

# 1 Post-Cold War Conflicts: Imperative for Armed Humanitarian 2 Intervention

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## 7 **Abstract**

8 Contrary to the predictions that wars would become obsolete in the post-Cold War world,  
9 they rather shifted dramatically from inter-state to increasingly intra-state manifestations.  
10 The world since then has become racked by ethnic and nationalist violence. The tragedies and  
11 gruesome atrocities concomitant with these eruptions have pushed the imperative for  
12 humanitarian intervention to the fore of contemporary international politics and practice,  
13 provoking a shift on the international right and necessity of using military force to protect  
14 civilians within sovereign states. A novel acceptance has now made its foray into the  
15 international scene, which is of emblematic significance for the evolving international  
16 humanitarian regime, that a war against a sovereign state can be initiated and justified on  
17 humanitarian grounds. The task of situating the imperative for armed humanitarian  
18 intervention within the context of the compelling nature and character of the post-Cold War  
19 conflicts engages the concern of this study. The paper posits that notwithstanding the fluidity  
20 of the concept, chances of misuse and the abounding probabilities of abuse in its practice,  
21 humanitarian intervention have in this age, carved a niche for itself, given the bloodbaths and  
22 horrendous genocidal incidences that have both wrecked and defined the post-Cold War world.

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24 **Index terms**— dramatically from inter-state to increasingly intra-state

## 25 **1 Introduction**

26 International law has recently begun to fundamentally revise its traditional prohibition against military  
27 intervention in the wake of the recent wave of terrorism by states against their own people. The principles  
28 of sovereignty and non-intervention have long been bedrocks of the traditional Westphalian state system. Geared  
29 towards the maintenance of order and stability in the international system, these principles have frowned at  
30 foreign interference in the domestic affairs of states. But in today's world where many leaders, lacking popular  
31 sovereignty in their countries, have depended on coercion and intimidation of political opponents to stay in power,  
32 external intervention into domestic matters of sovereign states seems to have been a welcome development. The  
33 non-intervention norm of the Westphalian state system has therefore, meant the protection of the cruel and  
34 oppressive leaders at the face of massive human right abuses. Since the end of the cold war, the issues of human  
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36 Awka.

37 collapse have been brought to the center of international relations 1 . Starting from 1991 US-led operations to  
38 protect the Kurds of Northern Iraq and the Shi'a of Southern Iraq respectively from Saddam Hussein's intolerable  
39 repression, humanitarian intervention has emerged as a key policy option for international organizations, coalitions  
40 of states, regional organizations and big powers. For humanitarian purposes, the belief that governments have  
41 right, even obligation to intervene in the affairs of other states has won advocates, and today international law  
42 has defined military intervention as a right and duty to alleviate human suffering, stop genocide and ethnic

43 cleansing, and prevent the repression by states of basic human rights and civil liberties 2 . Sovereignty no longer  
44 seemed sacrosanct. The world has made a choice on genocide, declaring organized savagery illegal. Against the  
45 Westphalia principle, what a state does within its own boundaries is no longer entirely its own business. The  
46 years since the post-cold war have seen the rise of universal endorsed principles of conduct, defining humanitarian  
47 intervention as a legal right to protect human rights by punishing acts of genocide and by interpreting intervention  
48 as "a spectrum of possible actions ranging from diplomatic protest to military invasion, even occupation" 3 .  
49 Given this backdrop, this paper argues that the nature of the post-Cold War world, and the character of the new  
50 kind of conflicts concomitant with it, fuels the imperative for armed humanitarian intervention in states where  
51 such gross abuse and violation of human rights that shocks the conscience of mankind, has become evident.

## 52 2 II. Humanitarian Intervention: A Conceptual Analysis

53 On the definition of humanitarian intervention, Keohane 4 wrote "Arguments burn fiercely?on the subject" And  
54 Welsh 5 added that "the issue of humanitarian intervention has generated one of the most heated discussions in  
55 international relations over the past decades among both theorists and practitioners" As defined by Brownlie,  
56 humanitarian intervention is the use of armed force by states or an international organization, with the objective  
57 of protecting humanitarian right 6 . It is to respond militarily or nonmilitarily where victims of conflict are  
58 calling out for help, where human beings are suffering and dying regardless I the intervention occurs. Clearly,  
59 the whole basis for humanitarian intervention is provided by prior agreement about the existence of Universal  
60 Human Rights, International Bill of Human Rights as embodied in articles 55 and 56 of the United Nations  
61 charter. The Article 55(c) states that "The United Nations shall promote universal respect for, and observance  
62 of human rights and fundamental freedoms without distinction as to race, sex, language or religion" Article 56  
63 states that "All members pledge themselves to take joint and separate action for the achievement of the purpose  
64 set for in Article 55." 8 Stemming from this view, Nick conceptualizes humanitarian intervention as a response  
65 to denial or violation of universal human rights. The widely accepted definition of humanitarian intervention is  
66 that provided by Verwey:

67 The threat or use of force by a state or states abroad, for the sole purpose of preventing or putting a halt  
68 to a serious violation of fundamental human rights, in particular the right to life of persons, regardless of their  
69 nationality, such protection taking place neither upon authorization by relevant organs of United Nations nor  
70 with the permission by the legitimate government of the target state. 9 Verwey stressed that the motive of  
71 humanitarian intervention should be solely humanitarian. This strict stipulation disqualifies any intervention as  
72 'humanitarian' considering the political interests and processes that are also certain to be involved in practice.  
73 Other scholars like Wheeler and Teson 10 object to this strict emphasis on motive as they argue that this approach  
74 takes the intervening state as referent object for analysis rather than the victims who are rescued as a consequence  
75 of the use of force. This brings to the fore, the question of what counts as humanitarian, and the question of  
76 the universality of human rights. Despite the frequent use of the term, a consensus on its one and consistent  
77 definition seems to be difficult. Isaac 11 defines humanitarianism as a feeling of concern for and benevolence  
78 toward fellow human beings. He went further to say that it is a universal phenomenon manifested globally and  
79 throughout the ages. Ramsbotham and Woodhouse link humanitarianism with international humanitarian law of  
80 armed conflict, international human rights law and emergency aid 12 . But what level of humanitarian suffering  
81 requires outside intervention? Wheeler refers to what he called 'supreme humanitarian emergency' 13 to describe  
82 a situation of extreme human suffering wherein the only hope of saving lives depends on outsiders coming to  
83 the rescue. He admits however, that there is no objective criteria for determining what counts as a supreme  
84 humanitarian emergency. Kobia defines humanitarian emergency to mean a situation of excessive violation of  
85 human rights by a repressive government or cases of uncontrolled anarchy and mass murder caused by conflict  
86 and or state collapse 14 .

87 Within the ambit of this conceptual discourse, another controversy throws itself open when reference is made  
88 to human rights. The controversial debate revolves mainly between those Kobia calls the Universalists and  
89 the Cultural Relativists 15 . Proponents of the universality of human rights argue that human rights norms  
90 and standards are applicable to all human beings in all human societies, whatever geographical or cultural  
91 circumstances and whatever local traditions and practices may exist. The main challenge to the notion of  
92 universality of human rights comes principally from Asia, Middle East and Africa. Advocates of cultural relativism  
93 claim that most or some of the rights and rules about morality are encoded in and thus depend on cultural context.  
94 Hence, notions of right and wrong and moral rules differ throughout the world because cultures in which they take  
95 root are different. To them, international human rights instruments and their pretensions to universality may  
96 suggest primarily the arrogance of cultural imperialism of the west. Practices considered violations of human  
97 rights in one part of the world may be viewed differently elsewhere. Be that as it may, while accepting the  
98 argument that human rights should be culturally sensitive, this study holds the view that there are minimum  
99 standards of human rights to be respected across the world. This includes the right to life, freedom of association,  
100 and movement etc.

101 Verwey's conceptualization of humanitarian intervention also rules out intervention by the UN and confines  
102 practice to action taken by individual states or groups of states without UN authorization 16 . While this form of  
103 intervention is still prevalent as evidenced by the recent US/British led intervention in Iraq, recent interpretation  
104 of the concept has expanded the agents to include regional organizations and action taken by the UN 17 . From

105 its inception in 1945, the UN anticipated the involvement of such organizations in the maintenance of global  
106 peace. Chapter VIII of the UN Charter acknowledges the importance of such groupings and urges member states  
107 to seek pacific settlement of local disputes through such regional arrangements or by such regional agencies before  
108 referring them to the Security Council. Ramsbotham and Woodhouse further expanded the agencies to include  
109 NGOs and UN aid organizations like the UN High Commissioner for Refugees and UN Children's Fund, UNICEF  
110 18 Though intervention undertaken with the consent of the state is ruled out in Verwey's conceptualization of  
111 humanitarian intervention, nevertheless, post-cold war understanding of the concept and practice includes both.  
112 In most of the missions there is hardly a government with effective authority extending beyond the capital  
113 city. The threat or use of force has been a qualifying element of humanitarian intervention. The post-cold war  
114 conceptualization of the practice extends to include nonforcible strategies aimed at alleviating the suffering of  
115 those caught up in the middle of cross-fire and

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118 mechanisms to prevent a relapse into conflict 19 . This study adopts the definition of humanitarian intervention  
119 as an external involvement in a state, in deviation to the Westphalia tradition, on the excuse of humanitarian  
120 abuses, uncontrolled anarchy, and mass murder caused by conflict or repressive regime.

121 The doctrine of humanitarian intervention owes its origin to the just war tradition. The  
122 doctrine as it is known today, has been shaped through the ages by contributions of lawyers, philosophers,  
123 theologians and politicians, dating back to Roman times 20 . However, Christian conception of just war theory  
124 forms the core of just war theory, and had great influence on the present day conception of humanitarian  
125 intervention. Early Christians were predominantly pacifists. The increasing political and social influence of  
126 the church led Christian theologians to work on justifications for the use of force. This eventually developed over  
127 time in the form of just war theory. Modern and secular conception of humanitarian intervention dates back to the  
128 seventeenth century, and has been credited to the Dutch international lawyer, Hugo Grotius. In De Jure Belli est  
129 Pacis, Grotius put forward the proposition that outside countries can legitimately intervene to stop human rights  
130 abuses in a neighbouring state ??1 . This proposition unleashed a heated debate among international lawyers of  
131 the eighteenth century. The first recorded case of humanitarian intervention came in 1827 when Britain, France  
132 and Russia intervened to protect the Greek Christians in the Ottoman Empire. Again, in 1860, France was  
133 authorized by other European powers to intervene in the Ottoman Empire to save the Maronite Christians in  
134 Syria against suppression in practicing their traditional religion. Other nineteenth century cases include Russia  
135 in Bosnia-Herzegovnia and Bulgaria (1877), and the United States in Cuba in 1898 ??2 . The cold war era  
136 witnessed several instances of humanitarian intervention. The most cited cases are Tanzania in 1979  
137 to oust the despotic and tyrannical regime of the dreaded Idi Amin. Vietnam also intervened in Cambodia in the  
138 same year. India intervened in East Pakistan to in 1971 to rescue its population from the intolerable repression  
139 of West Pakistan. Although the humanitarian outcomes of these interventions are apparent, the interveners  
140 were hesitant to declare them humanitarian interventions. This reflected the international uneasiness with the  
141 practice then. However, at the end of the cold war, there appears to be an international consensus in support of  
142 humanitarian intervention as evidenced by the unprecedented support to rescue the Kurds and Shiites in Iraq in  
143 1991. Besides rescuing civilians from repressive regimes, the demands of the post-cold war era have also drawn  
144 humanitarian interveners into situations that has been dubbed complex political emergencies, where conflict of  
145 multidimensional nature combines overwhelming violence with large scale displacement of people, mass famine,  
146 fragile and failing economic, political and social institutions, as has been the experience in Kosovo, Rwanda,  
147 Sudan, East Timor, Bosnia and other parts of Africa, Asia and Europe, where the cases have been breakdown of  
148 government authority and massive human rights abuses.

### 149 **4 III. Nature And Character Of The Post-Cold War World**

150 The post Cold War world is unarguably a world of wars and conflicts. The defining characteristic of the post-cold  
151 war era is unarguably that of increased civil wars and intra-state conflicts. Observing that the era of big wars  
152 between states in the world system seems to have been over, Shaw stated "A defining feature of world politics  
153 since the late 20 th Century is the decline in frequency of warfare between states in the international system" 23  
154 . This observation is particularly striking given the long history of warfare between and among states in Europe,  
155 East Asia and the North Atlantic regions in the centuries prior to the 21 st24 . In the 15 years period between  
156 1990 and 2005, only four of the active conflicts were fought between states: Eritrea-Ethiopia (1998-2000); India-  
157 Pakistan (1990-1992, and 1996-2003); Iraq-Kuwait (1991), and UK-Australia (2003) 25 . The remaining conflicts,  
158 172 in number were fought within states. It makes sense to assert from the strength of the above observation that  
159 intra-state conflicts and internal wars increasingly define the post-cold war global landscape. The end of the cold  
160 war has been characterized by a wave of violent civil wars and armed conflicts that have produced unprecedented  
161 human catastrophe and suffering. Although mostly intra-state, these conflicts have spread across borders and  
162 threatened international peace and security through mass refugee flow, proliferation of light arms and the rise of  
163 local mercenary groups. However beneficial the end of the cold war has been in other respects, it has far reaching  
164 negative implications on conflicts. Inter-alia, it has let loose a global deluge of surplus weapons into a setting in

165 which the risk of local conflict appears to have grown markedly. Since the end of cold war, from the Balkans  
166 to East-Timor, and throughout Africa, the world has witnessed an outbreak of ethnic, religious, and sectarian  
167 conflicts characterized by routine massacre of civilians. More than 100 conflicts erupted between 1990 and( D D  
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169 Year 2000, about twice the number for previous decades 26 . These wars have killed people in tens of  
170 millions, devastated entire geographic regions, and left many more millions of refugees and orphans. Little of the  
171 destruction was inflicted by the tanks, artillery or aircraft usually associated with modern warfare rather most  
172 was carried out with pistols, machine guns and grenades. During the cold war period, International Relations  
173 theorists and Strategic Studies analysts were preoccupied with inter-state wars and the bipolar confrontation  
174 between the East and West. However, the post-cold war period witnessed the eruption of new forms of conflicts,  
175 which do not fit into the traditional classifications. Terminologies to describe such conflicts include "Protracted  
176 social conflict" 27 , "International social conflicts" 28 , and "Complex political emergencies" 29 . These' new  
177 wars' according to Kaldor, "involve a blurring of the distinctions between wars?organized crime?and large-scale  
178 violations of human rights." 30 However, Smith 31 dismisses 'the new' war thesis and posit that vicious civil  
179 wars sustained by identity politics, supported by diasporas and waged by paramilitary gangs, have rumbled on  
180 from one decade to the next. He went on to argue that post-cold war interest in civil wars amongst international  
181 relations theorists was a product of cold war displacement. While we accept that Smith's argument makes sense,  
182 in that intra-state war is not a new phenomenon, however, significant changes can easily be seen in the goals of,  
183 and tactics used by warring groups in many parts of the world where intra-state conflict has been the experience.  
184 Most intra-state conflicts during the cold war period were either liberation struggles or proxy wars. But at the  
185 end of the cold war we saw the emergence of new forms of struggles and warlordism. The post-cold war conflicts  
186 are characterized by unspeakable acts of violence and brutality. The rape, mass burial of living humans in a  
187 single grave, torture, widespread burning and destruction of property as was seen in Kosovo, Bosnia, Sudan etc,  
188 represents examples of what takes place in the post-cold war conflicts. In explaining the violence that gripped the  
189 post-cold war world, Robert Kaplan, interpreted it as new barbarism, an expression of senseless and irrational  
190 convulsions of violence, and a return to medieval forms of tribal war and warlordism 32 . Despite their seemingly  
191 internal nature, they have regional and international dimensions and ramifications evidenced by the destabilizing  
192 effects of small arms proliferation, mass refugee flow and cross border conflagrations.

193 The explanation for these conflicts, their character, and their frequency is womb in the character and nature  
194 of the post-cold war world. The cold war, for all its risks and costs, and despite the reality of proxy wars and  
195 the potential for global holocaust, was not without its stabilizing aspects. Bipolarity or system based upon  
196 two poles, are arguably simpler and easier to manage than is the case in multipolarity, a system with multiple  
197 decision-making centers 33 . Also the cold war was unique in that the fear of escalation to global nuclear war was  
198 an inhibiting factor for both super powers. Rules of the road evolved, that limited the direct use of force by both  
199 countries, not only in Europe, but also in regional conflicts anywhere, lest they create circumstances where direct  
200 confrontation between them could arise. These rules also placed limits on what either super power could safely  
201 do in situations where the other had clear stakes. In the US-Soviet relationship, competition was structured and  
202 circumscribed, formally in the case of arms control, informally in the case of regional competition 34 . But the  
203 end of the cold war altered much of this. First, the splitting up of blocs has resulted in a loss of political control.  
204 Decentralized decision-making and the diffusion of political authority increase rather than decrease the potential  
205 for international challenges and crises. Second, with the relaxation of external threats and alliance systems, and  
206 the erosion of both empires and multinational states, nationalism entered a new phase. Movements are defined  
207 more by ethnicity than by political ideology as warring groups turn their energies inward, against populations  
208 within their borders. Such struggles have fast become commonplace. The end of Europe's division and the demise  
209 of the Warsaw Pact provided an opportunity for Yugoslavs to redress longheld grievances. Similar sorting out of  
210 ethnic, political, and geographic questions can be seen in the former Soviet empire. The consequence is conflicts,  
211 especially of the kind within former states, frequently resulting in massive flows of refugees and human suffering  
212 on a major scale. The end of the cold war saw an era of intensification of international linkages, made possible by  
213 revolution in information technology. Since then, there has been a relative weakening of the state. Technology:  
214 television, computers, telephones, fax machines etc, increase the scope and impact of communications across  
215 state borders, making it much more difficult for governments to control what their citizens know and others know  
216 about them. These trends contribute to the difficulty and at times inability of existing governments to contend  
217 with challenges to their authority.

218 The end of the cold war saw a triumph of democracy and liberalization philosophy 35 . Research and scholarship  
219 in International Relations has produced abounding evidence that there is a link between democracy, liberalization  
220 and conflict. In the statements of government policy makers and the writings of academics, especially in the  
221 1990s, market democracy took on the qualities of a universal antidote to misery and conflict. Writing in 1995 for  
222 example, Larry Diamond posited that "Democratic governments do not ethnically cleanse their own populations,  
223 and they are much less likely to face ethnic insurgency." 36 Reiterating this position, Boutros Ghali in his Agenda  
224 for Peace expressed that "The practice of democracy is increasingly regarded as essential to progress on a wide

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range of human concerns and to the protection of human rights.” 37 These human rights, he explained include “interstate and intra-state peace?” However, there are reasons to doubt that liberalization fosters peace. Although most liberal peace scholars tend to ignore this issue, a few have not, and their findings suggest that transitional countries may be prone to internal conflict 38 . During the 1990s the world celebrated a series of democratic transitions in post-communist and developing nations, and the resultant effect was that the new, weak democracies proved more likely to fall into conflict under pressures of ethnic rivalries, demagogue politics, and the hardships of simultaneous political and economic transitions 39 . There is a pool of evidence in which states between autocracy and democracy are more prone to war 40 . Such states have a mix of democratic and autocratic features in a single political system, a condition that Lacina calls anocracy 41 , i.e those that are passing through eras of political instability and transformation, and those that are simply weak states where would-be authoritarians cannot quite destroy the opposition. It makes sense therefore, to say that the spread of democratic transitions worldwide since the end of the cold war is the explanation for the prevalence of conflicts that painted the image of the era. The end of the cold war paved way for the dramatic changes in the world. A world hitherto driven by the divisions of ideology was to be integrated by markets and technology. Structural adjustment and the logic of the market, debt crisis and marginalization have all been intensified by the globalization process 42 . The current phase of globalization is accompanied by intensification of the structural adjustment programme and other economic reforms dictated by the IMF and the World Bank. These reforms aggravated the poor economic conditions of the people, causing impoverishment and desperation, which become a major cause of conflict in many countries. Against the Liberal bourgeois theoretical contentions, globalization has deepened economic underdevelopment, resulting to the emasculation of its provisioning power. Systemic frustration on its own ordinarily engenders aggression on the part of the frustrated. Problem thus arises for the political system when the disgruntled and the frustrated members of the polity are able to establish a linkage between their material depravity and the political system 42 .

## 6 IV. Defining Characteristics Of Post-Cold War Conflicts And The Imperative For Humanitarian Intervention

These conflicts and internal wars of the postcold war era, have many other defining characteristics, centering on salient issues of ethnic groups seeking greater autonomy or striving to create an independent state for themselves, such as the Kurds in Turkey, Chechens in Russia; religious conflicts involving especially intra-religious armed disputes between two or more sects of the same religion; failed states, where the authority of a national government has collapsed and armed struggle has broken out between the competing ethnic militias, warlords, or criminal organizations seeking to obtain power and establish control of the state; impoverished states, where there exists a situation of individual hardship or severe dissatisfaction with one’s current situation, as the World Bank describes the syndrome, “Low-income countries, where about a billion people live, face greatest risk of civil war, about 15 times that of high income countries.” 44 The post-cold war intrastate conflicts have the tendency for countries that have experienced one armed conflict to undergo two or more subsequent eruptions. The eruptions are with seemingly endless repetition. Moreover, the average duration of internal armed conflicts increased, once they erupt. As Hironaka noted, intra-state conflicts dominate the global terrain because they start and re-ignite at a higher rate than they end, and they last longer 45 . The examples of long-lasting civil wars in Burundi, Liberia, Ivory Coast, Sudan, Uganda, Rwanda, and Kosovo, bear this out. Unlike classical conception of war which is fought between armies, a shocking feature of the post-cold war armed conflicts is that warring factions often deliberately target vulnerable groups of civilians and humanitarian aid workers. Another noteworthy characteristic of the post-cold war wars and conflicts is their severity. The number of lives lost in intra-state violence has always been very high, and casualties from conflicts since the post-cold war era have increased at alarming rates. As Kegley put it, “The most lethal civil wars in history have erupted recently.” ??6 He went further to contain that “The cliché that the most savage conflicts occur in the home, captures the ugly reality as genocide and mass slaughter aimed at depopulating entire regions have become commonplace in recent civil wars”. That grim reality was illustrated by the Rwandan genocidal conflict, where the Hutu government orchestrated a genocidal slaughter resulting in the murder of about one million predominantly Tutsi and moderate Hutu people in a matter of months 47 . Sudan provides another horrifying example of the mass slaughter of civilians that often occurs when governments seek to keep power by destroying minority opposition groups. The Arab-

The conflicts of the post-cold war times have yet another characteristic: resistance to negotiated settlement. Study by ??egley 50 , reveals that making peace is difficult among rival factions that are struggling for power, driven by hatred and poisoned by the inertia of prolonged killing that has become a way of life. Few domestic enemies fighting in a civil conflict have succeeded in ending the combat through negotiated compromise at the bargaining table. Most intra-state wars end on the battlefield, but rarely with a decisive victory of one faction over another 51 . For this, fighting often resumes after a temporary cease-fire.

In the light of the raging nature and character of the post-cold war conflicts, this study maintains that armed humanitarian intervention is imperative. Sovereignty no longer seemed sacrosanct. Sacrosanct legal principles can be trumped in the name of necessity. Among other things, developments since the 1990s, and the character of the post-Cold War world order which is that of incessant and interneceine killings and bloodbath resulting from un-numbered intra-state squabbles and rancorous ethnic contestations, have contributed to the new sense of when

288 and how to intervene. Crucially, it created a new precedent in international sovereignty 52 . Doyle argues that  
289 some civil wars become so protracted that a common sense of sympathy for the suffering of the noncombatant  
290 population calls for an outside intervention to halt the fighting in order to see if some negotiated solution might  
291 be achieved under the aegis of sovereign arms 53 . Looking at such instances in most of the post-cold war conflict  
292 in which massacres become commonplace, it will be immoral for states not to intervene. The Rwandan genocidal  
293 conflict featured an estimated 43,000 Tutsis killed in Karama Gikoongoro, 100,000 massacred in Butare, over  
294 16,000 people killed around Cyangugu; 4,000 in Kibeho; 5,500 in Cyahinda; 2,500 in Kibungo. In Taba, the Hutu  
295 militia group, Interahamwe, killed all male Tutsis, forced the women to dig graves to bury the men, and then  
296 threw the children in the graves. One woman survivor recalled "I will never forget the sight of my son pleading  
297 with me not to bury him alive. He kept trying to come out and was beaten back. And we had to keep covering  
298 the pit with earth until there was no movement left." 54 . Hundreds of bloated and mutilated body floated on,  
299 and passed down the rivers on daily basis. Within the three short months of genocidal madness that took over  
300 Rwanda, a total of one million Tutsis and moderate Hutus were killed. As the Liberian conflict surged, Monrovia  
301 witnessed the worst death and destruction ever in that annals of that country. The streets became littered with  
302 corpses. The civilian survivors could not come out of their houses to even look for food. Those who wished  
303 to escape at that stage could not because the sea, air and land routes were closed. Everything in the country  
304 came to a halt. Only gun fighters ruled. It would have been indeed bad for the helpless and hapless Liberian  
305 and Rwandan population entrapped in such humanitarian emergencies to be denied intervention based on the  
306 sacrosanct observation of charter provisions that tend to limit intervention.

307 Justification for humanitarian intervention is also predicated on the obvious fact of the United Nations  
308 incapacitation to handle the conflicts alone, given their increased frequency and nature. Referring to the  
309 compounded and multiple global conflicts of the post cold war era, which limited the United Nations' interventions  
310 into African conflicts, Jinmi Adisa wrote, "The international community?is faced with broad array of conflicts?  
311 the intensity of those problems and the demand that they impose on the global system, threaten to overwhelm the  
312 institutional capacity of the United Nations." 55 Should others standby and look, many of the states embroiled in  
313 intra-state conflicts would have been exterminated from the political map of the world. Beyond this, the complex  
314 challenges of these conflicts do adversely affect the regional neighbours of the affected states and equally threaten  
315 global security. Referring to the Liberian case in West Africa, Babangida of Nigeria stated that "?chances are  
316 that such instability would spread into other neighbouring countries in the West African region. We the West  
317 African leaders said we were not going to allow such a thing to happen?Something has got to be done and this  
318 is what motivated everybody to get into Liberia." 56 . At the regional level, neighbouring states suffer from the  
319 devastating effect of massive refugee flow, spread of light weapons, local mercenaries and economic dislocation.  
320 Armed groups and local mercenaries use refugees as a cover to launch cross border attacks. At the global level,  
321 neglected internal conflicts even in the remote parts of the world can have negative impact on world peace and  
322 security. Reports have linked conflicts within states to the growing problem of international terrorism. Kabia  
323 contains that there existed a relationship between the RUF, an insurgency group in the Sierra-Leone conflict  
324 and Al Qaida 57 . This underscores the need for humanitarian intervention in the growing dangers of internal  
325 conflicts.

## 326 7 The obvious threats posed by internal conflicts to both

327 Post-Cold War Conflicts: Imperative for Armed Humanitarian Intervention regional and international stability  
328 suggests that they can no longer be regarded the internal affairs of the states in conflict. It should also be called  
329 to mind that most of the target states of humanitarian intervention are failed states lacking governments worthy  
330 of the protection of sovereignty. A government that is unable to offer protection to its citizens does not deserve  
331 the privileges and international recognition that comes with sovereignty.

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334 undertake, and certainly easier to justify. There is an obvious danger here. Big countries like the United  
335 States can use humanitarianism as a pretext to justify aggressive actions that serve to advance its economic and  
336 geo-strategic position in the world. Great powers have long justified their self-interested acts in terms of a higher  
337 moral purpose 58 .

338 "Perhaps the doctrine of humanitarian intervention is merely a way of excusing US aggression, and it should be  
339 viewed with the same cynicism that we now view Britain's 'white man's burden', France' 'Mission civilisatrice',  
340 the Soviet Union's 'defense of the Afghan people', or other great power rationalizations from previous eras." 59  
341 The 2003 US invasion of Iraq and the extended war that followed has proven a vexing issue for the interventionist  
342 intellectuals. Some pro-interventionist figures have supported the Iraq war, since it was conducted against an  
343 obvious tyrant with a murderous record, Saddam Hussein.

344 Long-standing neoconservative supporters of humanitarian intervention played a key role in organizing the Iraq  
345 war from within the Bush administration. And several Left-leaning figures supported the war, on the grounds  
346 that this was an authentic humanitarian action in defense of the Iraq people 60 . Other interventionists however,  
347 opposed this particular intervention, particularly because they distrusted the motives of the Bush administration.

348 And needless to say, the Iraq intervention occurred in a region, the Persian Gulf that was of obvious strategic and  
349 economic importance. The earlier arguments that humanitarian interventions do not involve selfish motive, great  
350 power interests are obscured by the Iraq case. As the Iraq war dragged on, and has produced negative effects  
351 from a humanitarian standpoint, the whole operation became more controversial for the general public and also  
352 for intellectual advocates of intervention. As Gibbs put it, the argument in favour of humanitarian intervention  
353 has been weakened by the Iraq experience 61 .

354 One of the requirements of the just war theory upon which humanitarian intervention is predicated is that of  
355 Right Intention. The requirement of right intention emphasizes that the intervener must have right and proper  
356 motivation which is to secure just cause and rescue those whose human rights are being massively violated.  
357 It has been contended that the reason for ECOWAS intervention into the Liberian conflict was beyond mere  
358 humanitarian factors 62 . Leaders like Babangida and Abacha were demonstrably accused of having vested  
359 personal interests in Liberia that sparked their intervention interests, not necessarily the humanitarian debate  
360 63 . The just war demand of right intention is further than the simple restatement of the just cause criterion.  
361 According to St. Augustine, the intellectual grandfather of the just war thesis, the craving to hurt people, the  
362 cruel thirst for revenge, the unappeased and unrelenting spirit, savageness of fighting on, the lust to dominate and  
363 suchlike, are rightly condemned in wars 64 . The intervention in Kosovo by NATO in 1999, was not motivated by  
364 genuine humanitarian objective, neither did it achieve an indubitable humanitarian ends. It exacerbated human  
365 rights abuses, spread the underlying conflict, and lowered the barriers to aggression everywhere 65 . The principle  
366 of right intention in humanitarian intervention warns interveners against several misleading motives. The other  
367 element of right intention as suggested by Kant is that the intervener must, prior to intervening, commit itself  
368 to upholding, to the best of its ability, the norm of right conduct during war among others. It is difficult to  
369 admit that self-interest did not mix in the intervention by NATO into Serbia. If not, why must leaders of NATO  
370 countries justify sending young men and women to suffer and to die where no national interest is involved? Thus  
371 it is contended that the real motivation was to prove NATO credibility, and to cement American control over the  
372 newly expanded alliance, and to rub it in the face of Russia 66 . As Hadjimichalis insists, "?humanitarian and  
373 ethical are well received and have a legitimate basis, they cannot convince us." 67 What was at stake in Kosovo  
374 was less the human rights of ethnic Albanians and much more geopolitical projects, and the project of USA  
375 global hegemony and the future political shape of Europe. Milosevic's policies provided an excellent opportunity  
376 to try out this new military dogma, the necessary companion of globalization. The long tradition of Marxist  
377 political economy and the notions like power, imperialism, barriers to capital accumulation and the like have been  
378 employed to situate NATO's presence and actions in Serbia. Thus Hadjimichalis concluded that the intervention  
379 was "?simply neoimperialism which appeared clearly in the new NATO dogma signed by its?countries on the 50  
380 th NATO anniversary in Washington in May 1999 and practiced brutally in Yugoslavia." 68 We need to ask like  
381 Bideleux

## 382 **9 A Critique Of Post-Cold War Humanitarian Intervention**

383 One possible objection to humanitarian intervention is that it makes intervention easier to do what the  
384 relationship is between neo-liberal globalization and regional wars, since during the years of post-Cold War  
385 era, we have had more of such wars in all of which the USA was the leading actor? 69 . What is the role of  
386 global financial institutions like the IMF in these wars, and particularly in the destruction of the former Yugoslav  
387 Republic? 70 What, and for whom, are the geopolitical benefits of the economic dependency of all former Soviet-  
388 dominated countries on international banks? 71 In order to understand deeper things that border on the NATO's  
389 acclaimed humanitarian intervention in Serbia in the acclaimed defense of the abused Kosovo Albanians, it is  
390 important to note that a particular characteristics of the former Yugoslav Republic (especially Serbian part)  
391 is its non-alignment. There is strong belief in self-reliance and in independence from great powers, for which  
392 it has paid dearly since the Second World War when it broke away from the Soviet bloc. After 1989 and the  
393 defeat of Stalinist communism in Europe, all former socialist states became dependent ones, relying on foreign  
394 investors, on IMF, and the World Bank for their survival. This was less true of Yugoslavia, which managed to  
395 keep a relatively high standard of living, a strong cultural identity and a strong military presence in the Balkans.  
396 This was achieved via its policy of self-reliance, grounded partly in a developed industrial and agricultural base.  
397 In the neo-liberal globalized framework in which 'either you join or you will be wiped-out', the tendency became  
398 clear: the country turned a 'black hole' in the Balkans, a non-collaborating site of resistance among 'ready-  
399 to-give-all' neighbours. Human rights thus gave a cloak of legitimacy to more significant geopolitical reasons.  
400 Two points are in order: First, although Yugoslavia lacks important strategic resources, it possesses something  
401 more valuable for neoimperialism: its strategic location in the middle of the historical road connecting Central  
402 Europe with the East and Black Sea. "This road is of a growing importance due to the future construction  
403 of new major oil and gas pipelines for the transportation of Russian resources from the Black Sea through the  
404 Belgrade plain to Central Europe and through Kosovo-Montenegro to the Adriatic sea." 72 Secondly, political  
405 forces in Yugoslavia, including the democratic opposition, still belong to the communist, left-wing tradition of  
406 the Yugoslav route to socialism, which managed albeit with many deficiencies in social and regional equality, to  
407 promote a successful balance between central planning and market forces. It should be remembered that during  
408 the 1970s and early 1980s, the Yugoslav model was infant-gate of western planners, who saw it as the alternative  
409 to the authoritarian Soviet model. This tradition permitted Yugoslavia to remain, until this war, the only

## 11 CONCLUSION

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410 country in Europe unwilling to accept the neo-liberal capitalist model imposed by globalization. It became clear,  
411 therefore, that the combination of strategic location with a non pro-West government, the non-alignment tradition  
412 of the country plus the cultural-religious sympathy with Russians, could turn to a situation in which a crucial  
413 strategic area in central Europe could remain beyond the control of the USA-EU-NATO globalized interests. This  
414 researcher believes that the parallel project of neoimperialism provides us with a possible explanation of NATO's  
415 war of intervention in Serbia. It also answers the question of why civilian infrastructure was destroyed. The  
416 country is now forced to turn to western banks and financial institutions to rebuild what has been destroyed by  
417 NATO's bombs. Where neo-liberalism could not be imposed peacefully, it is now introduced by force, alongside  
418 the dependency of the country on Western interests. Even the involvement of Russia was due less to its cultural  
419 and religious links with Yugoslavia and more to its prime interest in the safeguarding of the oil route, the only  
420 valuable resource it can export. Russia is economically destroyed and totally dependent on the World Bank, while  
421 its army lacks the capacity of the past. So NATO and the USA, by playing the card of Yugoslavia's destruction,  
422 were also checking the various degrees of Russian resistance. The same is true of China. The bombs on the  
423 Chinese embassy in Belgrade were not an accident ??3 . The bombing happened while there was a major peace  
424 effort in progress, after the German initiative and the G8 formula for the UN Security Council. And it was a  
425 sign to Asia as to who has the upper hand in the new millennium.

## 426 10 VI.

## 427 11 Conclusion

428 The whole basis for humanitarian intervention is provided by prior agreement about the existence of universal  
429 human rights as embodied in Articles 55 and 56 of the United Nations Charter. Article 55(c) states "The United  
430 Nations shall promote universal respect for, and observance of human rights and fundamental freedoms without  
431 distinction as to race, sex, language or religion", article 56 states, "all members pledge themselves to take joint  
432 and separate action for the achievement of the purpose set for in article 55". While subscribing strongly to the  
433 abounding chances and possibilities of abuse and misuse of the concept and practice of humanitarian intervention,  
434 this paper thesizizes that given the reality of the global post Cold War era which featured a new pattern  
435 of conflicts, armed humanitarian intervention is imperative. Due mainly to the post Cold War disheartening  
436 situation of continued intra-state conflicts of interneccine kinds with its concomitant devastating consequences  
437 on civilian population, especially women and children, the age long grasp of sovereignty as sacrosanct is being  
438 increasingly soft-pedaled. Compassion for the suffering of the helpless civilian population has evoked intervention  
439 and interference with the affairs of a state by another state, several states or a group of states. Where failed  
440 states exist, or genocide is threatened, outsiders should ignore sovereignty and assert a right to intervene to  
441 protect threatened people. Several responses to the question of humanitarian and recent states and international  
442 practice have indicated an emerging international consensus on humanitarian intervention. circumstances. The  
443 United Nations also acquiesced in military intervention by West African regional forces in Liberia in 1990 and in  
444 Sierra-Leone in 1997. NATO's intervention in Kosovo is adjudged not obviously illegal. Although the Security  
445 Council failed to endorse the action in advance, it did reject a resolution condemning it, and engaged in a form  
446 of retroactive endorsement through resolutions at the end of the conflict. The renewed global understanding on,  
447 and the perception of armed humanitarian intervention is well captured by the ex-Secretary General of U.N.O  
448 and ex-president of United States of America, Koffi Annan and Bill Clinton respectively: "Our job is to intervene:  
449 to prevent conflict where we can, to put a stop to it when it has broken out, or when neither of those things is  
450 possible, at least to contain it and prevent it from spreading." "?if somebody comes after innocent civilians and  
451 tries to kill them en masse because of their race, their ethnic background, or their religion, and it's within our  
452 power to stop it, we will stop it." ??4 <sup>1 2 3</sup>

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<sup>1</sup>Post-Cold War Conflicts: Imperative for Armed Humanitarian Intervention

<sup>2</sup>© 2012 Global Journals Inc. (US) Year

<sup>3</sup>© 2012 Global Journals Inc. (US)



Figure 1:

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