primary responsibility of each State to protect civilians and reiterating that parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians...