

Humanitarian Intervention After Iraq: Legal Ideals vs. Military Realities

by James Kurth

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The theory of humanitarian intervention has received new attention since the humanitarian crises of the 1990s and the United States' becoming the world's sole superpower. The actual practice of humanitarian intervention, however, has declined. It is difficult to forge the political will for it when the countries composing the global organizations that could provide the political legitimacy disagree on an intervention, and with so few countries—mainly the United States and Great Britain—capable of providing the required expeditionary forces. Moreover, the Afghanistan and Iraq wars have diminished the United States' political will, military capability, and diplomatic credibility to conduct future humanitarian interventions. In particular, those wars precluded its intervention in the current genocide in Darfur. Regional bodies such as the African Union may be the only entities that can, with aid and training, undertake effective interventions.

The United States' ascension to the role of the world's sole superpower in 1991 generated a great debate among American foreign policy professionals and unleashed the imagination of many commentators on foreign affairs. For a while, all things seemed possible. Some commentators, especially neoconservatives but also many neoliberals, began to call for the establishment of an American empire and for unilateral U.S. military intervention to promote globalization and spread liberal democracy, free markets, and open societies around the world. Other commentators, especially human rights activists, began to call for the establishment of "global governance" based upon robust international institutions empowered to enforce universal human rights upon rogue nation-states that abuse their citizens. In particular, these commentators advocated multilateral humanitarian intervention by international organizations. Although these two groups—the protagonists of American empire and the protagonists of global governance—normally disliked each other, their policy positions on many military interventions actually had much in common, and both

supported the humanitarian interventions that became frequent in the 1990s.

The Rise and Fall of Humanitarian Intervention

The 1990s were a decade of humanitarian intervention. The decade began with high hopes of ending massive human rights abuses, particularly large-scale massacres or genocides, through UN intervention. These hopes vanished after the UN's failures in Bosnia, Somalia, and Rwanda, but they were succeeded by new hopes for U.S. intervention, which hopes seemed to be validated by U.S. successes in Bosnia and Kosovo and even, to a degree, in Haiti. There were also the successful interventions carried out by Australia, with U.S. support, in East Timor in 1999 and by Britain in Sierra Leone in 2000.¹

By the beginning of 2001, the hopes for a future in which humanitarian intervention would bring an end to the long and baleful history of genocides reached a sort of apotheosis in a major international document, *The Responsibility to Protect*.² Since then, a large contingent of international lawyers has continued to develop new doctrines of limited sovereignty that would give the "international community" or particular international organizations the right, indeed the obligation, to undertake military intervention against a national government that is engaging in massive human rights abuses of its citizens.³

Unfortunately, even as the theory and law of humanitarian intervention have ascended to unprecedented heights, the actual practice of humanitarian intervention has been in decline. So far, the 2000s have not seen effective humanitarian intervention by anyone, be it the international community and international organizations, the United States, or others. Instead of pursuing humanitarian interventions, the United States has engaged in two wars, one in Afghanistan and one in Iraq, that the Bush administration justified in human rights terms. This is especially true in the case of Iraq, but the real impact of that war has been to make humanitarian intervention by the United States elsewhere impossible. This radically reduces the prospects for successful humanitarian interventions in the future, while improving the prospects for undeterred and uninhibited ethnic massacres or genocides, such as has been occurring in the western Sudan.

¹ See the Fall 2001 special issue of *Orbis* focusing on humanitarian intervention. A recent compilation of articles on humanitarian intervention forms the Winter/Spring 2005 issue of *Global Dialogue*, published by the Centre for World Dialogue, Nicosia, Cyprus. An earlier version of the present article was published in that volume.

² International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa, Ontario: International Development Research Centre, Dec. 2001).

³ See Amitai Etzioni, "Sovereignty as Responsibility," in this issue of *Orbis*.

Organized Massacres

Ethnic massacres or genocides are commonly thought to be the product of longstanding and widespread hatreds between opposing ethnic groups within a society. Certainly, these hatreds have been present to some extent in the most infamous ethnic massacres or genocides of recent years, and the ethnic-hatreds explanation for these conflicts has important policy implications for humanitarian interventions. If the ethnic hatreds are really longstanding and widespread, no outside intervention can get at the roots of the conflict. With the inevitable eventual departure of the intervention forces, the conflict is likely to erupt again, perhaps even attaining the scale of massacres or genocide again.

Ethnic hatreds among a population may be a necessary condition of massacres or genocide, but they are not a sufficient condition. There has always been a large organization, indeed usually a modern bureaucratic state, behind them.⁴ In the prominent examples from the 1990s, this organization was the Milosevic regime and the Serbian state and para-state organizations (e.g., army and militias) that it controlled and deployed in Bosnia and Kosovo; the Hutu regime and its state and para-state organizations (again, army and militias) in Rwanda; and the Indonesian military and its auxiliary militias in East Timor. (In Sierra Leone, the organizations that directed the massacres were not part of the state, which had largely collapsed, but consisted of a number of warlords and their militias.)

When one adds to ethnic hatreds a state organization that can direct them, and indeed plan, order, and execute actions based on them, then one has the sufficient condition for genocide or massacre. This two-part explanation of ethnic conflict has important policy implications for intervention, and they are quite different from those of the ethnic-hatreds explanation. If massacres or genocides are really the product of a specific state or para-state military, then it will take another military from the outside to defeat them and to stop the killing. Once the murdering organizations are destroyed by the intervention forces, a peace of sorts can be established. The central question obviously then becomes, who can and will provide the outside military force? Both the can (military capability) and the will (political will) are essential.

A humanitarian intervention therefore requires both a political authority, to decide upon and authorize it, and a military force, to carry it out. The possible political authorities have varied from the government of a particular nation-state, such as the United States or Britain; through regional organiza-

⁴ Samuel Totten, William S. Parsons, and Israel W. Charny, eds., *Century of Genocide: Eyewitness Accounts and Critical Views* (New York: Garland, 1997); Robert Melson, *Revolution and Genocide: On the Origins of the Armenian Genocide and the Holocaust* (Chicago: University of Chicago Press, 1996); Samantha Power, *'A Problem from Hell': America and The Age of Genocide* (New York: Basic Books, 2002).

tions, such as NATO or the European Union; to the most universal organization of all, the UN. The possible military forces have varied from standing expeditionary forces (e.g., the military forces of, again, the United States or Britain), through temporary coalitions of similar military forces under the leadership of one of them (e.g., the NATO forces in Bosnia and Kosovo), to ad hoc multinational forces composed of disparate military units drawn from several different states (e.g., the UN peacekeeping forces in the initial phase of the interventions in Somalia, Bosnia, and Sierra Leone). In practice, therefore, there seems to be a correlation between the kind of political authority and the kind of military force.

The Trade-off between Legitimacy and Efficacy

Judging by recent history, there may be something of a trade-off between the legitimacy and the efficacy of an intervention. The political authority with the greatest legitimacy among the widest number of states is the UN. However, almost any proposed humanitarian intervention is likely to be viewed by one of the five permanent members of the UN Security Council as a threat to its particular interests (as has recently been the case with China in regard to Sudan, where the Chinese have substantial oil concessions), and the proposed intervention will likely be vetoed. Thus, the most legitimate political authority is also likely to be the least efficacious one.

Conversely, the political authority with the greatest efficacy, in the sense of being able to decide upon and authorize an intervention quickly and coherently, is the government of a particular nation-state with modern, standing, expeditionary (overseas) military forces, probably the United States, Britain, France, Australia, or Canada. Interventions undertaken by either Britain or France have some legitimacy problems because of their colonial pasts (and because of France's recent interventions in Africa, which were clearly in pursuit of its particular interests). But interventions undertaken by the United States have their own legitimacy problems, because of the controversial record of past U.S. interventions and because of fears of a U.S. imperial future. Thus, the most efficacious political authority is also likely to be the least legitimate one.

Perhaps this trade-off between legitimacy and efficacy can be transcended by turning to the middle kind of political authority, that is, a regional organization composed of somewhat similar states. For example, the NATO interventions in Bosnia and Kosovo had a respectable degree of legitimacy and also a reasonable degree of efficacy. Unfortunately, most regional organizations are not yet organized to the point that they can decide upon and authorize something as difficult and demanding as a humanitarian intervention. This is the problem with such loose organizations as the Association of Southeast Asian Nations (ASEAN) and all the other regional groups in Asia and with the African Union (AU) and all the other regional groups in Africa.

The Dismal Record of UN Interventions

In the early 1990s, the answer to the question, “Who can and will intervene?” was the UN as the universal political authority, combined with ad hoc multinational forces assembled for each operation and composed of military units from several different nations. The UN had accumulated a relatively successful record of peacekeeping operations over the 1970s and 1980s this way. With the collapse of the Soviet Union, which had sometimes vetoed UN peacekeeping missions, it seemed that the UN could build upon its peacekeeping record and even expand its scope to peace-enforcing. Thus, when Somalia and Bosnia posed humanitarian problems in 1992, the major powers, including the United States, proposed this UN formula. It was also the answer initially applied to Sierra Leone when its state failed and the country fell into anarchy, murder, and mayhem.

As it turned out, each of these UN interventions in failed states became notorious failures themselves. In Somalia, the UN forces first had to be rescued by U.S. forces, and then both withdrew and left the Somalis in chaos, where the country remains even now. In Bosnia, the UN forces did not stop the ethnic massacres, which culminated in the murder of 7,000 men and boys in Srebrenica in 1995. In Sierra Leone, the UN forces had to be rescued by British forces, who then carried out an effective intervention. And in Rwanda, the UN forces were prevented by the UN leadership in New York from stopping the genocide of 800,000 Tutsi.⁵

There has been some slight improvement in UN interventions more recently. UN forces have been engaged in a continuing, though largely ineffective, intervention in the eastern region of the Democratic Republic of the Congo (formerly Zaire), where the anarchy and violence continue also. And since 2003, UN forces have maintained a tenuous and unstable peace in Liberia, a country that had been torn apart by a dozen years of warlord violence.

The Ambiguous Record of Other Interventions

The several cases in the 1990s where military intervention was clearly successful in stopping massacres were undertaken by U.S. and NATO forces (in Bosnia, in 1995, and Kosovo, in 1999); Australian forces, in East Timor in 1999; and the British, in Sierra Leone in 2000. U.S. military forces were also able to stop the human rights abuses by the military regime in Haiti in 1994.⁶ However,

⁵ Power, *A Problem from Hell*, chs. 9–11.

⁶ Even the U.S. interventions in Bosnia, Kosovo, and Haiti are seen as failures in the critical account by Gary T. Dempsey and Roger W. Fontaine, *Fool's Errands: America's Recent Encounters with Nation Building* (Washington, D.C.: Cato Institute, 2001). See also David Rieff, *A Bed for the Night: Humanitarianism in Crisis* (New York: Simon and Schuster, 2002), especially chs. 4 and 6.

the U.S.-installed successor government, the Aristide regime, perpetrated its own abuses in later years, until the United States intervened again in 2004 in order to depose it. This time, however, the U.S. military intervention was modest in scale and brief in duration. Upon the departure of American forces, a pervasive anarchy ensued.

These five cases largely complete the list of successful humanitarian interventions since 1991. They are balanced by some unsuccessful ones, such as that by U.S. and UN forces in Somalia (1992–93) and by West African forces in Liberia and in Sierra Leone (the mid-1990s). Moreover, the successful cases should be compared with, and perhaps are outweighed by, the many cases of non-intervention, when massacres or genocide persisted with no intervention by the UN, a regional organization, or a major power. The most notorious case was, of course, Rwanda, but the list also includes Sudan (in particular, the southern region until 2003 and the western region of Darfur since then), Burundi, and Angola. Overall, then, the historical record of humanitarian interventions is more one of failure than success.

The Successful Cases of Humanitarian Intervention

The above record might suggest ways humanitarian intervention could work in the future. In each of the five successful cases, the intervention was decided upon by the political authorities of a particular state—the United States (even if it operated within the framework of NATO), Britain, or Australia—and carried out by that state’s professional military forces. These forces had expeditionary capabilities, and there was unity of command with respect to decision-making and decision-execution—that is, at both the political and the military levels. The interventions could therefore be undertaken decisively and quickly, and executed with focus, persistence, and effectiveness. This contrasts, for example, with the feckless UN intervention in Bosnia, where there was no unified political authority for its modern military forces, and the ineffective West African interventions in Liberia and Sierra Leone, where there was some unity of decision-making around the Nigerian government, but the intervening nations lacked modern military forces. Of course, even when the decision-making is unified and the military forces highly professional, the intervention will fail if political decision-makers are feckless, as was the case with the Clinton administration in Somalia.

The Necessary Role of a Modern State

Under today’s conditions, it would appear that a successful humanitarian intervention can only be undertaken when a modern state with modern military forces is willing to do so. Not only must the forces be highly professional, they must also be capable of expeditionary operations. The

number of modern states is rather large, but of them, only the United States, Britain, France, Canada, and Australia possess modern, professional, and expeditionary military forces. It is no coincidence that the five successful humanitarian interventions were carried out by three of these countries (the United States, Britain, and Australia), that another (France) has a long history of (non-humanitarian) military interventions in Africa, and that Canada has a long history of participating in peacekeeping operations.

Among these five states, the United States obviously looms large. Indeed, in most cases, it is the only nation from which humanitarian intervention might come. The other four states capable of it can generally take the lead in deciding upon and carrying-out an intervention only in limited circumstances. Britain may take the lead in an intervention in one of the smaller of its former colonies, as in Sierra Leone; France on occasion may also take the lead in an intervention in one of its smaller former colonies, if the intervention directly serves its particular interests, as in the Ivory Coast in 2004. Australia may take the lead in an intervention in its immediate region, as in East Timor. As for Canada, which no longer has a substantial expeditionary capability, the only places where it might take the lead in an intervention are certain former British colonies in the Caribbean.

If one adds up all of the potential afflicted countries that might be rescued by Britain, France, Australia, or Canada, it is obvious that large numbers of countries (and especially large countries) are outside these countries' combined sphere of intervention. Excluded countries include such present and potential arenas of massacres or genocide as Sudan, Congo, Burundi, and, not too far in the future, other parts of Africa as well. Can we expect the United States to step into this African void?

The United States and African Interventions

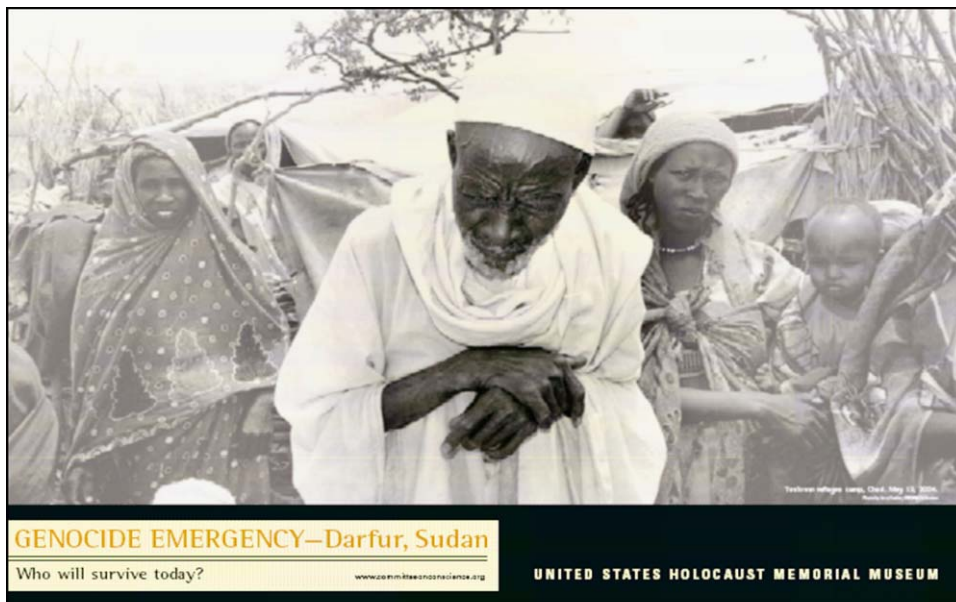
Even during the 1990s, when American willingness to undertake humanitarian intervention was at its peak, the United States evinced very little interest in intervening in Africa. The failed intervention in Somalia was the exception that proves the rule. While Somalia is an African country, its location at the southern end of the Red Sea and just across from the Arabian Peninsula also puts it, for many geopolitical and economic purposes, in the Middle East. But even U.S. geopolitical and economic considerations were not enough to persuade the United States to remain in Somalia after its famous setback in Mogadishu. Somalia's humanitarian disaster has continued for more than a decade, right up until today.

Of course, the United States was at the center of the most notorious case of non-intervention in the last generation, Rwanda. As is well-known, the Clinton administration not only declined to have U.S. military forces intervene in Rwanda, but it actively prevented the UN from obtaining military forces from

other countries. (This April 1994 decision for non-intervention was largely a reaction to the Mogadishu debacle six months earlier, in October 1993.)⁷

The United States did almost nothing even in the case of Liberia, the one African country where it had had a very long-standing and direct political and economic involvement, when that country collapsed into anarchy and massacres after 1989. It occasionally sent units of the Marines to protect or evacuate American citizens, but the murder and mayhem of Liberians continued for a dozen years.

Finally, in terms of sheer numbers of deaths caused by war, genocide, or anarchy, the two most massive human rights disasters of the past generation have been the Congo (more than 2 million deaths from war or from consequent famine and disease in the 1990s–2000s) and Sudan (more than 2 million deaths in southern Sudan in the 1980s–90s and now more than 200,000 deaths in Darfur since 2003). Washington has done nothing in the Congo, and the disaster continues. In regard to Sudan, the Bush administration did use extensive and focused diplomatic and political pressure to bring about a peace of sorts in southern Sudan in 2003–05. But this seems to be having the effect of displacing the human rights violations—indeed, the genocidal operations—of the Sudanese government into western Sudan. Washington has officially criticized these human rights violations as genocide, but has done nothing else, and the disaster continues.



Poster courtesy of the Committee on Conscience, U.S. Holocaust Memorial Museum.

⁷ Power, “A Problem from Hell,” pp. 340–4, 374–5, 510–11.

Africa, therefore, presents a particularly tragic and paradoxical problem in regard to the prospects for humanitarian intervention. The continent presents the largest number of countries (and the largest countries) where massacres and genocides are now occurring and are likely to occur in the future. It is where the need for humanitarian intervention is greatest. For a small number of African countries (especially if they are small ones), either Britain or France might be able to undertake a successful intervention, not unlike their interventions in Sierra Leone or the Ivory Coast. However, for most African countries, only the United States will have the military capability to intervene successfully. But because of its lack of either deep historical connections or contemporary vital interests in Africa, it is not likely to have the political will to do so.

Washington's reluctance to undertake humanitarian interventions in Africa, or indeed any place else, in the near future is deepened by two other U.S. realities, one relating to the U.S. military and the other to the consequences of the Iraq War, that have recently come into being.

The U.S. Military's Perspective

Only a military force that can conduct land operations can carry out a true humanitarian intervention undertaken to defeat and destroy a local military or militia that is executing large-scale massacres or genocide. The U.S. Army and the U.S. Marines are both capable of this, but have very different specific capabilities.

The U.S. Army participated in successful interventions, or, more accurately, peacekeeping occupations, such as those in Haiti, Bosnia, and Kosovo in the 1990s. However, in each case the Army was initially reluctant to do so, and President Clinton had to exert considerable pressure on the Army leadership before they took up the task.⁸ That is because the Army sees itself as the military service that fights other large armies in conventional ground-combat operations. Its classic historical opponents were the German and Soviet armies, and for decades the U.S. Army was designed to fight this kind of enemy. In the 1990s, the closest remaining equivalents were the Iraqi army and the North Korean army, and the Army was still organized to fight this kind of enemy. Although it would have been perfectly capable of fighting the regular army of the Milosevic regime, it was unprepared to fight irregular militias or to maintain a military occupation. The Army's reluctance to undertake this kind of military operation was powerfully reinforced by its experiences in Vietnam and Somalia. Thus it was reluctant to deploy to Haiti, Bosnia, and Kosovo. As it happened, the Army was able to withdraw quickly from Haiti, and even

⁸David Halberstam, *War in a Time of Peace: Bush, Clinton, and the Generals* (New York: Scribner, 2001).

though it remained in Bosnia and Kosovo for a long period, it did not have to engage in significant combat there. This did not, however, make the Army any more eager to engage in these kinds of unconventional operations.

Indeed, the Iraq War has largely demonstrated the good sense of the Army's self-definition. The Army was extremely successful in defeating the regular Iraqi army in spring 2003. However, it has been very unsuccessful since then in dealing with the irregular Iraqi insurgents and in maintaining the military occupation. Its current ordeal in Iraq will make the Army extremely reluctant, even resistant, to undertake any such unconventional operations, including humanitarian interventions, in the future.

In contrast, the U.S. Marine Corps at one time emphasized its long role as an expeditionary force that could engage in unconventional or counter-insurgency operations against irregular forces.⁹ But this tradition was eclipsed during World War II by a new one that focused on amphibious operations against another conventional force (e.g., the Japanese army on the islands of the Pacific), and during the Cold War, the Marines were even trained to fight the Soviet army in such places as northern Norway. However, in the 1990s, the Marines began to recover and reemphasize their earlier, expeditionary tradition. Although the experience of Iraq has been an ordeal for the Marines, as it has been for the Army, the Marines are more likely to view the experience as one to build upon, rather than one to avoid in the future. It is possible, therefore, that the U.S. Marine Corps will remain open to undertaking humanitarian interventions in the future.

For the most part, however, the Iraq War has had very damaging consequences for humanitarian intervention. The war has developed in a way that will make it almost impossible for the United States to undertake such an intervention over the next several years, and it has greatly impaired both the political will and the military capability necessary for such interventions.

The Consequences of Bosnia, Kosovo, and Afghanistan

Had the Iraq War in 2003 followed the pattern of the Bosnian intervention of 1995, the Kosovo War of 1999, or the Afghan War of 2001, the prospects for more U.S. humanitarian interventions would have been greatly enhanced. In each of these cases, prior to the beginning of U.S. military operations, critics and skeptics—often with great professional expertise and reputation—had warned that U.S. forces would get bogged down in a long and difficult war. They pointed to Somalia, Lebanon, and especially Vietnam. As it happened, however, in Bosnia and Kosovo, U.S. air power, along with the ground forces of local allies, such as the Croatian Army and the Kosovo

⁹Max Boot, *The Savage Wars of Peace: Small Wars and the Rise of American Power* (New York: Basic Books, 2002).

Liberation Army, was sufficient to win the war. In Afghanistan, the combination of U.S. air power and a small number of U.S. special forces—again, along with the more numerous ground forces of local allies, such as the Northern Alliance—was sufficient to win the war. These United States seemed to have perfected a new, American way of war, one that involved very little commitment of ground forces, that could achieve its objectives very quickly, and that would result in minimal American deaths. The critics and skeptics, it seemed, had been proven wrong. Most importantly, the United States could now look forward to similar quick and inexpensive successes in future military operations, including humanitarian interventions.

The human rights advocates in the Clinton administration drew this conclusion after Kosovo, and if Vice President Albert Gore had become president in 2001, the United States might have been ready to undertake another humanitarian intervention when an appropriate case arose. (In summer 2001, Macedonia seemed to be on the brink of an ethnic war.) In contrast, the Bush administration in its first months publicly and clearly expressed its view that humanitarian intervention was remote from U.S. vital interests. Human rights advocates, however, were still enthusiastic that humanitarian interventions with U.S. military forces could and should be a major pillar of the emerging order of universal human rights. They became even more enthusiastic after the apparent success of the Afghan War. Some, most notably Michael Ignatieff, director of the Carr Center for Human Rights Policy at Harvard University, even became advocates of an “American empire,” which would impose and enforce human rights around the world.¹⁰

The Course of the Iraq War

When the Bush administration decided, after the 9/11 attacks but even before the conclusion of the Afghan War, that it would go to war with Iraq, it did so because of its own definition of U.S. vital interests. These included both security interests (the presumed threat of weapons of mass destruction under the control of Iraq or even Al Qaeda) and economic ones (the anticipated U.S. control of Iraqi oil production). But some prominent members of the administration—most obviously then Deputy Secretary of Defense Paul Wolfowitz, but also probably President Bush himself—saw a U.S. vital interest in bringing about the democratization of Iraq, and then using Iraq as a model to spread liberal democracy and free markets to other countries in the Middle East, most notably Syria and Iran.¹¹ And because the Saddam Hussein regime had engaged in

¹⁰Michael Ignatieff, “The Burden,” *New York Times Magazine*, Jan. 5, 2003 (the title given on the magazine’s cover was “The American Empire (Get Used to It)”; see also his “The Challenges of American Imperial Power,” *Naval War College Review*, Spring 2003.

¹¹James Kurth, “Ignoring History: U.S. Democratization in the Muslim World,” *Orbis*, Spring 2005.

massive human rights violations in the past (against the Kurds in 1988 and against both Kurds and Shiites in 1991), it was easy for the Bush administration to claim that its war against Iraq was actually a sort of humanitarian intervention. The fact that the massacres had occurred more than a decade before was unimportant. Michael Ignatieff and other prominent advocates of humanitarian intervention joined the Bush administration and its supporters, neoconservative and other, in promoting and justifying the war against Saddam's regime.¹²

The first phase of the Iraq War (March–April 2003) followed the trajectory of the Bosnian, Kosovo, and Afghan wars and seemed to validate the new American way of war. Saddam's regime and the Iraqi army quickly collapsed, and the operation promised to go down as a great leap forward in the progress of democratization and humanitarian intervention. But then, in summer 2003, there began a persistent insurgency against the U.S.-led occupation forces. The continuing ordeal of U.S. military forces in Iraq may have totally demolished the confident predictions about the new American way of war and the grand speculations about a new American empire.

The Consequences of the Iraq War

Among the casualties of the Iraq War has been the U.S. political will to undertake any new humanitarian interventions, let alone those that are remote from U.S. vital interests. Even with the reelection of President Bush in November 2004, the administration has no mandate to undertake a new intervention, in part because there is no credibility left in its justifications for undertaking its intervention in Iraq. Those political writers who only three years ago enthusiastically advocated the war, as well as interventions to impose democratization and human rights more generally, now devote themselves to criticizing the administration for its inept way of conducting the war and the occupation. Insofar as they contemplate any new military operations, it is only in regard to the growing nuclear capability of Iran. About humanitarian intervention, even with respect to the human rights disaster in Darfur, they have had nothing to say.

Even if by some oddity the American political will to undertake military interventions had survived the ordeal in Iraq and was ready to order a new intervention, the U.S. military capability to carry it out no longer exists. With the U.S. ground forces stretched to their limit in Iraq, there is no reserve of ground forces left to engage in sizable and extended operations anywhere else. It is telling to note that the U.S. Marine operation in Haiti in 2004 was much smaller and much briefer than the earlier, joint Army-Marine operation there in 1994; it was truly a case of too little, too late. The Haitian population has been left in anarchy and misery. In a sense, they too have become casualties of the Iraq War.

¹²Michael Ignatieff, "I Am Iraq," *New York Times Magazine*, Mar. 23, 2003.

The Iraq War also diminished the United States' credibility in arguing for intervention before the UN, as with the Darfur genocide in Sudan. The way the United States treated the UN prior to the Iraq War—presenting evidence and arguments that were later discredited, then going to war despite UN opposition—gave it a bad reputation when the administration came to the UN again, in regard to Darfur, in fall 2004. Of course, the United States would have faced substantial opposition from, for example, China in the Security Council and the Arab and many African states in the General Assembly, because of their calculations of state interests. But the legacy of the Iraq War made it seem legitimate, and therefore made it easy, for these states to oppose the United States on Darfur.

By destroying the United States' political will, military capability, and diplomatic credibility, the Iraq War has made it almost impossible for the United States to undertake any humanitarian intervention in the foreseeable future. In particular, it has made it impossible for the United States to undertake any intervention against the greatest recent case of genocide, that by the Sudanese government and its auxiliaries against the African population in Darfur. And so, they too in a sense have become casualties of the Iraq War.

The human rights advocates who supported going to war in Iraq have much to answer for. They did not themselves *cause* the war; the Bush administration had its own reasons and would have gone to war for these alone. However, the human rights advocates helped to *legitimize* the war; the administration used these advocates to confuse and divide liberals who were otherwise inclined to oppose the war. In a sense, these human rights advocates were accessories to the war and to its attendant deceptions. They contributed to the war and to the afflictions that it has brought to its victims, directly in Iraq and indirectly elsewhere, as in Darfur. They are guilty, in short, of a morally unconscionable recklessness.¹³

The Specter of an Iraq Syndrome

The ghost of the Iraq War is likely to haunt America and to deter U.S. interventions for years, even after the war is over. For this is what happened in the aftermath of the Vietnam War. The U.S. debacle in Vietnam produced “the Vietnam syndrome.” Its practical effect was a period of more than a decade in which both policymakers and the public were extremely reluctant to undertake any intervention with substantial numbers of ground forces. There were a couple of small and fitful uses of military force during this period (the Iranian rescue mission of 1980 and the Lebanese intervention of 1982–84), which failed in part because of insufficient forces. There was also the successful

¹³ David Rieff, *At the Point of a Gun: Democratic Dreams and Armed Intervention* (New York: Simon and Schuster, 2004), especially pp. 157–72, “The Specter of Imperialism: The Marriage of the Human Rights Left and the New Imperialist Right.”

intervention in Grenada in 1983, a case of overwhelming force against a small and fitful opponent. That intervention was the first step in overcoming the Vietnam syndrome. But it was not until the United States employed military force to overthrow the Manuel Noriega regime in Panama in 1989 that it could be said that the United States was again willing to undertake military interventions on a substantial scale. The success in Panama laid the groundwork for the long series of U.S. wars and military interventions in the 1990s, beginning with the Gulf War.

It is worth observing that the Grenadian, Panamanian, and Haitian interventions were in America's traditional sphere of influence in the Caribbean basin. The United States has been intervening in this region for more than a century; it has extensive strategic and political interests there; and therefore it was a natural place to begin overcoming the Vietnam syndrome. As for the Bosnian and Kosovo interventions, the Clinton administration saw them as logical extensions of America's traditional interest in European stability, with the sphere of responsibility of the NATO alliance now being expanded from Western Europe into Eastern Europe.

Although it is to be hoped that the Iraq War will not reach the depths of the Vietnam debacle, it is very likely that it will produce its own "Iraq syndrome," an extreme reluctance in American policymakers and the public to undertake new military interventions, and this reluctance is likely to persist through the term of at least one presidential administration elected in the wake of the war. And if and when the United States again begins to undertake military interventions, it is likely to do so in defense of concrete and vital security, political, or economic interests, rather than in defense of human rights in countries that are remote from those interests. These interventions probably won't be in the Middle East or more broadly in the Muslim world. And given the lack of vital U.S. interests in Africa, they almost certainly won't be there, either. In short, the United States is unlikely to undertake military interventions in the very regions where, from a humanitarian view, they are most likely to be needed.

The Twilight of Humanitarian Intervention?

With the only candidate states—United States, Britain, France, and perhaps Australia and Canada—unlikely to intervene or likely to intervene at most only in small countries that are former colonies or in their immediate region, there is not much hope for humanitarian intervention in the modern-state formula. And the other formula, that of ad hoc multinational military forces directed by the UN, has a dismal record and prospects. It will almost always be the case that one of the five permanent members of the Security Council will see the proposed intervention to be against its state interests and exercise its veto. It will also often be the case that a large number of countries

in the General Assembly will oppose the intervention as a threat to their interests or as an outside intrusion into their particular region. Even if these political obstacles could be overcome for a particular humanitarian crisis, the ad hoc multinational military force will be assembled only after frustrating delays and only with poorly-organized forces, a classic case of too little, too late.

Between these two formulas there may lie a third: a regional organization directing a standing, modern military force whose units are drawn from the region. As an example, the EU, the organization with the greatest potential capability in this regard, could direct a standing force drawn from its member states that would be available to intervene in future ethnic conflicts in say, the Balkans. However, in this case, since NATO already possesses this capability, an EU force might be redundant.

The organization that could address the greater potential *need* would be the 53-member African Union, if it developed a standing force equipped and trained up to modern standards, which would require substantial financial and logistical support from the EU and the United States.¹⁴ In the summer and fall of 2005, the EU and NATO undertook a tiny prototype of this kind of assistance, when they provided airlift and training support to several thousand AU soldiers charged with monitoring the situation (not with peacekeeping or peace-enforcing) in Darfur.

Of course, the AU's political will could be weak. Its decision-making process might recapitulate that of the UN, in that there may always be some members who would find it in their interest to veto an intervention. The military force could also be weak: before it would be able to undertake an effective humanitarian intervention, it would have to acquire many standards and skills, and the development of this force would take several years at least. The twin problems of weak political will and weak military force largely explain why the AU has not been very effective in Darfur.

Still, given the seeming inevitability of more ethnic conflicts and humanitarian crises in Africa for the foreseeable future, and given the seeming paucity of other options for effective humanitarian intervention, a standing AU intervention force may be the only plausible way to go. The EU and the United States can each provide material support to enable African states to move in that direction. And the time to move, already too late for Darfur and not too soon for the next humanitarian disaster, is now.



¹⁴ On recent efforts at intervention by African international organizations, see Jeremy Levitt, "The Law on Intervention: Africa's Pathbreaking Model," *Global Dialogue*, Winter/Spring 2005.