INTERVENTION/NON-INTERVENTION:
PROTEST AND PRACTICE IN INTERNATIONAL SOCIETY, 1945-2014

by

Patrick Quinton-Brown

St Antony's College

99, 390 words

Thesis submitted in partial fulfilment of the requirements for the degree of DPhil in International Relations in the Department of Politics and International Relations at the University of Oxford, October 2020.

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ABSTRACT

What does it mean to “mind your own business” in international life? What is the history of the ongoing “sovereignty-intervention” debate? This is a project about statespeople and global ordering, and in particular the contestation of intervention in international society. Contestation refers here to conditions of meaning, and my aim is to establish a history of the ways and processes through which meaning has changed. This alternative sort of analysis would amount to a kind of mapping out of discursive practices in competition. There would be something substantive about these discursive practices, both in the sense that disputes between them refer to substantive disagreements over what it is to intervene, but also in the sense that they are bound up with some commitment to being more than just words. In all this I am telling a story about Third World revolts and protests against Western-dominated order, one that helps us to understand where we are, and where we might be going. This would no longer be a story of how one prevailing interpretation has diffused or receded, but about how intervention has been variously re-constituted in and through international-political discourse.

INTRODUCTION

On 26 June 1998, Kofi Annan arrived at Ditchley Park in Oxfordshire to deliver the 35th Annual Ditchley Foundation Lecture. His title---"Intervention"---must have surprised many in the audience, as Annan admitted. "Or if not, you may think I have come to preach a sermon against intervention." The first black African to lead the UN had been invited to a country house and estate once frequented by Winston Churchill, its guestbooks containing names of British imperial power since Queen Elizabeth I (herself a visitor in 1592, just eight years before granting the East India Company's Royal Charter). If intervention was to the developing world a euphemism for invasion, then Annan, born in a former Crown colony, might have been expected to declare: mind your own business.[1]

Yet the lecture would not be so clichéd. Instead of telling his audience no, Kofi Annan had come to say yes. Must intervention always be judged contemptible? Must it always be remembered as occupation, theft, enslavement, the suffering of the weak at the hands of the strong? 48 months after the Rwandan Genocide, in the midst of ethnic cleansing in Kosovo, could it not be reclaimed for a brighter purpose?

> In other contexts the word "intervention" has a more benign meaning. We all applaud the policeman who intervenes to stop a fight, or the teacher who prevents big boys from bullying a smaller one. And medicine uses the word "intervention" to describe the act of the surgeon, who saves life by "intervening" to remove malignant growth, or to repair damaged organs. Of course, the most intrusive methods of treatment are not always to be recommended. A wise doctor knows when to let nature take its course. But a doctor who never intervened would have few admirers, and probably even fewer patients. So it is in international affairs.[2]

The more "benign" and benevolent meaning of which Annan spoke has since become a normal feature of thinking about intervention as a problem. For thirty years, many of us learned to say yes to intervention: yes to the enlightened use of force, yes to the surgery of strikes and sorties, yes to the sharpest edge of a Responsibility to Protect. Annan's speech was surprising when it was made at Ditchley mansion. It was no cliché then. But it is now. The history and theory of intervention as it has been written over the past thirty years would have astounded Annan in 1998; it would have been unthinkable to Secretaries-General in earlier parts of the 20th century.

Because in recent decades, in place of what was once a history of conquest, regime change, forcible debt collection, exacted trade concessions, etc., with more cases than it could possibly absorb, has come a story that is more tightly bounded and, for the interventionists, conveniently reassuring. In writing and thinking about intervention today, it is mainly a humanitarian intervention that is studied and remembered. Flattering of its undertakers and optimistic in its aims, intervention is conceived as a police act, an act of mentorship, or a medical procedure, wherein we find a motif of interveners (typically great powers of the North) who seek to mend, punish, or otherwise correct unruly novices and petty dictators (with few exceptions the

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[1] SG/SM/6613.
[2] Ibid.

developing states of the South). This sort of story seeks to pose the following question: has not intervention overtaken non-intervention in global international society?

But if at the turn of the century we said yes, then just two decades later we are increasingly pulled toward the no. By "we" here I primarily have in mind a "we" located in English-speaking academic, government, and civil society circles, and a "we" that has engaged in sustained reflection upon what is known as the "sovereignty-intervention" debate. The debate is described as global; though I want to insist that the ways we have understood and framed this problem are in fact far from global, and tell us rather little about actual uses of the intervention concept among a diversity of states. This is also a "we" for whom, most would agree, the Responsibility to Protect is dead. What I mean is that international-political agreement on the once "new interventionism" has been shattered: Libya is in ruins. Syria is burning. If R2P ever achieved something like a consensus, claimed the Russian delegation at the UN in 2018, "this consensus no longer exists."[3] At the same time, doubt is surfacing at home, even among prominent believers. "Syria tells us that the era of humanitarian intervention, the 'responsibility to protect,' is over," writes Michael Ignatieff, "because it assumed a historical progression that has turned out to be false."[4] In the shadow of the post-Cold War, "R2P, RIP" became a constant refrain.[5] And as for the new age before us, most seem to anticipate a resurgence of non-intervention, the cruelty of absolute sovereignty, and all the effects of a more general return to geopolitics that confines the solidarity, or potential solidarity, of states with respect to international justice.

And so in a reversal of the familiar form: is non-intervention overtaking intervention?

What I want to do in this thesis is offer a new sort of international-societal history of intervention, particularly one in which practices of intervention or non-intervention are shaped by the understandings of statespeople: according to this formulation, things like "eras" of intervention, or non-intervention, or R2P, are to be recovered and traced on account of the conditions of what it means to intervene in international life, including but not solely for humanitarian purposes. Now clearly there are many ways of doing or interpreting intervention, depending on where we stand and when. But what I want to suggest is that the process by which we come to appreciate how we stand, and how we have stood, is not always so clear; in fact finding ourselves, marking out the boundaries, and charting the conflicts involved in actual attempts at use and re-use involves unlearning a great deal of what we thought to be true.

In other words the argument I want to put forward will not provide a direct answer to the above sort of question. Much to the contrary, it sets out to subvert it, and to undo it, by exposing the ways in which the terms of this very influential dilemma---Intervention versus Non-Intervention, and of Human Rights versus Sovereignty---preclude important explanations of the concepts in their actual use, they tell us too little about their historical functions in the diplomatic community. As a kind of habit of mind, the degree to which intervention is dead or alive, legitimate or illegitimate, present or absent, appears to have decided nearly everything in the way that we go about explicating intervention as a normative problem. At least since Ditchley, what has proven so stirring in our most idealistic moods, and so dangerous in our pessimism, is the

[3] A/72/PV.105
[4] Ignatieff 2012.
[5] Rieff 2011.

prospect of intervention as a kind of universal ethical scheme, and it is this temptation toward global consensus that dominates discussion in academia, civil society, and government. Much of this has engaged with popular developments in constructivist strains of IR theory---in which norms, in singularity, are often located in processes of boom and bust, pushed forward by the efforts of "norm entrepreneurs," founding subjects, and so on.[6] But equally as much has resembled a less arcane and more time-hallowed sort of Whiggish history, which proves teleological in scope and hagiographical in application: as if to flatter ourselves for its apparent deliverance at the turn of the century, or, more recently, to warn of a return to sovereign impunity, the story is of a perennial struggle between enlightenment and its repression.[7]

There are predictable reasons to doubt or resist these stories---on ethical and epistemological grounds having to do with sorry comforting in politics, with how we know what we know about actual political experience and beliefs, etc. But while we may not be entirely convinced by accounts of the recent type---of how non-intervention gradually eroded in international order, and intervention came to life, or vice versa---and while, yes, we should locate within them a number of substantive flaws and exaggerations, one question that ought to draw our attention is not just about the facticity of the normative achievements to which they refer---the viability of intervention and non-intervention as particular types of institutions---but rather how and why this specific frame ever came to circulate as widely as it did at the turn of the century.

A series of sub-questions then come to mind. How and why did studies of intervention become not inquiries into the various meanings of this vocabulary in international relations, but rather assessments, including moral assessments, of its ascent or descent as a particular sort of norm or organising principle?[8] According to what method, and by which sorts of historical moves, did we decide upon intervention as a "set of facts" so as to "fix its place in knowledge about international relations"?[9] What was lost, what was won, when the subject-matter was captured by a doctrine for which "robustness" and "facticity" was to be located in the actions of states?[10] And more importantly still, what does this tell us about how we ought now to go about understanding intervention and non-intervention as political concepts, and how we ought now to go about understanding these concepts historically?

Things were not always this way, after all. In the 1960s, for instance, there were other modes of thinking about intervention in International Relations and policymaking circles, which had none of the stability of the intervention conversation as we know it today. In 1968, when the *Stanford Journal of International Politics* published its special issue on intervention, the word was "extremely common in discussions of international politics" but its wide usage had "not resulted in common understanding," making it "as misunderstood now as 'balance of power' or 'splendid isolation' were decades ago."[11] Back then there could be no serious preoccupation with some messianic global consensus because there was simply no agreement on the meaning of intervention "the act itself." True, there were definitions which claimed to be objective, but no

[6] E.g. Thakur and Weiss 2009.
[7] E.g. Evans 2008.
[8] E.g. Wheeler 2000.
[9] E.g. Vincent 1974.
[10] See Welsh 2019.
[11] See the special issue on "Intervention and World Politics" of the *Journal of International Affairs*. Quitter 1968, ix.

one, not even the international lawyers, could ever suggest that the intervention concept had achieved exactness across the institutionalised practices of states. And any discussion of how to manage---by which I mean regulate, as in prohibit or permit---intervention would be hopeless without some shared understanding of what it is to intervene.

A little later on, Stanley Hoffmann lamented an "endless series of classifications," such that the history of the concept could be described as "practically the same as that of international relations in general from the beginning of time to the present."[12]

It is not that we should or simply can revert to the way things were, back in the 60s. Surely in going through the past we also break from it---to trace our various historical relations with the intervention and non-intervention concepts is also to show that the 2020s are not and must not be the 1960s, but likewise not the 1990s or 2000s, either. Still, one partial recovery seems immediately worthwhile, if not in substance then in attitude: there was once a feeling that there was something more worth salvaging from the dialogical grist of international society than agreement alone. A certain sensibility once left its mark. In confessing the fact of the intervention concept's many interpretations, in accounting for the many ways in which states approached intervention as an act---albeit by reference to rival ideologies or traditions of international thought---we felt inclined to think of a global intervention debate not merely as a struggle for or against liberal-interventionism, but as an encounter of multiple internationalisms, and multiple politics. There were other viable paths then. Some were chosen over others; to understand what was, it was necessary to understand what might have been.

I would comprehend it this way: in spite of what we have to come to know, it is precisely the variations and separations, the multiple crossed-out functions and politics of intervention and non-intervention---perceptible because of the empirical fact and compelling logic of their manifold meanings---that are of utmost historical importance, even if they cannot be conveniently or exactly replicated in the present.

In fact it seems that without considering deeper contestations, the competing formulations and clashing constitutive logics, a coherent understanding of the global debate over intervention could hardly be said to exist at all. To put one way: behind the yes or the no is of course the what. What does it mean to intervene, or non-intervene, in international politics? What is to be included in the sphere of the interventionary, what is to be excluded? Or, more pointedly still, the puzzle is not and has never really been about intervention versus non-intervention, which is on top of the other and when, but rather the various ways in which these concepts are substantively evaluated and re-evaluated over time---including in ways that prescribe precisely the same courses of international action, and similar sorts of international duties.

This might sound disorienting. And admittedly, against the background of contemporary interventionist culture, the facts seem scarcely credible. For instance: across actual international practices, non-intervention is also a scheme of human rights promotion and protection, it is a principle that may condone the international use of force, in particular circumstances, for humanitarian reasons. Far from conferring anything like sovereign impunity, non-intervention in fact expands the international domain and takes from the absolute sovereign state: seizing from it

[12] Hoffman 1984: 7.

both responsibilities and belongings, curtailing its resolve by freeing the hand of international society, legitimising international action to be taken against it, constraining the hegemons. Similarly: sovereignty and intervention are correlatives, but they need not oppose each other.

Yet if the above sorts of claims sound illogical, and not just empirically inaccurate, it is not because the record of state practice has been confused or arbitrary; to the contrary, I want to argue that it is the prevailing assumption of universal division that is confused, and it is arbitrary, too, if it purports to account for the evolution of global international society. Accordingly it may not be an exaggeration to say that we have broadly misunderstood, or willingly misrepresented, one of the most controversial debates of contemporary world politics.

The history that I want to begin to write is one which carries our understanding of the intervention and non-intervention concepts to a deeper level. At this level multiple, competing meanings of intervention, and non-intervention, are a matter of recurrent use. Here shifts of historical significance consist of re-constitutions in addition to re-regulations, not as separate from but as embedded within international-political conflict. And it is also here, I would argue, that we can witness the ways in which historical interventionist and non-interventionist ethics overlap, to the effect that value conflict and the status of related institutions cannot be explained in terms of perennial forms or "fixed knowledge about international relations." On this account it would matter less if we were to show how intervention deposed non-intervention, or vice versa, at particular intervals---it would matter less if an exceptionalist logic of intervention were to be institutionalised in the UN, if intervention were declared inadmissible "for any reason," if discrete acts called intervention were widely approved by states, etc. Though not without concern for these types of agreements, what would matter more would be rival interpretations located in the same historical segments and spaces: the manner in which even at the cusp of apparent consensus, strains and differences emerge as to the conditions of what it is to intervene.

It is hence only by interrogating the multiple meanings of intervention, in co-existence and struggles between states, that we can comprehend an enduring and coherent global debate concerning its place in international order. And this alternative sort of debate---which I would like to develop and engage over the coming chapters---would move across but, crucially, not be limited to topics like classical humanitarian intervention or R2P.

In distancing myself then from moral-historical arguments made in the singular, from existing histories in terms of emergences, diffusions, or erosions, but also from parallel histories in terms of Order and/or Justice, or Solidarism versus Pluralism, I would like to approach intervention as a problem of international-discursive practice. This would be a history of how intervention has been re-constituted in and through the discourse of statespeople. To be clear: the aim of this sort of project would not be to say that these practices ever bend states into neat compliance, that the content of intervention is totally fluid, that pathways of contestation are unlimited at any given time, that all formulations are of equivalent importance, or that agreement is impossible or somehow inaccessible to states as agents. It would be instead to highlight the role of multiple ideational forms in fashioning the semantic fields of the political, and to historicise the uses of normative contestation.

And if we were to map out these practices, in politicised contests and superimpositions of

normative design, I think the lines drawn would defy what we thought we knew, where we thought we stood, and what we thought we stood for.

INTERVENTION AS MINDING YOUR OWN BUSINESS

Some might be tempted to conclude that New-Interventionist stories, at times explicitly devised to further liberal-solidarist ends, largely served their purpose at the turn of the century. What did these histories really want? Premised on a centuries-long march "from non-interference to non-indifference," most offered a prelude for NATO-led interventions in places far away, depicting the victory of intervention over non-intervention as the climax of a struggle between individual liberty and state tyranny. Might say the still-believers: they were therefore fine for an age of American hegemony and the cosmopolitan tendencies of "new world order" planning, in which the New Interventionism was to be justified by a history of moral exemplars, and of "problems from hell" premised upon social structures and institutions, rather than state interests or agency. And in this sense they were remarkably well-executed.

Yet there are reasons to doubt whether these accounts are capable of asking the right questions or providing the right sorts of answers, particularly at a time in which believers are much harder to find. If there is a sense in which the basic problem of intervention recurs through time, though its codifications change, then I think we can see why the unique conditions of each passing also bear upon the substance of our research agenda.

In what follows my audience is not limited to New Interventionists; I have in mind instead a much broader array of IR scholars interested in the roles of intervention and non-intervention in international society. Responding to the New Interventionism is not on its own enough to make sense of intervention in international society and I acknowledge that there are layers of complexity underneath the most familiar New-Interventionist interpretations of historical global order. But it is in the course of critiquing these schematic arguments, in re-narrating and re-framing them, that we can contemplate beyond "Global Liberal Order," without forgoing all its liberal elements. In other words we should want to move through the old debate as a means of mapping out various alternative uses of intervention and non-intervention in international social life, and as a means of establishing new arenas of debate. I am not just adding then to a large and existing body of critical literature that has long pushed against or rejected the post-Cold War intervention agenda and hawkish renderings of R2P in particular.[13] The goal is instead to historicise a kind of higher synthesis of New-Interventionism and anti-New-Interventionism, and that synthesis seems desirable in light of particular problems of the present.

One set of reasons for being so wary of the post-Cold War style has to do with contemporary trends of turbulence and protest. On the one hand is of course the notion of a Global South, as well as Russia and China, and renewed rejections of governance reforms associated with "liberal hegemony." This we might refer to as a revolt of the so-called emerging powers against, among other things, certain recent interventionist logics. But on the other hand, there are also a number of relevant dynamics at work within domestic societies, in the North and the South. This I mean on at least two levels. First: we might observe transnational changes in the substance of conservative or neo-right-wing thought, reflected in developments from Trump to Brexit to Modi

[13] Consider e.g. Cunliffe 2012; Orford 2003; Chandler 2010.

to Bolsonaro, which suggest the resurgence of a particular kind of sovereigntism. And second: we might identify lingering elements of interventionist thought on the centre-left, as well as the centre-right, in a mode of searching. To put it one way: the once-pious have fallen away from their faith, sobered by the cold instrumentality of recent practice and newly inclined to see intervention itself as just another pretense for regime change. Disillusioned, this new school of apostates searches for other answers, conscious still of the need to reconcile the rights of states with the rights of individuals (now a question of how, and whether, to salvage R2P).

But we should want to think again about intervention, and non-intervention, for another set of reasons, too: because it seems clear that all states, across multiple alignments, share an interest in administering these concepts. The prospect of a post-Western global order does not imply the disappearance of many of the problems that beset older orders. Yes, the failure to protect civilians in places like Syria reminds us that threats to the "conscience of humanity" proliferate despite international assurances to "never again" stand idly by. But surely such hypocrisy was also a very central component of the "era of intervention" now in passing: the world's broad non-reaction to the genocide of hundreds of thousands in Darfur is one example. The much-discussed freeze in the Security Council reflects a shift away from recent applications, but it is not necessary to interpret this shift as one towards absolute non-involvement, let alone the political marginality of humanitarian emergency.

Plausibly these are observations in favour of interventionism, but there is at least an equal number in favour of non-interventionism. We also know that states remain subject to a continuation of intense forces of cross-border activity, not all of which seem peaceful. Recent processes of globalisation---of increasing economic interdependence, global trade, investment, as well as the use of international information and communications technologies---submit that the available channels of foreign interference have proliferated, and for purposes not limited to the humanitarian. In 1968, Oran Young theorised that "the coexistence of competing conceptions of appropriate forms of political order will tend to heighten incentives for intervention."[14] There may then be a sense in which the dangers of problematic forms of intervention are compounding: states are tempted toward more, not less, meddling, at the same moment that meddling has become conceivable in a greater number of spheres.

Perhaps there is something in the social-structural character of interstate relations that makes it very difficult to escape from the language and logics of intervention and non-intervention, just as it proves so very difficult to escape from the grammars of state sovereignty. In this way, a global debate remains significant. Intervention must be reckoned with. It must be contemplated, its use politically- and historically-located. But how?

To clarify further the general direction I have in mind, I would say that there exists a plurality of approaches to the realisation of intervention as a concept, that these appraisals vary and evolve, but that difference and change is in fact necessary to its function in global order.

And I would propose that if the very basic notion of intervention captures something central in the community of states, something similar is true of intervention and privacy in the community of individuals. A domestic analogy seems useful: a logic of intervention seems as basic to

[14] Young 1968: 183; quoted in MacFarlane 1985: 11.

individual cooperation as saying "mind your own business" to a prying neighbour, or closing the door to one's home, with the expectation that a visitor is to knock if they wish to enter. At some level of abstraction, the custom to "stay out" except as appropriate can be traced through a whole series of different cultures, across time, regions, religions, etc. And yet to draw attention to the reach of these domestic applications is also to remind us of the rather obvious ways in which, even there, in the everyday lives of individuals, the meaning of non-intervention is variously practiced: what does it mean, exactly, to respect the privacy of others? To respect the property of others? To stay out of the boundaries of "personal space"?

Precise answers to these questions arrive in a broad range. And this is because the meanings of intervention in international life, like the meanings of intervention in domestic life, are inherently normative enterprises, which are subject to profound, even intractable disputes. At the same time, our regular use of these concepts could not be called confused: though contested, there are nonetheless shared resemblances upon which mutual recognition of our competing interpretations occur, some abstract notion of "mind your own business" from which persistent use is justified and all competing realisations stem.

I will be discussing these qualities in detail later on. But for now it would be enough to say that intervention has a contested but not totally unanchored meaning, to the effect that we may identify multiple divergent forms of some similarity. We can identify those forms not because these meanings are preordained, but because of actual arguments made by states; that is to say, because of the historical moves of players in the game that is international diplomacy.

In 1971, Maarten Bos, Professor of International Law at the University of Utrecht, offered a definition of intervention neither by a lawyer, nor a diplomat, nor an academic. Instead he turned to a much more unlikely source: the poetry of the 19th-century novelist and travel writer Robert Louis Stevenson---memorably, yes, written for children, and their own sorts of games. True, Brierly's *Law of Nations* tried its hand at a concise description, but according to Bos the "essence of intervention" was surely better captured in four short lines from *A Child's Garden of Verses*:

> When I am grown to man's estate
> I shall be very proud and great,
> And tell the other girls and boys
> Not to meddle with my toys.[15]

This is a very playful definition; I want to take it as the most useful starting point yet.

To intervene is to meddle with others' toys. On this, all agree. But which types of toys? What is meddling as opposed to sharing? Might meddling ever be legitimate, when? And is it right, and is it true, that intervening cannot be done to the "proud and great" (Hedley Bull, 1984: "a basic condition of any policy that can be called interventionary…is that the intervener should be superior in power to the object of the intervention," "a great power is, among other things, a power that cannot be intervened against")?[16] To conceive of "grown-up" states obviously raises a

[15] Quoted in Bos 1971: 69
[16] Bull 1984c: 1.

series of troubling questions about paternalism. And surely this seems fitting to remember when examining the words of a novelist who, writing at the height of an era of European colonial expansion, is often known for his Orientalist tendencies. These are important and recurring themes in intervention debates, at the interstate level and otherwise.

But the exceptional point is that to begin history here, with this vague or unrealised notion of activity not just across borders, but in the affairs of others, is to have a very different conversation about the problem of its contestation in international society, one that escapes the shadow of classical formulations of humanitarian intervention or R2P, without necessarily abandoning our concern for issues like human rights, justice, etc. We will disagree on whether this is really an "essence," but I want to accept the convention as an empirical matter, as a matter of sustained historical usage, adhering to the logic of yet another game---this one a language game. It is only by identifying a conceptualisation of this relatively open sort, so clearly prone to discrepancies as to proper use, that we can begin to explain multiple international attempts at its closure, and avoid or guard from the tendency of closing it ourselves, including via the usual citations of dictatorial force or coercive interference (these definitions will be discussed later on).

So non-intervention refers to an obligation to mind one's own business, to refrain from intervening. Yet to describe substantively and universally the matter of meddling, of concerning oneself with others' affairs (and not just of crossing borders), seems difficult if not impossible. States do of course seek to regulate problematic forms of involvement in the affairs of others, so what have their various uses of the non-intervention and intervention concepts done, if anything, about it?

RE-PRACTICING INTERVENTION

This thesis builds upon earlier works on intervention in international society and seeks to contribute to an inherited set of normative debates. In doing so, however, it deviates from the applied conceptions or substance of international society central to those works, from their chosen definitions of intervention (as an act, doctrine, principle, or norm), and from their understandings of the ways in which orders of intervention come to be---from theories not just of order but of ordering. This might be demonstrated in a few ways, and I want start with what I mean when I say practicing in international society.

To illustrate: one common type of argument holds that states might agree to non-intervention norms "in principle" but violate them "in practice," by which it is implied that events and facts called intervention come to violate intervention as value. We might therefore wonder if non-intervention remains a viable rule in international society. Along these lines: one alternative response to the present crisis, for instance, might be to say that while humanitarian intervention seems to be dropping out, non-intervention is not necessarily returning, either. To apply Oran Young's argument, where political and international order is the subject of multiple competing conceptions, the incentives to intervene are higher, the purposes not necessarily humanitarian. Non-intervention is not overtaking intervention, frequent events of intervention (but not humanitarian intervention) rather suggest that the principle of non-intervention simply cannot

obtain in contemporary international relations.[17]

But I am saying something very different. What exists "in principle" is in fact only meaningful in "practice," and more specifically, in discursive practice. Hence it is not as if cultural convergence on the rules of intervention or non-intervention is simply a matter of the frequency of specific violations, or observances; as if violation, or observance, is something other than itself a contested judgement; as if the terms within which an act of intervention is evidenced can be so easily presumed over time or place (cultural convergence on the criteria by which we intervene in international life is precisely that which must be problematised).

On one level I am saying that, yes, as a problem of global ordering, intervening has to do with its justification and appraisal, not just its fact. But on another, more important level, intervention as fact and intervention as value are surely far less distinct than we have often come to assume. Following this we can come to see that the factual basis often of interest to us---the actual intervening with which a global intervention debate is concerned and seeks to manage---is, in distinct contexts, a function of the conditions of what it is to intervene. We are of course very interested in those specific events or activities deemed interventionary or non-interventionary, and particularly the weight of these cases on what is argued and believed, but I do not think activities called intervention are themselves a sufficient explanation for the global ordering of these concepts in the society of states.

And in fact I am trying to take the argument even further than this: fundamentally the history of global debate over intervention is a conflict over intervention's constitution, and political processes of its re-constitution, ascertainable in the fact of its discursive practice, and the fact of discursive practices in competition. These practices should themselves be at the heart of our understanding of the concept's contribution to global governance.

So to some intervention is "an event, something which happens in international relations: it is not just an idea which crops up in speculation about them."[18] We might think, and have often thought, to use this particularised sort of event---typically, the event of coercive interference, perhaps with some consideration of the way in which this specific event is justified---in the detection or diagnosis of related norms.[19] But to achieve a satisfactory understanding of intervention and its ordering in the society of states, the task of classification must be assumed differently still. I want to put it this way: intervention is not just an event, it is an evaluation of a particular set of actions, something that is practiced in international relations. It is a thus variously interpreted and protean feature of international relations.

All this is indicative of the direction in which I would like to take the academic conversation and the history; and the type of historical contest entailed by a research object as such is very different from what we have known. Yet I think we can show that this alternative sort of contest is much closer to what has actually occurred among states since 1945. There are a number of

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[17] Compare to the preface in Vincent 1974. I imply here that we often do something similar for the reverse sort of conclusion.

[18] Compare with Vincent: "Intervention is a word used to describe an event, something which happens in international relations: it is not just an idea which crops up in speculation about them." Ibid. 1974: 3.

[19] These are simplified versions of the Vincent and Wheeler arguments. Vincent 1974; Wheeler 2000.

methodological points in this connection which I will discuss in detail later on, but which for the purpose of situating my argument as a whole I want to briefly outline.

First, I am looking at a specific type of practice, that of discursive practice. Discursive practices are recurring sets of beliefs which decide what is included and excluded from orders of intervention, they are about drawing lines between the appropriate and the inappropriate, and, crucially, are defined by statespeople and their choices. I am interested in using these sets of regularities in comparisons and contests---a discursive practice does not coincide with the arguments of any one individual state, or all states, its pulls together many at once so as to elaborate on what it means to "mind your own business" in a more or less perennial dispute. Collectively they represent the conditions of what it is to intervene.

One prevalent example here would be the humanitarian exception and its relationship to armed force. A discursive practice perhaps called classical humanitarian intervention might be formulated as follows: intervention is the use of armed force across borders, without consent of the target state. It is legitimate in cases of humanitarian emergency, particularly as a last resort, and perhaps also according to additional principles having to do with just cause, proportionality, right intention, reasonable prospects for success, etc.

But of course there are other ways to cut this, and states often have done so: for instance, if the act of intervention is defined as coercive interference, or perhaps dictatorial force, is the extent of these forms the exertion of military force, or might they include more coercive structural relations, such as economic or even cultural dependency? What emergency, what just cause, what forms of conduct? What of the line between domestic and international affairs? Is an intervention that upholds shared responsibilities really an intervention at all? Across multiple practices, then, we can begin to see how activities which some states have understood as highly interventionary are perceived by others as totally non-interventionary. Insofar as what according to one practice is meddling in the internal affairs of another state, and, according to another, is a non-intrusive and noble fulfilment of say, international responsibility, we can see contestation not just in regulation but in constitution.

And then we might also begin to see why an application of intervention is in fact inescapably evaluative, and non-neutral: to propose frontiers, to determine what things are to fall into and out of the space of intervention, is to re-carve pre-existing frontiers occupying this space. By setting the frame within which political action proceeds, within which legitimacy is conferred, discursive practices in the society of states are always submerged in highly politicised contests, not idealised dialogues. When we say that there is also a politics of discourse in the discourse of politics, we might mean that efforts to demonstrate any particular formulation of intervention as neutral or natural, in a way that is both rationally demonstrable and yet specific, is constantly open to decomposition and strain.[20] Identifications and comparisons of "what is intervention" and not just "when, if ever" are therefore embedded in questions of justifying power, of the challenge of persuading power into authority.

This, though forgotten or stowed away in the ordinary study of the intervention debate, should be uncontroversial as a core political-conceptual point. But notice that it is also obstructive to a way

[20] I note Connolly, Gallie, and others on this in chapters 1 and 2.

of conversing and thinking about intervention that lulls us toward a straightforward yes.

It should not surprise us then that I want to make an argument that is therefore highly suspicious of consensus, particularly the notion of a substantive universal agreement or perfect overlap of forms. And while yes, international relations may entail submission, submission does not always entail persuasion. The dynamic of the old stories is socialisation, diffusion, the global norm, conformity, the peace that is habit. In contrast my picture is this: an international society that exists in a state of conflict even as it is increasingly institutionalised.

As we will see the international demarcation of intervention and non-intervention has amounted less to assimilations or enmeshments than encounters and transformations: hegemonic practices (and, to be precise, practitioners) have encountered and been transformed by counterhegemonic practices (practitioners), and vice versa. To understand intervention in international society, including the international-institutional outcomes of a long-standing intervention debate, meanings must be located in a struggle where the pull comes from multiple sides, where the give may be conceded in multiple directions. From the standpoint I will be taking, emergences or evolutions of intervention and non-intervention belong to no one if not adversaries, and insofar as projections of these concepts correspond to the struggle of those adversaries, no single side can take credit for a descent. Practices of intervention and non-intervention are about confrontations, not cascades.

Now I do not mean to say that there are no agreements, that cooperation never occurs, that there is no exchange. Clearly some type of agreement between states is possible, real, and desirable. But agreement is responsive to, in some ways even dependent upon, the clash. There is conditionality in degrees of convergence. Conflict may prove productive: institutions may be created, practices may change, innovations may emerge. But these achievements must no longer be understood as projects of the like-minded: socialisation, even rationalisation, involves bargaining, constraints, incentives, threats, and coercion. It is not enough to investigate more traditional international-institutional forms, the progress of institutionalisation in general is not so serene---the distance between divided institutions and the forms outside them is rather more a measure of domination. We should know the institutions of intervention or non-intervention not as some ideal consensus, but as partial overlaps, and very often as compromises, as truce through concession among rival practitioners.

Again the idea of having universally resolved the constitution of intervention is precisely what this thesis is *not* about. I want to demonstrate that it is the nature of the subject-matter that just as there can be no interlocutor occupying a value-free position, there can be no final conqueror: in realising a concept like intervention, or non-intervention, it is impossible to stand above the fray.

So taken together this is how a more or less perennial, and more or less global, debate on intervention might be said to more convincingly run through the history of modern international society. It is perceptible precisely because of its ongoing creative animosity, not its unseating or deposing of norms and general principles. It is an agonism that comes to define the meeting places of the society of states, as a society that has adopted global characteristics since the end of the Second World War, and through processes of decolonisation. International society becomes a theatre of politico-normative and of politico-legal strife, of state-led campaigns to set the

boundary, with victories, defeats, ceasefires, appeasements, attrition, and alliances. Treaties are made, peace is temporarily won, but neither treaties nor apparent peace are separate from conflict; apparent pacifications are its continuation, for underneath the institutions and the laws lies the perpetuity of the practices, in all their asymmetry.[21]

Better still, if I had to characterize it, an international-societal history of the intervention dilemma is a history of protests and revolts. It is a history of protests staged by some practitioners against other practitioners. And it is a history of revolts because of the prominent way in which inequality and non-universal solidarity enters into the analysis, and because of the identities of the groups of states which, as a fact, the debate primarily involves.

SOUTHERN REVOLTS AGAINST NORTHERN-LED ORDER

To clarify the thrust of this debate, its most important motions and its institutional effects, I want to deal with a specific geographical axis. Its actual confines are of course conceivably broader and denser than the ones I have in mind, but it also seems obvious to say that I do not intend to account for all practices of intervention in international society. Instead an edifying history of this debate needs to be told at a particular scale. This will necessarily mean proceeding without attention to all the boundaries, including many localised boundaries within my spaces of interest. But what I hope to uncover nonetheless is the plane on which actual value conflict has rested in general.

And what I want to say in relation to this scope is basically this: the discursive record of global-international society affirms that there has been an enduring and fundamental North-South divide when it comes to ordering intervention, as well as closely-associated concepts like R2P, such that a history of the most influential forms of these ideas might be broadly construed as a serial Third World revolt against the West. It is accordingly the becoming of a more global international society---comprised of nearly two hundred members---and a corresponding re-distribution of international agency and political power---toward the once marginalised, away from erstwhile hegemons---that can help us to understand what it has meant to intervene in international society since the end of the Second World War, and what it might mean to intervene in an increasingly post-Western global order.

I can now be a little more specific: my overall claim has to do with intervention's conditions of use, in and through discursive practices, which I want to associate with certain fundamental changes in the composition of international society. 1945, like 1919, is to be located in an era of decolonisation that is also an era of globalisation: if the globalising of legal and political order is initially an "expansion" (I use this language loosely) of Eurocentric international society, then subsequent dismantling of the European empires is an extension, not reversal, of this broader forming of a global society of states. Independence does not become a withdrawal.[22] Globalising order is not only about increases in size, or absorption as assimilation, but also enfranchisement, engagement, and exchange, such that entry---even partial---involves the possibility of a kind of

[21] Foucault's inversion of Clausewitz: politics is a continuation of war. "Peace itself is a coded war." But still, society must be defended. Foucault 2003: 50. Note also agonist conceptions of politics and military metaphors in the work of other thinkers to which the coming chapters are broadly indebted: Taylor, Bevir, Connolly, Tully, Walzer.
[22] E.g. Dunne and Reus-Smit 2017*;* see also e.g. Shilliam 2010.

transformation without destruction.

So Western colonialism in this reading is very central to the development of international law and order, and core ideas like sovereignty are hence shot through with the violence of the civilising mission and structural processes of colonial exploitation.[23] But they are also re-constituted in the context of anti-colonial resistance and national liberation.[24]

The post-1945 period therefore seems of highest importance. It is then that the formally sovereign membership of international society---for the first time---reaches across the entire world. Decolonisation involves a proliferation of states, seeking acceptance in an expanding global order, but also contestations of that order, especially in relation to foundational notions of empire, race, and civilization, but with significant implications for other things, too, including and of course relatedly intervention or non-intervention.[25]

"After the Second World War, a revolt against Western dominance---a revolt which had been growing in strength earlier in the century, and whose roots lay late in the last century---became powerful enough to shake the system."[26]

But in what ways was the revolt waged? And how did the system seem to change? Much of this we too hastily think to know already: the success of the South's seemingly absolutist non-intervention campaign, particularly in the 1960s and 1970s, the decline of Third World organising by the early 1980s, the West's assertion of humanitarian interventionism in the 1990s and 2000s. To be sure: the South did deny self-described intervention as a right or duty of states, there was institutionalised in the Cold War (through multiple treaties, resolutions, and other sorts of agreements) a formulation of non-intervention without exceptions, and the South's capacity to resist did decline by the early 1980s. But my point here is that if we are to persuasively explain the institutional boundaries or outcomes of intervention over time, and if we seek to attribute a non-interventionist status to the South or to the North, it seems necessary to historicise the changing conditions of what it means to intervene.

As soon as we do, something richer and I think much more accurate emerges, which breaks with the canon. In 1956, for instance, when the British IR theorist Martin Wight wrote of "the power struggle between the have-nots and the status quo powers" in the United Nations, a rather different Third World practice seemed to be emerging. If "the Holy Alliance was a coalition of kings for suppressing revolutionary movements," the Bandung powers were rendering the UN an instrument for promoting revolutionary movements.

"In their violence and abstraction," Third World-dominated debates in the General Assembly and Fourth Committee resembled those of (Wight chose an increasingly important comparison) the assemblies of the French Revolution:

> The limits of Article 2, Paragraph 7, were first explored in the case of South Africa. The

[23] E.g. Anghie 2005.
[24] E.g. Acharya 2018.
[25] Hurrell 2019.
[26] Bull and Watson 1986: 217; see Hall 2017.

> question was this: if South Africa infringes human rights, can the General Assembly infringe South African domestic jurisdiction? The Afro-Asians argued that respect for human rights overrides juridical limitations…Dr Malan responded by describing the United Nations as 'a cancer eating at the peace and tranquility of the world,' the closest thing yet in the history of the United Nations to what Hitler used to say about the League…The development of the United Nations in these directions is remarkable. *It was not contemplated at San Francisco that the United Nations should be an organization for collective intervention in the domestic affairs of its members.*[27]

No doubt the members of the Afro-Asian bloc had advocated the inviolability of non-intervention, including at Bandung, and in prominent Declarations in the mid-1960s; they did forbid intervention for any reason, in whatever form, directly or indirectly, in the external or internal affairs of any state. All this at the same moment that their promotion of the anti-colonial and anti-apartheid movement reached its height. This might seem like an inconsistency. Yet, if we looked closely at discursive practices of intervention at Bandung, for example, it is not clear that the Third World had committed "collective intervention" at all (I will explore Bandung in some detail). By the late 1960s, I think we can show that this sort of interpretation had become common among most if not all members of the society of states; few if any would have seriously thought to accuse the South of intervention in its UN-based anti-apartheid organising when the South came to propose the first declaration on non-intervention in 1965.

Still, the extent to which the South had committed intervention in say, 1953, or the extent to which the South might be convincingly described as interventionist, in the context of Wight's writing, is much less clear. It might seem reasonable to argue that various forms of international action against apartheid were interventionist in the early 1970s, that, for instance, both earlier state-directed and later Security Council-mandated sanctions were themselves interventions---according to very popular Western practices of intervention as "coercive interference," certainly this would be true. Along the same lines, we might wonder: what of the other forms of support offered by non-aligned states to the national liberation movements of Southern Africa? What of anti-colonial international action elsewhere? What of, say, OPEC ("the oil weapon") in 1973?

This sort of alleged contradiction in practice---the South's plausible interventionism on matters of empire and racism, the belief that it had simultaneously proclaimed an absolute non-interventionism in the same settings----is precisely the sort of observation that we need to be getting at. They demand us to consider and to historicise conditions of meaning. In a related essay, Wight quoted John Foster Dulles at the Caracas Conference of the Organization of American States, March 1954, who was concerned to stress the danger of Communism in Latin America: "The slogan of non-intervention can plausibly be invoked and twisted to give immunity to what is in reality flagrant intervention."[28]

There were layers of irony in Dulles' comments, Wight's reference was in good humour: in 1954, the Eisenhower administration had been concerned particularly with the recent election of Jacobo Árbenz and was seeking the adoption of a resolution to condemn alleged Communist expansionism in the hemisphere. And surely much of Roosevelt's Good Neighbour Policy,

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[27] Wight 1978: 236. Italics mine.
[28] Quoted in Wight 1978: 199.

reflective of an American formulation of non-intervention, was "in reality" a "flagrant intervention"---at least according to Latin American discursive practice. This much became clear again about five months after Caracas, when the United States believed itself to have "non-intervened" in its "defence against Communism" during the 1954 Guatemalan coup d'état.[29]

But self-defence or collective security and its limits, the relationship of domestic jurisdiction and human rights, the interventionary or non-interventionary nature of international condemnation and other sorts of communications, sanctions as opposed to armed force, the anti-colonial cause, the place of self-determination, the meaning of national emancipation---are these not the substance and controversy of a global intervention debate? What are orders of intervention except for attempts at delimiting these sorts of problems? And could not a great deal of this be located within the historical scope of the North-South diplomatic encounter?

The crucial move here is again about conditions of meaning, about seeing how granting "immunity" is not just a question of regulating out interventions for exceptional purposes, but also of constituting out. Wight himself would observe that "non-intervention in particular cases may be as positive a policy as intervention."[30] And if we are to prove as much in historical contestations within the society of states, we should undertake to study intervention as it has been variously practiced. It might even to helpful to refer to a "intervention/non-intervention" debate, to highlight how, across multiple uses of the intervention concept in the same global context (to use the earlier example: Afro-Asian practice versus European practice, in the UN of the 1950s), what is practiced as non-intervention is at once practiced as intervention.

Is it still plausible then to construe of a longer-term "sovereignty-intervention" debate in global international society, as if sovereigntists and interventionists represent neat and opposite poles? Not if we are committed to the meanings of these terms as they were actually understood in their historical contexts. One major objective of the history is to prove that the global intervention debate is really more about the meaning of minding one's own business. And this, very crucially, is not equivalent to a choice between sovereignty or intervention; "sovereignty-intervention" is, in actual discursive practice, not a global debate at all.

So the broad struggle over the ordering of intervention, the record suggests, is not clearly one of interventionists versus sovereigntists, but it has---very strikingly---been one of the ruled against the rulers. Or, put more carefully, the small against the large: for here many of the rules of international society have been less a matter of dictations of the strong than of shifting relations among the weak. These are other key points that must be shown historically.

To summarise: international-normative conflict has been organised in a context of global inequality, the dynamics and instabilities of which have long structured its provisional peace.[31] This reflects a more general truth about the hierarchical character of international-societal life: "sovereign equality" is a popular ideal, and a popular juridical concept, but the historically

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[29] I have to borrow again here from Wight, who himself used the language of an American "non-intervention" in Guatemala.
[30] Ibid.
[31] See Hurrell 2007: 29-40.

recurrent existence of "have" and "have not" states, of gradations, and of polities inside and outside of toleration, is as much a moral and political challenge as an organising feature.[32] Global international society is a highly unequal place, even if we might disagree about exactly the ways in or extent to which it is unequal.

And while there are a number of models that might capture this dynamic of inequality in modern international society, historically it is in relation to the Western and "non-Western" worlds that differentiation proves most salient. We might wish to deploy here the language of First, Second, and Third Worlds, as analogies to class- or community-based awakenings.[33] Or we might refer to various categories of relationships between a periphery and a core, or peripheries and centres.[34] And I concede that these are loose and evocative terms. At times they might seem to risk masking diversity within: the Soviet Union/Russia might be assumed developed and "Northern" but Russian positions in the UN (including, as I will show, in regard to ordering intervention) have often aligned with the South. And perhaps it is not always clear---particularly but not only as of late---why certain large and powerful states, China for instance, are to be categorised as Third-World (even if its status as a victim of European imperialism is less controversial).[35]

But to refer to a North versus a South, or a First World versus a Third World, would not be to suggest that these are or were perfectly homogeneous groupings, with unchanging, even uncontested, memberships---clearly there are various issues, values, and yes, practices, upon which members do not agree, clearly there exist degrees of inequality and domination within and not just between these categories, and clearly Third-World membership, or Third-World partnership, depends on which historical context.[36] Nor would these terms indicate the only plane upon which confrontations of practices occur in international society; although it would that political project. There is a rich tradition of thinking of the Third World "not a place" but as a "project," supporters of which overlap in significant ways with that of the G77 and the Non-Aligned Movement.[37] The important question should be this: as a heuristic---it is in the end only a heuristic---does reference to North and South illuminate the history of a global intervention debate? Does it facilitate a better understanding of interstate contestation?

All in all, I am suggesting, this perspective of shifting North-South relations and politics proves a vital maxim, even the most vital maxim. No doubt it might be thought very imprudent or morally objectionable for a rough hemispheric divide to persist so systemically---with all its connotations of classical empire, the old regime, standards of civilization, and racial or racialised hierarchy---but my argument concerns this North-South axis as a fact. Perhaps the international ordering of intervention "should not be" a North-South issue, and some of course do argue "is not" a North-South issue, but a history of discursive practice is suggestive of precisely that sort of divide.[38]

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[32] Since at least the eighteenth century: see Keene 2002.
[33] The reference to Abbé Sieyè's "What is the Third Estate?" in e.g. Sauvy 1952.
[34] See e.g. Johns, Skouteris and Werner 2006; Wallerstein 2011.
[35] But consider e.g. Mao's interpretation of the "Three Worlds Theory," which is illustrative of a historically-recurring self-description: China as belonging to a Third World that consists of developing Asian, African, and Latin American states.
[36] I will discuss some of this later on, particularly in regard to national liberation.
[37] For an influential discussion of these categories, see e.g. Prashad 2007: x-15.
[38] See e.g. Thakur 2019: 130.

There was, and to some extent still is, a Southern revolt against Western-led order, and a global debate over intervention seems a very significant feature of that revolt.[39] Likewise, I want to argue, the revolt seems a very significant feature of intervention as a global debate.

ORGANISATION OF THESIS

To sum up, contestation of intervention refers here to the conditions of its use, and my aim is to establish a history of the ways and processes through which such use has occurred, particularly among statespeople. This alternative sort of analysis would amount to a kind of mapping out of discursive practices in competition, which govern separations of proper from improper activity in the affairs of others. And in all this I would be focussing on Third World revolts and protests against Western-led order.

To do so is to shift from a history whose function was to establish the right of a certain practice of intervention not simply to a parallel history that exposes the injustices of that practice---that would be too obvious---but to a history that shows how meaning has been unsettled, that shows the struggles going on beneath and through intervention as we know it. This would no longer be a story of how one prevailing interpretation has diffused or receded, but about how intervention has been variously re-constituted in and through international-political discourse. We would accept that the content of intervention, like the stories we tell about intervention, is not neutral or detached. It would be instead the product of multiple political struggles, which might be reflected in the competition of discursive practices; competitions often cut, as a fact, along North and South. And it would be a story of wide appeal because there is something substantive about these discursive practices, both in the sense that disputes between them amount to substantive disagreements over a range of reasonable applications, but also in the sense that they are bound up with a commitment to and recognition of some notion of being more than just words.

Most basically then my objective is to recover a series of very different ideas about what intervention is, has been, and might become. At first the answers might seem quite obvious. Perhaps it is for this reason that we, in the present, so often believe that what seems post-Westphalian can no longer be sustained, that a new Cold War is returning us to an order like that of the earlier Cold War, that an age of intervention arrived and is now coming to an end, etc. To show why all this is unpersuasive, even very misleading, we need to write a different sort of history guided by a different mode of theorising. Intervention is a political concept, which is contested, which is variously practiced, institutionalised, and hence ordered, including internationally ordered. We can reasonably and should use the term in a variety of ways.

Part One is an elaboration of my framework. I critique in further detail the current fashion of the universal or neutral constant, which is broadly implicit in prevailing stories of intervention versus non-intervention. That fashion can no longer hold: I argue that to lay a claim to the content of intervention is an inescapably evaluative process---to illustrate this point, I follow the descent of a particular treatment of intervention within the discipline of International Relations, a narrative beginning in the 1960s and centred around an academic conference ("Intervention and the Developing States") that took place at Princeton, 1967. The history that became an orthodoxy was always a history of an excessively stipulative, "analytic" meaning, one that was Western and

[39] See Part III in Bull and Watson 1986a.

that was liberal, while an alternative history of intervention in international life is a history of a more global "empirical" meaning. In the second chapter I lay out a series of substantive philosophical and methodological commitments: to do so I employ a metaphor of lines, and of tracing their movements on a kind of historical map of competing practices. Put differently, if somewhat cryptically for now, it is the art of separating intervention from non-intervention---both in individual applications, and across them, in sets---that is my focus here. I want to explain this art both as substance---as a feature of historical debate, concerning what was actually believed---and as method---as a way of conducting and positioning research on concepts of global order.

Part Two is the international-societal history: abandoning the search for a founding moment, or the emergence of a universal norm or singular codification, I recount various breaks and ruptures at which intervention is re-constituted, which mark the emergence and influence of particular discursive practices, and which have not been the exclusive reserve of the Western world and its most powerful circles. To document these discursive practices is to make claims about conditions of meaning, as well as to engage with a set of important normative concerns and constitutive logics which were suppressed at the beginning of the new millennium. Its chronological scope is from 1945 to 2014. Necessarily this means I am moving in broad strokes, but at times I have wanted to focus on specific instances of transformation in denser detail, so I deal with comparisons at greater and lesser lengths.

For this reason, the chapters contained in Part Two should be prefaced with the following: some have been written at closer levels of magnification, some with different sorts of pacing, some more oriented toward a specific sort of institutional peace, others toward processes of institutionalisation more generally. But all intersect and are tied together to my broader goal: again to clarify major shifts in actual discursive practice, in the conditions of what it has meant to intervene. The first for instance focuses largely on one document and one conference: the UN Charter and San Francisco, 1945. Here I focus on the clash of two practices, centred around the adoption of just a few Charter articles, which set the frame in which a great deal of subsequent global debate occurs. The second chapter looks at the development of a single, more generalised discursive practice, which I trace through a number of regional meetings---particularly Bandung, the early Non-Aligned Summits, and the Tricontinental. This chapter reflects on a logic of intervention premised on self-determination and associated with the dissolution of formal empire, including through support for wars of national liberation.

The third and fourth chapters of this part are directly linked: together they examine a series of discursive practices through multiple declarations, committees, and resolutions at the UN, primarily during the 1960s and 70s (to a lesser extent the early 80s). The major bridge between them is the Friendly Relations process. And on either side of this bridge are landmark declarations: first, the 1965 Declaration on Non-Intervention, and; second, the 1981 Declaration on the same topic. Both chapters turn on the radical activism of the South: Chapter 5 (Chapter 3 of Part Two) explores the South's successful campaign against a formulation of intervention explained in Chapter 3---what I call dictatorial intervention---as structured around a rival form discussed in Chapter 4---anti-colonial intervention. Chapter 6 is a discussion of practices of intervention contained in the New International Economic Order and the New World Information

and Communication Order: formulations more structural, which, in light of their containment by Western coalitions, prove relatively unsuccessful in their outcomes.

The fifth chapter is about humanitarian intervention and R2P: both themes in one chapter not because what I call classical humanitarian intervention (CHI) is to be conflated with R2P, of course, but because we should observe an essential continuity between international debate on CHI and the subsequent discussions relating to both the ICISS report and the World Summit Outcome Document. Because this is the period on which the most has been written, I try to synthesise and respond to a number of existing histories at once. What I am doing here is highlighting recurring interpretations of intervention which precede the arrival of the ICISS report in 2001, but which come most clearly into view during the continuous adaptation of R2P in the UN. We might call them two Responsibilities to Protect: one Northern, and one Southern. In this context, what seems so striking is not so much the adoption in UN debate or resolutions of humanitarian themes, or the language of international or sovereign duties, but rather the way in which a particular constitutive logic of intervention shifted through the 1990s---in manner that has been almost wholly misunderstood.

My hope is that these investigations will shed light on the commitments and purposes of the intervention and non-intervention concepts in international society, and I want to describe more precisely the sort of alternative normative argument to which all this amounts in the Conclusion.

CHAPTER 1

Intervention as a Contested Concept: James Rosenau and the Princeton Conference

When we write about intervention in IR, we usually have in mind a particular sort of event, with particular characteristics, involving particular actors, fitting into a particular frame---humanitarian intervention, by means of "kind-hearted gunmen," to halt the effusion of blood.[1] We examine intervention with adjectives. But most would go further to say that even if stripped bare of them, the concept has something like a constant core: intervention is a "discrete act" of "coercive interference," as in a temporary, non-consensual involvement in the internal affairs of a state. It comprises the use or threat of force.[2] This is also the kind of definition offered by certain 19th-century international lawyers, who similarly construed intervention as "dictatorial" interference.[3] It is not that we are afraid to call war by its name, but that intervention is veritably different from warfare: it exists in the space between war and peace.[4]

Less typical is an acknowledgement that this was not always so. This chapter seeks to resolve a puzzle, and in doing so tries to say something about the way we go about approaching intervention as a term of political discourse. In 1967, James Rosenau opened a conference at Princeton University devoted to "the function of the concept of intervention."[5] "So many diverse activities, motives, and consequences are considered to constitute intervention that the key terms of most definitions are ambiguous and fail to discriminate empirical phenomena," Rosenau would say of the early literature. In the face of such extreme contestation, "discipline" was required, "so that words have the same meanings and ideas the same referents."[6] Summoned from across Political Science, Economics, International Law, and government, more than 200 arrived in New Jersey for two days of deliberation. But as the conference came to a close, as delegates gathered to review their progress, they could agree on just one thing: that a satisfying definition had not been found, that researchers ought not to sacrifice "relevance for precision."[7] Rosenau had been calling for a "scientific" definition of intervention that would plainly "recognise an interventionary act when it occurs," and create space for scholarship preoccupied with intervention in its more "neutral" and "depoliticised" sense.[8] The rejection was, as Rosenau himself admitted, "vigorous."[9] Confronted with the prospect of a "narrow and precise technical meaning," conferees fell back on something they were calling the concept's "common-sense"

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[1] Brownlie 1973: 139. See Wheeler 2000: 1-2; Holzgrefe and Keohane 2003: 18; Welsh 2004a: 3; Weiss 2007: 5-8; Roberts 2002; Seybolt 2007: 5-6; Murphy 1996: 8-20; Heinze 2009: 7-10; Simms and Trim 2011: 4.
[2] See the recent special issue of *Review of International Studies* and particularly the introduction: MacMillan 2013. See also Finnemore 2004; Recchia and Welsh 2013: 1; MacFarlane 2002: 13; MacFarlane 1985: 1; Glanville 2013; Walzer 1977: 86-109; Haass 1999; Cutler 1985.
[3] Bull 1984c: 1. Among others, see Oppenheim 1948: 272-73; Lawrence 1913: 124; Hershey 1927: 236; Kelsen 1952: 63f.
[4] "In its strict sense, intervention means coercion short of war." Wight 1978: 191.
[5] The Princeton Conference on Intervention and the Developing States took place from 10-11 May 1967. See programme "Intervention and the Developing States" from Box 167-016, Lincoln Gordon Papers, JFK Library.
[6] Rosenau 1968: 176.
[7] Quoted in ibid.:171.
[8] Rosenau 1969: 155.
[9] Rosenau 1968: 165.

meanings in domestic and international discourse.[10] And in "rejecting a particular operational definition, they thus rejected operationalization as a whole and affirmed the legitimacy of using the concept in a variety of ambiguous ways."[11]

Why? What had happened at Princeton, and what, if anything, can this story tell us about the features of the intervention concept in general?

This chapter is about the concept of intervention in an influential strain of English-language IR scholarship. It is notable that, by the end of the 1970s, something in the conversation changed: a small but influential covey of scholars, first from English School circles, and then from cosmopolitan political-theoretical and international-legal groups, were circumventing the fact of contestation, rather than theorising or historicising it. Anglophone scholars had attempted to determine a substantive, essential meaning of intervention in the 1960s, having until that point achieved "no agreement whatsoever" on the phenomena designated by the term. But a stable designation did become prominent in the decades following.[12] Hereafter the boundaries of academic inquiry did become "monochromatic" and more or less "fixed," but for reasons Rosenau would not have recognised, and likely would have repudiated: it was by a political spiral that intervention became treated as a historical and cultural constant, and I think it was by a similar sort of political spiral, or at least the inherently political nature of the dispute, that no single realisation of intervention emerged from New Jersey, 1967.[13]

It is on these grounds that I would like to observe the following: what was lost from the 1980s onward, when a shift in practicing intervention as academic inquiry moved us away from contemplation of contestation toward diagnosis of seemingly universal values, was a distinction between intervention in interrelated but distinct senses: namely intervention in its "operational" sense on the one hand and its "empirical" sense on the other. Conflated was intervention in an "analytic" sense and the "common-sense" meanings of intervention in the fray of actual use in international society. Taken together, these observations suggest that first, we need to think about who has benefitted from particular formulations of intervention before we commit to their historicisation, that second, we need to admit that applications of the intervention concept are bound up---inexorably, though to varying degrees---in partial contests, and that third, while some formulations of the concept may prove more influential than others, and while some find temporary settlement within particular settings, none can be permanent.

BEFORE HISTORY'S END

What was said at Princeton? How could attendees ever have settled upon "the legitimacy of using the [intervention] concept in a variety of ambiguous ways"?[14] And before these questions: what did the intervention conversation sound like in the Western academy of the Cold War?

Here is what we were basically seeing in the 1960s: intervention had become a public order

[10] Ibid.: 174.
[11] Ibid.: 175.
[12] Rosenau 1969: 155, 152.
[13] Moore 1972: 83-114. Vincent 1974: 4.
[14] Rosenau 1968: 175.

concern in a global context of the emergence of the Third World and decolonisation. This was a time when Cyril Black, also at Princeton, was predicting "ten to fifteen revolutions a year for the foreseeable future in the less developed societies" and Robert McNamara, then the President of the World Bank, warned of almost constant intrastate turmoil: "at the beginning of 1958 there were 23 prolonged insurgencies going on around the world, as of February 1966, there were 40."[15] One might have thought that in light of threats of civil war and superpower proxy conflict, to say nothing of the other facets of the anti-colonial movement, there would be a strong sense of intervention's remaining a "cornerstone" not a "derelict" in the new international scene.[16] Yet just a few years before Rosenau's presentation, Manfred Halpern observed:

> It is an illustration of the unstable character of the present international system that there is no agreement on the definition of the two acts most likely to destroy the sovereignty, independence, and equality of any participant in the system, or perhaps even the system itself---namely, aggression and intervention.[17]

Intervention in the affairs of other states was obviously being tied, in the United States for instance, to the problem of the Vietnam War.[18] Yet even there, in the drama of the draft, its meaning was relatively elusive. In contrast to the problem's unified arrival in the "saving strangers" and "never again" era of the 1990s and early 2000s, intervention, as a category of analysis and research topic, was broken up. As political problem, too, we found it in fragments. Synonymous with the period's youthful protests against established order, interventionist and non-interventionist research as much as activism was, in the "global sixties," a counterculture with many hues and currents, a rally in many directions: an issue of national security and the spectre of Communism, sure, but other things too, including pacifism, anti-militarism, peaceful co-existence, anti-racism, anti-imperialism, self-determination, and certainly the ideals, if not yet the record, of the new governments representing the new states. There had been no Rwanda moment for the discipline; history had not yet ended.

And in the absence of any crystallized itinerary, scholars like Tom Farer were admitting that it was with "considerable trepidation" that they approached the subject-matter.[19] Not only was there little agreement on how, when, and for what reasons intervention ought to be applied, there was no agreement on the meaning of what it was to intervene. "Only at first glance does 'intervention' seem an obviously identifiable act carrying obvious consequences."[20] Similarly, Oran Young in 1968: there was simply "no consensus on the content of this term."[21] Again, we find the following in a special issue of the *Journal of International Affairs* published in 1968:

> The term 'intervention' has become extremely common in discussions of international politics, to the extent that every international conflict or relationship can be designated as some form of intervention. But the wide usage of the term has not resulted in a common

[15] Black 1966: 166.
[16] Conference program of the 1967 Princeton Conference in Box 167-016, Lincoln Gordon Papers, JFK Library.
[17] Halpern 1964: 250.
[18] Schrecker and Walzer 1965.
[19] Farer 1968: 20.
[20] Halpern 1964: 250.
[21] Young 1968: 177.

> understanding of the meaning of 'intervention' and the concept of intervention has become as misunderstood now as 'balance of power' or 'splendid isolation' were decades ago.[22]

In the academic sphere, two of the main groups to consider its codification were the political scientists and the international lawyers. And while there were different approaches to ordering intervention---for example, as a strategy or policy (how to understand intervention as a verdict for the state, as a foreign policy decision), as a moral issue (whether intervention was right, when, how), as a legal issue (whether it was legal and under what circumstances)---it was sometimes believed that these sorts of questions ought to be, and logically could be, preceded by something more primary: what was the content of intervention as an act? What was interventionary behaviour, as if it could be neatly detached from its moral, legal, or strategic perspectives?

This is the problem raised by James Rosenau as conferees met between 10 and 11 November, 1967.

At one end of the spectrum was an argument that sounds quite familiar: this was that intervention is essentially an act of international coercion, of the application or threat of force.[23] In this most straightforward form: intervention was the arrival of marines in Saigon, tanks and artillery in Budapest, bombing sorties over the Suez canal zone, etc. "[I]ntervention is always dictatorial, involving the threat if not the exercise of force. It is quite distinct from diplomatic protest."[24] And if intervention is coercion, then coercion, to adapt Mao's dictum, grew out of the barrel of a gun. One illustration in historical American foreign policy was the use of the Roosevelt Corollary to the Monroe Doctrine, wherein intervention referred to "international police action" in places like Cuba, Nicaragua, Haiti, and the Dominican Republic. And if we consider allusions of intervention as gunboat diplomacy, we might begin to see appreciate intervention as the mere show of force, amounting to a threat of multiple formalities or concealments.

Following this, in a second type of argument, armed force was not believed intrinsic to the act itself, but one modality of coercion among others. Wrote Max Beloff: intervention is "the attempt by one state to affect the internal structure and external behaviour of other states *through various degrees of coercion.*"[25] Military force was intervention, but intervention at its extremity; softer forms of intervention also coerced, more or less effectively, but without military involvement (economic sanctions is the key example). Or, outside of coercion in "various degrees," coercion in various categories, such that "more subtle modalities of coercion" might amount to extremities, depending on skill or context.[26] When Quincy Wright wrote of "subversive intervention," he meant any tactic of the fifth column that incited sedition and revolt against the governments of other states: paramilitary activities, political assassinations, and secretive bombings, above all, but also manipulation of radio and press, spying, bribery, and

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[22] Quitter 1968: ix.
[23] See especially Lawrence 1913: 124.
[24] One reading of Wight 1978: 191-2.
[25] Beloff 1968: 198. Emphasis added.
[26] McDougal and Lasswell 1959.

sabotage.[27] Beloff went even further: intervention might occur through "subversion, propaganda, non-recognition, and the expression of moral support and sympathy."[28]

This perhaps blurred into a third type of argument: in place of a logic of coercion was adopted a logic of influence, according to which the will of states was affected not through force but pressure. Intervention hence took on diplomatic, informational, and psychological forms---it could be won by propaganda, said Charles Fenwick, including "active measures" of disinformation and media manipulation.[29] We might recall here too Wight's earlier example of Afro-Asian-led "collective intervention," through the General Assembly, by means of verbal and resolution-based condemnations of South African apartheid.[30] And while pressure might adhere (as it did in these examples) to a logic of the stick, it might also become a carrot.

So another approach in this strain would be to draw a distinction between coercion and attraction, both of which influenced, both of which intervened, but according to different dynamics. "Actions varying from *the donation of foreign aid* to the use of military force are described as interventionary in the international system" argued Richard Little.[31] Michael Cardozo focused on what he called "intervention through benefaction" when he described a whole series of technical, military, developmental, and diplomatic forms of aid to which political conditions were usually attached.[32] There was a fine line, but a line nonetheless, between assistance and obligation, between voluntary collaboration on the one hand and lurking interference on the other. "Can we impose on a country, as a beneficiary…a condition that they take some steps in what really affects their fundamental constitutions, their political systems?" The words of John J. McCloy to Dean Rusk in 1962, in connection with the Alliance for Progress that had been introduced to Latin America a year earlier. "I imagine how disturbed we would be if someone was trying to press us from the outside."[33]

The McCloy thesis was expressed in other versions, too, some of which were neither carrot nor stick, but something more structural. One was that if "donor control" and "dollar diplomacy" amounted to intervention as "pressing from the outside," then so too did economic imperialism and neocolonialism, which took on forms amounting to entire interventionary systems. Dependency theory, so influential in Latin American social science through the 60s and 70s, took hold in a strand of American Marxist thought.[34] Though their concern was not limited to the problem of intervention alone, dependency theorists, and those who thought like them, offered critiques that went much further than armed force, coercion, pressure, or attraction, particularly by identifying intervention as an intrinsic feature of historical capitalism:

> The Leninist or neo-Leninist theory of imperialism or dominance and dependence encourages one not merely to recognise a high incidence of intervention by the advanced

[27] Wright 1960: 521-535.
[28] Beloff 1968: 201.
[29] Fenwick 1941.
[30] Wight 1978: 236.
[31] Little 1975: 1.
[32] Cardozo 1964. See also Baldwin 1969.
[33] Quoted in Cardozo 1964: 81.
[34] E.g. Cardoso and Faletto 1979; Frank 1967.

> capitalist countries in the affairs of the Third World countries, but also to see intervention as systematic or structural in nature, a built-in feature of present arrangements.[35]

Entrenched and unequal patterns of trade implied only the illusion of free choice in a state's determination of its own economic, but surely also political and cultural, futures. Here the problem of intervention takes on an invisibility and omnipresence; the interventionists were always, already in, what was effectively interventionary was the environment in which states were situated, the framework in which decisions could be made. To take this even further: if power inequalities were everywhere, and everywhere unrestrained, so too was intervention, playing out in a broad range of conceivable forms, burrowed deep into the relationships of every small power with every larger one. "A Great Power intervenes in the domestic realm of other states when it says 'yes' and when it says 'no'; indeed, by its sheer existence."[36]

Such was, for many, the "height of definitional vagueness," because it suggested even "non-action constituted intervention."[37] One way of reading of this: non-acting (if this really was non-acting) was saying "no" to specific propositions of action. John Norton Moore: the "withdrawal of assistance previously begun with respect to each of these modalities may also have internal effects which are sometimes characterised as intervention."[38] Alternatively it was the absence of an answer, or the absence of its contemplation (one interpretation of a "failure to provide assistance" in the first place). Hence intervention might be taken without discrete intent.[39] As a constitutive element of the concept, motivation could be dismissed entirely, it was only the consequence of involvement in others' affairs that mattered.

And so as we moved across the spectrum of thinking in International Relations during the turbulent global sixties, and as we considered the range of ideas available at the Princeton Conference, intervention became more abstract, and more of a meditation on power inequality itself. Arguably this was a radical conclusion. And as we will see, it was a conclusion that was always very central to the debate carried on among states. But to many academics it was also an unhelpful one, leading to "absurd" judgements without sensible proportions, that would serve as a license for "undisciplined thought" and "special concern," marked "by the absence not only of clarity and communication, but also of direction."[40] To do so would be to render intervention "practically the same as that of international politics in general from the beginning of time to the present," a never-ending sequence of classifications, of "distinction upon distinction" that would become of "little use."[41]

BEYOND THE REACH OF LAW?

The study of intervention in International Law was just as contested---or as Rosenau thought it, confused---as in Political Science. True, there were references to the "traditional international-

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[35] Bull 1983: 307.
[36] Halpern 1964: 251.
[37] Rosenau 1969: 153.
[38] Moore 1972: 108.
[39] Ibid.
[40] Rosenau 1969: 153, 164; Rosenau 1968: 173; Rosenau 1969: 155.
[41] Hoffman 1984: 7; Rosenau 1969: 155.

legal publicists," at least those whom we most usually remember (Oppenheim, Lawrence, Hershey, Brierly, for instance), who made a practice of defining intervention as a "dictatorial" act, frequently by reference to the use or threat of force.[42] And yes, these were the jurists usually cited by Western policymakers. But there were other publicists still (Hyde, Phillimore, Accioly, and Calvo among them) who also received attention, and who were also "traditional," and yet fervently disagreed with any designation of intervention as either the use of force or coercion across borders.[43] Next, crucially: existing treaties, judicial decisions, and custom did not seem to establish any particular designation of the word.

Was there then a clear or universal definition of intervention in the context of international law? Rosalyn Higgins' assessment, written in 1984 as Professor of International Law at the LSE, applied as much if not more so to the 1960s: "One perceives very rapidly that not only is it not profitable to seek such a definition, but that really one is dealing with a spectrum."[44]

It was from intervention in its "infinite shades and varieties," explained Wolfgang Friedmann, that international lawyers were expected to provide a legal conclusion, a conclusion which, except as a cacophony of conjectures, never really came to be.[45] Taking the entire legal literature into account, the sharpest commentators---with the least to lose---admitted so openly. In 1963, when Louis Henkin observed before the American Society of International Law that "international law speaks less than clearly to foreign 'intervention,'" he was echoing the opinion of previous speakers who had appeared at the Society's podium, like Ellen Ellis, who explained 30 years earlier that "intervention is a term with respect to which there has been little consistent usage in international law. While the difficulties of the text-writers and others have had to do essentially with the question of its legality, much of the difference of opinion on that point has resulted from a lack of agreement as to the nature of intervention itself."[46]

In legal writings, support could be found for a wide range of interpretations; any conceivable interpretation could be contradicted by a significant number of writings at once.

In 1967, just a few weeks after the conference at Princeton, a two-part panel series on intervention was being hosted the American Society of International Law at its annual meeting in Washington, D.C.[47] Scholars like Quincy Wright, Tom Farer, Michael Cardozo, Richard Falk, John Norton Moore, and Steve Hoglund were present at both events. As the Society's first panel came to an end, Hoglund took the floor to ask whether non-intervention was "a useful term either for national decision-makers or for experts in international law." A. J. Thomas Jr. replied that he

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[42] Oppenheim 1937: 248; also Lawrence 1920: 120; Hershey 1927: 236; Brierly 1938: 247.
[43] "The term intervention is here used to describe simply the interference by a state in the domestic or foreign affairs of another in opposition to its will and serving by design or implication to impair its political independence." See Hyde 1922: 117; see also Phillimore 1879: 599; Accioly 1968: 50; Calvo 1896: 266. "The subject of Intervention," wrote Percy Winfield in 1922, "is one of the vaguest branches of international law…A reader, after perusing Phillimore's chapter upon intervention, might close the book with the impression that intervention may be anything from a speech of Lord Palmerston's in the House of Commons to the partition of Poland." Winfield 1922: 130.
[44] Higgins 1984: 30.
[45] Friedmann 1969: 208.
[46] Henkin 1963: 154; Ellis 1933: 78.
[47] The 65th annual meeting of American Society of International Law, 27-29 April 1967.

had sought to define intervention "to see if it had any meaning at all" and his "best definition" was "intervention is the interference by a state or group of states in the affairs of another states without the latter's consent for purposes of imposing its will on the latter."[48] But he stressed that there was disagreement. "Some writers call intervention a legal and political phenomenon. Others say it has no legal content."[49]

Richard Falk belonged to the latter group. Looking upon the justifications being employed in the Vietnam War, he cited in 1959 the remarks of Sir W. Vernon Harcourt written in the 19th century, under the pseudonym Historicus, in regard to whether England was to intervene in the American Civil War:

> Intervention is a question more of policy than of law. It is above and beyond the domain of law, and when wisely and equitably handled by those who have the power to give effect to it, may be the highest policy of justice and humanity.[50]

Presumably the meaning of intervention answered to those who had "the power to give effect to it," less so to legal analysts. Continued Falk in the words of Harcourt:

> I do not intend to disparage Intervention. It is a high and summary procedure which may sometimes snatch a remedy beyond the reach of law. Nevertheless, it must be admitted that in the case of Intervention, as that of revolution, *its essence is illegality*, and its justification is its success.[51]

The lawyers seemed to agree that intervention was illegal under "ordinary circumstances," but even here there was a deep and intractable debate about what was ordinary, about whether there could be exceptions to non-intervention as a rule. And this was complicated fundamentally by yet another debate about whether some acts that might appear interventionary ought to be better described as lawful "interpositions" (not simply a euphemism but, to some, a distinct legal category).[52]

Far from what we often assume then, there was no palpable agreement here that intervention could be identified a "measure short of war," something other than "aggression," separate from "reprisals," yet not "ordinary diplomatic pressure." Possibly intervention was aggressive and war-like. Possibly it was war itself. But quite possibly it was pacific settlement. Again, the basic problem with discussing the legality of "intervention" was that it was first necessary to clarify what it meant "to intervene" and on this there was never, and perhaps could not be, consensus:

> Of all the terms in general use in international law none is more challenging than that of 'intervention'. Scarcely any two writers are to be found who define this term in the same way or who classify the same situations under it. To one writer it is the interference of one state in the affairs of another; to a second writer it is 'unwarranted' interference; to a

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[48] American Society of International Law 1967: 19.
[49] Ibid.
[50] Quoted in Falk 1959: 164. Harcourt 1843: 14.
[51] Quoted in Falk 1959: 164. Harcourt 1843: 41. Emphasis in Falk.
[52] Hershey 1927: 236. See also Stowell on "interposition" in Stowell 1921: 2.

> third it is interference in the domestic or internal affairs of the state; to a fourth it is interference in external as well as internal affairs. Some writers include interference of a third state between two belligerents in time of war, by taking sides with one against the other; others include only interference between the parties to a civil war. Some include 'diplomatic intervention,' where the intervening state interferes in behalf of its citizens in cases of alleged denial of justice by the other state; others regard such interference merely as 'interposition,' since it does not involve an attempt to control the character of the foreign government but merely to influence its conduct.[53]

And so when Hedley Bull, Montague Burton Professor of IR at Oxford, would later state that "we may take as our starting-point the kind of definition of intervention offered by the traditional international legal publicists," the overwhelming question that ought to have been posed was: which ones? Which definition, according to which publicist, and which tradition? In his 1984 edited volume, Bull insisted that scholars take as their starting point "dictatorial or coercive interference, by an outside party or parties, in the sphere of jurisdiction of a sovereign state, or more broadly of an independent political community." But not only would an emphasis on coercion require a very particular selection of Western lawyers, it would entirely evade non-Western legal readings according to which intervention was constituted as something very different.

The Brazilian jurist Accioly, for example, seemed to reject Oppenheim's dictatorial interpretation when he explained intervention as influence or pressure: "intervention may be defined by the interference of a State in the internal or external affairs of another State not dependent on it, with the intention of imposing on it a certain way of proceeding."[54] And Carlos Calvo, in what became known as the Calvo Doctrine, condemned two types of intervention, "diplomatic" as well as "armed," as methods of enforcing private pecuniary claims.[55] Almost as if to anticipate a Hedley Bull or a John Vincent, Calvo had written this in his summary of 19th-century international-legal writings on intervention:

> The conclusion which results from the diverse citations which we have made is that there exists almost as many different opinions as there are authors. Some admit and approve intervention; others condemn and repudiate it; these make of it a right, those attach to it the idea of a duty; others see only a simple act, a brutal act, having its place in history, born of certain necessities and occurring under certain identical circumstances…Right or duty, no author furnishes us clear, irrefutable data on which one can base fixed and precise rules; *it is not then in the writings of publicists that the guiding thread can be sought.*[56]

IN SEARCH OF ANALYTIC MEANING

I will address the English School and the later Cold War push for intervention as "dictatorial" or "coercive" interference in the next section. But for now suffice to say that intervention was, far

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[53] Fenwick 1945: 39.
[54] Accioly 1968: 50.
[55] Calvo 1896 : 267.
[56] Ibid.: 278.

from what later literature would suggest, a highly contested concept. In New Jersey, at the Princeton Conference, it was legitimate to use the term in its "infinite shades," or, less charitably, in "a variety of ambiguous ways," so as to doubt the possible discovery of some singular core or essence. And in Washington, at the American Society of International Law, it was understood that international law could not itself provide easy answers regarding intervention's regulation nor its constitution; in fact many believed that international law could "only assist in formulating answers when there is a sufficient political consensus," that in short, international law was "part of and not extraneous to the current debate on the limits and control of intervention."[57]

By 1967, at least some fraction of the academic discussion was recognising itself as "part of and not extraneous to" a parallel debate occurring between members of international society. Academics were cognisant of and willing to confess their debt to international-societal discourse. "Reasonable and responsible leaders from developing nations have applied the label of 'intervention' to almost every conceivable form of influence during the last twenty years" argued David Baldwin at the Princeton Conference. If we are to "understand what the developing states are really complaining about" the subject-matter needed to be defined in its broadest possible form.[58] When other participants retorted that intervention ought not to be equated with influence, that such a definition was "absurd" or "unmanageable," that the leaders of the developing world were evidently not so reasonable, or not so responsible, those participants were in fact, consciously or not, adopting negotiating positions historically employed by Atlantic Great Powers.

As we will see in the coming chapters, disagreements about the meaning and management of intervention were so pervasive in the society of states that the concept was being constantly re-invented in global order. And what the scholars and scholar-activists of the 1990s would later underplay was the extent to which earlier jurists and academics who always qualified their definitions as deduced not from the practice of states, but from more modest and abstract principles admitted on many sides. Wrote Lawrence before offering his legal opinion: "On this subject history speaks with a medley of discordant voices, and *the facts of international intercourse give no clue to the rules of International Law*."[59] In sections that would receive fewer citations later on, publicists were admitting that custom, those habits seen through state customs and shared beliefs, shed little light on the concept as understood by members of international society as sovereign equals. The practices of states---reflected in things like the resolutions and agreements of international organisations, and the deliberative struggles in and around major conferences and meetings of the General Assembly---were not suggestive of substantive universal meaning (though they were, I will be arguing, nonetheless valuable and reasonable).

Was Rosenau therefore naïve to propose a precise definition of intervention, to seek out the "essence" of the concept? One might expect Rosenau plays here the tragic role of the positivist who, in seeking out the "scientific way," makes the mistake of separating fact from value. And of course he did attempt to extricate value-judgements from observable facts, to extricate what "ought to be" from what "is," doing so in the 1960s and early 70s as one of the most influential

[57] Higgins 1984: 42.
[58] Baldwin 1969: 246.
[59] Lawrence 1913: 116-117. My emphasis.

American behaviouralists in the discipline (I return to this point later on).[60] Yet it might be surprising to learn that Rosenau also had something more memorable to say about the subtleties of language, about the way in which the academic community was using the word "intervention." These insights are useful in making sense of what happened next.

Writing just five weeks after Princeton, he admitted that the "vigorous reaction" to his paper at the conference had become "an inescapable part of [his] thinking on the problems posed by the concept of intervention."[61] He would re-assert the need for intervention as a "fact" or event, and as a given, but the purpose of his latest piece was to diagnose why his proposal had been rejected: "As memory fades, the fact that absence of communication marked the deliberations is likely to be obscured, and there is a lesson in this fact which it seems important to try to understand."[62]

That lesson, believed Rosenau, was that conferees had failed to distinguish between the many senses in which the term was and could be used. On the one hand was intervention in its "empirical" sense: how the word was being used in international society for the purpose of *doing* international relations, how "actors in the political arena use the term."[63] This, said Rosenau, was intervention as an empirical phenomenon. On the other was intervention in its "analytic" sense: how "intervention" was used by academics for the purpose of *analysing* international relations, for observing intervention as a problem of academic study. An analogous distinction could be made, suggested Rosenau, between intervention in its "common-sense" meaning, by which he meant intervention in "everyday conversation" or "common discourse," and its "operational" meaning on the other, as a technical meaning that was descriptive, rather than normative, and which could therefore be run through more properly scientific models.[64] This was intervention made depoliticised, or so was suggested.

What Rosenau was trying to say was that if contestedness characterised the academic literature on intervention, then it could be attributed to the absence of a self-conscious distinction between specialised terminologies. An analyst had to be careful not to "slip into popular rhetoric without knowing it," else they would greatly reduce their "chances of successfully probing the complex processes in which he [sic] is interested." Intervention was "particularly susceptible to confusion in this regard" and "the proceedings at Princeton succumbed to it."[65] If only the conferees had realised that Rosenau offered an operational definition, rather than an ordinary one corresponding to everyday use within a community, surely the conference would not have devolved into "two days analysing the problems of world politics rather than the problems of intervention." If only the terminology of intervention had been more clearly differentiated, surely researchers would be willing "to forego the luxury of common-sense analysis" and accept "the rigors of a technical language and the boundaries of a specialised set of concepts."[66] To Rosenau, the "unwillingness to adhere to a narrow and tentative formulation developed by someone else

[60] See Rosenau 1980.
[61] Rosenau 1968: 165.
[62] Ibid.: 165-166.
[63] Ibid.: 175.
[64] Ibid.: 174.
[65] Ibid.
[66] Ibid.: 172.

[was] quite understandable" but the "widespread and unreserved avoidance of definitional and conceptual considerations" was not.[67]

Now, Rosenau was not oblivious to the fact that the meaning of intervention was disputed in state practice and in international law. He conceded that "economic intervention" was being "protested by Africans," for example, and "cultural intervention" derided "by Europeans."[68] But a scientific definition of intervention was to remain the same "irrespective of whether it is approached from a moral, legal, or strategic perspective," it necessitated a kind of bracketing of "popular rhetoric."[69] Interventions "embrace moral questions and legal standards, but they also find expression in the activities of identifiable human beings."[70] Hence what "officials and citizens call 'intervention' may be the complex result of multiple processes for the analyst, and he [sic] will never comprehend these processes if he allows the subject of his investigation to define his terms for him."[71] So beliefs about intervention could be differentiated from intervention as an action or practice:

> The Russians have a doctrine of "intervention" and so do the Chinese and Cubans, with the result that controversy over the strategy and tactics of "intervention" is a persistent feature of the Communist world. Similarly, Latin Americans have long complained about the "interventions" launched by the colossus to the North, and in the United States itself recent months have witnessed the mushrooming of debate over the propriety of "intervention"…Obviously, however, its meaning in such usage is not necessarily the same as that of the analytic concept to which the intervention label is also given.[72]

Yet to think that it was valid to extract a single, truly scientific meaning of intervention in international society from outside of its use by the members of that society reflected a series of flawed philosophical assumptions then common to behaviouralism and to prevailing naturalist conceptions of rationality more generally in Anglo-American social science of the 70s. These issues have been studied in detail elsewhere.[73] But for our purposes what is most important to say is that what Rosenau failed to appreciate was the theory-embedded character of intervention as a political concept and the normative implications of defining intervention in various sorts of empirical inquiry.[74] The fundamental problem was the presumption of the possibility both of a neutral or depoliticized application of the concept, and of the discovery of its content independent of language and interpretations of international life. A claim to a sterilized, natural formulation of intervention is fallacious, both because applications of intervention are always value-laden, and because of the intersubjective dimension of international use. It is the former of these two points that I would like to focus on.

In other words, that the conferees were so hopelessly confused, as Rosenau suggested, seems

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[67] Ibid.: 173.
[68] Ibid.: 175.
[69] Ibid.: 167.
[70] Rosenau 1969: 160.
[71] Rosenau 1968: 175.
[72] Ibid.: 175.
[73] Consider e.g. Taylor 1971; Taylor 1985b; Taylor 1985d. See generally Bevir and Blakely 2018.
[74] See e.g. Connolly 1993.

unlikely. More probable is that one important reason for rejecting singular meaning had to do with the value-judgements implicit within any substantive definition of the term, including his own, and the perceived political implications of those value-judgements. Rosenau had claimed at Princeton that there were "two characteristics that appear to be necessary attributes of interventionary phenomenon" in international society.[75] First was its "convention-breaking" character---by which he meant that intervention is a "sharp break with then-existing forms," it is always "finite and transitory." Second was its "authority-oriented" nature---it is "directed at changing or preserving the structure of political authority."[76]

But if intervention had to have a clear "beginning (when conventional modes of conduct are abandoned) and an end (when conventional modes are restored or the convention-breaking mode becomes conventional)," then this meant that behavior would "no longer [be] regarded as interventionary" when "the presence of the intervening actor in the target society remains undiminished."[77] It is easy to see how this was not some benign or innocent composition. Rosenau explicitly wrote that his definition "narrows the concept of intervention in such a way that it is not equivalent to colonialism or imperialism" on account of the fact that these phenomena "involve the continued presence of the intervening actor in the target society."[78] We could add that excluded too was any history of successful conquest, while included, plausibly, were all unsuccessful attempts at conquest or aggression. To some then this was then a victor's definition, convenient for the seat of empires but inconvenient for oppressed and the colonised.

Similarly, did intervention necessarily involve an intention to change or preserve the "structure of political authority," or might it reasonably take on other aims? Rosenau gave the example of the Marshall Plan, which was, he said, "directed at the policies or capabilities of other nations and not at their authority structures," and therefore did not constitute interventionary behaviour.[79] But to accept such "authority-oriented" characteristics as necessary would be to make permissible interferences in "domestic affairs" not located within structures of governing or governance. It would say nothing of indirect methods of affecting the will of the state, through "donor control," "dollar diplomacy," or "neocolonialism," for example. And it would invite another whole dimension of contestation: namely the assessment of motives. Rosenau's definition would exclude, for example, any humanitarian rescue mission in which "saving strangers" was believed the sole or primary aim (in which regime change was either a means to the greater end of protection, or an unintended consequence of better intentions). Then there was the distinction between affecting the "structure" of political authority and merely affecting political authority or sovereign will, the latter of which being presumably too similar to interpretations of intervention as "influence" or pressure, understandings which Rosenau was rejecting outright.[80]

And so we can see that Rosenau's depoliticised definition was in fact deeply politicised. It was deeply politicised on account of the values that its use would conceal. And I would say: there

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[75] Rosenau 1968: 167.
[76] Ibid.
[77] Ibid.
[78] Ibid.: 170.
[79] Ibid.
[80] Rosenau 1969: 159-160.

were palpable international histories, if not also futures, at stake in a claim to a substantive and universal definition of intervention. Since many in the audience held strong views about the permissibility of intervention, about how intervention was to be managed and used, they rejected Rosenau's "core definition" of the term as either too inclusive or too exclusive. If a neutral definition was impossible, then conceptualisation surely had to adhere to patterns of use in international society, where intervention had been assigned an array of particular prohibitions, validations, logics, and forms. But these were politico-normative problems, and it was because of a politico-normative clash that, to use the words of one conferee, the Princeton Conference refused to sacrifice "relevance for precision."[81]

In this sense we could argue that Rosenau was wrong to suggest the conferees had succumbed to "undisciplined thought" and forgone "clarity," at least necessarily.[82] The conference seemed to have settled upon an abstraction, no doubt, but not a confused one---all competing conceptions surely did refer to meddling in others' affairs, all could have acknowledged that it was from this that their instantiations stemmed. And though, on its own, too open-ended to successfully order international relations, it could prove relevant for various types of research. None of this needed to imply "undisciplined thought," though it would be necessary to discipline our thinking in new ways. Princeton, in my reading, stumbles then upon features of the intervention that if not "core" or "essential" in the ways often assumed, then at least seem de facto core, for our purposes, and historically recurring.

To put it another way, intervention is, as a concept, inescapably appraisive. I have been suggesting so far that, in all cases, to call something "intervention" is to both describe it and to ascribe value to it. There is no such thing as a neutral yet substantive definition of intervention, just as there is no such thing as a neutral yet substantive definition of democracy, of freedom, of aggression, or say, of security.[83]

So whatever Rosenau's "precise definition" was doing, it was not retrieving intervention in its purely descriptive dimension, as somehow separated from its purely normative dimension. He had not and could not capture a "neutral" meaning of intervention in international society, and instead proposed a technical meaning that, albeit sophisticated, represented his own limited moral point of view (even insofar as it was intended to yield law-like explanations according to specific formalities and logics of discovery). While conferees anchored their discussion around the mutual understanding that to intervene was, in some sense, to "mind the affairs of others," they disagreed about the substance of this recurring element, and were therefore unable to agree on the extent to which the label "intervention" applied to a more concrete range of international behaviour. I am saying in short that what occurred at Princeton, and what occurred in the academic literature of the 1960s, was a reasonable dispute, wherein some degree of mutual understanding was present, but imperfect, and where, in light of their relation to our deepest commitments, argument and coercion clashed in an endless process without resolution, which could not be resolved through rational argument alone.[84]

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[81] Quoted in Rosenau 1968: 171.
[82] Ibid.: 173; Rosenau 1969: 155.
[83] See Gallie 1955-56; Connolly 1993: 139-79; Baldwin 1997; Buzan 1997; Keene 2000.
[84] See especially Connolly 1993: 10-35; Connolly 1984: 149-154. See also Freeden 1996: 62-7. Compare with Lukes and Runciman 1974: 187. For an overview of this literature, see e.g. Collier, Hidalgo, and Maciuceanu 2006.

Intersubjectivity of this sort is unassimilable with operationalist meaning. Instead to offer a convincing and substantive understanding of intervention in international relations it would be necessary to attempt to map out, at a certain level of pragmatic abstraction, particular patterns of use; but this would be more, to use Rosenau's words, an "empirical" endeavor in the realm of "common discourse."[85]

And at the international-societal level, it would have to be a history of the various uses and applications of intervention in political discourse of states, bearing in mind what I have taken to be the lessons of failed attempts, even impossibility, of ideal consensus in the conference discourse of academics. For any inquiry to assume an "analytic" or otherwise substantive claim to meaning, while also proclaiming itself to be neutral and detached or value- or identity-free, would be to defeat itself even on its own terms, to accept a profound bias that cut to the heart of its assessment of cultural convergence. And yet, so often, from the late 1980s into the early 2000s, this is exactly the sort of history that we received.

INTERVENTION FOR THE GREAT POWERS

We first saw it in John Vincent. "Intervention is a word used to describe an event, something which happens in international relations: it is not just an idea which crops up in speculation about them."[86] Vincent's *Nonintervention and International Order*, published in 1974, was a moral argument about the regulation, not constitution, of intervention. I mean to say that Vincent operationalised a force-based definition to tell a story of how states have both violated and upheld what he called the "principle" of non-intervention, but which other writers, more narrowly, may have reasonably identified as the rules and principles governing the use of force. And based on lessons of history, we were to draw a particular conclusion: we were to become non-interventionists. His preface admitted as much openly:

> What provoked this inquiry was the prevalence of the view that the contemporary world is not a world in which a principle of intervention can obtain in international relations. Its ultimate purpose is to reply to the prevailing view and to state a case for non-intervention principally by meeting the arguments of those who would dethrone it.[87]

For pluralists like Vincent, there were powerful and obvious moral reasons why coercion ought to be restrained in global order, but it was not immediately clear why intervention, given the multiplicity of its interpretations across communities of practice, was to be conflated with the international use of force. Locating Vincent in his immediate context, one to which he made several references, provides some clarification. Vincent admitted that he was approaching the question of intervention through what he called the "factual basis" of the "international political environment in which law operates": one that had witnessed, as a consequence of the "arrival of nuclear weapons" and an "all-enveloping ideological conflict," the irremediable "diminution of the significance of state borders." "Specifically," wrote Vincent, "it is in the international law of

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[85] Rosenau 1968: 174.
[86] Vincent 1974: 3.
[87] Ibid.: vii.

internal war that the simple doctrine of non-intervention is held to have received a challenge to which it cannot effectively respond."[88]

And of course the problems of civil war, and military intervention to steer civil war, were among the most important public policy challenges in 1973. Like Michael Walzer, who would write on intervention in conversation with the idea of just war, Vincent's major concern was that of "proxy conflict" with the Soviet Union in the developing states (reads the preface of *Just and Unjust Wars*: "I did not begin [this book] by thinking about war in general, but about particular wars, above all about the American intervention in Vietnam").[89] While it was clear that Vincent was attempting to capture the morally and not just legally persuasive reasons for non-intervention in the problem of civil war, his was a moral inquiry occurring on just one of two levels. The first level was overt and easier to understand: the moral question that was whether, in ordinary or special circumstances, intervention was right or wrong. The second level was totally overlooked: this was the moral question of intervention's constitutive limits.

So Vincent intended and curated his history as a lesson in right, but it was a lesson in right that ignored the problem of intervention's contestation. Acknowledging unresolved academic debates regarding intervention's definition, he noted that intervention has been variously understood in terms of actors that embark upon intervention, the target that "suffers" it, the activity of intervention itself, its various types, purposes, and contexts in which it takes place, only to conclude that "the use of threat of force will be taken as a guide to the incidence of intervention."[90] "Here, no pretence will be made to encompass the whole field of interventionary activity in a single definition, and intervention will be understood as coercive interference."[91] Citing none other than James Rosenau himself, Vincent went on to "select an approximate definition of intervention" as a "discrete event having a beginning and an end" which is "aimed at the authority structure of the target state" and which could be said to "break a conventional pattern of international relations."[92] Having decided intervention, "non-intervention might be said to be the circumstance in which intervention does not occur" (when temporary, "convention-breaking," and "authority-oriented" coercion is absent).[93]

For all their interest in the normative and normative-structural, the English School of 1974 was simply not open to discussing evaluative processes in concept formation. In a footnote, Vincent said so explicitly: while "no study of intervention would be adequate" unless it took "the values at stake in interventionary situations" and "the reasons for our concern about intervention" into account, he considered the arbitration of value problems an exercise somehow "separate from the task of definition."[94] Surely Vincent was aware of the controversies lurking beneath the surface of Rosenau's conceptualisation. He had, after all, prepared the manuscript for his book at Princeton's Institute of Advanced Studies (then-directed by Cyril Black, who had attended the 1967 conference) and had it read twice by Richard Falk.

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[88] Ibid.
[89] Walzer 1977: xix.
[90] Vincent 1974: 8.
[91] Ibid.
[92] Ibid.: 13.
[93] Ibid.
[94] Ibid.: 4.

But bracketing the problem of contestation in fact appears to have been a core objective of the project: to impart a definitive meaning for intervention---as Vincent put it, "to fix its place in knowledge about international relations"---would be to facilitate an inquiry into a more practical ethics, particularly as pertaining to "the international law of internal war."[95] He sought neither "to discover a legal definition which might satisfy those who seek to restrain its occurrence by law" nor to historicise an empirical definition as used by states in international discourse.[96] By holding onto a single definition, and by dismissing the question of empirical meaning altogether, *Nonintervention and International Order* was therefore a meditation on the imprudence of intervention in a wholly analytic sense, and of dictatorial or coercive force.

It was by these means that Rosenau's definition found a second life in the writings of the English School during the early 1970s. And it was by these means that a new trend emerged in academic writing about interventionary acts: not through legal inquiry, or quasi-scientific investigation, but through a type of historical demonstration that traced the legitimacy or viability of a particular meaning of intervention, according to how state conduct infringed upon or adhered to "the principle of non-intervention"---as if the content of non-intervention was self-evident and universally understood. The English School's choice to insist upon dictatorial force, in this way resembled a meaning of intervention by and for Great Powers, and more specifically the Great Powers of the West (this point will become clearer later on). At the height of decolonisation, it might have been thought that the South was asserting its rights "in so extreme a form that they seem incompatible with the idea of an international society or community with rights over its members," but, if in many ways the opposite was true (and to suggest as much is one objective of the coming history), to insist that a "basic condition of any policy that can be called interventionary" was its "dictatorial or coercive" nature would be to miss the point.[98]

Nicholas Wheeler's *Saving Strangers* was published in 2000, in part as a response to Vincent's earlier argument. But while in important ways Wheeler's solidarist argument was a rebuttal to Vincent's pluralist one, in other equally if not more important ways, their accounts were in agreement. "This book focuses on the legitimacy of using force to end appalling abuses of human rights."[99] Intervention was again being investigated not as a question of self-determination or power inequality, but as a question of war and violence. *Saving Strangers* investigated *"*how far states have recognized humanitarian intervention as a legitimate exception to the rules of sovereignty, non-intervention, and non-use of force."[100] And though a historical study in the normative structure of international society, which argued that "a new norm" of humanitarian intervention had emerged in the 1990s, it was premised on the notion that contestation---by which I mean here contestation of the criteria to be met before an event or action could be said to count as an instance of "intervention" in social life---could be reasonably ignored. Of course Wheeler was interested in the way that states evaluated intervention in international society, but only in the sense of justifications of intervention as a certain type of event, its regulation not its constitution. What was important here then was not the putative

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[95] Ibid.
[96] Ibid.
[98] Bull 2000: 212; Bull 1984c: 1.
[99] Wheeler 2000: 2.
[100] Ibid.

dissimilarity, but symmetry and congruence of pluralist and solidarist writings, evident in the use of moral-historical argument on just one of two distinct but interrelated, and often mutually-inclusive, levels.

In *Saving Strangers,* Vincent's influence was everywhere: "the writer who really started me thinking about humanitarian intervention was R. J. Vincent."[101] Impressing upon Wheeler was *Nonintervention and International Order* as well as Vincent's later *Human Rights and International Relations,* published in the mid-1980s, which adopted the framework of the individual at some expense to the framework of states, but which stopped short of developing a theory of humanitarian intervention or proclaiming intervention as a right. It also stopped short of discarding quasi-naturalist meaning. In part because Wheeler believed Vincent's writings stood out as "the only significant contribution" to this debate, what became implicit in the English School's solidarist understanding of humanitarian intervention were values that, although not universal, were effectively treated as such according to the manner in which "cultural consensus" and "international legitimacy" was being assessed in historical inquiry.[102]

Another important example was Wheeler's understanding of human rights. Bull himself noted in 1984 that the "reluctance evident in the international community even to experiment with the conception of a right of humanitarian intervention reflects not only an unwillingness to jeopardise the rules of sovereignty and non-intervention…but also the lack of any agreed doctrine as to what human rights are."[103] To ask the question "what are human rights?" is I think to ask a historical question about their conditions of meaning. And, once again, to accept the civil and political rights, for instance, at the expense of economic, social, and cultural rights would be to adopt Western human rights standards and to reject parallel standards of the South. Yet here Wheeler again followed Vincent, who himself had followed Henry Shue: "basic rights" were "security from arbitrary violence and minimum subsistence rights" and basic rights alone were to delimit the scope of intervention's just cause.[104]

Human rights became human lives; and this shift seems important here because it underlines, again, politically-consequential exclusions and choices in constitution. The protection by intervention of other forms of human welfare, and the prevention by intervention of crimes against humanity that while "conscience-shocking" did not lead to large-scale loss of life, might feasibly have been described as "humanitarian" in historical discourse of the society of states, but would not qualify as "humanitarian intervention" according to the English School approach.

If we wanted to provoke further, we might even put forward the following: why the focus on blood and death? Some of this has already been discussed, and Part II offers additional details.[105] If Adam Roberts had been using the phrase "humanitarian war" in early 1993 to describe international action in Somalia, it was because humanitarian war, not humanitarian aid, peacekeeping, or say economic redistribution, was being presented by the world's most powerful

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[101] Ibid.: vii.
[102] Ibid.: 12.
[103] Bull 1984d: 193.
[104] Vincent 1986: 14; Shue 1980: 18-22.
[105] See introduction; see Chapter 7.

states as the solution to humanitarian crises.[106] The choices corresponded to a "New World Order." The G7 at London in July 1991:

> We note that the urgent and overwhelming nature of the humanitarian problem in Iraq caused by violent oppression by the government required exceptional action by the international community, following UNSCR 688. We urge the UN and its affiliated agencies to be ready to consider similar action in the future if circumstances require it.[107]

Wheeler and others would not have denied the liaisons of their work with turn-of-the-century liberal hegemony. In a 1992 article for *Millennium*, Wheeler noted the "growing interest, especially among liberal opinion in the West, in the idea of permitting a legal right of humanitarian intervention in international society." It was this "growing interest" that led to English School to question "how far there is growing support for this idea in the society of states" but in a way that shifted away from contestation thoroughly conceived.[108]

In other words, for discussion to crystallise to a point at which the terms under discussion were acceptable to the West, especially its liberal opinion, moral-foundational questions had to be sidestepped. Usually this was to be done without explicit justification---a prudent move, because to mention contestation would be to draw attention to the avenues of conceptualisation that the School did not take, but reasonably could have. It cannot be stressed enough that contestation had to be closed off in order for this sort of liberal-solidarist argument to succeed: if constitution not regulation became the ambition of the struggle, then matters like a pluralist-solidarist debate would be exposed as a small fraction of a much more intricate and complicated international dialogue, involving radical stakes and interests, in some cases amounting to a significant revision of Western-led order.

TALLEYRAND'S PRINCIPLE

As is well-known, *Saving Strangers* and studies like it became indispensable reference points for the literature at the turn of the century. We know that in the professional study of international relations, intervention was becoming more positively-valued, it was taking on flattering connotations. And this was also broadly true of its use within the society of states (though not in the ways we often believe---a point I will make in Chapter 7). In the English School, Linklater and Suganami were speaking of the "transformation of political community," and Dunne and Wheeler observed a "a longer-term shift" to champion solidarism in international society.[109] But as a pendulum swung from pluralism toward solidarism, the School's basic conceptualisation of intervention, as a purportedly stable and universally-understood event or practice, did not change. In the early 70s, Vincent sought to "fix its place" in the study of International Relations. By the early 1990s, it appeared as if he had largely succeeded: to put it one way, we forgot about Princeton.

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[106] Roberts 1993.
[107] Quoted in Gardner 1991: 71-2.
[108] Wheeler 1992: 1.
[109] Linklater and Suganami 2006; Dunne and Wheeler 1999.

The year 2000 marked not only the release of the ICISS report, it also signalled the ascendancy of something like a historiographical orthodoxy. I referred to this orthodoxy in the Introduction. Its character is commonly acknowledged. Since the early 2000s, the key problems in the study of intervention in international society have become the extent to which a specific application of intervention, or separately but relatedly a certain application of R2P, has emerged or receded as a norm, or as another sort of institution, and where to find its roots (in earlier political or legal practice, in classical thought, etc.).[110]

At the beginning of this chapter I noted the 1968 special issue of the *Journal of International Affairs* (on intervention) which announced that "usage of the term has not resulted in a common understanding of [its] meaning." In 2013, a new special issue on the concept appeared, this time for the *Review of International Studies*. On the face of it the issue was a firm rejection of analytic meaning: the issue did hold intervention as a "social practice," one that evolves and changes over both time and place---and this much sounded exactly right (I explore this in the next chapter). But it went on to specify that "as a working guide" for intervention's historical-sociological study in the ordering of the modern world, the concept should be "taken to refer to 'discrete acts' of 'coercive interference' in the 'domestic affairs' of other states, and which do not change the formal juridical status of the intervened party (as would, for example, annexation or colonisation)".[111] Not "wanting to get bogged down" in the question of "the difficulty of defining the term," there was a pivot back to John Vincent---back, effectively, to James Rosenau at the Princeton.[112]

Rather than escaping analytic meaning, much of what we think and write about intervention remains entangled with the operationalist thesis: "whereas major war and formal empire negate the dynamic between territoriality and transnationalism that drives the modern world," intervention "rests upon it," its function is in "coercively facilitating the settlement of tensions between territorial and transnational forces."[113]

It seems difficult to deny how this sort of assumption of meaning breaks with what the vast majority of studies of intervention in international life have always promised to be doing: accurately and objectively depicting intervention in global order, accounting for its ordering in the society of states. It would not be hard to argue that the use of a purportedly universal definition effaced an entire field of debate, that it set up a kind of ruse, one that ensured all paths led to a liberal-solidarist logic (which, at least at a foundational level, was in fact a pluralist logic also). Yet this sort of stabilised meaning---to use Rosenau's vocabulary, an analytic meaning masquerading today as an empirical meaning or, to be more specific, a global empirical meaning---has become an academic mainstay.

I want to close up this chapter and move to a new one on methodology. But there is one last idea I need to lay out, which I mentioned in the Introduction, and which I can now explain in a little

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[110] E.g. Thakur and Maley 2015; Bellamy 2015; Luck 2010. Thakur and Weiss 2009; Evans 2008, especially 1-79; Wheeler 2006; Finnemore 1996; Welsh 2013; Acharya 2013; Hehir 2019; Bloomfield 2016; Morris 2013. See e.g. Klose 2016; Glanville 2014; Rodogno 2012; Simms and Trim 2011; Bass, 2008; Recchia and Welsh 2013.
[111] MacMillan 2013: 1041.
[112] Ibid. For an alternative conception deviating from the sovereignty frame, see e.g. Reus-Smit 2013 in the same issue.
[113] MacMillan 2013: 1044.

more detail. The Princeton Conference speaks to the contested features of intervention as a concept, the fact of its various uses, the permanence of disputes as to substantive meaning. This provides a foundation for another observation about the concept in general which seems obvious after we have thought carefully about it, but might again seem "undisciplined" or unclear at first glance. Actually it is an indispensable dictum.

To return briefly to the annual meeting of the American Society of International Law in Washington, D.C., 1967: during the second panel, Richard Barnet made an observation that should entice us. "Talleyrand's definition of non-intervention has come back into fashion."[114] Others agreed.[115] What did Prince Talleyrand, early 19th-century French foreign affairs minister and veteran diplomat, have to say about the concept? Why might it have been fashionable in 1967, and why do I think it should become fashionable again, albeit in modified form?

The account varied as it passed from ear to ear, but usually it went something like this: it was 1832, and near the close of his career, Prince Talleyrand appeared at a dinner party, somewhere in London's West End. The ongoing Belgian Revolution was being discussed. And the story of this revolution rhymed with many others: liberals regarded the rule of William I of the Netherlands as cruel and despotic, the Dutch-speaking Flemish and French-speaking Walloons of Southern Netherlands revolted. In an failed attempt at mediation, the Great Powers of Europe recognised the declaration of Belgian independence at the 1830 London Conference. Humiliated, King William rejected the London settlement and proclaimed his right to Belgian territory, invading the new state as an act of retaliation. When the Belgians frantically appealed for international support, a French military operation arrived to halt the Dutch advance.

But had France behaved legitimately? Was the operation justified or legal? Crucially what of its relationship to what various guests were calling the "system of non-intervention" in the continent and the Concert of Europe? Talleyrand, then Ambassador to the UK, was at the centre of attention. Asked by a lady what was meant by the term, the master diplomat is said to have quipped, "Madame, non-intervention is a diplomatic formula, which signifies exactly the same thing as intervention."[116]

In other versions of the dinner party story, Talleyrand's words were that intervention and non-intervention were "practically synonymous," that non-intervention is "a mysterious word that signifies roughly the same thing as intervention," or that non-intervention is "a diplomatic and enigmatic word which means more or less the same thing as intervention."[117] And in the version probably closest to the truth, Talleyrand's questioner was not a lady, but William Arden, 2nd Baron Alvanley.[118] Now we might be tempted to interpret this phrase simply as: intervention is a muddle (certainly some have come to this conclusion, as I have shown in this chapter). But

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[114] Barnet, Moore, and Chayes 1967: 72.
[115] Steve Hoglund cited "Talleyrand's definition" during panel discussion on 27 April. See American Society of International Law 1967: 18.
[116] See The Times 1919.
[117] Quoted in Welles 1947; quoted in Modelski 1964: 24.
[118] So says the diary of English dandy Thomas Raikes, from where the story may have originated. In this version of the story Talleyrand is quoted, less usefully, as saying that non-intervention "is a *metaphysical* and political word that means more or less the same thing as intervention" (emphasis mine). See Raikes 2012: 106.

surely all political concepts prove subject to various and contradictory applications, and I think we are at least beginning to see that the "intervention as muddle" argument is clearly not true in contexts of practice. Alternatively, to be very realist, perhaps Talleyrand meant simply that intervention becomes non-intervention for those "with the power to give effect to it," like France in 1831.[119] Its formulation is always cynical, its many uses are hypocritical; the content of the principle shifts at the will of the most powerful. Either of these readings might explain the source of Talleyrand's appeal at the American Society of International Law in 1967.

But I think there is a much more useful interpretation, which can take our understanding of the intervention concept much further. In fact, as I want to show in the coming chapters, neither of the above readings prove compelling as explanations of the concept in international society or global order. I think we could all agree that non-intervention does not mean "exactly" the same thing as intervention, in any one specific and reasonable application, but might intervention and non-intervention become "practically synonymous" in terms of historical categories of substantive content? Across sets of actual formulations of intervention on the one hand, and of non-intervention on the other, might the same or very similar sorts of substance appear?

We saw through the Rosenau illustration how to demarcate intervention as the use of armed force alone, for example, is also to tacitly demarcate the form of what is non-intervention (not the use of armed force). It is thus also to legitimate a range of other actions---say, international propagandising---as non-interventionary, the consequence of this being a cross-cultural dispute. And vice versa: we can see that what is excluded from the range of the non-interventionary comes to be logically included in a corresponding range of interventionary. One important conclusion from this is that we cannot historicise the contestation of intervention without also historicising the contestation of what is its mirror image or inversion. But another is that any substantive order or practice called non-intervention contains a specific claim about interventionary forms; and hence insofar as we realise intervention differently, an order of non-intervention does in fact signify more an order of intervention.

This is already a very different point of departure from the usual routine; we might immediately begin to wonder if say, the non-interventionism of the Bandung Conference is worth remembering as a non-interventionism at all (recall Wight's allegation of Afro-Asian interventions against apartheid, noted in the Introduction, and which is the subject of a coming chapter). But the implications go even further. To attend to this in the historical thinking of the diplomatic community, where uses of the term are not just multiple, but change over time, is to see how particular sorts of activity (international armed force and coercion, absolutely, but other things, too) pass between these opposite evaluative categories. And I think we can see that it is precisely this sort of dynamic that impels debate.

In a sense, then, Talleyrand was right, or at least the following principle holds: across sets of historical uses of intervention, and of non-intervention, the same or very similar sorts of content appear, including content having to do with force. This is true in global international society now, and it was also true in European international society then, in the 19th-century. To cite one last example, Giuseppe Mazzini, looking upon non-intervention as it had been concocted at the Congress of Vienna, particularly to the effect that European governments might combine to

[119] Historicus quoted in Falk 1959: 164.

violently suppress movements like that of Italian unification: “What does this non-intervention principle in real fact now mean? It means precisely this---Intervention on the wrong side.”[120]

And so what is non-intervention to some, is always intervention to others---this is as it was at Princeton, and it is a recurring, even de facto constant feature of its use in international-political life. This problem does not precede the debate, it is the thing for which there is a debate. The struggle is for the realisation of intervention/non-intervention. And once we begin to see these points, we can also see how recent orders of non-intervention have very often been perceived as “intervention on the wrong side,” and I think how recent orders of intervention might be seen as putting non-intervention on the wrong side, as well.

[120] Mazzini 1870: 305.

CHAPTER 2

Constituting Intervention in History: Discursive Practices and the Lines Drawn by the South

I have been trying to say that IR, since the late 1970s, has all too neatly separated intervention from non-intervention; and if we look closely, it has done so in distinctly Western-liberal ways. Initially this was an attempt at separating value conflict from the task of definition: but defining intervention is inescapably evaluative, and a longer historical process obscured the distinction between what I have been calling analytic and empirical meanings. What followed seems excessively stipulative: a framing of intervention as a problem of global order that corresponds to just one interpretation---often, coercive interference---pulled from a range of reasonable and, as I show in the coming chapters, historically-significant alternatives.

Given the contested qualities not just of how to intervene, but what it is to intervene, how might we begin to more objectively assess normative structures in the society of states?

In this chapter, I want to lay out the historical sense and analytical scheme of an alternative type of story, one that looks back in time to recover formulations of intervention that might take us forward in time, to where we are and might be going. What we ought to study is the condition of intervention in discourse, not, following James Rosenau, the essence of intervention as behaviour, or, following recent historiographies, the diffusion or retreat of intervention in singularity. Talleyrand was right: across historical applications, the substantive contents of non-intervention and intervention do overlap, non-intervention is in this particular sense "practically synonymous" with intervention. This must be our starting point. But to apply Talleyrand's principle is also to see that the secret to understanding their very real diplomatic utility, their actual functions in international societies of previous centuries and the present one, lies in the conditions of discrete sets of meanings---in mapping out intervention and non-intervention in their recurring use, in the lines drawn between and around these concepts, in tracing the ways in which the lines move.

This imagery of lines and separations can be used to refer both to the substance of actual debate, and to a kind of framework or method for thinking about intervention as a global order problem. Limits or conditions of meaning evoke themselves in discursive practices, which I take to represent recurring ways of understanding, compared in and through deliberation. The lines drawn in debate are constitutive; to follow them is to appreciate a constitutive logic. This is the first part. The second part is: if competing practices make different claims as to "this is what intervention is" and "this is how intervention should be controlled" then to map out practice is to document cultural contrasts in international knowledges of intervention, knowledges which must always be explained historically. To locate separate practices on this map, to identify boundaries and contested territories, is to speak to the multiplicity of paths that intervention might follow in international politics, including those paths that it did not follow, but could have. Behind all this lies a series of specific philosophical commitments: these are anti-naturalist commitments. In adopting this approach, then, this chapter articulates a number of philosophical features basic to the interpretive turn in IR and the human sciences more generally.

But whose practices, do we have enough time to chart them all? I discussed a set of proximate concerns in the Introduction: an orthodoxy hangs over us even as the political projects to which it attends lose their shine within an increasingly post-Western (but not clearly anti-Western) international society. From one view: apology continues to be treated as a step toward Utopia, yet Utopia no longer seems within reach. It is in light of this present that I want to tell its history, the starting point of which must be lines drawn by the South since 1945, positioned against lines of the North.

The point is not simply that "they, too, had practices of intervention/non-intervention," or that non-Western practices have been silenced or confined. Both of these claims are of course true, and represent valuable conclusions, but what my argument more strongly resembles is this: it is the diplomatic confrontations or encounters between South and North that reveal the most significant transitions of what it means to intervene in global international society. And while the conflict between the South and the West has been punctuated by periods of truce and ceasefire, it has had no finale; to fight, and to fight again, seems so crucial to orders of intervention and non-intervention that an international-societal history of these concepts could be summarised as a history of lines competitively drawn, in the movements of frontiers and divisions. This story must be told in superimpositions.

In this way the coming historical investigation is not just about "who prevailed" but also "who argued," "what was at stake," and "how did the dispute proceed." And if I conceive of this discursively or politico-discursively, then I am saying what interests me is not solely those practices of intervention/non-intervention that seem to the greatest extent established in international-legal rules or doctrine. I am devising a historical conception of intervention that instead gives primacy not so much to the law as it is, or as it was, but something more frequently closer to how members of the society of states believed it ought to be, or thought it was. For all these reasons a history of a global intervention/non-intervention debate has a diametrically different purpose from New-Interventionist stories: it is to restore to the study of the intervention a focus on the meanings that shape international action, to teach us to think in lines, to dare us to draw new lines.

THE "ART OF SEPARATION"

In the context of intervention, Michael Walzer is usually remembered for his 1977 *Just and Unjust Wars*---his treatment of intervention as an aspect of just war theory, his justification of a "supreme emergency" exception, and his arguments in favour of forcible "regime change" when a government is murdering its own people.[1] But at a higher or more abstract level of theorising, closer to the level at which *Just and Unjust Wars* is at times (though perhaps unfairly) criticized for its "disdain of foundations," is it possible to construe of a "practical and engaged" or "practical-political" philosophising in new ways?[2] Particularly, if intervention and non-intervention are roughly synonymous across multiple formulations, how are we to make sense of differences in actual applications, and what might this have to do with Michael Walzer?

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[1] Walzer also reads intervention as the use of force across borders. See Walzer 1977: 86-108. For a discussion see Nardin 2013.

[2] See e.g. Bull's review of *Just and Unjust Wars*. Bull 1979; Walzer 1998.

I want to take inspiration from the imagery employed by Walzer in a 1984 essay, "Liberalism and the Art of Separation," not because intervention and non-intervention are inherently "liberal concepts" (as the previous chapter implied, surely they are also of use to socialists and neutralists---as they were in the Cold War---to neoconservatives as they were at the start of the new millennium, to the monarchists and anti-revolutionists of the Holy Alliance and Concert of Europe through the 19th century, etc.), but because I think Walzer's notion of an "art of separation" can help us to visualise processes of contestation.[3] Again, it can help us visualise in two ways: first it can help us visualise what is believed and argued in history, about what intervention and non-intervention mean in specific times and places. Second it can help us visualize the doing of intervention as a research problem. As I adapt it here, the art of separation refers then both to substance---to features of historical debate, to what was actually believed---and to method---to a way of conducting and positioning inquiry.

In the 1980s, Walzer was suggesting that we think of liberalism as a "certain way of drawing the map of the social and political world" and a certain mode of distributing liberty.[4] His argument went like this: confronting an undifferentiated world, where the continent "was all of a piece," where aspects of religion, politics, economy, and the family constituted a total and single reality, liberal theorists mastered an art of separation. By drawing lines, they marked off "different realms," walling off social spheres in which members were free to act in the inside, and free from disruption that came from the outside. A society, he wrote, is made up of these different spheres, each of which, in counterbalancing the rest, allow for the preservation of autonomy behind the lines, as well as stability and cooperation across them. Liberalism, in its history, was to Walzer "a world of walls, and each one creates a new liberty." Liberalism was a way of drawing lines when society is conceived as "an organic and integrated whole."[5]

Clearly, in some way or another, non-intervention is always about walls. And clearly, non-intervention always has something to say about liberty. To "mind your own business" is the most straightforward message of non-intervention in international society and the most basic function of a wall. It seems easy then to see the line between domestic and international affairs in a manner similar to Walzer's societal spheres. Wrote Walzer: the claim that "our homes are our castles" was the effective function of a line drawn between public and private life, creating a sphere of individual and familial freedom, that encompassed "privacy and domesticity."[6] The separation of civil society and political community, too, allowed for a sphere of economic competition and uninhibited enterprise, just as the wall erected between church and state created a space for worship in which "politicians and bureaucrats may not intrude."[7]

A substantive claim to the meaning of non-intervention, then, might be said to rest on a similar demarcation: which business belongs to whom. As the content of non-intervention is walled in, what things fall into the sphere of the national, and what things fall into the sphere of the international? To postulate in this way is of course to qualify sovereign privilege. And this seems like a very important part of ordering the problem.

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[3] "Liberalism and the Art of Separation" in Walzer 2007: 53-87.
[4] The art, claimed Walzer, could be seen at work in John Rawls, *A Theory of Justice*. Rawls 2003.
[5] Walzer 2007: 53.
[6] Ibid.: 55.
[7] Ibid.: 53.

But there is another type of line that Walzer does not consider in his essay, which, in the context of an act called intervention, cannot be avoided. We considered at length this line in the previous chapter: it has to do with specific forms of intrusion or interference, sometimes interpreted as means. If the abstraction of involvement in the affairs of others might be taken to mean, roughly speaking, nearly everything, and hence nearly nothing, then users of these concepts must appraise an existential limit: they define substantive criteria according to which a set of actions can be judged as intervention.

Briefly I want to review and organise some of these criteria in a manner that adheres if not to Walzer's conclusions about liberalism, then at least to his imagery of a competent division. The conceivable scope of contestation is such that there are several types or styles of separating---of modifying conditions of meaning in international society---but I want to start by pointing to five which to different degrees figure into my story, which I have identified using both inductive and deductive procedures.[8]

1. This other type of line---again the line that separates intervention from non-intervention in some application---might be drawn according to a logic of enumeration. A logic of enumeration catalogues concretely what sorts of actions count as intervention, or enumerates exactly what behaviours considered non-interventionary ("intervention is the use of military force, across borders, without the consent of the affected state," says one practice, "intervention is also the use of sanctions" adds another, but "intervention is not," both practices agree, "international-verbal condemnation of state-authorised treachery in civil strife"). This one is very straightforward: the character of interventionary or non-interventionary acts is spelled out as if selected from the whole range. It takes the form of a master list.

2. But divisions might also adhere to a logic of consequence, according to which intervention is not about specific types of behaviour, but specific types of outcomes, regardless of the means by which those outcomes are achieved. A logic of consequence works to isolate intervention as an effect; it might in this way be rooted in judgements of complaints, of allegations of interventionary behaviour, made on a case-by-case basis. Military force, in itself, is not interventionary; it is the way in which force affects---at the expense of self-determination, for example---that determines its interventionary nature. If intervention is the outcome of foreign pressure or domination, we encounter intervention in many forms; in this situation, to define intervention as the use of military force is to confuse the means for the act itself.

3. A third sort of separation relates to a state of exception. This type of line is joined by others: intervention may be distinguished from non-intervention according to say, enumeration or consequence, but particular sets of actions or events deserve special classifications under special circumstances. Often: ordinary expectations are to be transcended in the name of some higher imperative or emergency. An exception might delimit a normally non-interventionary act as unacceptably interventionary, but more usually has to do with evaluation on a second level: the

[8] An anti-foundationalist approach holds that we can "draw out the grammar of concepts by means of both inductive and deductive arguments" and rejects a sharp distinction between the analytic and synthetic. For a discussion see Chapter 1 in Bevir 1999: 16-26. I have used inductive procedures to develop general theories of separating, and then deductive procedures to conclude which types of separations have been actually made by which sets of states.

evaluation of intervention as legitimate or illegitimate, just or unjust, legal or illegal. To give the obvious example: intervention for the purposes of halting genocide or large-scale human rights abuses. Other possibilities here might have to do with managerial rights and responsibilities belonging to hegemonic states or clubs of major powers; perhaps bearing resemblance to a Schmittian view of sovereignty as essentially conjoined with extralegality.[9] The character or capacity to name exceptions, in both constituting and regulating intervention, might be defined in relation to the prevention of some supreme wrong, or for the promotion of some supreme good.

4. An existential design of intervention might also have to do with various sorts of jurisdictional claims. Admittedly this blurs to some extent with Walzer's notion of societal spheres, but here I refer not only to jurisdiction in the sense of which business belongs to whom, as in which things fall into the national or into the international. Rather, jurisdiction might also be taken as a much more reproductive question of legitimate authority, having to do with, for instance, the procedural aspects of legitimate authorising. This latter conception---if helpful, a kind of meta-authority, operating above the interlocutors, as a kind of deferral---is about who decides or asserts meaning, about the sources and process of defining what counts. For instance, according to states themselves: ought the definition of intervention to belong to certain political agents, say, in the form of diplomats, or to international courts, to legal conclusions more broadly? What role for the UN Secretariat, what role for civil society? Confronted by this sort of choice, how do members of the society of states organise contestation through particular settings and forums: is contestation ever a relegation?

5. Relatedly a fifth mode of separation makes specifications about status or classification, particularly of the interveners and the intervened-upon. There is room underneath a given designation of intervention as "coercive interference between sovereign states" to mark off "which source of sovereign authority," just as there is room to mark off the reach of internal affairs. This more primary sort of line recognises that when we realise intervention with reference to specific subjects and objects, so too may we question the constitution of those subjects and objects: who undertakes intervention ("states," according to one practice, "but not regional organisations, if they take collection action within the field of their membership and competence") and who suffers (or benefits) from intervention ("the sovereign", "the nation", or "the people")? If intervention is the infringement of self-determination, then how to measure the self-determined versus the foreign-determined, or, alternatively, how to measure the tolerable "fit" between a nation or people and a corresponding government?

These types of logics---though not always in these exact vocabularies---appear in the historical investigations that follow; they are not exhaustive of the viable contours of the lines, but they are rooted in the research problems I have identified so far, and in actual communications of the society of states.

TRACING LINES

If intervention and non-intervention are contested concepts, then a history of deploying these concepts might be imagined as a world of walls, a record of the boundaries and partitions that have marked off that section of the international-social and -political map which the rules of

[9] Schmitt 2005; Agamben 2005.

intervention and non-intervention could be said to represent. But separations as such refer to substance---to how intervention and non-intervention are divided as a fact. Can the analogy go further? Can it be made to say something general about the way we should go about doing research on these concepts? About the forms of reasoning most suitable to problems of re-constitution, the types of explanations to be provided, the materials and tools that should guide our inquiry? Is there, in other words, a framework or at least proto-framework in this imagery of lines and maps?

To sketch out answers to these questions, I want to set out a few key propositions. Together these form the basis of my method of thinking about intervention in international normative structures, which I have tried to make both simple enough for broad applications and yet grounded in a set of explicit philosophical claims.[10]

1. First I want to specify a little further my understanding of *contingency* in meaning. While we might compare these lines to walls, they are fragile and brittle walls; they may hold for some time, they may be built up or fortified, but they do not hold forever. Separation constitutes international orders of intervention and non-intervention at specific moments, but I have been saying that there can be no permanence here. Rather meaning transpires in multiple contexts.[11] This implies not only a unremitting possibility of contestation, but also a clear departure from its movement through developmental sequences or causal stages. Still, contingency is neither uncontrolled nor bereft of some stability---political concepts, in their range of applications, of course do experience recurring use (but at various levels of abstraction), they do succeed in some form of international ordering, "minding your own business" is a persistent and institutionalised problem, even if its realisation is non-universal.

Again we are looking at the historical conditions of what it is to intervene; this means that linework necessarily looks upon a series of redrawings, but what I am proposing here is a particular strain of contingency, one that corresponds to a particular understanding of practice (I discuss my conception of discursive practice in the next section). It is according to a contingency that is not a pure fluidity that intervention in international society is abstractly preserved but substantively changed.

2. And if I am narrating this contingency, then another central proposition has to do with *objectivity*. To address a common misapprehension: interpretation stands opposite to a kind of objectification or objectivism, not objectivity. We are of course seeking objectivity in historicising, but not an objectivity that consists in grasping contestation as independent of our perception or as accessible without prejudice (a very basic illustration for our purposes might be the Princeton episode).

But how to claim validity and objectivity in lines, particularly if we are to reject Rosenau's operationalism? In other words, if we reject naturalist concept formation, are we also to reject a naturalist understanding of objectivity---that is, a judgement of what is true by reference to pure

[10] I use the word "method" here loosely. An art of separation or history in lines refer to a kind of research paradigm, to philosophical commitments, types of explanation, and types of material in addition to techniques of the craft.
[11] See Bevir 2000.

experience, or pure reason?[12] If so, what is the alternative? Here I want to take a position that holds assessments of what is objectively true as inevitably historically-situated: what counts as objectively true is a compelling explanation possibly replaced by more compelling explanations in the future.[13] What is objective is determined through comparisons of what are widely agreed upon as facts, and the ability of the account in question to effectively critique and explain rival accounts.[14]

Again this might seem obvious. But there are less obvious consequences, which take us away from what we might have thought we were doing with an intervention debate. The key change is: there can be no matchlessly scientific mode of interpretation that yields the "fact of the matter to be discovered," as in anything like an utterly certain, singularly correct reading, we are recognising instead that there are of course multiple true stories, at multiple levels of description, or multiple levels of analysis, that can be told about a single political reality.[15] I am hence going to be making claims about actual placements of lines based on the proof available; and my hope is that revisionist histories correct orthodox ones following the presentation of new evidence, new questions, new shifts in paradigms.

And crucially, in writing a narrative like this, we should be pragmatists: in interpreting actual linework, we adopt levels of description that best correspond to the issue at hand (the issue at hand being that of intervention's actual ordering).[16]

3. I do not want to neglect an explanation of change or processes of change. I think we can account for lines and sets of lines---how they move, intersect, are displaced or overcome---by appealing to what actors have been *thinking and saying*. Because lines do not draw themselves. There is no such thing as a view of intervention from nowhere, and the intervention concept has no free-standing existence. To reiterate: intervention (let alone humanitarian intervention) is not just an event, it is a judgment. As intended meanings, by which I mean assertions and expressed beliefs, separations do not impose themselves upon us: they are shaped in international life by people, and I am interested here in the people for whom the word "state" is a shorthand. These people experience and make claims about the problem of intervention/non-intervention according to their faculties, interests, and wider sets of beliefs, all of which are affected by their historical circumstances.

So interventionist or non-interventionist structures must be demystified: the lines do not extend, recede, or multiply outside of the beliefs and desires of people. And I am understanding historical meanings of an utterance as the viewpoints that it expresses, at various degrees of

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[12] See Bevir and Rhodes 2010, especially Chapter 3; Bevir 1999: 78-126.
[13] Bevir 1999: 92-96; Kuhn 1962; Quine 1951; Wittgenstein 1973: 243-363.
[14] Bevir 2008: 270. Concerning criteria: Bevir 1999: 96-106.
[15] "I used to think far more in terms of correct interpretations, and to suppose that there is usually a fact of the matter to be discovered…I now feel that…the process of interpretation is a never-ending one." Quentin Skinner quoted in Bevir 2009: 222. Skinner 2002b: 50; see Lamb 2009.
[16] But note that our philosophical commitments have otherwise far-reaching consequences for what the art is and can be doing: they strictly preclude the types of casual explanations that typify certain modernist strains of constructivism and institutionalism.

abstraction (see previous proposition and consider in relation, for instance, to my conception of discursive practice in the next section).

4. The fourth proposition, directly following, has to do with my view of *agency* in relation to these structures. There is subjectivity in a study of intervention/non-intervention even if the arguments of the historically observed, like the arguments of the historical observers, are in every case local and situated: insofar as statespeople serve as agents, they are statespeople in contexts, not statespeople in themselves.[17] Yes, traditions are handed down, social inheritance plays a role, habits take hold, at times historical adherence to some particular interpretation no doubt occurs without a "free act of clear conscience."[18] But I want to be clear: there is no determinism in my story. True, separation involves choices which are far from infinite, which are embedded in and constrained by distinct historical circumstances. Obviously it would be very wrong to suggest that patterns or structures of action are issued at will, without some degree of structural inhibition---but neither would it make much sense to conceive of languages or structures of intervention without their being renewed through speech or action.[19]

It is in this more limited way that intervention is what statespeople make of it.

5. I also want to make a point about the genre of my empirical inquiry, which relates to philosophical concepts like denaturalisation and rupture. Whereas I think we can clearly see a residual teleology in New-Interventionist stories, there is *genealogy* in a larger-scale narrative in lines. And mine is a genealogical project of a particular sort.

Historians who devise genealogies do so to disrupt: by revealing the different scenes in which concepts like intervention have been used in different roles, we find a means of critiquing how such concepts are understood in more contemporary settings.[20] And I do plan on writing in a very critical tone, one that shows both choices in paths that led to present understandings, and perceived conspiracies of those understandings.[21]

But to pre-empt a skeptic: genealogical investigation is not relativist, if we take relativism to mean anything more than a denial of finality in comprehension.[22] I will not be revealing lines that are equally convincing, reasonable, moral, etc. We remind ourselves again that genealogies encompass many models, with many different aims: they refute claims of necessity (by denying as given, for instance, intervention as "coercive interference"), they snatch for present use the "substantive fruits" of a concept's other origins and formations (by recovering, for instance, a logic of intervention as foreign propaganda, at a time of jeopardised domestic elections,

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[17] Consider the discussions of subjectivity, structure, and intelligible "purposefulness without purpose" in Taylor 1985b: 171-2, 152-84.
[18] Bourdieu describes "pre-reflexive agreements" as "turned unconscious," but the change of interest here is primarily of the conscious route. Bourdieu 1998: 56. For a discussion see Hopf 2018.
[19] Taylor 1985b: 169.
[20] Foucault 1984a: 76.
[21] The thesis is hence both critical and Critical in the sense of adopting some ideas from the broad tent called Critical Theory.
[22] See previous paragraphs on objectivity; Bevir 1999: 78-126.

including in the North), and, most crucially but also most subtly, they engender an awareness whereby we learn to do "our own thinking for ourselves."[23]

What do I mean by this? A genealogical project invites, and creates conditions for, not just new self-criticisms but new self-definitions---as further contestation, as further separation.[24] In appreciating the unobvious choices that have defined the lines in their delicate balance, we---as readers, writers, practitioners---see both separations as they might have been, and separations as they really were, in some cases finding discrepancies between what we want and what we received.[25] Of course it is not that this, in itself, equates to separation.[26] And, yes, we will need to distinguish between origins as mere birthplaces, and origins that are integral to the content of normative design.[27] But in freeing us from previously unknown assumptions, in unveiling options that we did not think we had, genealogies affect not just how we analyse the problem of intervention, but also, much more pressingly, how we feel about that problem.[28]

To see intervention in the linework is a radical project insofar as it returns us, cyclically, to the question of what intervention is, while at the same time recognising ourselves as within its unfolding process of reform.

It might even be possible to make an argument about ethical sensibilities here.[29] Lines are probably sharpest when we recognise that they have been drawn before, that they will be drawn again, when we take inspiration from the good, censure what seems outmoded, adapt in light of what seems new. Surely we seek a mindset that sets up various lines for appraisal, that debunks the transcendentalist excuse, that sees deliverance through comparison.

So this is how, far from somehow leaving us adrift, in a muddle, lacking discipline, a global history of intervention/non-intervention might come to satisfy a cultivative purpose of teaching us to think again for ourselves---because for decades we have been activists for lines already formed. It would hence necessarily look beyond R2P, it would be an indictment of our infatuation with the linework that is R2P alone. The aim would be to recapture intervention and non-intervention for a more fundamental sort of international-political and moral theorising, as a field occupied not only by those who think of themselves as theorists, but also those who often consider themselves to be doing something different: the "practitioners" themselves.[30]

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[23] See Lane 2012. Lane compares the genealogical models offered by Skinner, Geuss, Bevir, Williams, and Krupp to a model contained in Nietzsche's *On the Genealogy of Morality*.
[24] On Skinner's "doing our thinking for ourselves," see Tully 2008: 17; see Lane 2011: 141.
[25] Bevir 2008: 271.
[26] Lane 2011: 141-6.
[27] Note, however, that the authority of an idea might follow from claims about origins, especially origins that seem innocent not shameful. See Bevir 2015: 262; compare with Turner 2014.
[28] "…I do not deny---unless I am a fool---that many actions called immoral ought to be avoided and resisted, or that many called moral ought to be done and encourage---but I think one should be encouraged and the other avoided for reasons other than hitherto. We have to learn to think differently---in order at last, perhaps very late on, to attain more: to feel differently." Nietzsche, 1982: 103. Analysing this quotation, William Connolly writes that Nietzsche's "use of artful techniques to alter corporeal 'feelings' functions as a replacement for teleological virtues." Connolly 1993: xiv.
[29] Consider Connolly 1993: xiv-xv.
[30] Walzer sought in the late 1970s to "recapture the just war for political theory." But again my purpose is not to propose a specific theory of intervention/non-intervention, as Walzer did with just war. See Walzer 1977: xxii.

PUTTING DISCURSIVE PRACTICE TO USE

In the fine arts, a methodology reflects on materials and tools in the production and theorising of effect; in the art of separation, which are the materials and which are the tools, how to use them for intended effect?

I have been using a metaphor of lines as expressive of conditions of meaning---as expressive of a kind of formula or design of some constitutive claim---and have laid out a number of substantive logics and analytical techniques to be associated with those lines. All this has been tied to specific set of objectives: the effect I am intending is critical and attitudinal, in which critique of the present crisis of intervention (and non-intervention) depends on a historical analysis of meanings in international society. But I think a bit more needs to be said about the objects and terrain of that historical analysis---the material from which lines emerge and are comprised---and still more about explanatory concepts capable of systematising and addressing that material.

"Discourse" and "practice" are terms with rich histories and literatures of their own, covering a very wide range of concerns.[31] I am not concerned with entering these debates, and I am not going to comment on their elaborate depth except to say that not all positions within them would construe of an art of separation in the way that I have.[32] Instead what I want to do is to make use of discourse and practice theory in such a way as to advance the goals I have already discussed.

To paraphrase Foucault: discursive practices are for cutting, in the coming chapters they are cutting tools.[33] By discourse I refer to collections of statements through which social meaning is made, through which we come to know "this is how things are."[34] By practice I mean a shared set of actions, which are reprised, appraised, and accepted over time. And when we are speaking of language itself as a stable and patterned enactment or doing, we are conceiving of discourse as practice, and understanding practice through discourse; we are speaking of discursive practices.[35] And to be sure: discursive practice is always in some sense material practice, too, since language and knowledge is always constitutive of accounts of materialised practices, and of deeds identified as intervention.[36]

Discursive practices are for cutting first then in the sense that they make competent divisions, they separate intervention from non-intervention in ways that are judged proper or appropriate. Lines that constitute are evoked by discursive practice, discursive practices convey and are manifested through the sorts of empirical, intersubjective beliefs and meanings that have been of interest in this and the previous chapter. They embody shared conceptions of "this is what intervention is" in a world in which intervention has not been and cannot be resolved as this or

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[31] See e.g. Neumann 2002; Bueger and Gadinger 2015.
[32] See e.g. Doty 1997.
[33] Michel Foucault in 1984, in relation to what he called "effective history" and genealogy: "…knowledge is not made for understanding; it is made for cutting." Foucault 1984a.
[34] See e.g. Swidler 2000.
[35] Adler and Pouliot 2011a: 6, 16.
[36] "[P]ractice weaves together the discursive and material worlds," "it is thus relevant to conceive of discourse as practice and to understand practice as discourse." For a discussion see ibid.: 8, 14.

that---in which intervention is a contested type of judgement, not just a form of behaviour.[37] It is at the level of that we find enumerations, effects, status exclusions, exceptions, jurisdictions, and other sorts of prescriptions and logics that represent conditions of meaning.[38]

And they are for cutting second in the sense that they serve as critiques: crucial to the function of practices in international society is that they critique rival practices; discursive practices exist in a state of competition for the content of intervention in global order. At the level that I am approaching them, at the level of a global debate, practices always contest other practices. It is hence an analysis of the describable contents of these discursive practices, in addition to the political contexts revealed in their interplay, that proves conducive to "effective history."[39]

But because discursive practices have been used in other ways, too, I want to offer a few additional clarifications of my own practice of discursive practice. I am talking about regularities that pull together and reconcile a number of viewpoints at once, which in passing through approximate a unity; they neither articulate nor necessarily coincide with the precise viewpoints of individual states.[40] As a shared set of actions, they hence cannot be reduced to an argument belonging to any single state or actor, it would be misleading to speak of founding subjects or entrepreneurs. Neither are discursive practices equivalent to or divorced from legal practices---they impress upon legal structures (just as legal structures impress upon the practices), but they do not wholly correspond or concur with legal substance or function.[41] In accounting historically for discursive practice, we should consider the ways in which international law presides over intervention, how intervention is expressed in the law, but international discourse cannot be reduced to formal legal discourse alone.

True, the content of intervention as a legal conclusion is itself extraordinarily contested, as leading international-legal scholars continue to believe: "one of the most potent and elusive of all international principles," concludes Vaughan Lowe, "hardly any other expression used in international law is as vague, blurred, controversial, and disputed," agrees Gerhard Hafner.[42] The international-legal does present a field of discursive contestation (consider e.g. my chapter on Friendly Relations). And yes, intellectual traditions like Critical Legal Studies (CLS) and Third World Approaches to International Law (TWAIL) do present ways of thinking about what the law is, and should be, which focus on the lived experiences of Third World states and peoples in relation to Western dominance, structured around the regional divide of interest to me.[43]

But without denying a TWAIL- or CLS-like reading of at least some of the historical arguments that follow, I want to stress that if we are to know intervention in international society, if we are to confess its role there as a feature of global order generally, then the domain of analysis must

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[37] See Swidler 2000.
[38] See especially Foucault 1984b. As a model of international-societal inquiry linework could be compared to and with Foucault's early approach to discursive practice. But it is not "archeological" per se, there are important differences here, particularly in terms of my conception of change. I am describing an art of separation in part to differentiate from the archeological method and related metaphors in Foucault's work.
[39] To history that produces our intended effect. Foucault 1984a.
[40] See Foucault 1997: 11-12.
[41] Ibid: 11.
[42] Lowe 2007: 104; Hafner 2009.
[43] See Anghie and Chimni 2003.

be discursive-practical, and not just juridical. While distinctly legal arguments enter into international debate and order-making, sometimes in ways that clinch and seal, and while, as the coming history will suggest, discursive practices (through their practitioners) often reveal themselves in the negotiation of treaties, customs, general principles, and subsidiary means by which international law comes to be established, my objective is not to decipher the law. Debating global orders of intervention---related global-international rules, institutions, ethics---is an arena of a discourse that I am taking to be broader than the international-legal, where dynamics of transformation, for instance, are not the same.

So this is one reason why artful separation is to be traced through groups of statements that comprise the communications of the society of states---in its international summitry, congresses, committees, treaty-making, etc. There, conditions of meaning are to be interpreted according to the assertions and self-descriptions of statespeople as practitioners: discursive practices change and vary, and we can better appreciate these transformations by looking at how sets of practitioners make up their minds in patterns, not because beliefs are not adopted against inherited backgrounds, not because there is no place for sheer habit, and not because various other sorts of structures---including international-legal structures---are absent from the picture, but because members of the diplomatic community exercise some degree of agency in choosing what it means to "mind your own business" in international life.[44]

In all this actual deliberation is not some detached, rationalistic affair, conducted graciously and considerately in an atmosphere free from physical or psychological pressure, or from behind a veil of ignorance. Unequal circumstances, and the resolve to legitimise or delegitimise those circumstances, are entwined with every discussion, they inflect every word. And if domination does not self-justify, it should not surprise us that our arguing about intervention/non-intervention is attentive to issues of power and processes of its legitimation.[45]

So a complex relationship with power is the final aspect of discursive practice; first in the sense that we can rather easily see how contests of interpretation are implicated in states' legitimising and negotiation of power in circulation. The second way of generalising about power is by recognising some aspect of the debate as caught within its net, as undergoing and not just exercising power: states, in attempting to impose meaning on intervention and non-intervention in international life, persuade and convince, certainly, but also coerce.[46] I want to differentiate then between institutionalisation and ideal agreement and acceptance. Where agreement does occur I have found, at most, a kind of partial overlap of unalike geometries---intervention has not been universally resolved, it must be construed according to a logic not of an "all-or-nothing," but of a compromise, at times a very instrumentalist modus vivendi.[47] Some of this I mentioned in the Introduction.

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[44] We know that communication both channels meaning and is itself a form of enactment, in the sense that speech too is a form of doing. See e.g. Adler and Pouliot 2011a: 14.

[45] "Institutions are not just concerned with liberal purposes of solving common problems or promoting shared values. They are also sites of power and reflect and entrench power hierarchies and the interests of powerful states." See Hurrell 2007: 39, 95-120; see also Hurrell 2004: 33-58.

[46] The historical animation of international law through political confrontations, including imperialism, may be seen here as instructive analogy. See e.g. Koskenniemi 2004; Anghie 2005.

[47] Consider An-Na'im, 1992: 19-43, 20.

A major component of our historical method, then, has to do with considering the operation of extrinsic forms of power over the outcomes of the debate, in addition to the translation of power into authority. This has often been lost in previous studies. And yet this dual aspect of overpowering or subduing seems very central to intervention/non-intervention as a global dilemma, in the coming investigations it will emerge as a central theme.

To pull this together: clearly intervention is not "mere rhetoric" or just words. In the aftermath of Libya for instance, of the quagmire of warfighting that was intervention in Libya, we know it is much more than that. But if we are ever to capture the evolving social meanings of this contested concept in historical global governance, if we are ever to understand intervention as a global debate, we need to track how they have been expressed upon by that society's members; what we have to do is investigate the links between order and sets of historical arguments and interpretations of order, in regularities called discursive practices. Taken together discursive practices articulate what I have been calling the conditions of what it is to intervene, they are made up of the self-descriptions of statespeople as practitioners, and they are connected to the struggle to justify and the transmission of power. Hence it is between the practices, in their competition, that we find the vital and more or less perennial problem: how to manage involvement in the affairs of others.

NORTH-SOUTH AXIS, PERENNIALISM IN PROTEST

So we can see now that to explicate intervention/non-intervention in discourse and discursive practice is not to say that as coherent and relatively stable arrangements of beliefs and actions practices somehow pushed actors into zombie-like compliance, to uncover the shifting content of intervention or non-intervention in international law, nor to isolate a single formulation as a harbinger of the "good." Rather, by historicising the effects of normative contestations, and by measuring the relationships of multiple ideational structures to the semantic fields of the political, it is to restore a focus on the historical meanings that shape international action.

But which practices to uncover, which lines to follow, which regions, which periodisation? If recent academic writings on intervention have tended to focus on singular meanings then we might be inclined to prove those meanings to be both distinctly Western and distinctly liberal, or even neo- or moderate-liberal (see for example Chapter 4). As we begin to lay out that proof, it becomes easy to anticipate a series of historical horizons. In addition to moderate Western-liberal practice, is it not possible to trace the lines of a more radical Western-liberal practice into the late 18th and early 19th centuries? As contrasted with, say, a Western-monarchical or -conservative practice within the Concert of Europe? Was there not such a thing as a Marxist-Leninist practice of intervention or non-intervention? A distinctly Maoist or distinctly Soviet practice? A practice belonging to the modern international development agencies? Is it useful, in the early modern period, to speak of a European-Christian practice associated with the rescue of co-religionists (and is this really a humanitarian interventionism, or a sectarian one?)[48]

But we only have a limited amount of time, and a limited amount of resources; once again the doing of history presents us with hard choices. Given these restrictions, and without denying the possible fruitfulness of other applications, where to open a discursive-historical inquiry?

[48] Consider in relation to e.g. Lawson and Tardelli 2013; Keene 2013; Little 2013; Jones 2013; Williams 2013.

Some of this I have already discussed. In the Introduction I noted that an era seems to be ending, we are no longer fixated on the pursuit of cultural consensus, we must deal with the fact of cultural difference and of the increasingly post-Western condition of world politics: agency is shifting, international society has, both in terms of its formal membership and major players, become more genuinely global (and as part of a longer process).[49]

And yet for a literature that purports to account for international society, in all its apparent difference, contemporary writings betray a certain sameness. It seems hard to overstate this point: this sameness is an ethnocentrism, particularly but not only at the constitutive level. Running through this orthodoxy purporting to be global is a view of the debate that corresponds to the empirical meanings or more specifically discursive practices of just one side (and in terms of Western meanings alone, actual diplomatic practices have in fact departed from major academic practices---this we will see in the coming chapters).[50] It is not just that the conversation prefers Western case studies, it is that its starting point becomes its end point.

To take one set of examples: claims continue to be made about the founding or invention of humanitarian intervention in the classical thought of Vitoria or Mill, the emerging Law of Nations, the early modern interventions of the "commonwealth of Christendom," British-naval interventions against the transatlantic slave trade, etc.[51] Some of this would seem to resemble liberal-internationalist histories of international law, which depict Europe as something like a pure origin; similarly we have come to know humanitarian intervention as a "European concept" radiating outward into more international practice that comes to define a single debate.[52] Its history resembles "Western experiences" because "for better or worse," the West has had "a unique impact on our contemporary conceptual categories and normative standards" and consequently has "fundamentally shaped the perimeters of legitimate intervention, including intervention by non-Western states."[53]

Of course this type of argument does make reference to non-Western deeds called intervention---India in East Pakistan, Tanzania in Uganda, and Vietnam in Cambodia, especially---but these are said to be "shaped largely by Western concepts of international relations" which reflect "the experiences of the Western world."[54] And yet, as we will see, it seems plausible that Third World discursive practice provides the basis of an alternative historical perspective on each of these and other cases, particularly but not only insofar as self-determination is concerned. My use of a North-South axis is again a heuristic (where "the South" closely resembles the membership of the G77 and Non-Aligned Movement, and is often supported by the Soviet Union/Russia). But we will see that a rough North-South divide appears consistently in voting records on many key resolutions and declarations, and in the actual constitutive logics of which historical discursive practices of intervention/non-intervention are representative.

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[49] See Hurrell 2019; Dunne and Reus-Smit 2017.
[50] I am speaking in generalities here. For an exception see e.g. Crawford 2002. On the South as norm-shapers, in regard to the regulation of intervention, see e.g. Acharya 2018.
[51] See e.g. Klose 2016*;* Simms and Trim 2011; Bass 2008*;* Rodogno 2012.
[52] Rodogno 2012.
[53] Simms and Trim 2011: 18-19; Recchia and Welsh 2013: 7. Compare to Bull and Watson 1986; Bull 1984a: 12-13. For a discussion of parallel liberal-internationalist histories of international law, see Koskenniemi 2011: 158.
[54] Trim and Simms 2011: 18-19.

We should have trouble with the reasoning behind Euro-creation stories for the additional reason that they seem to be premised upon the same shaky philosophical grounds as those sketched out in the previous chapter. In these stories, historical deeds called intervention cannot materialise without conforming to the description offered by Western practice. Origins refer only to a specific strain. This singular strain, migrating from context to context, even century to century, serves as a quasi-natural type, despite being the subject of shared global debate. A fallacy of equivocation would seem to slip in: equivocation occurs insofar as we fail to distinguish uses of the words "intervention" or "non-intervention" (or, as we will see, "the responsibility to protect") across distinct discursive practices.

So to focus on common language---without attention to very uncommon meanings---is to risk misreading international cultural convergence, to misconstrue the functions of the terms in global order. This is a point that I have been pressing upon in different ways.

And we can also see (we saw in the previous chapter) how the sort of ethnocentrism embodied by the prevailing account is itself involved in norm-setting and practice-making---precisely in relation to interventionisms that seem discredited since Libya. Critiques might sound like this: the predominant story hides the vices of classical humanitarian intervention, obscuring its destructiveness, underplaying the atrocities it has caused rather than prevented. As if meaning were detached from use, it historicises only what it calls "true" cases of humanitarian intervention, ignoring its "abuses" (e.g. conquest and empire-building as a "white man's burden") as something like false consciousness. A stronger strain might allege that by doing so, orthodox argument becomes comfort for empire; that in spite of the literature's clear rejection of the abusive paternalism and deceptiveness of an imperialist "civilising mission," its belief in naturalist meaning steps toward a tacit reprise. To start from intervention as coercion or armed force is in fact to start from a formulation historically entangled with the maintenance of hegemonies and the promulgation of empire; in Part II I demonstrate how this was always a meaning of intervention deployed against anti-colonialist and anti-imperialist alternatives, most clearly during formal decolonization in the mid-20th century.

These basic motions---stadial ideas of the origins of modernity and the 'rise of the West', ideal-typical explanations, and various sorts of sorry comforting---are the focus of significant critiques being made, for instance, by much critical, historical-sociological, and postcolonial and decolonial scholarship.[55] And against this background it seems that we can distinguish between at least three types of counternarratives. Briefly I want to show how only one of these three proves compelling---this is the narrative of North-South encounters in discursive practice.

First, we might be tempted to imagine an alternative history that identifies a better meaning of intervention outside of a Western-liberal interpretation but inside a Third World interpretation, and then tell the story of that meaning in terms of its own circulation through regional- and then

[55] See e.g. Go and Lawson 2017; Shilliam 2010.

global-international-societal levels. In the same vein we might seek (some have in fact started to seek) the Southern sources of say, a modern practice of R2P.[56]

Yet to do so---to claim the Southern roots of a single, universalising form, or to chronicle an alternative but still reified conception of either intervention or non-intervention---would do us few favours; to feign again the existence of just one set of lines in history would simply be to play another round in the game of contestation, but not to explain it for what it has been and is becoming. In its singularity it would be, like its Eurocentric counterpart, not enough to account for a global intervention debate. We cannot again adopt some other substantive application of intervention, trace it back not to Westphalia, but to say, Bandung, and then measure an abiding global debate according to the yardstick provided by the statespeople who gathered in 1955.[57] As tempting as that path might appear politically, it offers us too little analytically.[58]

Alternatively we might be tempted to focus solely on the practices of the Global South, to tell a story of equivalences: that just as there have been Western practices, so too have there been Southern practices. It might be tempting to examine the regional meetings or concerts of the South so as to prove with hard evidence that intervention and non-intervention have been conceived differently in various regions of the world, as if to say, "they did things differently there," and we (here perhaps a "we" as in we Westerners in a Northern-dominated academy) "have been too self-absorbed to notice." Regional practices developed independently and in their own terms, which ought to be picked up if we are to comprehend their practitioners. And surely, on the face of it, this exercise seems to appeal: in adding to the sheer data or volume of the intellectual- or practical-historical register, it does seem like a useful and viable project.

But I want to reassert an important proviso: that while we can logically identify lines drawn within some regions as isolated from lines drawn in other regions, international linework should not be traced in a very insulated way---not if we seek to account for global order or a global debate, at any rate, and not if we seek to account for their change.

Certainly if we are interested in the meanings of intervention in the society of states since 1945 it is necessary to grasp how non-Western and Western practices arise in mutual struggle. I have mentioned that it seems difficult to appreciate the role of intervention at the international-societal level without attention to practices in competition, but it seems difficult to ignore the possibility that the character of both non-Western and Western practices have been historically affected by that competition.[59] We can hardly hope to know intervention/non-intervention as a global-historical dilemma without at least some knowledge of the interactions, exchanges, and

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[56] "As argued by Mohamed Sahnoun, co-chair of ICISS, in many ways R2P is actually a distinctly African contribution to global human rights. Many traditional Asian cultures also stress the symbiotic link between duties owed by kings to subjects and loyalty of citizens to sovereigns…In India, for example, Emperor Ashoka (third-century BC) inscribed the following message on a rock edict: 'this is my rule: government by the law, administration according to the law, gratification of my subjects under the law, and protection through the law.'" Thakur 2019: 130. See also e.g. Glanville 2010.

[57] This is a critique of "Eastphalia" or "Southphalia" creation stories insofar as they are stories of singular, universal significations. Consider in this context Anghie 2017; Kim et al. 2009; Ginsburg 2010.

[58] It may be tempting politically insofar as we seek to join into the game of contesting particular present practices.

[59] Consider e.g. Lorca 2015.

recodifications that occur through mutual hostility, of the sparks that fly when practices are in friction. The coming chapters suggest sparks do fly.

In a recent piece Robbie Shilliam offers this very useful and intriguing phrase: "intervention is a distinctive technology of colonial-modern rule."[60] Intervention does seem like technology---it seems like a technology in the sense that it constitutes techniques of knowledge applied for political and other sorts of ends, in the sense that it is, again, a practical art. But I might suggest the technological or instrumental side of the equation be delineated according to the precise formula at play in particular contexts, the techne must be mapped in multiplicities.

So certainly many discursive formations of intervention are, in a sense, technologies of colonial-modernity, but that all such technologies are also historical discursive practices. All interventionisms are discursive practices, but not all are technologies of colonial-modernity. And I think as soon as we recognise this, we might also begin to see that certain practices of non-intervention, too, have been distinctive technologies of colonial rule (we recalled already Mazzini's own national liberation and anti-colonialist critique, for instance). What I mean is that a key part of de-centring is about showing how the concept has no doubt operated to structure and enforce a standard of civilisation, but another key part is about how formulations of intervention have been salvaged and put to use for directly opposite purposes (I discuss a radical anti-colonial intervention later on). I think the process of understanding precisely how these concepts fit into historical colonial processes, and anti-colonial processes, can be appreciated then in comparisons and historical accounts of discursive practice, across North and South---technologies of oppression, I try to show, historically move between.

So there must be a decentring or decolonizing agenda concerning intervention as subject-matter, and in fact we are beginning to see calls for exactly this.[61] But to the extent that this agenda provincializes specific dominant orders and exposes duplicities, I want to say it should also tells us something about intervention and non-intervention in a more general sense, as a type of knowledge pertaining to global orders Western-dominated or otherwise, in an increasingly post-Western international society as in a Western-led one, etc. One aim then is to synthesise better categories of global-order analysis; international society theory is to be used to explicate Third World protest, but Third World protest is to be used to explicate international society theory.[62]

On this third counterhistorical account then we begin to transcend Eurocentrism while also preserving a place for intervention (and non-intervention) in international life: we do so by analysing related knowledge claims embodied in a Southern struggle against Western-led order. This would not be an attempt at tracing the advances of Western Interventionism against Non-Western Non-interventionism, or vice versa, it would be a mode of analysis in which separations are not yet made, in which an account of regional sets of practices can be given within the same range of conceivability, as non-neutral answers to a common and mutually-accessible dilemma (how to constitute and order intervention in international life).[63]

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[60] Shilliam 2013.
[61] See e.g. the special issue "Decentring the study of international intervention" in *Cooperation and Conflict,* introduced in Schroeder 2018.
[62] Hurrell 2017; Tsai 2013.
[63] Taylor 1985c: 128-129.

And this interest in a North-South clash would begin to account for my focus in what follows on the UN, and especially the General Assembly: for it is in there that, as an empirical matter, the revolt against the West was primarily waged. It is also there that the most important and most global-international declarations and deliberations on intervention/non-intervention are made---the 1965 Declaration, the Friendly Relations, 1981 Declaration, the 1999/2000 debates on classical humanitarian intervention, the 2005 World Summit Outcome Document, the R2P debates especially of 2009, for instance. That is not to say my sources are limited to UN discursive records, however: in Chapter 3 I focus on the San Francisco Conference and the UN Charter that sets the frame, for instance, and in the following chapter I analyse key Third-World conferences including Bandung, Belgrade, and the Tricontinental. As those chapters make clear, it is in these other spaces that distinct discursive practices come together which then reappear in the UN, and especially the UN General Assembly, and come to inform global debate.

Very broadly then it would be a critical history that, loosely following Subrahmanyam, is clearly "connected" in the sense of the encounter, and is to be approached, loosely following Taylor, through a "language of perspicuous contrast" such that the subjects of our histories, but also its readers and its authors, are shown to be engaged in a "fusion of horizons, not an escaping of horizons."[64] In other words: we do not claim to speak on behalf of others, we do not claim to forget ourselves, but we do seek out contrasts and exchanges across cultures, particularly by studying the self-descriptions of states, from which we might begin to map out a global history of discursive practices.

INTERVENTION/NON-INTERVENTION IN HISTORICAL INTERNATIONAL SOCIETY

The presence of intervention has been differentiated from its absence by lines that have been redrawn many times over. This linework, I have argued, is a sensitive and politicised art. What properly falls on the side of intervention, what properly falls on the side of non-intervention? How to enclose these concepts? How to qualify and manage them? This is the art of separation as substance. It appears in many styles (I gave five non-exhaustive but historically significant examples).[65] The more complex the application of intervention or non-intervention, the more authors lay claim to an inherently contested field, one that presents an ample leeway of reasonable interpretation. But lines do hold, even if impermanently: contested fields have been ordered internationally by the separations embodied in discursive practice, and more specifically, discursive practices in a multitude, discursive practices in competition.

The art of separation is also a method of thinking and of seeing. To become historians of the lines, and to become artists of lines more generally, we must first become interpretivists. The art of separation is an expression of a particular sort of interpretivism: it is interested in the meanings that shape actions and institutions, with attention to the self-definitions of agents as opposed to immutable causal laws or sequences.[66] We know that international politics as historical interpretation is an equation of some tradition, a good example is the work of the very

[64] Subrahmanyam 1997; Taylor 1985c: 151.
[65] Enumeration, consequence, exception, status, and jurisdiction.
[66] See especially Bevir 2014; Bevir and Blakely 2018.

early English School---in another partial revisit to the 1960s---with its core interest in what it called the "distinguishing marks" of "the diplomatic community itself," "the way it functions and the obligations of its members," guided by a "pervading moral concern."[67]

But we also know this can only be a partial revisit: we know that the methodological commitments of the older approach always needed to be fuller and more overt, that it was undermined by a pervasive ethnocentrism (I explored an important example in the previous chapter).[68] I have tried to lay out a reformed approach, which accounts for the philosophical underpinnings of my story and might serve as an aid in my historical proofs.

To trace such practices from the past is to recover logics of intervention and non-intervention in their historical milieu, and to consider how some practices have offset and affected others, including through political confrontations attentive to issues of power and hegemony. It is international deliberation, as a record of conscious normative struggle, that acts as the window through which we should view such evolution and change in the lines; we can understand meanings of intervention, in their contingency, by writing narratives about the ways in which states, in their situated agency, have debated and reflected upon specific practices of intervention. There is no nihilistic relativism here: what there is instead is an invitation to new self-understandings, through provocative types of histories that amount to self-critique.

I have also elaborated more on a view of global-historical debate that revolves around a North-South axis, particularly in light of problems having to do with ethnocentricity, and because I am trying to write a history of the present. Granted, there are often good reasons to doubt a North-South dichotomy or easy distinction between a Western core and non-Western periphery. A North-South axis is a schematization. But what I have been suggesting so far, and what I am trying to prove in the coming chapters, is that it is also a gratifying historical picture of how debate has actually proceeded. This is what makes it an indispensable heuristic; it provides the basis for a revisionism that reveals valuable and general truths about intervention and non-intervention concepts in international society.

So what I have been trying to say in Part One is that if ordering intervention is really a function of the knowledge embodied by discursive practice, then we must move from a type of history whose primary effect if not objective was to establish the worth of one specific practice, to a type of history that seeks to decipher the historical contests between practices, and teaches us to think again in lines. A study in separations is a study in contrivance. Of course I am not the first to be thinking, more or less explicitly, in lines, in maps, affirmative encounters, or boundaries between the "inside" and the "outside"---but I am insisting that a history of intervention in international society, particularly in the form of a debate among its state members, and as organised around a Third World revolt against Western-led order, represents a new and timely problematisation.[69]

It is in this way that what follows could be called an introduction to a global history of intervention/non-intervention, and a demonstration of how alternative sorts of inquiries into the intervention problem might proceed.

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[67] Butterfield and Wight 1968: 12; for a discussion see Bevir and Hall 2020.
[68] Ibid.
[69] See e.g. Walker 1992; Walker 2015.

CHAPTER 3

Dictatorial Intervention and the UN Charter

Between 1939 and 1945, much of the old international order had become discredited. Attempting to construct a new framework in its place was the United Nations---not yet the international organisation, but the Allied alliance of 1942 after whom that organisation was to be named.[1] The 46 nations who had declared war on the Rome-Berlin-Tokyo Axis, their governments the original voice of "we, the peoples, of the United Nations," were seeking to preserve and defend international society by re-making it---to impart new ideas of what to do and what not to do in the relations of its states, to lay down new sets of international rules, norms, and laws.

And to these United Nations, the meaning and limits of intervention were unsurprisingly of serious concern. For to greater and lesser degrees, global war had trampled upon the domestic and reached into the internal affairs of all participants. Its outbreak was itself marked by extreme interferences that challenged the Covenant of the League of Nations. To name an obvious few: when Italy invaded Ethiopia, Mussolini claimed that war would liberate populations that since millennia were "at the mercy of a few bloody and rapacious chiefs," that Italy was exercising "the right and the capacity of extending that high protection which the very Covenant of the League of Nations, in its Article 22, recognises as the civilising mission incumbent upon the more advanced nations."[2] When Japan launched its attack on Manchuria, Tokyo referred to its Mukden pretext and supposed self-defense.[3] And when Germany occupied Czechoslovakia, Hitler asserted the inalienable right to self-determination of minorities, who, under alleged Czechoslovak oppression, were in need of external protection by the German Reich.[4]

Hence, when an international conference was called to draft a charter for a general international organisation, there was an strong incentive to re-order intervention so as to better manage its execution in the newly won era of peace. Divergences between governments were widespread, but the incentive to address collectively the problem of intervention was overwhelming. It was in this sense not surprising that when the UN Conference on International Organisation opened at San Francisco in April 1945, the precise formulation of its limits was reportedly among its "most important" debates.[5]

The San Francisco episode provides an ideal starting point of a history of intervention/non-intervention in international society. And in speaking of San Francisco, I am concerned again with the contingent design of intervention in the context of power-political choice, whereby official management of the concept reflects the exclusion of alternative claims, around which interstate discourse is documented in conference transcripts and voting records. Here questions about the meaning of this concept are formally raised and provisionally answered, specifically through the contents of the UN Charter. Because of what participants were trying to do---to

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[1] *Declaration of the United Nations (Arcadia Conference)*, 1 January 1942.
[2] Mussolini 1936: 30; *FRUS* 1935, I: Document 568.
[3] *FRUS* 1931, I: Document 10; ibid.: Document 14; ibid.: Document 55.
[4] See e.g. Shirer 1960: 384–96.
[5] The official Canadian report on San Francisco: domestic jurisdiction was "one of most important questions before the Conference." See Canadian Department of External Affairs 1945: 18.

determine nothing less than a comprehensive postwar order---a whole series of interventionisms came together at San Francisco, and out of them emerges a set of impressions about "normal" meanings of intervention that persist into the Cold War and post-Cold War eras. San Francisco is therefore a story that deserves a detailed, micro-level analysis: it recounts, in broad terms, the making of conceptual frames come to typify modern global debate.

I want to argue that these constraints can be located at divergent intersections between two practices of intervention influential at this particular moment in history. Each of these practices, in rival terms describing but also evaluating intervention, and hence making claims both about form and about management, may be interpreted in diplomatic positions adopted throughout the conference. The first, what I will call a "dictatorial intervention" (given the language of "dictatorial force" used in juridical interpretations adopted by its American, British, and Soviet adherents) confronted a "effective intervention" espoused by a primarily Latin American-led coalition of smaller states (a word on the limits of an "effective" interpretation in a moment).

And while these two interventions (or, if we would like, interventionisms) largely converged over significant rights to be accorded to the UN as an organisation*,* there was much disagreement over the intervention rights to be allocated to the organisation's members. The act of intervening was to be undertaken by particular masters (the UN Security Council through its members) when "international peace and security" was breached or threatened---this much was clearly agreeable to all. Less agreeable was whether states themselves could serve as their own authorities in assuming interventions, and exactly which means, if any, of "doing" intervention---be it through armed force, economic sanctions, propaganda bombardment, the provision of supplies to internal rebel groups, etc.---were to be considered legitimate behaviour of these lesser masters. It is towards the question of intervention between states that I devote most of my attention, for it was here that the most heated disputes emerged, with far-reaching consequences.

If the practice of the small powers advocated a broad, more "effective" proscription to state-led interventionary activities, then what do I mean by broad, what do I mean by effective? "Broad" in the sense that it prohibited not only armed force, but any other means of interfering against the sovereignty, independence, and indeed "personality" of the state. This usually adhered to the following sort of logic: all states have a right to determine their own futures---their own "destinies"---which might be identified with, for instance, the principle of sovereign equality. Accordingly all states also have a duty to refrain from direct or indirect intervention, whether concealed or open, for whatever reason whatsoever.[6] Hence "effective" in the sense that intervention was to be understood primarily not in reference to means, but to a particular sort of effect, or consequence---that is, intervention is the outcome of foreign constraint on the liberty of states over their own affairs. The means of intervening are not essential to the constitution of the concept; it is the outcome of foreign pressure, in relation to a wide spectrum of political, economic, and cultural elements, that violates the fundamental rights and duties of states, and hence ought to be generally prohibited in international society.

In contrast, dictatorial intervention attempted to regulate intervention between states with reference more specifically to the use or threat of armed force. By doing so, it drastically narrowed the scope of the means through which illegitimate intervention occurred, placing

[6] *UNCIO* 1945, III: 248.

unarmed (often, "non-coercive") interferences of a political, economic, or cultural nature out of the reach of regulative custom or law. It therefore excluded from its interpretation things like the use of economic inducements, propaganda, and plausibly a range of fifth column activities like espionage, sabotage, or the political manipulation of proxy actors. This much resonated with conventional interpretations of the "dictatorial" argument made by Oppenheim---the conceptualisation with which Western readers and legal scholars are today so familiar---and implied that the essence of interventionary transgression was not about control, but violence, or a particular understanding of violence. Intervention was rendered less about consequence---less about the consequence of violations having to do with abstract rights to independence, liberty, or state personality---than about enumerated patterns of military behaviour.[7]

In the end, the Great Powers, and with them the arguments of the dictatorial understanding, would prevail---at least textually. The Charter was of course signed and eventually ratified by all participants, but it would be inaccurate to conflate diplomatic capitulation with normative convergence or persuasion. I think we can show that the Conference's most controversial decisions were never made in its meeting rooms, but in Secretary of State Edward Stettinius' private penthouse at the Fairmont Hotel, where without record the arguments of the majority faced a jury of hegemonic assent---the assent of the UK, the USSR, the UK, and France. I am proposing then that to ignore the play of discursive practice is to risk mistaking entrenchment for consensus (a recurring theme in the broader story that I will be telling in Part Two). Although the creation of the UN is often felt as very broad-minded achievement, which welcomed cultures to join hands, to breathe common life into certain basic principles, for many the mode of realising intervention in the UN Charter was in fact one of diminution.

SPONSORING POWERS' PROPOSALS

By 1944 the so-called "Big Three" (the US, the USSR, and the UK) had already met to prescribe the structure of the international organisation, especially at Dumbarton Oaks in September 1944 and at Yalta the following February. Not all attendees were drawn from the West: Republican China was also present at the first of these meetings---though we should note that Chiang Kai-Shek's government was a less-than-equal participant behind closed doors (to treat the "pigtails" as one of the victorious Great Powers, Churchill is quoted as saying, would reflect "a wholly unreal standard of values").[8] Agreements made at Dumbarton Oaks formed the basis of a draft Charter that served as the sole agenda item at San Francisco, a meeting itself jointly sponsored by the US, the USSR, the UK, and China. To be sure, then: when international delegates arrived for the UN Conference on International Organization (the San Francisco Conference), they were not gathering around a blank slate, but engaged with a template provided by their hosts.[9]

There was no explicit inclusion of the word "intervention" in the Dumbarton Oaks Proposals signed on 7 October 1944. But while the Big Three stopped short of inserting an explicit non-intervention provision, the meaning of the term was repeatedly deliberated and final agreements

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[7] Oppenheim 1912: 305; Lawrence 1913: 124-125.
[8] See Stettinius 1975: 53; quoted in Hilderbrand 1990: 59, 123. The inclusion of the French made a "Big Five" and eventually a "P5."
[9] U.S. Department of State 1945: 26.

over issues like domestic jurisdiction and limitations on the use of force did set certain boundaries around interventionary activities in postwar order.[10]

And I think we can show the logic behind those boundaries by examining suggestions made by early working groups of the Dumbarton Oaks delegations. Such suggestions spoke to the long history of non-interventionist principles in international treaties and constitutional documents, not least in the Covenant of the League of Nations that the Proposals set out to improve.[11]

For instance, one proposal for member states "to refrain from the use of force or threat to use force in its relations with other states and *from any intervention in the internal affairs of other states*, except in performance of its obligation to contribute to the enforcement procedures instituted by the Executive Council" appeared in an American draft in December 1943.[12] Similar provisions specifying that member states "respect political independence" (a concern shared "particularly among the smaller states") and "respect and maintain the territorial integrity and political independence of each other against external aggression" (with the scope of "aggression" not limited to armed force) also appeared in official Chinese plans for the general international organisation, including those as late as August 1944.[13]

The record of informal American consultations with Latin American states, too, makes the following very clear: that the Big Three were aware of a smaller-power plea that restraint from intervention was to be listed as an obligation not just of a hypothetical UN Organisation, but of all states as members of that organisation---as it was in the inter-American system. On September 15, 1944, for instance, during Secretary Hull's meeting with Ambassadors from Colombia, Brazil, Peru, Mexico, Uruguay, Venezuela, and Chile, Hull assured that the United States was at Dumbarton Oaks to insist precisely upon the "principles already established in the Inter-American community; for example, non-intervention and non-discrimination."[17]

Yet, contrary to Hull's suggestion, as it became clear that certain far-reaching limitations on foreign policy might arise from various interpretations of the intervention concept ("sometimes the failure to act is intervention," lamented British representatives), the term disappeared from the draft Proposals.[18] Washington's early call to prohibit "any intervention" between state members became conspicuously missing in future iterations of American postwar planning documents, erased in July 1944 according to new recommendations by Hull himself and

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[10] See e.g. mention of Dumbarton Oaks discussion regarding a contested definition of intervention in *FRUS* 1945, I: Document 222.
[11] Article 15(8) of the *Covenant of League of Nations.*
[12] The statement was prepared by the Informal Political Agenda Group on December 21, directly after President Roosevelt's return from the Cairo and Tehran conferences. *FRUS* 1944, I: Document 366.
[13] Ibid.: Document 475; ibid.: Document 410.
[17] Hull admitted during this meeting that, at Montevideo, he had accepted a policy of non-intervention "in spite of the feelings of other members of the United States Delegation." See ibid.: Document 494.
[18] *FRUS* 1945, I: Document 222.

President Roosevelt.[19] And attempts by China to introduce a broad and explicit definition of aggression were short-lived after London voiced its opposition.[20]

True, there was agreement on limiting the intervention rights of the UN itself, and this might have appeared to placate demands for the inclusion of a non-intervention clause. But a non-intervention principle to protect from the IO's becoming a kind of supra-state was very different from a non-intervention principle to govern affairs between its members. The general expectation was, yes, that any outcome ceding a considerable degree of state sovereignty to a new and in many ways experimental international body was to be avoided at all costs. To the Big Three, the limited rights and duties available to the organisation were to be those expected of an association of sovereign states or great power concert, not a "world government."[21] And, yes, this was an especially imperative concern for Roosevelt, who in the final years of his presidency sought to succeed where Wilson failed, and who saw in the founding of a general international organisation a personal and grand-strategic legacy.[22] If the UN Charter was to be ratified by the US Senate (unlike the Covenant of the League) it was widely perceived that Senators had to be assured that its capacities for interventionary activity were essentially under American control (I discuss the Security Council veto in the coming paragraphs).

But what I want to stress is that there was strong opposition to regulating legitimate *state* behaviour by reference to the non-intervention principle; and it is this facet that was becoming the first central question to define a global intervention/non-intervention debate in postwar international society. And even where a strain of an IO-specific interventionism entered the Proposals, its character was always conservative, being marked by refusals of the Big Three to turn down other, more revolutionary paths that might have found varying degrees of appeal among the Organisation's nascent membership.

To illustrate the latter point: Soviet and Chinese memoranda for the creation of an international air force corps, as an independent policing arm of the Organisation (answerable to the Security Council), were dropped after encountering American and British opposition.[23] And in 1944, an early attempt at UN-based humanitarian interventionism was advocated for inclusion in the draft Charter. The paragraph was the handiwork of maverick American diplomat Benjamin Cohen.[24] At least one September draft of the Joint Formulation Group at Dumbarton Oaks in fact laid out an unequivocal right for UN-led interventions on the grounds of "humanity and justice":

> It is the duty of each member of the Organization to see to it that conditions prevailing within its jurisdiction do not endanger international peace and security and, to this end,

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[19] *FRUS* 1944, I: Document 390.
[20] The Chinese group preferred to "see 'aggression' defined," preferably by an "illustrative but not comprehensive" list of aggressive acts, both traditionally forcible and non-forcible. See ibid.: Document 476; ibid.: Document 475.
[21] U. S. Department of State 1945: 100.
[22] See e.g. Gowan 2003.
[23] See *FRUS* 1944, I: Document 408; ibid.: Document 411; ibid.: Document 418; ibid.: Document 432. Gromyko withdraws his proposal on September 12, 1944. See ibid.: Document 444. On China's conceptualisation of the UN "International Police Force" see e.g. ibid.: Document 410; ibid.: Document 475.
[24] See Lasser 2002: 280. Cohen's original formulation in *FRUS* 1944, I: Document 440.

> to respect the human rights and fundamental freedoms of all its people and to govern in accordance with the principles of humanity and justice. *Subject to the performance of this duty the Organization should refrain from intervention in the internal affairs of any of its members.*[25]

Yet humanitarian intervention was too much for the Allies present. Not because of any perceived vulnerability to traditionally coercive or violent UN interventions---but perhaps because of probable exposure to UN interventions in other forms, including the communicative or informational. Sir Alexander Cadogan claimed that a humanitarian intervention provision might enable the General Assembly to engage in invasive criticism of members---I would argue with the susceptibility and probable embarrassment of the European empires in mind.[27] And after Ambassador Gromyko, too, argued that human rights were simply "not germane to the main tasks of an international security organisation," the Americans set aside and soon erased the Cohen provision.[29] Notably Cohen himself would not be asked to attend the San Francisco Conference.[30]

Instead, according to the final Proposals, the Organisation was empowered to intervene when and only when the Security Council deemed "international peace and security" to be threatened or breached.[31] This much is well-known. First, the Allies empowered the Security Council to use all diplomatic, economic, and other measures not involving the use of armed force to give effect to UN interventions mandated with the maintenance or restoration of the peace. Second, in the event that pacific measures failed, the Council reserved the right to intervene through unlimited military enforcement action by air, sea, and land. In every instance, the authority to monitor and control what was meant by "threats" or "breaches" to "peace" and "security" was granted to the Security Council, bound by its particularistic voting formula.

This crucial voting formula was definitively settled as a non-negotiable item at Yalta and announced as an additional provision to the Proposals on 5 March 1945.[32] Again, we know this part of the story vert well: the decision was to appoint (not to elect) five permanent Council members who were to wield veto powers over matters of substance as well as procedure. Early American plans to include Brazil as a sixth permanent member were dashed when the idea faced objections primarily from the Soviet Union.[33]

And in many ways, the exclusion of Brazil exemplified a trend running through Dumbarton Oaks and into San Francisco, whereby the Sponsoring Governments moved from the inclusivist ideals so crucial to the outward appearance of the general international organisation. "Where questions of power and security are concerned," it was thought "most unwise to raise theoretical issues like sovereign equality," better instead to favour "common sense and safety first rather than status for

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[25] Ibid.
[27] Ibid.
[29] Ibid.
[30] Ibid.: Document 460.
[31] See *Dumbarton Oaks Proposals,* Chapter VIII, Section B.
[32] In fact, the new voting procedure was added to the Proposals at precisely the same moment as invitations to San Francisco were sent by the Sponsors (meanwhile, study on the Dumbarton Oaks Proposals had already begun).
[33] See e.g. discussions of Brazil as a permanent member in *FRUS* 1944, I: Document 429.

the smaller countries."[34] "Common sense," "safety first" formulations (of the intervention problem, like Council arrangements) were, I am beginning to suggest, formulations that retained and expanded European control.

Here I would cite three examples.

First: by the end of the meeting at Dumbarton Oaks, the article that later became Article 2(7) on the final UN Charter, appeared in the Proposals as Section A, paragraph 7. It was slated into Chapter 8 ("Arrangements for the Maintenance of International Peace and Security including Prevention and Suppression of Aggression"):

> The provisions of paragraphs 1 to 6 of Section A [now Chapter VI] should not apply to situations or disputes arising out of matters which by international law are solely within the *domestic jurisdiction* of the state concerned.[35]

Its wording and location had important consequences. Placed in Section A, the article referred to the pacific settlement of disputes, specifically disputes not yet considered to constitute a threat or breach to international peace and security (the subject-matter of Section B). By demarcating "domestic jurisdiction" according to international law, which was likely to operate on a case-by-case basis, the article inherited the basic juridical mentality of an analogous provision in the League of Nations Covenant.[36] It also proposed a high threshold for protection: by referring to matters "solely" within the domestic sphere, it seemed to refer only to situations or disputes unshared by *any* shade of the international. I will return to this point later on.

But for many what was most important was this: by being inserted into Chapter 8, the article governed interventionary activity conducted by the Organisation itself, and the Security Council specifically---it had no bearing on interventions undertaken by states in other states.[37]

Second, then: to address the between-states dimension, the Proposals were dedicating just a single article. "All members of the Organization shall refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the Organization."[38] To do so would be to narrow the scope of illegitimate intervention by proscribing state violence, or threats of state violence, while excluding a range of activities---informational, cultural, economic, and otherwise---explicitly recognised by some (by the Latin Americans, certainly, as I will show) as "interventionary" or aggressive. It was not that the drafters had been unaware or unconcerned with alternative formulations (to add to our examples: bearing in mind a broader non-intervention, China had argued that the section that would become Chapter 2, Article 4 explicitly forbid the "provision of arms and munitions, or financial or technical assistance to the nationals of another state, calculated to create civil commotion or to overthrow the government

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[34] See the September 30, 1944 telegram written by Jan Smuts of South Africa to Churchill, who then passes it to Roosevelt in ibid.: Document 464.
[35] Section A, paragraph 7, Chapter 8, Dumbarton Oaks Proposal.
[36] See Article 15 of the Covenant.
[37] See Goodrich and Hambro 1949.
[38] Chapter 2, Article 4, *Dumbarton Oaks Proposals*.

of such state.")[39] It was rather that these other lines of intervention were chosen to be spared. Again, I will explore this point in more detail later on.

And third: the proposals did mention the "sovereign equality" of "all peace-loving states" as one of the Organisation's guiding principles.[40] However, the meaning of "sovereign equality" was itself contested. According to the tentative British proposals for international organisation, for instance, two principles followed from sovereign equality: "in the first-place members must agree to respect each other's political independence, and secondly all members enjoy equality of status, though not necessarily equality of function."[41] But to the Soviets, sovereign equality was understood merely as a principle holding that the organisation must be "open to membership by all peace-loving states, large and small."[42] American and Chinese plans for the international organisation did not include the words at all.[43]

As the Peruvian delegation would later put it at San Francisco: "sovereign equality" was without universal "technical or scientific meaning."[44] And the error of its ambiguity would have "a tremendous importance and effect," for by using it, states might seem to have "put aside the idea of [state] personality," to "have put aside the idea of sovereignty."[45] Even insofar as sovereign equality could be interpreted to imply respect for the rights and duties intrinsic to sovereignty---an interpretation by no means self-evident in the Proposals alone---the contents of these rights and duties were indeterminate, these too would need to be specified.

A LATIN AMERICAN-LED REVOLT

We should read what followed as the beginning of a revolt. It was not that the so-called lesser powers denied the political necessity for the "Greats" to claim a set of larger responsibilities over universal collective security---in light of the central role played by major powers in ending the world war, as well as their superiority in military capability, this much was to be expected---but that the broader substance of the Proposals, including in regard to non-intervention, had been arranged without the sort of consultation expected of good neighbours, no less wartime allies.

The Brazilian Ambassador to Washington, DC, October 1944: President Getúlio Vargas and the Foreign Office were "considerably embarrassed by having to admit that they knew nothing other than what they had seen in the press" regarding the progress of the Dumbarton Oaks Conference.[48] And so snubbed from these negotiations and resentful of what the Proposals contained (or did not contain), Latin American governments met separately in Chapultepec, Mexico City, in early 1945.[49] They did so to take a pre-emptive stance on the normative issues

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[39] *FRUS* 1944, I: Document 410.
[40] See Chapter 2, Article 1, and Chapter 1, Article 2, in *Dumbarton Oaks Proposals.*
[41] *FRUS* 1944, I: Document 410.
[42] Ibid.: Document 403.
[43] Ibid.: Document 410; ibid.: Document 390.
[44] See *UNCIO* 1945, VI: 457; ibid.: 310.
[45] Ibid.
[48] *FRUS* 1944, I: Document 493.
[49] The US agreed to attend, but would hesitate to mention Chapultepec in the UN Charter. See e.g. *FRUS* 1945, I: Document 219.

expected to preoccupy the San Francisco Conference, and to reinforce a long-standing Pan-Americanism. This was the regionalist's answer to the collective security question so central to a hypothetical postwar IO, but it was also an attempt at reframing other sorts of debates.[50]

A core aspect of Chapultepec was its non-interventionism.[51] Making reference to previously brokered inter-American agreements, re-asserting and also coordinating them, the Act of Chapultepec consisted of pronouncements to install regional and universal norms that would shelter the internal affairs of states, notably: "the condemnation of intervention by one State in the internal or external affairs of another" (see e.g. the Seventh International Conference of American States, 1933) and "the recognition that respect for the personality, sovereignty and independence of each American State constitutes the essence of international order sustained by continental solidarity, which historically has been expressed and sustained by declarations and treaties in force" (see e.g. Eighth International Conference of American States, 1938). And to prescribe a code of collective action consistent with this non-intervention, signatories declared that "any attempt on the part of a non-American state against the integrity or inviolability of the territory, the sovereignty or the political independence of an American State shall be considered as an act of aggression against all the American States" (see e.g. Declaration XV of the Second Meeting of the Ministers of Foreign Affairs, Havana, 1940).[52]

These basic ideas were not new to the region and I want to devote a little space to laying out this point; I think it also lays out the logic of a distinct non-Western practice that comes to be picked up in 1945. This is one that construes of intervention as effect.

Briefly we might want to locate this practice in a broader and provisional historical sweep: bitter and cautionary memories of external interferences---first European, then later American---had long spurred the integration of non-intervention into Latin American public law, beginning as early as 1826 at meetings like the Congress of Panama. Here it is as if intervention comes to be understood as a kind of original sin: the Americas are colonised by Europeans, new nation-states are born out of resistance to European empire but also through, as in the case of Cuba for instance, a kind of congenital (North) American imperialism or quasi-annexation, such that foreign compulsion in the region is like a curse---through bayonets and the threat of force, as with the Platt Amendment, but very crucially also through other forms of control.[53]

According to this sort of story it is in 1868 that the Calvo Doctrine comes to challenge the Monroe Doctrine: whereas the latter proscribed the military occupation of North or South American territory by non-American states (e.g. European efforts to seize Venezuelan territory

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[50] Chapter VIII of the UN Charter would come to order the involvement of regional organisations in the maintenance of international peace and security; another choice in San Francisco's ordering of intervention/non-intervention, but not the choice of interest in this chapter.

[51] Chapultepec committed the US to a regionalist rather than universalist system of defending Latin America, especially from Soviet intervention. But it also said something about non-intervention more generally as an obligation of states. See Chapter 14 in Gellman 1979 and Chapter 3 in Smith 1994. For the full text, see U.S. Department of State 1946: 72.

[52] See e.g. "Draft resolution 42, Delegation of the United States of America to the Inter-American Conference on Problems of War and Peace" in U.S. Department of State 1946: 185-87.

[53] I am paraphrasing comments of the Cuban delegation at Montevideo, 1933, quoted in Connell-Smith 1966: 89.

as part of a forcible debt recovery), the former attempted to proscribe a much wider range of strategic action, particularly in reference to the collection of international obligations.[54] Calvo condemned absolutely both "diplomatic" and armed intervention in domestic affairs, where parameters of the domestic were understood to belong to the exclusive jurisdiction of international courts.[55] And Calvo becomes symbolic of a Latin American discursive practice, particularly when American non-intervention adopts a logic of exception: in December 1904, President Theodore Roosevelt enunciates his Roosevelt Corollary, as a defense of United States intervention in the Dominican Republic, and as a basis upon which to justify subsequent interventions. "Chronic wrongdoing" may require "intervention by some civilized nation," like the United States itself, to the exercise of "international police power."[56]

Calvo's interpretation of intervention---an expression of what I am referring to as effective interventionism---was the negation then, not extension, of the dictatorial tradition contained in the legal treatises of North America and Europe:

> Certain publicists give the name of intervention only to [armed intervention] objecting that if the interposition on the part of one state in the affairs of another is not violent but peaceful, limited purely to advice, it resolves itself into an amicable interposition, or good offices, or even in mediation, which is not intervention. This is, according to my view, to take the result for the act itself. The form under which intervention takes place does not alter its character.[57]

It is true that by the mid-1930s, Franklin Roosevelt's Good Neighbour Policy reflected a new strain of American non-intervention.[58] The early 19th-century policy of his fifth cousin Theodore had been abandoned, and Washington was pulling away from former President Hoover's endorsement of the Clark Memorandum, which reserved an American right to the pre-emptive use of force under the doctrine of self-preservation.[59] The American approach to interventionism had in this way been altered; the most aggressive sentiments of its old formulations were replaced by a rhetorical emphasis on the etiquette expected of good neighborliness (a concept I return to in Chapter 5). At the Montevideo conference of December 1933, Secretary of State Cordell Hull did accept that "no country has the right to intervene in the internal or external affairs of another."[60]

Yet far from embracing the Calvo Doctrine, Roosevelt's Good Neighbour Policy in context contradicted its most novel elements. From a particular Latin American perspective, then: to say that the Good Neighbour policy was an articulation of non-intervention would not just be a serious overstatement, it would be a lie.

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[54] Calvo 1896: I.
[55] See also the Drago doctrine written in response to the German, Italian, and British blockade of Venezuela in 1902. See Drago 1907: 692; Hershey 1907.
[56] See Theodore Roosevelt's annual message to Congress of 6 December 1904 in *FRUS* 1904: XLI.
[57] Calvo 1896: I, sec. 110.
[58] See e.g. Wood 1961.
[59] See the Clark Memorandum reprinted in Dozer 1976: 116-122.
[60] See Convention on Rights and Duties of States, Seventh International Conference of American States, Montevideo, December 3-26, 1933 in Carnegie Endowment for International Peace 1940: 121-23.

The crucial fact of 22 December 1933 is that Washington attached reservations to the Montevideo Convention that are expressive of the same formulation of non-intervention that appeared in the Dumbarton Oaks documents (and, I am holding, would soon appear at San Francisco and in the UN Charter). Hull did so noting the extreme acrimony of the Latin Americans over the intervention article in particular, for which "the demand for a unanimous affirmative vote was very vociferous and more or less wild and unreasonable."[61] As the Convention met to for a vote of the Second Committee, Hull delivered a speech that was incorporated verbatim as a formal reservation of the United States:

> I feel safe in undertaking to say that under our support of the general principle of non-intervention as has been suggested, no government need fear any intervention on part of the United States under the Roosevelt administration. I think it unfortunate that during the brief period of this Conference there is apparently not time within which to prepare interpretations and definitions of these fundamental terms that are embraced in the report. Such definitions and interpretations would enable every government to proceed in a uniform way without any difference of opinion or of interpretations.[62]

By qualifying that there was "not time within which to prepare interpretations and definitions of the fundamental terms that are embraced in the report," Washington protected its rights according to "the laws of nations as generally recognized and accepted."[63] And in construing the meaning of intervention through a prism of international law, American policymakers clung to the treatises of Oppenheim and others. Intervention was interpreted by exclusive reference to "dictatorial force": to "big stick" operations and occupations like those that had been conducted by American marines in Nicaragua and Haiti.[64] This particular position on the meaning of intervention is strongly suggested by the official reports and instructions of the American delegation in 1933 and at subsequent inter-American conferences.[65] Only a few days after the end of Montevideo, Roosevelt clarified what Hull's delegation had meant when it outlined the rights and duties of states in the Americas: "The definite policy of the United States from now on is one opposed to *armed intervention.*"[66]

This seems like such an important point, with such significant implications for understanding San Francisco, that I want to provide further evidence. In discussing the draft article that would become Article 8 (on non-intervention), the official instructions to American delegates explains the article would "prevent the landing of troops in any country" though "[t]here are a number of situations that justify a state in intervening in the affairs of another state." The example given: "states have a right under International Law to land forces for protection purposes, when the local authorities are unable or unwilling to afford protection…With all due respect to the

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[61] *FRUS* 1933, VI: Document 115.
[62] *FRUS* 1933, IV: Document 134.
[63] See appendix 21 reprinted in U.S. Department of State 1934: 20.
[64] See McPherson 2013.
[65] Consider e.g. the American report on Buenos Aires Conference, which considered what Latin American states called "diplomatic intervention" a form of acceptable behaviour in the collecting of public and contractual debts. See U.S. Government Department of State 1937: 232-34. For a discussion see Wood 1961: 159-67.
[66] Nixon 1969: 559–560.

drafters, it is apparent that proper consideration has not been given to existing International Law..."[67] The Additional Protocol on Non-Intervention adopted at the 1936 Buenos Aires Conference would refer to the inadmissibility of intervention "directly or indirectly, and for whatever reason, in the internal or external affairs of any of the Parties" but, in fact, it would take until Article 15 of the OAS Charter to declare specifically, against a background of obstinate interpretations to the contrary, that non-intervention "prohibits not only armed force but also any other force of interference or attempted threat against the personality of the state, or against its political, economic, and cultural elements."[68]

Commenting on Buenos Aires, Roberto Córdoba, Mexican agent on the General Claims Commission, would later recall: "the connotation of the principle of nonintervention with the words 'directly or indirectly'" was, to Latin American delegates at least, "not only the armed intervention of one country in another, but that other intervention…consisting of intervention which we might call peaceable but which has the same effect as…political, preventative, or repressive interventions." He added, "I am convinced that in the mind of the Mexican delegation which proposed the wording of the Protocol [of 1936], those words refer clearly to that class of unarmed intervention."[69]

To those involved in its construction, and to those affected by its implementation, it was clear that the Rooseveltian vision of regional order (and, as I will suggest in the next section, global order also) was based around a general prohibition of state-led intervention, but only intervention in the descriptive sense afforded by traditional Western jurisprudence. It was also clear that these sorts of subtleties in the meaning of intervention would be consequential in deciding whom postwar rule-making would most endanger. Since smaller states were relatively weak in both military and non-military capacities, they were therefore likely to be targets rather than executors of interventionary activity. Concerns over direct and indirect intervention in domestic monetary and fiscal policy, local and presidential elections, natural resource extraction, the management of would-be public services, even the application of domestic laws---these were of course classic problems of the "banana republics" and most exploited territories of Latin America, but they also, I want to suggest, counted among the self-defined challenges facing the states and peoples of Asia and Africa.

Therefore while the Act of Chapultepec was first and foremost an Inter-American document, much of its normative content spoke for an increasingly self-conscious coalition of smaller powers from beyond the Western hemisphere.

NON-INTERVENTION AS AN OBLIGATION OF STATES

The San Francisco Conference opened just one month after Chapultepec. It did so with the opulence that would be expected of an imminent peace: one British observer later recalled that

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[67] The reference to protection was to "the protection of American nationals during the frequent revolutions in American countries." See *FRUS* 1933*,* IV: Document 56. In the same document: "The code as a whole is loosely and vaguely drawn…apparently designed to bring about a new order of things."
[68] See Pan-American Union 1949: 298; U.S. Department of State 1948: 169-70.
[69] Quoted in Wood 1961: 163.

San Francisco had materialised into a "fantastic world of glitter and light and extravagant parties and food and drink and constantly spiraling talk."[70] It therefore stood in stark comparison to the "blacked-out" and conflict-ravaged cities elsewhere in the world, where, particularly in the South, violence, occupation, vassalage, poverty, and national struggle would not end with the fall of the Axis powers.[71]

This was, at least, the outlines of the moral-historical picture conveyed by most small-power diplomats when the intervention debate entered into the early plenary sessions and committee meetings of late April. No fewer than 20 states---nearly half the states in attendance---made comments that could be clearly identified with a more effective non-interventionism as an obligation of UN membership.[72] Such a non-intervention was a principle, Ecuador asserted, "without which the Charter of the world organization would be shorn of ideals," and which, if not upheld, made the covenant of the future association of states "susceptible to becoming disjointed and falling apart."[73] In the words of one Mexican delegate: it was so "vitally important...to all of the small nations of the world" that, as "the cornerstone of the Inter-American system," it ought "to be in the foreground of what the New World can offer of its own to the formation of International Organisation that is created."[74]

Contestation in this vein was most visible in formal amendments to draft Paragraph 4 of Chapter 2 (whereby UN member states were to refrain "from the threat or use of force").[75] What might have seemed like an innocuous clause was being explained as something more insidious: Paragraph 4 relegated non-intervention between states to the prohibition of armed force, but only armed force, hence seemed to sanction other interstate activities construed as unacceptably interventionary in the eyes of smaller states. There existed, first of all, an incentive to replace the vocabulary of "force" with that of "intervention," which was to be construed according to a distinct formula or practice. Brazil's proposed amendment to Paragraph 4, submitted on May 9, was emblematic:

> All members of the Organisation shall refrain in their international relations from any intervention in the foreign or domestic affairs of any other member of the Organisation, and from resorting to threats or the use of force, if they are not in accord with the methods and decisions of the Organisation. In the prohibition against intervention there shall be understood to be included any interference that threatens the national security of another member of the Organisation, directly or indirectly threatens its territorial integrity, or *involves the exercise of any excessively foreign influence on its destinies*.[76]

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[70] Diary of Francis Williams, controller of press and censorship for Britain; quoted in Schlesinger 2003: 137-138.
[71] Ibid.
[72] E.g. comments and proposed amendments by Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Liberia, Mexico, Nicaragua, Panama, Paraguay, Peru, Philippines, Uruguay, and Venezuela.
[73] *UNCIO* 1945, I: 369.
[74] *UNCIO* 1945, III: 65.
[75] *Dumbarton Oaks Proposals*.
[76] Brazil noted that non-intervention had been "adopted in a certain manner accepted by the Assembly of the League of Nations (Resolution adopted by October 10, 1936)." *UNCIO* 1945*,* III: 245.

Of course, intervention could occur though armed force; such behaviour was deserving of plain condemnation. But to understand intervention in relation to force alone would be to mistake the type of its constraint for its more essential character, which was to be construed in dense form as "excessive foreign influence" over the affairs belonging to the state. Politics without intervention would be politics without any exercise of foreign control over a state's independence---excessive foreign influence on its destinies---a restraint that went further than respect for territory integrity or national security.

And while Brazil served as a flagbearer for this sort of contestation, it was not alone in arguing that non-intervention meant more an injunction against military violence. There was a clear Latin American-led but also, to the extent that Asia and Africa were represented at San Francisco, Asian- and African-aligned indictment of interventionist meaning as it had been articulated in the Dumbarton Oaks Proposals---so clear, in fact, that inattention to concerted attempts to rewrite Paragraph 4 or to add alternative non-interventionist paragraphs to Chapter 2 should be seen as a serious omission in most English-language historical commentaries on intervention at the San Francisco Conference.[77]

What matters here is that smaller powers were working as a united front in uprooting dictatorial intervention, and in doing so were making apparent basic contours of a rival discursive practice. Iran also distinguished between intervention and the use of force: "All member states of the Organisation should refrain from intervening in their international relations, either directly or indirectly, in the internal affairs of the other States and from the threat or use of force in any manner inconsistent with the purposes of the Organisation."[78] Venezuela called for Chapter 4 to be re-written so as to specify a "duty to abstain from any attempt at intervention…whether political or social," and multiple others referred to a legal obligation of UN members to refrain from "all direct or indirect intervention."[79] "Instances have not been rare in the past in which a powerful state has sought to impose its will on a less powerful state with respect in the latter's disposition of its own economy."[80] Uruguay gave a non-violent example of an "indirect form of intervention of certain peoples in the affairs of others" as the "former requiring of the latter…the election of a certain government."[81]

Again the aim was to bring about a particular re-ordering of intervention, and we can show in the proceedings of San Francisco different tactics of attaining this re-ordering: one was to call to prepare a "Declaration of the Duties and Rights of Nations," for which Cuba had submitted its own draft, Panama had advocated in line with a similar statement adopted by the American Institute of International Law, and Mexico imagined in parallel to a statement on the essential rights of the individual (an early vision of a universal human rights declaration).[82] Intervention as

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[77] See e.g. what is usually considered the authoritative history: Goodrich and Hambro 1949: 98-122.
[78] *UNCIO* 1945*,* III: 554.
[79] *UNCIO* 1945, I: 517.
[80] Mexico was reading from and calling for the adoption of *The International Law of the Future*, a legal document prepared by a team of one hundred and forty distinguished Canadian and American international lawyers, who were writing in their capacity as private citizens. *UNCIO* 1945*,* III: 67.
[81] Ibid.: 32.
[82] The Montevideo Convention was repeatedly cited as a model. See e.g. *UNCIO* 1945, III: 496-499; ibid.: 265-6; ibid.: 60, 63; ibid.: 493. See also arguments in favour made by the Netherlands in ibid.: 323-4.

formulated by Great Powers alone failed to identify political independence as a right linked to non-intervention as a duty.[83] The Cuban draft read as follows: "every state has the right to independence, to secure its well-being and its free development without interference by other states, provided that in the pursuit of those objectives it does not violate or infringe upon the rights of other states" and therefore "direct or indirect intervention by a state in the internal or external affairs of another state for any reason whatsoever is inadmissible."[84]

The other, more radical way of broadening non-intervention in the draft Charter was through an enumeration of aggression; earlier, I noted that Chinese proposals made at least some of the moves associated with effective interventionism. More directly, the Philippines proposed that a nation was to be determined an aggressor if, yes, it declared war, or attacked without a declaration of war, but also if it was found "to interfere with the internal affairs of another state" by, for instance, supplying "arms, ammunition, money, or other forms of aid to any armed band, faction, or group," or by "establishing agencies in that nation to conduct propaganda subversive of the institutions of that nation."[85] Bolivia, similarly: "a state shall be designated an aggressor if it has committed…[i]ntervention in another state's internal or foreign affairs."[86]

In Committee III/3, a Bolivian motion to make explicit reference to certain acts of aggression in the Charter was defeated. Among the grounds cited: "within the list there were several points which would require definition, e.g. when 'intervention' was to be considered aggression."[87]

And a third set of arguments stressed the sanctity of state "personality," or specifically the moral personality of the state, a charge led by Peruvian Ambassador Victor Andrés Belaunde. "International order is based on the personality of states, as juridical order is based on the personality of man [sic]."[88] All states, as personalities, constituted a "living synthesis of moral values which assume other elements" and hence "the elements of the state most worthy of respect are its cultural values, which are the essence of personality."[89] "Not only respect for our political institutions and respect for our material attributes, such as territory, but the small countries chiefly ask respect for their moral personalities."[90] In the immediate background was the fact that "respect for personality of the state" had just been accepted in the Act of Chapultepec, and prior to that was adopted in the Declaration of Lima, documents that small powers believed were "as deserving of respect as the Moscow Declaration."[91]

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[83] Notably Cuba's draft declaration on the "International Duties and Rights of the Individual" also made reference to intervention: "no alien may interfere either directly or indirectly in the politics of the country in which he [sic] happens to be" and "aliens shall be obliged to respect the political, social, and economic regime prevailing in the state in which they reside." Ibid.: 500-502.
[84] Ibid: 495-499.
[85] Ibid.: 538.
[86] Ibid.: 585. See also e.g. Ecuador's use of the intervention vocabulary in *UNCIO*, III: 422.
[87] *UNCIO* 1945, XII: 342. Supported by Colombia, Egypt, Ethiopia, Guatemala, Honduras, Iran, Mexico, New Zealand, the Philippines, and Uruguay. Opposed by Czechoslovakia, the Netherlands, Norway, Paraguay, South Africa, the Soviet Union, the UK, the and the US. See ibid.: 341-3, 348-9.
[88] *UNCIO* 1945, VI: 562.
[89] Italics added. Ibid.: 67-8.
[90] Ibid.
[91] Ibid.

This designation of states as persons, I am suggesting, was an argument in defense of independent cultural traditions. That is not to say that state personality was taken as unchanging; but that, as a locus of both change and conservation, the precondition of any legitimate cultural fluctuation, was that of the exercise of free will without direct or indirect foreign influence. What it promised to add was a channel through which to animate a commitment to pluralism and the protection of diverse identities; in discrete policy terms, perhaps, restrictions on the flow of international information and communications.

THE COMMITTEE OF FIVE

American delegates, the records show us, carefully contemplated this broad and effective non-interventionist plea. On 15 May 1945, Virginia Gildersleeve asked whether the delegation would include as a principle of the United Nations the preservation of territorial integrity and political independence of all members. And in particular, she asked whether reference could be made to the enumeration of universal human rights and "an obligation on members to refrain from intervention." Such principles, suggested Gildersleeve, would mean an "enormous amount to the small nations" against whom it would be difficult to take a firm stand---if not procedurally then morally and perhaps politically.[92]

Her colleagues had less sympathy. "It was most embarrassing to have the Latin Americans speak out the way they did"---Secretary Stettinius at the 16 May meeting.[93] By railing so forcefully against the Dumbarton Oaks Proposals, had not the small states been disloyal to their host-caretakers? Surely, existing Inter-American agreements were enough of a concession.[95] These were not to be applied globally, but they did apply regionally, and hence ought to be "in themselves a sufficient offset" to "any provision in the Charter for an obligation to refrain from intervention in the internal affairs of other countries"---Isaiah Bowman, also on 16 May.[96] After all were not certain interventionary acts, undertaken by enlightened states in addition to the organisation, necessary for peace? According to Commander Stassen "wars broke out" not because of interventionist claims, but non-interventionist ones: "because nations took cover under the concept that their actions fell only within their domestic jurisdiction." Earlier Stettinius himself had asked that a decision on the very sensitive matter raised by Gildersleeve could be deferred.[97]

In fact a parallel and more authoritative discussion on the subject had already been occurring in the Committee of Five (composed of the most senior delegates of the Conference's host governments, plus those of France, meeting regularly in Stettinius' penthouse at the Fairmont). This was the most important dynamic at San Francisco: to solve a controversial problem in and around the Committee of Five was to make that solution the subject of intensive, even non-negotiable, advocacy. Its meetings would determine the outcome of any concurrent debate in the American delegation, and ultimately the stances taken by many others.

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[92] *FRUS* 1945, I: Document 219.
[93] Ibid.
[95] *FRUS* 1945, I: Document 224.
[96] Ibid.
[97] *FRUS* 1945, I: Document 219.

And although formal minutes were not taken in the penthouse, there is incidental documentation of the positions taken there. Leo Pasvolsky, probably the single person with the greatest claim to authoring the UN Charter and perhaps the most widely trusted member of this inner ring, elaborated in briefings to the American delegation.[98] Pasvolsky recalled first that discussions on the intervention concept had occurred at Dumbarton Oaks, but that "no satisfactory formula" had been found.[99] Next: when "non-intervention" appeared in more than a dozen proposed amendments, it was doing so in a form that the Five-Power Committee had no interest in recognising. According to Pasvolsky, only Australia's proposed amendment on the matter was considered acceptable.[100] This amendment, tellingly, read: "All members of the United Nations shall refrain in their international relations from *the threat or use of force* against the territorial integrity or political independence of any member or state, or in any other manner inconsistent with the purposes of the United Nations."[101]

A cynic, listening in, might have argued: the Big Four were satisfied with this thin construction of state-led intervention for very obvious reasons. First, the US, the UK, the Soviet Union, and France all understood that political penetration into the internal affairs of others would be a geostrategic necessity to maintaining a particular distribution of international dominance. It was not just that orchestrating the fortunes of foreign peoples and foreign places, and manipulating what could easily be construed as "internal affairs," had served, and promised to continue to serve, a range of metropolitan or metropolitan-like interests---of the political, economic, and grand-strategical sort, in addition to reasons of class and prestige. It was also that dictatorial intervention corresponded to a particular vision of international bipolarity.

Suffice to say that following the Moscow Conference and the Percentages Agreement, there existed if not a certainty then at least a suspicion that global influence might be carved up between superpowers; later on, we would speak of Western and Eastern spheres of influence. In 1945, true, it was still unclear whether secretive agreements regarding Britain's leading role in Greece, and the Soviet's domination of eastern Europe, signalled a longer-term shift toward global order defined by informal regional orders.[103] Still, it would be easy to argue that it was not only formal colonial powers for whom a broad understanding of non-intervention was an unacceptable strategic constraint and an appalling circumvention of a presumed hierarchical code: there existed the real chance of a more global competition for influence in smaller states, and countries occupied in wartime were not to be released without certainty of some degree of deference to their respective occupiers.

Second, this cynic might say, the formula imitated a typically liberal separation of force and economics into distinct and disconnected normative spheres. They might go further to claim that

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[98] *FRUS* 1945, I: Document 224. When the American delegates voted, they did, "following the recommendations of the Committee of Five."

[99] A French proposal presented at San Francisco to include humanitarian intervention provision also failed---France did propose to add the following to paragraph 7 of Chapter VIII: "…unless the clear violation or essential liberties and of human rights constitutes in itself a threat capable of compromising peace." See *UNCIO* 1945, VI: 498.

[100] See Pasvolsky's comments in *FRUS* 1945, I: Document 219.

[101] Ibid.

[103] See Ellman 2006; Mazower 2012: 252.

the US in particular had an interest in preserving "dollar diplomacy," even its extreme variants, as a non-interventionary field. At the same time, to separate dictatorial intervention from a broader range of meaning would sanction the expansion of free market capitalism. This was the pressing concern of the country's influential business class, both as a domestic voting bloc and special foreign policy stakeholder---roles all too familiar to the delegation (we can expect the provocation) given that Stettinius himself was former chairperson of US Steel.[104]

A final set of reasons might have to do with the preservation of empire, and the moral legitimacy of empire, in a somewhat different register. The connections between the founding of the UN project to high imperialism have been well-documented.[105] It is not only that figures like Jan Smuts---South African premier, white nationalist---had penned the majority of the Charter's preamble, but that the colonial mindset and its civilising justification, though rapidly eroding, had yet to fully subside in international society. To take an effective non-interventionist approach to the affairs of "developing nations" would be to forsake a mission whose inheritance was largely accepted, at the time, throughout much of Europe. Effective non-intervention seemed inconsistent with claims of civilizational and racial superiority, ideas that commanded a following, even as they came to be tested like never before (the focus of my next chapter).[106]

Listening to the cynic is I think useful here; it helps us to understand at least some of the plausible reasoning and historical interests behind a dictatorial interventionism---and, above all, why the arrangement seemed so unattractive to a smaller-power coalition.

By 16 May, the Sponsoring Powers had in fact made their decision: Pasvolsky reported that Committee of Five had "agreed that any reference to nonintervention would be opposed."[107] And to the dismay of Gildersleeve and Legal Adviser Green Hackworth, the US delegation faithfully towed the line: the Americans adopted a policy of opposing reference to non-intervention (between states) "anywhere in the Charter."[108] In that sense, the passing of Roosevelt just a fortnight before the conference had not meant the passing of a grander strategy, as reflected in his intended Good Neighbour Policy.

EFFECTIVE INTERVENTION AND ARTICLE 2 (7)

The meaning of intervention between states was "force" and the extent to which this force embraced political, economic, and other forms of pressure seemed highly doubtful. Brazil's previously-discussed amendment of Paragraph 4 failed in early May. A subsequent Brazilian attempt at non-intervention, as a separate paragraph to be added to Chapter 2, read: "All members of the Organization shall endeavor to practice the policy of the Good Neighbour." This too failed.[109] Finally Brazil offered an amendment to extend Article 2 (4) to specify force as inclusive of economic coercion. It was rejected by Committee I/1 on 4 June.[110]

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[104] E.g. Stettinius 1975.
[105] See especially Mazower 2009.
[106] Ibid: 55-56.
[107] *FRUS* 1945, I: Document 229.
[108] Ibid.: Document 224.
[109] *UNCIO* 1945, VI: 559.
[110] Ibid.: 334-5.

I am suggesting that, in context, this rejection testified to a practice that, having been adopted by framers of the Charter, embraced not only an interpretation of "force" confined to "armed force," but an interpretation of intervention confined to dictatorial intervention. To use the word "intervention" would be to risk the entry of antagonistic interpretations that covered economic, political, and other pressures unacceptable to the Big Four.[111] Similarly there could be no interpretation of the word "force" which covered foreign pressure on state destinies or personalities. To the sponsors an exclusion of an effective non-intervention was considered essential to the function of the society of states.

The separate matter of UN-based intervention was, as noted earlier on, much less controversial, particularly in the sense of surgical preventative action taken by the Security Council. Again, the following sort of position stood for many: "Although the Government of Uruguay adheres to the principle of non-intervention, it considers collective intervention justified in the case of a state which constitutes a threat to the peace..."[112] No doubt on the composition and structure of the Security Council, smaller powers did clash with the great powers: for instance, having to do with the Northern bent of the P5 (with China as token), and the compatibility of any right to veto with the avowedly democratic aims of the new organization. Much of this comes as no surprise.

Still, there is one question of the Charter's collective interventionism which I think does contain more of a surprise: if great power control was for the sponsors a precondition for a collective interventionism, what were the interventionary capacities, if any, of the General Assembly, ECOSOC, and other organs of the UN? As previously discussed, the Proposals' Section A, paragraph 7 of Chapter 8 contained a prohibition on collective action in the "domestic affairs" of states when international peace was not in jeopardy. In the Dumbarton Oaks Proposals, however, the placement of this prohibition in Chapter 8 suggested that it was a technical formula designed only to deal with the Security Council.[113]

On this question we initially find much overlap between Northern and Southern designs. Liberia's comments, for instance, reflected hesitation towards a UN-based international interventionism, including for humanitarian reasons:

> Whatever status eventually may be given to the economic, social and other humanitarian problems, relating to members of the UN, envisaged in Chapter 1 paragraph 3 of the proposals, the principle should emerge and be made crystal clear that this should not imply that a nation or the General Assembly may interfere or intervene in the internal affairs of another state. The state itself must reserve the right to determine the necessity for any such action; otherwise it would be relegated to the status of a dependency.[114]

The Australian delegation, led by Foreign Minister Herbert Evatt, was also adamant on this point---"insane," even, according to Connally, who noted the delegation's strong insistence upon

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[111] *UNCIO* 1945, VI: 292.
[112] See Pan American Union 1945: 137, 140. Quoted in Fenwick 1945: 661.
[113] As it had been in Article 15 of the League of Nations Covenant.
[114] *UNCIO* 1945, I: 450.

a domestic jurisdiction clause.[116] And given the arguments I have been making so far, Evatt's use of non-intervention might have seemed peculiar: in committee discussions, Australia sought to proscribe all cultural, educational, and even informational advances by the Organisation into the affairs of states, reflected in Evatt's call to incorporate into Article 10 (regarding the functions and powers of the General Assembly) an overriding limitation that forbid not only "recommendations" but also "discussions" of any matter considered "domestic" in nature.[117]

Evatt explained his goal as the adoption of a "clause specifically banning intervention by the Organization" such that issues like "immigration or customs laws would be clearly excluded by that provision from consideration" by the General Assembly, but also by bodies like ECOSOC.[118] Australia had in mind the question of refugees and its own racial demographics: Japan's earlier attempts to pressure Australia into changing its immigration policy---the enduring White Australia Policy---haunted the Australian government. Evatt openly admitted that his country feared a similar dispute with China.[119] Might not the new UN, through the General Assembly and its members, seize the opportunity to criticise these seemingly internal affairs in the near future, and would it not be desirable to designate such a form of foreign pressure an illegitimate intervention?

Now, on the one hand, it seems very crucial to note that this issue had implications for much more than immigration; though the racial undertone of this example is fitting given the content of the organising that would follow (again a major point made in my next chapter). Although others, like apartheid-era South Africa, were mostly quiet as Australia took the podium, it is not as if their silence implied disapproval; one reading might suggest they merely allowed Australia to take the lead. But on the other hand, the importance of this collective interventionism, for our argument, is not just about where the domestic might end, and where the international might begin, but the form of intervention that was crossing the threshold.

Ambassador Gromyko of the Soviet Union also seemed to be applying UN intervention in a manner less dictatorial than we might have expected. This much was reflected in a row over a mid-June formula adopted by Committee II/2, which would have allowed the General Assembly the right to discuss "any matter within the sphere of international relations."[120] The stakes of this row were extremely high: at one point Gromyko argued that unless it could be made clear that UN interventionism was be the sole reserve of the Security Council, the Soviet Union would not sign the Charter.[121] Gromyko's insistence eventually led to the removal of the words "international relations" and addition of the phrases "within the scope of the present Charter" and "relating to the powers and functions of any organs provided for in the present Charter"---a compromise reached just six days before the Conference ended.[122]

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[116] *FRUS* 1945, I: Document 242. For a memo regarding the Australian position, see *UNCIO* 1945, VI: 463.
[117] *UNCIO* 1945*,* V: 535-36.
[118] Ibid.
[119] See *UNCIO* 1945, VI: 438-9.
[120] For an amended version of Paragraph 1, Section B, Chapter V, 18 June 1945, *UNCIO*, V: 534.
[121] *FRUS* 1945, I: Document 204.
[122] The UK, France, US, and China argued in line with Australia: because of its placement in the Principles section at the beginning of the Charter, the provision that became Article 2(7) was already in effect narrowing the General Assembly's powers of deliberation.

The sponsors' proposed text, as amended by Evatt, and as assuaging Gromyko, should strike us as very familiar:

> Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.[123]

The provision that became Article 2 (7) clearly plays a very important part in the global debate on intervention/non-intervention in the period from 1945 to 2014, but not in the ways that we have usually assumed. What I want to identify is one final contradiction in forms. Intervention as contained in Article 2(7) was a very different intervention than that which was contained in Article 2(4); non-intervention as an obligation of states was ordered separately from non-intervention as an obligation of the Organisation.

Official commentary on San Francisco would later confirm with reference to the Australian amendment that "the protection accorded to the domestic jurisdiction of member states is now very complete as it is clear that there can be no [UN-based] interference in the domestic economy or internal legislation of members."[124] Yet as the supplement to the report of the rapporteur for Committee I/1 observed: "it is evident that the subject we are dealing with is not the intervention of one state in matters which fall within the domestic jurisdiction of another, but that we are dealing with the relations of the Organization and its members with respect to domestic and international jurisdiction."[125] A double management of the concept was inscribed in the UN Charter, such that, in Article 2 (4), the intervention problem came to be treated as armed interference, but in Article 2 (7), it took on a much broader meaning---plausibly encompassing not only "recommendations" but also "discussions" of any matter considered "domestic". It was hence only in relation to Article 2 (7) that the meaning of non-intervention seemed to be that of the outcome of pressure.

This contradiction---where intervention was institutionalised as dictatorial between states, and yet came closer to an effective interventionism in terms of the Organisation towards its members---simply could not hold. In fact the resolving of this contradiction in the discursive practices of states, I will be suggesting, is a process that takes place over the following 30 years. For it would seem, from an emerging Southern view, that the sponsors could not justly have it both ways: a wide, collective interventionism that undercut those forums that seemed most likely to benefit the smaller powers, and a narrow, state-based interventionism that exposed those smaller powers to the highest risk. As it had been constituted, intervention seemed effective only in ways acceptable to the North.

PERFECTION AS VISUALISED BY THE SMALL STATES

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[123] This became the language of Article 2 (7).
[124] Canadian Department of External Affairs 1945: 19.
[125] *UNCIO* 1945, VI: 486.

Charles Romulo, head of the Philippines delegation, recounts in his memoirs his attempt at rejecting the rule of great power unanimity and vetoes. One morning, he and Herbert Evatt were invited to join Secretary Stettinius for breakfast.

> …after the amenities, Stettinius asked us, "Do you want the United States in the United Nations?" Evatt answered, "Well, Mr. Secretary, of course we do." And I said, "Without the United States in the United Nations it will be another League of Nations, and it will fail." "I'm glad to hear your statements with this regard," Stettinius said, "because I've asked you here to persuade you to stop fighting the unanimity rule. I must tell you that the American government is bent on having that unanimity rule in that Charter. And I must also tell you that if that unanimity rule is not in that Charter, the United States will not be a member of the UN. If you do not believe me, you can ask Senators Connally and Vandenberg."[126]

In 1945, most nations were seeking the respite of peacetime. The world had suffered greatly, and was suffering greatly, from the cataclysm of worldwide conflict. The UN emerged as an uncertain but promising answer to the prevention of war's recurrence. Romulo and others relented because they could do little else---in many ways the Sponsoring Governments were already wielding de-facto vetoes in the UN. All participants knew that the organisation could not function without their involvement, that any serious disagreement of their choosing would be weaponised against the Charter as a whole.

At another point during the Conference, when smaller-power delegates had assembled again to discuss the unanimity rule, Connally tore up before them a copy of the draft charter. "You may, if you wish, go home from this Conference and say that you have defeated the veto. But what will be your answer when you are asked: where is the Charter?"[127]

The location of the final plenary meeting was in an Opera House. There the Charter passed unanimously but without any semblance of the sort of consensus often of interest to IR scholars. In a closing address, Stettinius proclaimed, "Every nation represented here has had a part in the making of the Charter. Sentence by sentence, article by article, it has been hammered out around the conference tables."[128] In another, Gromyko stated that there had been "difficulties" and "different viewpoints" but that "as a result of the work of the Conference, all the main difficulties were overcome."[129] In the midst of the exultation and pleasantries, it was easy to miss one line in the speech of Faisal bin Abdulaziz, Minister of Foreign Affairs and later King of Saudi Arabia, who temporarily deviated from the script: "This Charter does not represent perfection as visualized by the small states."[130]

Certainly, regarding intervention, all final decisions had worked out overwhelmingly in favour of the Great Powers: a restraint from nakedly force-based interventions, but only force-based interventions, had become an obligation of state members. Consequently, plausibly

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[126] Romulo 1986: 15. See also Chapter 16 in Romulo 1961.
[127] Quoted in Russell 1958: 736-39.
[128] *UNCIO* 1945*,* I: 690.
[129] Ibid.: 696.
[130] Ibid.: 708.

interventionary activities economic, cultural, informational, and otherwise appeared unregulated and tacitly legitimated. Simultaneously, those elements of the UN organisation in which the P5 did not exercise absolute authority, including the UN General Assembly, would now be barred from intervening by virtually any means at all, and only the Security Council would reserve the right to intervene in the face of threats against or breaches of "international peace and security." It would do so with exclusive veto rights in every case.

Put another way, when the "lesser" powers banded together to contest the meaning of intervention, the Great Powers refused to budge. A Latin American-led coalition sought broad protections on their political independence, but what they received instead was an order of intervention that systematically undercut their agency: one that gutted the General Assembly, ECOSOC, and other organs of the UN (while notably also casting away the compulsory jurisdiction of the international courts---a discussion for another time). If this was the effect of that order's collective-interventionist component, then the constitution of non-intervention as an obligation of states corresponded to the dictatorial interpretation of Western legal scholars like Oppenheim, rather than the effective understanding of Latin American jurists like Calvo.

Broadly-speaking a Northern practice over Southern practice had been written into the founding document of postwar international society. Formally adopted, this particular practice arguably constituted the single most influential expression of that society's opinion toward the subject of intervention as institutionalised practice---it did, at least, in 1945.

CHAPTER 4

Anti-colonial Intervention and the Bandung Spirit

W. E. B. Du Bois left San Francisco disappointed, having served as a non-governmental consultant to the U.S. delegation.[2] Disappointed because the conference seemed to have drawn a global "colour line," because international society subsisted still in an era of Jim Crow: 80 percent of the world's population and an estimated one-third of the world's surface remained under Western domination, and there was little to suggest Europe perceived its "prizes" and "jewels" as inconsistent with the rules of a new global order.[4]

Some of these jewels---India, for example---had been present in 1945. But given that colonial delegations were often handpicked by metropoles, and that, as we have seen, San Francisco was largely a story of the Sponsors' de-facto vetoes, those colonies could hardly voice, no less institutionalise, a serious argument against empire. And while the liberation agenda may have found a following in progressive civil society, it was largely ostracised at the UN Conference.[5] On his way back to New York, Du Bois summarised in a letter to Arthur Spingarn: "Not a whisper against colonialism could be heard except from Molotov."[6] Then in a letter to the editor of the *American Mercury*: "Nothing was done at San Francisco to face or settle the colonial problem. Rather, colonial imperialism was strengthened."[7]

True, the development of self-governing institutions was to be fostered by the UN's Trusteeship Commission, but only according to "continual processes" structured by "stages" and "gradations" set by the colonial powers themselves, with no pre-arranged or binding timetable---"a denatured 'shell' of a Trusteeship system," which placed no obligation upon imperial powers to make use of its machinery.[8] Meanwhile Chinese and Filipino attempts at inserting a racial equality clause---virtually identical to the Japanese proposal ignored at the Paris Peace Conference---had been rejected.[9] To speak of any serious Charter commitment to universal human rights was a "contradictory statement," argued Du Bois, because the document appeared to sanction a most fundamental abuse: colonialism itself.[10]

This basic nexus---of race, human rights, and empire---of course proves enormously influential in the coming decades. And what matters here for the constitution of international-societal concepts like intervention is not just that the European metropoles lose hold of their colonies, but that the knowledges that once sustained them begin to fall out. For on the one hand, Europe had been weakened financially and militarily by the devastating costs of world war, but on the other,

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[2] On e.g. the NAACP and the founding of the UN, see Anderson 2003.
[4] Du Bois 1995: 639.
[5] See e.g. Sherwood 1996; Lauren 2011: 165-194.
[6] Quoted in Aptheker 1978: 14.
[7] Ibid.: 13.
[8] Urquhart 1998: 121; quoted in Anderson 2003: 55. The Philippines had successfully inserted the word "independence" into the trusteeships section, but this provision was qualified by the "particular conditions" of the territory in question.
[9] See e.g. *UNCIO* 1945, III: 498.
[10] Quoted in Aptheker 1978: 14.

it could not prevent the emergence of shared anti-colonial identity cutting across multiple nations at once. This identity, and its effects on global order, are my interests here. Although manifested in different sizes, colours, religions, and political orientations---socialisms, traditional theocracies, and free market capitalisms---the Third World, "ignored, exploited, scorned" like the Third Estate, seeks to expose prevailing European order not as some paradigmatic modernity, but a violation of basic principles of humanity.[11] And in the process, intervention becomes contested in new and significant ways.

In the last chapter I was primarily interested in showing how a particular discursive practice of intervention---what I called dictatorial intervention, as an obligation of states---took hold in the meetings of 1945. In this chapter, I want to look at how dictatorial practice was being challenged by a new formulation, which comes to play a very crucial role in the earlier UN.

If dictatorial interventionism was largely an attempt to narrow the problem of non-intervention to the management of coercion or armed force, what we might call an "anti-colonial interventionism" laid claim to a particular sort of exception: one premised upon the common bonds of nations and peoples in a struggle for self-rule and fuller national personality, whereby an appropriate international order would be built not simply upon respect for a formalistic state sovereignty, but the more fundamental principle of self-determination. Clearly, a broad abolition of interventionary activities continued to have special appeal to smaller states and to former colonies for whom independence had only recently been won. And indeed the Third World continued to declare intervention between states as inadmissible "in all its forms" and "under any circumstance"; this much appeared to be a continuation of the effective interventionist impulse.

But as it became clear that the principle of non-intervention could be simultaneously invoked by a Northern coalition against the interests of colonised peoples, then a new preoccupation had to do with the location of legitimate sovereignty, the lines between the international and the domestic, and the scope of positive international action for the cultivation of national liberation. Were territories under colonial rule to be treated as a geographical extension of the state metropole---were they subject to the "domestic jurisdiction" of that metropole? Might reasons of human rights restrict the capacity of colonial governments to assume non-interventionist protections to be available to other members of the international community? The formula was basically this: if intervention was the effect of foreign pressure over nations, and not just coercion, then was the international promotion of national liberation truly interventionary? And, especially for our purposes: either way, was it not legitimate? Anti-colonial interventionism thus asserts an international responsibility to assist those for whom self-determination is denied. Various strains sanction foreign interpositions, including those of a traditionally coercive nature on the far end, on behalf of various independence struggles.

This chapter provides a broad sweep of Third World organising in the early Cold War to draw out and evaluate the major lines of this anti-colonial interventionism. It focuses especially on extra-UN diplomacy (a treatment of intra-UN contestation follows in the next chapter) as reflected in the emergence of a common Third World conscience in regional forums of states, as well as through encounters involving would-be or self-described states in the form of various liberation movements. The first part looks at the crystallisation of arguments regarding non-

[11] Sauvy 1952.

intervention and self-determination as laid out at Bandung. It goes on to survey engagement with anti-colonial intervention in the Non-Aligned Movement and regional organisations like the Organisation of African Unity. Discussion of the Tricontinental Conference of 1966 reveals an anti-colonial constitution of the intervention concept in its most extreme form, in which echoes of Fanon seem to call upon oppressed peoples to "total liberation."

By the end I hope to have shown how global debate in the 1950s and 60s culminates in a scenario in which the roles we normally associate with the North and South become switched. This other sort of practice serves to demonstrate that, through much of the Cold War, the North plays non-interventionist in the face of an arguably interventionist South.

FROM THE PANCHSHEEL TO THE TEN PRINCIPLES

The Asian-African Conference took place from April 18 to 24, 1955, welcoming twenty-nine states, exclusively from the world's two largest continents, to discuss matters of common concern.[12] Sponsored by the Colombo Powers---Burma, India, Indonesia, Pakistan, Ceylon---it was a project of newly independent, former colonies (its host was barely ten years old, and parts of the city of Bandung were still being re-built after burning down during in the country's independence struggle). Still, consider the fractures between them: invitees were stratified not only by religion, skin colour, culture, and styles of national governance, but also in terms of bloc alignment. Of the five sponsoring powers alone, three could have been described as neutralist-socialist (India, Indonesia, and Burma), while the other two were clearly pro-West and anti-communist (Pakistan and Ceylon). Of the invitees, a number had signed mutual security and economic agreements with the United States or Britain. Others, such as the People's Republic of China and North Vietnam, were close allies at the time of the Soviet Union.

A straightforward neutralism was therefore not synonymous with the appeal or purposes of Bandung. Its appeal and purposes were very different.

We know the conference today as a very central junction in a global self-awakening of colonised peoples---politically, institutionally, but also culturally and spiritually.[13] This was a process for which there might have been some cautious optimism in 1955: France had just been defeated by the Việt Minh in Indochina, the Korean War had come to a halt, and the Geneva Accords had coincided with an temporary ease in hostilities between superpowers. The stage seemed to be set for a narrative about suffering under colonialisms and imperialisms "not yet dead," and the emergence of common struggle against such unjust designs; about "brothers and sisters" once "blockaded, physically and intellectually," but no longer.[14] Empowered by a collective push toward independence, Afro-Asia sought the re-ordering of the content and meaning of the international institutions under which they long suffered---to quote again Sukarno's opening address, "not material content and meaning only, but also ethical and moral content."[15]

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[12] See e.g. Tan and Acharya 2008.
[13] See e.g. Phạm and Shilliam 2016.
[14] Sukarno 1955: 23, 26. On the Bandung narrative and its performance: see Shimazu 2014.
[15] Sukarno 1955: 21.

In other words the question of "who we are" was in many ways one about "what the world, or what global order, should be." And if this was identity based around, in part, a re-invention of Western-led order, then how did intervention factor in, how was it to be re-practiced? I want to begin to by looking at the Conference transcripts themselves.

Bandung's answer to the intervention question is usually said to have been based on the concept of the Panchsheel, also known as the Five Principles of Peaceful Coexistence.[16] The Five Principles were formally enunciated as the basis of interstate relations between India and China in the 1954 Agreement on Trade and Intercourse between the Tibet region of China and India.[17] But hardly limited to bilateral application, Nehru and Zhou were of course fond of stressing that the Five Principles referred to appropriate behaviour "in international relations generally."[18] According to the Panchsheel, if a lasting peace and co-existence in the society of states was ever to be achieved, a principle of "mutual non-interference in internal affairs" ought to sit alongside 1) "respect for territorial integrity," 2) "mutual non-aggression," 3) "equality and mutual benefit," and 4) "peaceful coexistence."[19]

The Five Principles were of course not wholly new or original. Nehru was fond of claiming that they were Asian values "as old as our thought and culture," reflected in the teachings of ancient Buddhism, the Five Precepts of its lay devotees, and the rock edicts of Ashoka.[20] But aside from this sort of origin story of the Panchsheel---what one former Indian diplomat of the period called its "confectionary wrapping" pulled, post-facto, from a wide array of contradictory cultural artefacts---what we surely want is its meaning, and particularly its meaning in context, as it was being used by states (see Chapter 2).[21] In this vein the choice to arrange in the Panchsheel a specific pillar of "mutual non-interference in internal affairs" beside and not within other pillars, such as "mutual non-aggression" and "respect for territorial integrity," reflected an interpretation of intervention based on outcomes of "constraint" rather than means by which that constraint occurred. Insofar as it interpreted the intervention concept, then, the Panchsheel appeared to codify an effective interventionism, and might be said in this way to correspond to a number of other postwar treaties which in their textual content and repeated use went outside intervention as it was conceived in the UN Charter (see previous chapter).

Still, to say that the Panchsheel's non-interventionism was adopted at Bandung would be an oversimplification.[22] To say that the Panchsheel was itself adopted at Bandung would also be incorrect, though it is often assumed.

It is undoubtedly true that Nehru and Zhou brought with them to Bandung their Five Principles, and it is also true that the Panchsheel was acclaimed by many who had gathered there---to U Nu, for example, "the acceptance and strict observance of these principles by all nations would make

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[16] See e.g. Anghie 2017.
[17] *Agreement on Trade and Intercourse between the Tibet Region of China and India*, signed at Peking on April 29, 1954.
[18] Quoted in Jansen 1966: 128,
[19] *Agreement on Trade and Intercourse between the Tibet Region of China and India.*
[20] See Jansen 1966: 128-129; Anghie 2017: 538.
[21] Jansen 1966: 128-129.
[22] Consider this in relation to influential Eastphalia stories. See e.g. Kim 2018.

for lasting peace, and for the happiness of mankind."[23] But lost in most accounts is that the Five Principles were explicitly contested---as an unmodified whole, they were even rejected---during its proceedings. Pakistani Prime Minister Mohammad Ali Bogra, for example, proposed two additional principles to the Panchsheel, calling the promise of peace according to the Five Principles alone "a fallacy" and construing his seven principles (what he called "the Seven Pillars of Peace") as a bare "minimum that all nations must be prepared to accept and follow."[24] Iraqi Foreign Minister Mohammad Fadhel Al-Jamali similarly: "to take the Five Principles and enunciate them as our goal is not adequate at all." And Zhou Enlai is on record as saying: "*we can reformulate these five principles so as to make them agreeable to all the delegates*…the points on which we can all agree are no longer five."[25]

They were ten. And once again it is the interlocking logic of these principles that speak to the constitution of the interventionary act to which Bandung sought to attach limits.

Bandung's final communique listed ten "Principles of International Peace and Cooperation," of which some, but not all, could be said to have derived from the Panchsheel. Taken together, it follows that the ten Principles of International Peace and Cooperation re-ordered the application and limits of those principles derived from the Panchsheel, given that the Ten Principles were understood as inseparable in the promotion of "good neighbourliness" and "friendly cooperation."[26] From this perspective, the attitude toward the Panchsheel of 1954 was one of derivation not deference; there was a harmonized diplomatic push to re-form and extend the import of the five principles, which in turn re-formed and extended the meaning of intervention. While auspicious at Bandung the Panchsheel's effective interventionism, I want to argue, was not altogether interchangeable or synonymous with that of the conference's final Communiqué: by the conventions of its own historical context, intervention at Bandung was being conceived in such a way that something more novel was being brought into the picture.

In particular Bandungian non-intervention was managed by a robust commitment to human rights and anti-colonialism, with the communique's section on the Ten Principles premising that "peace and freedom are interdependent."[27] If peace and freedom were not just interrelated, but interdependent, then peace could not exist without freedom---"freedom" in its multitude of meanings but, given the conference's context and personalities, surely freedom most of all in its modality of national liberation. Accordingly, Bandung's stance on the intervention problem was always bound up in the issue of colonialism, a sermon that was as much about human rights in abolishing empire as it was about insulating the political destinies of smaller states from the foreign influence of larger ones. Only at first glance would Bandung's simultaneous emphasis on both human rights, including the Universal Declaration of Human Rights, and non-intervention

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[23] Transcripts of the Meetings of the Political Committee of the Asian-African Conference Held at Bandung, 20 April 1955, originals held at St Antony's College, Oxford. TMPCAAC 1955: 239.
[24] Ibid.: 256; see "Opening Address of Pakistan, Delivered by Prime Minister Muhammad Ali" in Indonesia 1955: 110.
[25] TMPCAAC 1955: 259, 323. See also e.g. State of Vietnam's contesting of the Five Principles.
[26] See "Promotion of World Peace and Cooperation" section in *Final Communiqué of the Asian-African Conference of Bandung*.
[27] Ibid. See e.g. Malik 1955.

seem contradictory. A particular discursive logic attested instead to the yielding of abstract sovereign privilege to what one participant called "liberalism" (I quote this in the next section).[28]

Self-determination was the fundamental issue underlying this sort of claim. The UN Charter had mentioned the principle of self-determination in 1945: Article 1(2) stated that one purpose of the international organisation was "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples."[29] Yet there was a feeling that a more substantive formulation of the concept would be required if the anti-colonial movement were to gain traction in international society.

China sponsored Bandung's general resolution on self-determination, which in its original formulation singled out General Assembly Resolution 637 (VII) of December 1962 and its depiction of self-determination as a "right of peoples and nations" connected clearly with the question of dependent actors, including those of "Non-Self-Governing and Trust Territories."[30] An Afghan amendment to China's proposal, accepted by all, was that the communique take note not only of Resolution 637 C (VII) of 1952, but all UN resolutions that have made reference to "the right to self-determination." General Assembly resolutions 421 D (V), 545 (VI), 738 (VII), and 837 (IX), for instance, requested among other things the inclusion in the draft international covenants on human rights an article on the right to self-determination.[31]

By 1955, self-determination was already being called "the essence of all human rights" and "prerequisite of all other rights" by Afro-Asian states---and, despite Western opposition, self-determination was soon to define the first and most fundamental article of human rights in all related UN conventions subsequent to the Universal Declaration.[32] Likewise, I am saying, this is the code adopted by the states gathered at Bandung. To enjoy the fruits of the universal declaration of human rights, the international community had first to uphold this most basic constituent, and, therefore, respect for universal human rights necessarily invited what were for the West very difficult questions related to the sustainability of empire. Bandung's final communiqué:

> The Conference declared its full support of the principle of self-determination of peoples and nations as set forth in the Charter of the UN and took note of the UN resolutions on the right of peoples and nations to self-determination, which is a prerequisite of the full enjoyment of all fundamental human rights.[33]

This version seems to transfer the matter of self-determination from the domain of domestic affairs---of the coloniser---to the domain of the international---of affairs and responsibilities shared by all states, as well as by the UN. In other words to reduce the existing range of sovereign privilege was the next major diplomatic move.

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[28] TMPCAAC 1955: 146-147.
[29] *UN Charter*, Article 1(2).
[30] TMPCAAC 1955: 104-105; A/RES/637(VII).
[31] TMPCAAC 1955: 107. Self-determination becomes article 1 in UN human rights covenants. See A/RES/21/2200.
[32] See Burke 2010: 35-58.
[33] *Final Communiqué of the Asian-African Conference.*

INVOKING SELF-DETERMINATION AND HUMAN RIGHTS

Gamal Abdel Nasser, in one of his first major conference appearances, submitted to his fellow delegates the issue of the dependent nations of North Africa. In doing so I think he offered a crucible for Bandungian interventionist practice. The basic problem facing the national liberation movements and their allies was the "groundless" belief that colonial institutions, territories, resources, and crises were said to belong to the internal affairs of their European metropoles, from which the conclusion was being drawn that international actors had no right to condemn or pass judgement. Such behaviour would "constitute intervention in the domestic jurisdiction" of the affected colonial power.[34] "With regard to Algeria," Nasser explained, France held that "Algeria is an integral part of the French Union. The French Government bases the fantastic claim on the provisions of the French Constitution."[35]

The "domestic jurisdiction" argument had become a well-worn defense of colonialism in moral and legal debate in the 1950s and 60s (contended Morocco, having thrown off French/Spanish protectorate status about 12 months prior, in a UN plenary meeting two years after Bandung: Western invocations of Article 2, paragraph 7 had become so frequent that had become a kind of "shy and disguised veto" of the "old imperialist countries" used "to say no" to the restitution of colonised territories.[37] François Mitterrand, then-Interior Minister, five months prior to the opening of the Asian-African Conference: "Algeria is France; from Flanders to the Congo there is only one law, one nation, one parliament. The Constitution wills it so, we will it so…The only negotiation is war."[38]

UN records strongly affirm that the "domestic jurisdiction" argument was a kind of colonial-power trope in the General Assembly, mobilised to allege illegal "foreign interventions" of all sorts---this I discuss in some detail in the next chapter, but because these developments are so relevant for what I think was happening at Bandung, I want to propose a few illustrations. In February 1957, France stated clearly that it "never admitted and would never admit any competence on the part of the United Nations in a problem which France regarded, under international law, as an essentially domestic matter." The UK agreed:

> …in accordance with Article 2, paragraph 7, of its Charter, the UN was precluded from intervening in the domestic affairs of any Member State, and the General Assembly had no right, under the Charter, to discuss any matter or adopt any resolution in that field. The question of Algeria was incontestably within the domestic jurisdiction of France and, as such, was outside the competence of the General Assembly.[39]

And when, on 25 October 1956, France summitted a letter to the UN Secretary-General concerning Egyptian support to Algerian rebels (support of a dictatorial or coercive nature insofar as it encompassed the military training of and shipment of arms to the FLN). In this letter

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[34] TMPCAAC 1955: 143.
[35] Ibid.
[37] A/C.1/SR.834.
[38] Quoted in Ansprenger 1989: 229.
[39] See A/C.1/SR.831; A/C.1/SR.834.

Egyptian behaviour is described as an "attack on French sovereignty in flagrant violation of the fundamental rules of international law which stipulate non-interference in the internal affairs of another state."[40] Similar sorts of arguments were being used in other cases: West Irian (the struggle to free West Irian from Dutch control being a key motivation behind Indonesia's decision to host the Bandung Conference), for instance, and South Africa, where the matter of apartheid was allegedly of a "purely domestic character."[41] But observed the Ceylonese delegation: "if that theory were accepted, that would sound the death knell of all liberation from colonial bondage."[42]

Here then we find the basic contradiction, or what might have seemed like a contradiction: surely to the small powers present at Bandung, mutual non-intervention implied mutual respect for the personality of all nation-states, and hence mutual restraint from a broad range of unwelcomed sorts of foreign action. Such a position was reflected in the Bandung communiqué's inclusion of the principle of "abstention by any country from exerting pressures on other countries."[43] If mutual non-intervention was a rule that applied equally to all, then could foreign support for the national liberation movements exist at all except as a double-standard?

Iraq's comments in Bandung's political committee, delivered by Foreign Minister Al-Jamali, responded not through the lens of the West's dictatorial interventionism, nor the lens of an effective interventionism as I have previously discussed it, but that of a formation I want to call anti-colonial interventionism---the outlines of which were now coming clearly into view:

> France considers it as a part of metropolitan France and therefore she considers the affairs of Algeria as the affairs of her internal jurisdiction. No one is therefore entitled to speak about Algeria except France. *Well, we cannot interfere with the internal affairs of France, but we can invoke the right of self-determination of the people. We can invoke human rights.*

As fellow Muslims, as fellow Arabs, as fellow human beings, how to evaluate the treatment of the Algerian people by their government? How were their human rights being denied, and how, on account of these denials, were the parameters of metropolitan privilege to be redrawn? To support anti-colonial struggle would not be "intervention" if the matter of national liberation were to be moved from the exclusive domain of French internal affairs into that of the affairs of humanity. This in turn would make it possible to imagine legitimate forms of international social action, including public condemnation through the UN General Assembly, in the name of national liberation in colonised territories. Al-Jamali continued:

> The people of Algeria are being discriminated against and they are being treated brutally. They are machine-gunned. Bombed. There is complete extermination, complete destruction….We have been going to the United Nations year after year asking for the judgement of the civilised world. But in the United Nations not all things move smoothly and there are influences which sometimes make right and justice sink before power…Is it

[40] S/3689.
[41] See e.g. Anwar 2008: 185-6; see e.g. UN Department of Public Information 1950: 398–400.
[42] See A/C.1/SR.839.
[43] *Final Communiqué of the Asian-African Conference.*

> not true that the people of Asia and Africa must come together and go to the help of these people?

Yes, France might claim sovereign jurisdiction over its "Departments." But claims to unimpeded control were to "yield before justice, before liberalism, before common sense."[44]

Qualification of sovereign privilege to a particular sort of "liberalism" and "justice" was in fact "common sense" at Bandung. Western practice assumed---wrongly---that the non-interventionist provisions of the Charter precluded anti-colonial solidarity with the liberation movements, that the systematic oppression (called protection or supervision or trusteeship) of colonised peoples, in colonised territory, counted among the "internal affairs" of the coloniser. Third World practice in contrast suggested first, that self-determination had crossed the line of the domestic into the international, and second, that legitimate national sovereignty flowed not simply from existing formality or a preponderance of power, but from the popular will of the people.

And the language of human rights in particular offered an intoxicating indictment: because colonialism, as a denial of the most vital elements of basic human dignity, was unmasked as contrary to the very principles of liberty, equality, and fraternity which represented not only the traditional ethic and spirit of France, but also the ideals to which the West subscribed more generally.[45]

I am not arguing that anti-colonial interventionism was concerned only with "classical old-time colonialism." On the contrary we can show how it applied to colonialism in other (but not all) its asserted guises.[46] At Bandung, kindred discussion of Palestine showed us how. The nature of the Palestinian problem, as Syrian Foreign Minister Khalid Bey Al-Azm put it, was not that of a "change of regime" or a "coup d'état," but of something "far deeper and graver": the violent uprooting of a people, symbolised in the suffering of a near-million in the 1948 Palestinian exodus, and ongoing processes of ethnic cleansing. Justice for Palestine was self-determination toward self-preservation. On the "repatriation of refugees in their former home" self-determination was an "inherent right" which peoples were entitled "to exercise, freely and without impediment" in the deterrence of their cultural and political extermination---hence, "refugees are entitled to go back to their former homes." "We certainly cannot deny the fact that the people of Palestine are a people; and if they are, if we admit it, we cannot deny to them the right to exercise self-determination."[47]

The forcible displacement of the Palestinian people, and the oppression of minorities left behind, was therefore "a matter of imperialism, naked imperialism, in black and white" and of humanitarian catastrophe.[48] Accordingly the issue ought never to be construed as a "domestic affair" of Israel: "let us not forget that the question of Palestine is not a local or a regional one. By its very nature, it is an international catastrophe which must evoke the sympathy of the world

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[44] TMPCAAC 1955: 145-147.
[45] E.g. Afghanistan in ibid.: 155.
[46] Ibid.: 144.
[47] Ibid.: 55.
[48] Ibid.: 50.

at large."[49] Iran: Palestine "is a tragedy because it is a violation of the Charter; because it is a violation of the right of self-determination; it is a tragedy because it is a violation of human rights."[50] The Palestinian case, on account of Israel's statehood (for those who recognised and would recognise it), was in some ways different from the colonies of traditional empire, but from this view constituted nonetheless a location of national struggle. And I think by registering as much, we can begin to see how anti-colonial interventionists were by a similar logic calling into question cases like white minority rule in South Africa.[51]

Now clearly there were also very heated debates at Bandung regarding colonialism's relationship with superpower imperialisms and satellites. Ceylonese Prime Minister Sir John Kotelawala's condemnation of the "new colonialism" of the Soviet Union was of course among the conference's most explosive moments, it nearly "spell[ed] disaster" for unanimity.[52] Much discussed is the final communique's denunciation of "colonialism in all its manifestations" as an "evil which should be speedily brought to an end."[53] And one way to interpret the phrase---the interpretation common in internal American memos of the period, for instance---was as a reference inclusive of Soviet infiltration, the Cominform, related spheres of influence, etc.[54]

But a second mode, certainly the mode I have in mind in relation to a broad anti-colonial interventionism in this period, referred to both "classical" and "neo-" manifestations of a more fundamentally racialist and white-supremacist logic. Reflective of this more neutralist middle ground was for instance Nehru's speech: condemning the "aggressive propaganda" and "subversion" originating from "both groups" standing across the Iron Curtain, he noted that "speaking technically" such behaviour "was not colonialism," that the "use of the word is incorrect," and that the conference instead ought to refer to such activity as "interference," with the understanding that it "obviously" goes against the Five Principles of Peaceful Coexistence, that, in fact, "it is entirely opposed to them."[55] In parallel, Romulo's statements, much-extolled, spoke at length about the inextricable relationship between race and empire, and between anti-racism and anti-empire:

> I do not think in this company I have to labour the full import of this pernicious doctrine and practice. I do not think I have to try to measure the role played by this racism as a driving force in the development of the nationalist movements in our many lands.[56]

The racial-hierarchical or white-supremacist constitution of modern colonialism, and the central place of this meaning in historical Third World organising regarding, for instance, self-determination, has been discussed in detail elsewhere.[57] This is the kind of scope of legitimate cross-border action that I am attributing to anti-colonial interventionist practice.

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[49] Ibid.: 52.
[50] Ibid.: 63.
[51] South Africa was explicitly condemned in final communiqué.
[52] See e.g. comments of Ali Sastroamidjojo in TMPCAAC 1955: 192-5.
[53] See *Final Communiqué of the Asian-African Conference.*
[54] See for example Secretary Dulles in *FRUS* 1955-1957, XXI: Document 50.
[55] TMPCAAC 1955: 221, 345.
[56] See *Final Communiqué of the Asian-African Conference.*
[57] See e.g. Getachew 2019.

So far then I have tried to say something about cause---about exceptions or higher purposes for acts perceived as interventionary on some side---but I have said too little about the substance of what Sukarno had called the "moral violence of nations," and whether moral violence ought to extend beyond declarations of sympathy or condemnation (in the General Assembly, in regional meetings, or otherwise) toward international support for liberation in a more material sense. What was the positive substance of anti-colonialist interventionism and---this is the last strand of historical thinking that I have the space to explore---what might this tell us about the historical possibility and importance of radical and moderate iterations of this practice?

BELGRADE AND INTERVENTION

To these questions Afro-Asia initially stopped short of endorsing a clear recourse---to be sure the Bandung final communiqué said nothing of, say, the application of international sanctions against colonial regimes, or the transfer of supplies or provision of assistance to national liberation movements. For a politically diverse conference premised upon a commitment to unanimity, one clear explanation here is that such a position would likely be perceived by Western allies present as a shift further toward the political left, into the arms---both the metaphorical embrace but plausibly also the arms shipments--of the Soviet Union, which had officially supported the right of colonies to self-determination since the Bolsheviks took power in 1917 and portrayed itself a "natural ally" to liberation movements worldwide.[58]

Yet a more robust commitment to anti-imperialism need not be perceived as an alignment; it might rather become the premise of a non-alignment. This was one common conclusion of 1956. On the one hand Nasser's decision to nationalise the Suez Canal, and the ensuing British-French-Israeli invasion of Egypt seemed to suggest that no matter the degree of moral indignation, no matter the content of world opinion, the West would, in an obsessive and pernicious way, refuse to dispense of its colonial privileges. Third World contributions to the UN Emergency Force might have been justified in this way under the banner of an anti-imperialism or an anti-imperialist peace. On the other hand, as Israel intervened in the Egyptian Sinai in October, Red Army tanks rolled into Budapest---not all accepted Moscow's revolutionist duty justification, self-determination could not be easily claimed by either of the two sides.

About three months prior, Nasser had met with Yugoslavia's Tito and India's Nehru in the Brijuni Islands (this, writes Prashad, might be seen as "the Third World's Yalta.")[59] If Yalta is usually seen as a symbol of the Big Three's bloc mentality and gravitation toward regional spheres of influence, then Brijuni was an articulation of a smaller three's stance on the same subject. In fact the Tito-Nasser-Nehru communiqué adopted at Brijuni had four main components: 1) a commitment to the ten (not five) Bandung principles, 2) a call for nuclear disarmament, 3) advocacy for economic cooperation and development, and 4) an argument to the effect that peace could never be achieved if the world was divided into powerful blocs. The last of these components is most usually related to the emergence of the Non-Aligned Movement.

Again here we know the motions: in September 1961, twenty-five so-called "non-aligned" states---from Afro-Asia primarily, but also from Eastern Europe (Yugoslavia) and Latin America

[58] See e.g. U.S. Department of State 1961.
[59] Prashad 2008: 95.

(Cuba, plus, as observers, Bolivia, Brazil, and Ecuador)---met at Belgrade. But what is sometimes missed is that a rejection of "two diametrically opposed political camps" was also a rejection of just "two alternative ways of living." Participants were keen to explain the meaning of their shared rejection of superpower blocs---to Kwame Nkrumah, non-alignment did not refer to a sort of "negative neutralism" whereby the Third World withdrew itself "entirely from the international problems of peace and war."[60] It was not, said Sukarno, "the sanctimonious attitude of the man who holds himself aloof" nor, said Tito, "a third bloc"---"would it be logical for us, who are fighting against the vision of the world into blocs, to create a third bloc?" Instead, the purpose of the non-aligned conferences was to "make the Great Powers realise that the fate of the world cannot rest in their hands alone." Smaller states could not "reconcile themselves with the status of observers," they had "the right to participate in the solving of problems, particularly those which endanger the peace and the fate of the world." The Belgrade meeting had been convened "for the purpose of asserting this right"---so that "greater numbers" could articulate "as simply and as strongly as possible, their views regarding the question as to what the relations among peoples and states should be like."[61]

Announced Ibrahim Abboud of Sudan, quite directly: the non-aligned sought to establish "a firm foundation for the creation of an ideal international society."[62] It should not surprise us then that they were also developing a firm position on intervention/non-intervention.

And in this, I want to argue, Belgrade's stance shared much in common with Bandung, but developed its principles further, particularly in regard to substantive forms of international anti-colonial action. "We must of course make it clear that the struggle of a colonial people for liberation cannot and must not be regarded as the private concern of the ruling powers," explained Louis Lansana Beavogui of Guinea.[63] At the same time, "interference by any dominant power in the internal affairs of a former colony must be regarded as aggression, as a method of perpetuating an intolerable domination" because, as Haile Selassie put it, "independence means more than the granting of national flags and anthems, and without real and effective freedom in the economic and political spheres, liberty becomes a mere catch-phrase, devoid of content."[64] The root of stable international order was respect for self-determined state personalities, self-determination "must be the only basis of all international relations."[65] Hence Aden Adde could see no contradiction in arguing it to be "a gross injustice to regard as an unwarranted intervention any support granted to colonial peoples struggling for self-determination."[66]

Accordingly, in one of its boldest operative clauses, the final declaration demanded:

> …an immediate stop be put to armed action and repressive measures of any kind directed against dependent peoples to enable them to exercise peacefully and freely their right to complete independence and that the integrity of their national territory should be

[60] Nkrumah's speech to the conference in Yugoslavia 1961: 99.
[61] Ibid.: 21, 27, 20.
[62] Ibid.: 52.
[63] Ibid.: 223.
[64] Ibid.: 91.
[65] Ibid.
[66] Ibid.: 229.

> respected. Any aid given by any country to a colonial power in such suppression is contrary to the Charter of the United Nations.[67]

Along these lines, the final declaration would also condemn the presence of foreign troops or maintenance of foreign military bases in the territories of dependent peoples, as well as foreign designs that prevented or inhibited free disposal of natural wealth or resources, without prejudice to obligations arising out of international economic cooperation, mutual benefit, and international law.[68] The argument that came through, again and again, was that the content of the domestic had been reduced---the de facto authority or supreme control of a state government did not imply its right to, for instance, suppression of the liberation movements.

But if left ambiguous at Bandung was the dispute over which means were legitimate in supporting these movements, discussion at Belgrade was relatively assured. By 1961 something was beginning to change in the tone and content of anti-colonial interventionist arguments. On the minds of conference participants were events like the Congo Crisis (and the murder of Prime Minister Patrice Lumumba, whom Nasser cited as a "symbol of the crisis of freedom against imperialism"), the CIA-directed Bay of Pigs invasion (the latest manifestation of systematic intervention involving, for instance, commercial blockade), Angola ("the horror of Angola," again to quote Nehru, where the Portuguese armed forces, in "acts of savagery," killed tens of thousands and may have committed "genocide"), and, for instance, mass killings in Tunisia, committed in the town of Bizerte just weeks before the conference began.[69]

Evident in Belgrade's discursive record is a recurring argument that legitimated and insisted upon the international overthrow of colonial powers through tangible and not merely declaratory means---the fight for independence of all non-self-governing peoples was understood as a universal struggle in which it was simply not enough to ask, to plead, to shame, or to criminalise. Explained Nasser: "in this connection it seems to me that we can give more than just moral efforts."[70] The time had come to "implement, practically, the resolution adopted by the United Nations General Assembly in its last session, urging colonialist powers to liquidate imperialism entirely."[71] "Experience during the last decade has shown that mere verbal condemnations are totally inadequate," said Aden Adde in reference to South Africa.[72] Tito reiterated: the non-aligned could no longer "confine ourselves to expressions of indignation and protest, but must take more effective and concerted action."[73]

The new argument was that "*every form* of assistance" should be extended to dependent and exploited peoples struggling for independence. Guinea promised to "resolve to furnish tangible assistance to all peoples fighting for their independence from colonial rule," and the Congo stated it would "not hesitate to lend its full support, both moral and material, to all peoples who

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[67] Ibid.
[68] Ibid.
[69] Ibid.: 41, 125, 115.
[70] Ibid.: 51.
[71] Saeb Salaam of Lebanon in ibid.: 130.
[72] Ibid.: 231.
[73] Ibid.: 159.

are struggling for their freedom…we have an inescapable obligation to help them."[74] Regarding South Africa in particular, unilateral economic sanctions in protest of apartheid and white minority rule were widely advocated: "the policy of sanctions should be implemented by a larger number of nations" and "more severe sanctions should be applied."[75]

THE TRICONTINENTAL'S "TOTAL RESPECT FOR THE SOVEREIGNTY OF ALL STATES"

Anti-colonial interventionist arguments of this sort---those calling for "tangible" and "effective" international assistance for self-determination beyond words and resolution-making---were being heard elsewhere, too. At the founding of the Organisation of African Unity at Addis Ababa in 1963, for instance, was crystallised precedents set at previous conferences of independent African states and pan-African meetings, all of which had called for the eradication of colonialism, and many of which had called for "all possible assistance to dependent peoples in their struggle for foreign rule" or the like.[76] Here we find arguments like this one by Fulbert Youlou:

> The countries which have attained independence must resolutely unite and act in common so as to ensure that territories that are still dependent accede to independence in their turn with the least possible delay. To this end, it is desirable to establish a 'Monroe Doctrine' for Africa, that is to say to secure Africa against any direct interference by a non-African power…[77]

True, Nkrumah's African High Command ("to guard our own freedom as well as to win freedom for our oppressed brothers, the freedom fighters") never came to political fruition, but we might wonder more about its normative appeal. The justification of international coercive struggle to free Africa was never seriously doubted; politically it found considerable support within the Organisation's most radical circles. The OAU's Liberation Committee, established in 1963 and based in Dar es Salaam, described its official purpose as the use of "all means at its disposal to restore elementary human rights to the oppressed peoples of Africa" in the "absence of an immediate peaceful solution," assuring the UN that "the total decolonization of Africa remained a top priority on the OAU's agenda…the fight for liberation raging throughout the occupied territories of Africa would be waged to the bitter end."[78]

I want to focus a little more on this sort of radical argument. I do not want to deny that moderate positions were also being adopted---at the OAU, for instance, the views of the Monrovia group were set against the Casablanca group---rather I will be indicating how a moderate-radical rift among the non-aligned becomes an important part of UN debate (examined in the next chapter).

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[74] Ibid.: 224, 246.
[75] Osman and Tito in ibid.: 232, 159.
[76] E.g. the Conference of Independent African States held in Accra from 15-22 April 1948, the All-African Peoples' Conferences held in Accra (1958), Tunis (1960) and then Cairo (1961), as well as the Pan-African Congresses, especially the Congress of 1974 hosted in Dar es Salaam.
[77] See "Address delivered by H. E. F. Youlou, President of Congo (Brazzaville)" in Organisation of African Unity 1963b. See also e.g. "Resolution on Colonialism" in Organisation of African Unity 1963a.
[78] A/6700 (Part II).

And of all the major meetings of the Third World in the 1960s and 70s the Tricontinental Conference in January 1966 was---for this particular strain of anti-colonial intervention---the most important. It is easy to forget just how large the Tricontinental really was (more than 500 delegates, and over 200 observers, hailing from some 82 countries) and just how extensive its deliberating and its resolution-making became (a total of 73 resolutions over the course of 13 days, through which also emerged the Organisation of Solidarity with the People of Asia, Africa, and Latin America, tasked with aiding, informationally or culturally or propagandistically, liberation movements worldwide).[79] And though of course there were quarrels over, for instance, which international socialisms (if any), militancy was declared here ethically justifiable in a manner different from other conferences of the period.

The Tricontinental might be taken then as a comment on global order, and the radical South can be seen as having contributed to formalistic debates about the management of intervention, not just as having put them aside in favour of deeper revolutionary commitments. What I mean is that when the revolutionaries gathered in Havana, they did so in their battle fatigues and khakis, but the objective was more chiefly normative and countercultural than geostrategic, to mobilise "the powerful drive of world public opinion" was to reject the "pretensions" and "false legal arguments" of colonialists and neo-colonialists: "sometimes taking on the title of 'spheres of influence', at other times 'balance of power'…or in the case of alliances or doctrines, such as the Monroe Doctrine, the truth is that the original purpose and final result is the imperial domination of weaker countries," hence it is "a great responsibility of the Tricontinental Conference to determine correctly the forms, ways, and means" of emancipating exploited nations and peoples so as to reveal "the thousand faces of imperialism."[80]

The content of this public opinion might be described on multiple levels of specificity, but I have in mind three aspects along the lines of the basic anti-colonial interventionist form that I have laid out already.

The first was about armed struggle, including the sending of coercive assistance and internationalist aid across borders, as an apparently inescapable condition of ending colonialism. At one end was the theory that imperialism was intrinsically an act of violence and would not be overcome except through violent methods. "The essential instrument of imperialist domination is violence…imperialist domination implies a state of permanent violence against the nationalist forces"---Amílcar Cabral in his speech before attendees.[81] Permanent in that behind any façade of peace in colonised society was the constant threat of its police, its jails, its spies, its soldiers, and the arsenal of the metropole and its allies as a kind of international gendarme---the coercive instruments used in the establishment of colonised society were also the primary thrust of its maintenance.

"The most effective weapon" to win liberation, announced the Chinese delegation, "is to use revolutionary violence" and "wage people's wars of aggression." "History proves that when the

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[79] See Organisation of Solidarity with the Peoples of Asia, Africa, and Latin America 1966.
[80] 'Antecedents and Objectives of the Movement of Solidarity of the Peoples of Africa, Asia, and Latin America' in ibid.: 18-19.
[81] Cabral 1970.

imperialists and their allies seek, through repression, to prevent the changes demanded by the exploited peoples, they must resort to the most energetic forms of struggle" ---the Egyptian delegation. "[P]eaceful coexistence does not mean surrendering to acts of aggression and usurpation."[82] Across myriad visions of armed resistance were common claims about self-defence and last resort: "The peoples of the three continents must answer imperialist violence with revolutionary violence, not only to safeguard national independence, achieved at a high price, but also to obtain the liberation of peoples fighting to shake off the colonial yoke."[83]

The second aspect is the Tricontinental's very frequent use, in connection with this coercive and international-coercive element, of the language of non-intervention; the concept was deployed in a stance of this sort in more than a dozen resolutions. In one, a condemnation of US House of Representatives Resolution 560 (on individual or collective self-defence against "international communism and its agencies in the Western hemisphere"), we find an allegation of Washington having reasserted a version of the Monroe Doctrine ("by which they arrogate the right to intervene in the internal affairs of any country in the continent…ignoring the elementary rules of international relations.")[84] We also find the crucial qualifications that I have been highlighting throughout this chapter: Washington's was a right to intervene taken "with total contempt for the peoples" and "in violation of the treaties that express the right of self-determination."[85] It was in the same resolution that Tricontinental delegations proclaimed: "the right of all peoples to oppose imperialist violence with revolutionary violence" and ratified "their support to the principle of total respect for the sovereignty of all states."[86]

Third is the conference's recurring invocation of humanitarian language (e.g. the motto chosen for OSPAAAL, also contained in the Second Declaration of Havana: "this great humanity has said: 'enough!' and begun to march"), of human rights and "atrocities" (e.g. "the right to self-determination and sovereignty of all the people of the world", resistance against "the inhuman policy of apartheid" as the defense of "basic human rights" and "a subject of the highest priority in the agenda of the conference", the indignance of the "human conscience" at "genocide" in Vietnam), and the global nature of the revolutionist obligation ("the right and duty of all countries to offer moral and material support," or, put just a little more boldly, "[t]o die under the flag of Vietnam, of Venezuela, of Guatemala, of Laos, of Guinea, of Colombia, of Bolivia, of Brazil---to name only a few scenes of today's armed struggle---would be equally glorious and desirable for an American, an Asian, an African, even a European.")[87]

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[82] 'General Political Resolution' reprinted in Organisation of Solidarity with the Peoples of Asia, Africa, and Latin America 1966: 61-68; speech of the UAR in Organisation of American States 1966: 92.
[83] 'Antecedents and Objectives of the Movement of Solidarity of the Peoples of Africa, Asia, and Latin America' in Organisation of Solidarity with the Peoples of Asia, Africa, and Latin America 1966: 22.
[84] House Resolution 560 ("Defense Against Communism in the Western Hemisphere") was adopted on 20 September 1965.
[85] 'Resolution Condemning the Resolution Adopted by the House of Representatives of the United States' in ibid.: 72.
[86] Ibid.: 73.
[87] E.g. 'Resolution on Haiti' in Ibid.: 92*;* 'General Declaration' in ibid.: 158; 'General Resolution of the Political Commission on Colonialism and Neo-Colonialism' in ibid.: 86; ibid.: 25; 'General Resolution of the Political Commission on Colonialism and Neo-Colonialism' in ibid.: 86; 'General Resolution on Vietnam' in ibid.: 128; see Che Guevara's address to the Tricontinental reprinted in Guevara 1967: 21.

In his closing speech, Fidel Castro called for "a common strategy, a joint, simultaneous struggle" because "the field of battle against imperialism takes in the whole world." Accordingly "Cuban fighters can be counted on by the revolutionary movement in any corner of the earth." "Without boasting, without any kind of immodesty, that is how we Cuban revolutionaries understand our internationalist duty."[88]

Again there is feasibly much complexity to all of this, and I do not mean to underplay the Tricontinental's obvious political function in relation to the international-socialist project; but having already discussed my commitment to approach the intervention problem in terms of discursive practice, I want only to say again that I have a certain type of contestation or international-ordering in mind. No doubt imperialism had to be defined (no easy task, consider Sino-Soviet divisions and allegations of Soviet hegemonism), no doubt revolution too had to be defined (consider rival theories of revolution-making), but what I am trying to say is that the Conference might be usefully interpreted as a meeting of who, in the words of its host, "representing different philosophical ideas or positions and different religious beliefs," and "in many cases of different ideologies," stood united against "colonialism and neo-colonialism, against racism."[89]

The introduction to conference proceedings makes claims to consanguinity in the society of states: listed there we find the Bandung Conference, the founding of the OAU, the Cairo Afro-Asian Conference, and the Conferences of Heads of State and Government of the Non-Aligned Countries.[90] The Bandung principles are reaffirmed in the Tricontinental's General Resolution on Colonialism and Neo-colonialism, and explained in its General Political Resolution as having "acquired a popular and broadly revolutionary meaning" at Cairo, 1958.[91]

THE DIFFERENCE BETWEEN AN INTERVENTIONIST AND AN INTERNATIONALIST

During informal talks conducted between Fidel Castro and the Vietnamese delegation: Dan Thi Thanh, a North Vietnamese revolutionary, approached Castro and presented to him a metal ring. The ring, as much a token of gratitude as a trophy, had allegedly been made from the wreckage of an enemy plane that she herself had downed. To applause, Castro is said to have clasped her hand and raised it to the sky, exalting the fighting spirit of Vietnamese women in resisting American imperialism.[92] If the militant ethics of the Tricontinental resolutions were somehow not enough to precipitate Western outrage, then images of this sort surely underscored its assessment of the conference as "terroristic and warlike."[93] And while political outrage is of course unsurprising, the ways in which that outrage would be formally expressed, and the ways in which Havana would formally respond, seem for our purposes quite remarkable.

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[88] 'Speech by Fidel Castro, Prime Minister of Cuba, in the Closing Session' in Organisation of Solidarity with the Peoples of Asia, Africa, and Latin America 1966: 165, 167.
[89] Ibid.: 165.
[90] 'General Resolution of the Political Commission on Colonialism and Neo-Colonialism' in ibid.: 95; 'General Political Resolution' in ibid.: 61.
[91] 'General Resolution of the Political Commission on Colonialism and Neo-Colonialism' in ibid.: 85; 'General Political Resolution' in ibid.: 61.
[92] Adapted from a Radio Hanoi broadcast and quoted in U.S. Department of State 1966: 23.
[93] Ibid.

I account for that correspondence here to provide a summary of a very basic anti-colonial interventionism that I have been surveying in this chapter.

The Council of the OAS held a special meeting in the afternoon of 2 February 1966 to discuss the Tricontinental. There, the United States and its closest Latin American allies resorted to a different sort of non-interventionist practice: the resolution adopted made no mention of colonialism or imperialism, and instead focused on what the Council called the conference's "pledge to give financial, political, and military aid to communist subversive movements in this hemisphere, the same as in other parts of the world."[94] The Council thus resolved to condemn "empathetically the policy of intervention and aggression of the communist states and other participating countries and groups" that was perceived to have been adopted at "the so-called conference of solidarity among the peoples of Asia, Africa, and Latin America."[95] The resolution was followed by a letter dated 7 February 1966 to the President of the UN Security Council, which made essentially the same claim: it ought to be known to the international community that the Tricontinental's commitment to assisting internal rebel movements struck "against the sovereignty and political stability of state members of the United Nations" and "the fundamental principles of international law."[96]

Three days later, Castro replied with a letter of his own---addressed to UN Secretary-General U Thant.[97] Requesting that his letter be circulated as an official document of the Security Council in order to give the OAS "the reply it deserves," Castro railed against its apparent indictment, which, he suggested, misrepresented the logic behind Third World revolutionism. It was "incredible that these governments should be so cynical as to accuse Cuba and the Solidarity Conference of the Asia, Africa, and Latin America of interventionism" given that the governments "in whose name the [7 February] letter was signed" were "precisely the most servile henchmen of Yankee imperialism in Latin America," the sort who "unhesitatingly supported" or "issued mild and hypocritical protests" against the recent military intervention undertaken by the U.S. in the Dominican Republic, some of whom were now "participating directly in occupation."[98] "Actually, all these governments are accessories to the subordination, domination, and exploitation of their own countries." Their foreign policy, and their letter, was hardly of their own making---like their "armed forces, banks, and trade" it was made at the instigation of a neocolonial master, and misrepresented Tricontinentalist moral-legal critique.

No, the stance taken at the Tricontinental was not about sanctioning international intervention---at least not in its ordinary Third World sense. Continued Castro: "To proclaim the right of these peoples who are oppressed and exploited by the imperialists with the complicity, in each country, of the reactionary classes---the privileged and completely minority interests which these governments represents---is not an act of intervention; it is precisely a struggle against intervention." The independence and sovereignty of peoples was built not only through effective domestic order, but also through the practice of internationalist assistance to liberation

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[94] Resolution Adopted by the Council of the OAS at the Meeting Held on the Afternoon on 2 February 1966 reprinted in Organisation of American States 1966: 275-277.
[95] Ibid.
[96] S/7123.
[97] S/7134.
[98] On the U.S. intervention in the Dominican Civil War, see e.g. Gleijeses 1978; McPherson 2004, 117-63.

movements that were understood to represent the will and repressed destinies of the people. Castro's was an anti-colonial interventionist argument, which, at Bandung like Belgrade like Addis Ababa like Havana, was about a more legitimate sovereignty through international or internationalist assistance; internationalist assistance that would surely be alleged interventionary by imperialist detractors, but that was not technically "intervention" insofar as the limits of sovereign privilege and jurisdiction were set by the outcome of self-determination.

The Tricontinental "did indeed decide to intensify the struggle against intervention and to assist the peoples fighting for liberty and independence." Absolutely, wrote Castro, the conference also "emphasized the duty of states and progressive governments to support peoples who are struggling against interventionist and aggressive imperialism," including through "the most violent revolutionary action," but "the support of independence must not be confused with intervention." After all, there were historical precedents for more abstracted forms of anti-colonial interventionist practice---precedents so widely accepted, in fact, that members of international society had come to treat them in collective memory not as denigrated phenomena or as "interventionist" in any pejorative sense, but as among the most venerated developments of modern international relations:

> No one would think of accusing the French revolutionaries, who in the eighteenth century helped the people of North America to gain their independence from British colonial rule, of having been interventionists. The peoples of France, the United States, and the entire world recognised the undeniable merit of what those brave men did in fighting on American soil to win independence for the thirteen colonies.

To invoke the longer history of international anti-colonial action was to allude to a longer history of self-determination and related political concepts: the will of the people, the consent of the governed, popular sovereignty, iterations of the social contract, and particular tenets of republicanism. On the one hand, this was a reminder that some variants of an anti-colonial interventionism might be conceived, discretionarily, as Lockean, Jeffersonian, Rosseauian, etc.[99] On the other, given the feasible range of differences across historical contexts---I noted the very central place of anti-racism in the Third World's anti-colonial designs, for instance---we might identify a political tactic. Castro went on to compare the Tricontinental to the internationalism of Panama Conference in the early 19th century:

> The militant, revolutionary solidarity of the peoples of Latin America assumed a very active form at the time of the struggle for liberation carried on by Bolívar, San Martín, and Sucre. The peoples of Latin America gratefully remember that solidarity. No one would think of describing the Latin American liberation movement of the last century as an act of intervention. In 1826, Simon Bolívar summoned the peoples of the Americas to the Panama Conference to discuss the most appropriate means of completing the liberation of the continent from Spanish colonial oppression. By the standards of Yankee imperialism…that Conference could be regarded as violating the sovereignty of peoples and as frankly interventionist.[100]

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[99] Consider e.g. a republican tradition of warfare in Nabulsi 1999.
[100] S/7134.

To have shown a mirror upon which to see anti-colonial interventionism in Western value-systems and histories was by now familiar strategy in the Third World's contestation of international order. The anti-colonial agenda had hence seeped into the UN, where it no doubt found opposition, but where its particularised conceptual content had surely begun to frame the thinking of a growing number of member states in new ways. To them Third World solidarity in places like Angola, where a large-scale Cuban military mission would in 1975 arrive to liberate the oppressed peoples of Southern Africa from the threat of apartheid and lingering empire, represented the fulfillment of a sacred international duty. At the Fifth Summit of the Non-Aligned Movement, 86 members unanimously "praised the Republic of Cuba and other states which helped the people of Angola foil the expansionist and colonialist strategy of the South African regime."[101]

For the non-aligned and Global South, there was a great difference between an interventionist and an internationalist; that difference, I have been arguing, ought to be expressed as historical discursive practice.

[101] A/5763. I examine the Angola case in a separate manuscript.

CHAPTER 5

'Friendly' Intervention and the Special Committee

In 1970, the UN celebrated its 25th anniversary. In 1945, it had just 51 members. Now the number was 127. The non-permanent membership of the Security Council had expanded, too---from six to ten in 1966. I have been looking at a dimension of revolt operating in major Third World meetings, but I want to look now at the UN itself and its evolution. And here perhaps no experience proves more important, for our purposes, then what began in December 1961 and ended in October 1970: the pulling together of the Friendly Relations Declaration, which set out to contribute, in a fundamental way, to the interpretation of the core principles underlying the Charter itself---to progressively develop them, and to recodify them.

The 1960s and 1970s were the most tumultuous and most explicit decades of intervention/non-intervention in global international society to date. At no other point in history was the composition of intervention and non-intervention so directly and systematically contemplated by UN member states, in a single forum and at such great length. Because for two decades the re-ordering and re-designing of intervention and non-intervention was a palpable obsession for the Third World. The number of related resolutions adopted by the UN exceed what we commonly remember, they go beyond just the Non-Intervention Declaration of 1965: the non-aligned noted with satisfaction more than 10 resolutions on the question passed between 1957 and 1981.[1] At least as a starting point we ought to synthesise this interventionist/non-interventionist campaign. And in this synthesis the meetings of the UN's Special Committee on Friendly Relations should be our guide or compass: because it was there, during the drafting of a "landmark" in the progressive development of key international principles, arguably the most serious undertaking of its kind since 1945, that the period's practices of intervention and non-intervention can be most clearly traced and compared.[2]

As the Italian representative put it at Geneva in 1967, there was "a demarcation line between actions and practices which should be condemned as constituting intervention and those which need not be so condemned." Members had been tasked with deciding exactly how that line was to be drawn, in light of contemporary developments that appeared to render the demarcations made at San Francisco archaic and mislaid.[3]

This chapter is the first of two that will consider the twenty-five or so years in the UN between 1957 and 1981. These are lost decades; in predominant narratives of the international sovereignty-intervention debate, the 1960s, 70s, and early 80s are presented as a time when states approached questions of sovereignty and intervention without "purposes beyond themselves."[4] So concerned were former colonies with the fragility of their newfound statehood that they turned inward, away from the international; according to this view, a logic of legitimate interference across sovereign borders, of minding the business of others, was absent during the

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[1] A/RES/1236(XII); A/RES/2131(XX); A/RES/2225 (XXI); A/RES/2625(XXV); A/RES/3281(XXIX); A/RES/3201(S-VI); A/RES/31/91; A/RES/32/153; A/RES/33/74; A/RES/34/101; A/RES/35/159; A/RES/36/103.
[2] See preambular paragraphs of A/RES/2625(XXV).
[3] A/AC.125/SR.73.
[4] Evans 2008: 17. Evans was himself quoting Bull 1984a: 13.

first half-century of the UN's existence. A pure and simple self-interest trumped collective conscience: a "state first" sovereigntist mentality prevented would-be internationalists from abandoning their tribalism, from establishing international rules for the prevention of mass atrocities, from living up to the ideals of, among other things, the Universal Declaration of Human Rights in 1948 and the Genocide Convention. The effect of non-intervention was to raise a wall: impermeable and absolute, between states and humanity.

But to look seriously at the practices of this period suggests that to understand Third World states as dull and jealously indifferent sovereigntists would be patently untrue. Directly opposite to what we have come to know, it is not "hard to find examples" of normative logics or institutionalised practices in which states "looked beyond their own territorial and colonial borders, beyond their own immediate economic and security interests" so as to "halt or avert new or continuing atrocity crimes," even if we qualify the scope of such behaviour to that which was described as interventionary (or non-interventionary). A primary purpose of the South's non-intervention at this moment of history---an age of non-alignment, in addition to bipolarity---was to suggest that international society was bound to act when peoples were suffering, to promote universal human rights, to define positively a range of legitimate international activities.

If it was during the 1940s that dictatorial intervention became predominant institutionalised practice within the newly formed United Nations organisation (see Chapter 3), then it is during the 1960s that the dictatorial interpretation becomes abandoned. By the time of the organisation's 25th anniversary the old formulation loses its hold within international society: in the aftermath of Bandung and Belgrade, and in the relative stability of US-Soviet détente, dictatorial non-interventionism becomes thoroughly discredited. In the course of the Friendly Relations process we see it erode and slip from the fingers of a outmaneuvered and outnumbered Western coalition, replaced by something new. This something new is not simply anti-colonial interventionism, but it is, in very important ways, shaped and affected by anti-colonial interventionist diplomacy.

What is 'friendly' interventionism? In what ways was it so friendly, or not? What were the relationships between these practices which I am calling friendly interventionism, dictatorial interventionism, and anti-colonial interventionism? The Friendly Relations process was highly formalised, as a study conducted by state representatives in regular sessions, its attempt at defining intervention was a technical exercise conducted many times over---in accounting for these abundant codifications, the pacing of this chapter will take sharper turns than previous ones. But the purpose remains the same: I trace and compare intervention in its various re-constitutions, according to the movement of lines and discursive practices.

NON-INTERVENTION AS GOOD NEIGHBOURLINESS

When on the 18th of December 1962 members of the General Assembly unanimously resolved, through resolution 1815 (XVII), to undertake a study of "the principles of international law concerning friendly relations and co-operation among states and the duties deriving therefrom, embodied in the Charter of the UN," to work toward their "codification," "progressive development," and "effective application," the number of principles identified by the General

Assembly was not ten (as it was at Bandung), not five (as it was in the Panchsheel), not four (as it was in Soviet draft declarations of "peaceful co-existence"), but seven.[5]

1. Prohibition of the threat or use of force
2. Peaceful settlement of disputes
3. Non-intervention
4. The duty to cooperate in accordance with the Charter
5. Equal rights and self-determination of peoples
6. Sovereign equality of states
7. Fulfillment in good faith of obligations assumed under the Charter[6]

In domestic life, good neighbours, enjoying friendly relations, are expected to knock before entering one another's homes. They are expected to refrain from intervention in a manner respectful of a broad understanding of privacy: it is not polite to spy through windows or pry open doors, guests must not take what is not theirs, they should in general ask for permission---at least in ordinary conditions. And in this way, most would probably agree, the promise to "mind your own business" in domestic life is often not only about safety or security, but also about discretion and hospitality as the root of friendship among the citizenry.

Yet in international life, and more specifically the international life of 1962, I want to show how Washington continued to oppose the notion that non-intervention between states referred to something other than the prohibition of the threat or use of force (principle one of Resolution 1815), holding instead that non-intervention (principle three) referred to the responsibilities of the UN organisation, and the UN alone.[7] From this view, the onus of the non-intervention question was really the onus of San Francisco (see chapter 3), where, we will recall, in rejecting various Southern proposals, the Committee of Five had "agreed that any reference to nonintervention [between states] would be opposed."[8]

I discussed why, from a critical view, this might have made a great deal of political-strategic sense in 1945. Yet by now, by the early 1960s, American aversion to reviewing a universal principle of non-intervention between states was rather surprising, not only because of the near-constant fear of subversive interferences associated with international socialism (of Red Scares abroad and McCarthyism at home), but also because of the widening spectrum of the "moral violence" of anti-colonialism, particularly its various deployments against the West (see previous chapter). In fact, in 1957, during debate on the proposed Declaration on Peaceful Co-existence (what became the resolution on Peaceful and Neighbourly Relations Among States) anti-colonial applications of non-intervention had already begun to structure North-South disagreement. In a right of reply to Albania, for example, France had noted that "an allusion had been made to the Algerian question," as if opposition to the national liberation movements constituted "an obstacle

[5] Nineteen was the number of principles proposed by Czechoslovakia in an earlier and largely discarded draft resolution. See A/C.6/L.505.
[6] A/RES/1815(XVII).
[7] The wording in Resolution 1815 (XVII) was equivocal: "The duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter." See ibid.
[8] *FRUS* 1945, I: Document 229.

to peaceful co-existence." But truly "there could be no peaceful co-existence so long as certain States continued their attempts to distort the purpose of the United Nations" and "intervene in the domestic affairs of other states" (like France) by using the UN "as a propaganda centre for attacking the constitutions and frontiers of other states."[9]

So from the very beginning of the Friendly (first called "Peaceful and Neighbourly") Relations process a bitter and harsh struggle was already underway between, on the one hand, the "old" formulation that was dictatorial, and the "new" formulation that was anti-colonial. In 1962 we could detect a dictatorial assumption behind American arguments concerning the scope of the Committee's mandate---concerning, I mean, the appropriateness of the Special Committee's work on state-based non-intervention as a principle of the UN Charter (again, and as I will show, the US was explicitly rejecting such a non-intervention as a principle distinct from the prohibition of the threat or use of force). But over the following decade the assumption would be repeatedly and I think successfully challenged.

Friendly Relations was an intricate, 8-year process, involving regular sessions of and exchange between the UN General Assembly's Sixth Committee and Special Committee, and I do not want to suggest I am accounting for its entirety.[10] But as far as non-intervention is concerned I do think we can draw out here the most significant moves, which took place in the following three settings: Mexico City, 1964 (where the Special Committee held its first session), New York, 1965 (where the General Assembly adopted the Declaration on the Inadmissibility of Intervention, which became the basis of subsequent discussions in the Special Committee), and Geneva, 1970 (where, at the final session of the Special Committee, members strike a compromise). I will explore each before coming to a conclusion.

BEYOND CHAPULTEPEC?

When the Special Committee met at Mexico City, 1964, a total of five draft proposals on non-intervention were put on the table: British, Czechoslovak, Yugoslav, Mexican, and a joint draft by Yugoslavia, Ghana, and India.[11] Each attempted to re-order the concept for international life. Each made claims about state rights and duties. Some were broadly reconcilable, others were mutually exclusive. None were adopted. But over the course of their amendment and justification, something did become clear: dictatorial interventionism could no longer serve as a compelling reading of the non-interventionist obligation of states. Conditions of meaning are altered, intervention is discursively re-practiced such that, as it is used among members of the society of states, it is not simply force.

In plotting out areas of normative tension, the UK draft resolution provides the ideal starting point. This might seem strange, given that it seemed to say almost nothing at a higher level of specificity:

1. Every state has the right to political independence and territorial integrity.

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[9] A/C.1/SR.937.
[10] See instead e.g. Sahovic 1972; Mani 1979; Houben 1967; Rosenstock 1971; McWhinney 1966.
[11] A/AC.119/L.8; A/AC.119/L.6; A/AC.119/L.7; A/AC.119/L.24; A/AC.119/L.27.

2. Every state has the duty to respect the rights enjoyed by other states in accordance with international law, and to refrain from intervention in matters within the domestic jurisdiction of any other state.[12]

Written commentary submitted along with the above explained: admittedly the wording did "leave certain questions unresolved, as, for example, what is meant by 'intervention' and what is meant by 'matters within domestic jurisdiction.'"[13] Yet the proposal was strengthened, not weakened, by what it left unsaid, this was its great advantage:

> In considering the scope of 'intervention' it should be recognised that, in an interdependent world, it is inevitable and desirable that States will be concerned with and will seek to influence the actions and policies of other states, and that the objective of international law is not to prevent such activity but rather to ensure that it is compatible with the sovereign equality of states and self-determination of their peoples.[14]

It would "therefore be impossible to give an exhaustive definition of what constitutes intervention," any attempt "to draw up even an admittedly non-exhaustive list of acts of intervention would lead the Committee into very real difficulties."[15] Better to say simply that, in the "context of inter-state relations," intervention "connotes in general forcible or dictatorial interference," hence that "much of the classic conception of intervention has been absorbed by the prohibition of the threat or use of force against the political independence or territorial integrity of states in accordance with Article 2(4) of the Charter." Perhaps there were "other forms of intervention, in particular the use of clandestine activities to encompass the overthrow of the Government of another State or secure an alteration in the political and economic structure of that state." But the difficulties involved in imagining these other forms, and the disagreements that would ensue among member states, illustrated "the dangers of attempting an exhaustive definition of what constitutes intervention."[16]

There were several reactions. Significantly, within the West, divergent positions were appearing in a way that had not at San Francisco---from the longer historical perspective, cracks were appearing on what was once, at previous meetings, more stable ground.

First, the United States proposed an amendment to the British proposal---one that functioned opposite to its intent.[17] Yes, in "an interdependent world," states should wish to "influence the actions and policies of other states," but was it not for this reason precisely that the international community should want to enumerate intervention and distinguish it from influence? It was hence recommended to delete everything after the second part of the second paragraph, so as to make clear that:

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[12] A/AC.119/L.8.
[13] Ibid.
[14] Ibid.
[15] A/AC.119/SR.32.
[16] A/AC.119/L.8.
[17] The UK would describe the amendment as requiring "rather more thought". A/AC.119/SR.32.

> …the obligation referred to springs from Article 2, paragraph 4 of the Charter, which constitutes a limitation on state action. The scope of the word 'intervention' is indicated by the wording of Article 2, paragraph 4. However, the concept of 'domestic jurisdiction' is not expressly included in Article 2, paragraph 4.[18]

The American delegation affirmed quite openly: "intervention by one State in the affairs of another was illicit under the Charter only when it was accompanied by the threat or use of force."[19] And what was meant by "force"? Stephen Schwebel, serving at the time as the American representative (later a Judge of the International Court of Justice presiding over the very important 1986 case, concerning intervention specifically, *Nicaragua v. United States*), explained: "According to Judge Lauterpacht, the term meant armed force, as opposed to economic or political pressure."[20]

A second sort of reaction was exemplified by the arguments of Philippe Monod on behalf of France. A definition of intervention "precise enough and broad enough" would surely "represent a major step forward in universal international law and at the same time the best means of cutting off one of the principal sources of international conflict." In particular it would be advisable to base such a definition on the notion of coercion, as in "abnormal or improper pressure exercised by one State on another State in order to change its internal structure in a direction favourable to the interests of the state applying the coercion." In contrast "today reference was commonly made to economic or ideological intervention," as intervention undertaken with or without coercion, which ought to be the only "true criterion of intervention."[21]

But his delegation did not think that a dictatorial practice of intervention "was possible in the present state of international relations," in fact any attempt at definition would shatter under the force of its international controversy. "[N]either the authors of the Charter nor, before them, those of the Covenant of the League of Nations," it was claimed, "had tried to define intervention or its necessary corollary, domestic jurisdiction".[22] If the Latin Americans had made "more ambitious efforts to do so," through for instance "article XV of the Pact of Bogota," it did "more to emphasise than to solve the problem of the definition of intervention." The concept seemed interdependent on other principles which the Special Committee was called upon to study: it was "impossible to define intervention without defining domestic jurisdiction, and it was likewise impossible to define domestic jurisdiction without defining sovereignty which, conversely, had little meaning unless the sphere of domestic jurisdiction could be satisfactorily delimited." Monod appeared to suggest then that the concept was an irredeemable one: "it was the symbol---dear to classical philosophy---of the serpent swallowing its own tail."[23]

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[18] A/AC.119/L.26.
[19] A/AC.119/SR.32.
[20] A/AC.119/SR.3. See also e.g. Sir Kenneth Bailey of Australia: "…the force which a Member was prohibited from using or threatening, like the force which the Organization was authorised to use [under Chapter VII], was armed force, and nothing else." A/AC.119/SR.10.
[21] A/AC.119/SR.28.
[22] They did, however, do so indirectly. See chapter 3.
[23] A/AC.119/SR.28.

Yet when Monod referred to the "indefinite nature of intervention" as disqualifying of the possibility of its diplomatic use, he was surely forgetting the words of another French diplomat some 200 years his senior.[24] And when, at one point in his statement, Monod observed a fragmentation of the concept's meaning at the international level, he was observing not, as he later suggested, a mounting incoherence or unreason, but rather something very rational and historically profound:

> For two decades now the idea of intervention, which was itself bound up with the multiplication of sovereignties, had been undergoing an excessive inflation, and the concept of sovereignty had undergone a similar inflation.[25]

A third position particularised the "excessive inflation" lamented by Monod---and it might have represented, from a dictatorial-interventionist view, a fundamental concession.[26] At the expense of the British text and its American amendments, the Canadian delegation welcomed "the Mexican proposal that the legal system elaborated by the Organisation of American States should be taken as a model; that system was a history-making achievement of the countries of Latin America and of the great power which had cooperated with them in building it." In a "progressive framework of peaceful means of settling disputes," the "community of views and interests which had made the OAS instruments both possible and significant suggested what should be the major criterion for determining the possible scope of the Committee's efforts in elaborating the principle of non-intervention."[27]

The Mexican proposal was one of four others concerning non-intervention submitted by the South.[28] And to look closely at the content of these proposals is to see that the non-aligned, with only a few exceptions, and in this case joined by the socialist states, were drawing more or less common lines. This was a view which saw intervention as essentially more than force, but approached its constitution and management in terms of self-determination and the outcome of self-determined futures, in a context of anti-colonial struggle.

One exchange between India and the United States is illustrative: "[s]ince the United States delegation took the word 'force' in Article 2(4) of the Charter to mean armed force, it was presumably moving towards a further limitation of the principle of non-intervention."[29] India's position, in contrast, cited Montevideo and the Convention on the Rights and Duties of States of 1933, it focused on "pressure," and "personality," it recalled Calvo at the expense of Oppenheim or Lawrence (see Chapter 3): non-intervention meant "not only armed force but also any other form of interference or attempted threat against the personality of a State or against its political, economic, or cultural elements is prohibited."[30]

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[24] Ibid. On Talleyrand see Chapter 2.
[25] A/AC.119/SR.28
[26] Compare the practices examined in this chapter to those in chapter 3.
[27] A/AC.119/SR.31.
[28] A/AC.119/L.24. Compare to A/AC.119/L.6; A/AC.119/L.7; A/AC.119/L.27.
[29] A/AC.119/SR.32.
[30] A/AC.119/SR.29. This clause was inspired the second part of paragraph 1 in A/AC.119/L.27.

These words appeared verbatim in Mexico's working paper, and as Brajesh Mishra---then of the Indian delegation to Mexico City---noted, they also appeared in article 15 of the OAS Charter, which served as "inspiration of the second part of paragraph one of the three-power [Ghana-India-Yugoslavia] proposal."[31] By defining intervention in relation to armed force, "[t]he United States representative said in effect that his country's signature to articles 15 and 16 of the Bogota Charter---which imposed obligations much more advanced and progressive than any under the United Nations Charter---had nothing to do with the latter." The "protection given to the American States under the Bogota Charter was thus not available to the Members of the United Nations---many of which would regret the fact."[32]

Schwebel, exercising his right of reply, pledged that the United States "had no intention of disavowing the purposes of the United Nations or of denying to Member States the guarantees already enjoyed by members of the Organization of American States," but the delegation "was not quibbling when it expressed certain objections to an excessively broad interpretation of the duty of non-intervention in the Charter."[33] The "Indian representative had asked that the United States should take into account the evolution of international relations and the practice of States since 1945. But that was exactly what his country had done in the work of the Committee---and for the past twenty years." He implored the Indian representative "to consider the role of the United States in building up the peacekeeping and nation-building functions of the United Nations, and the open hand it had extended giving aid and cooperation on a scale unknown in history" and asked him "to consider whether any other great power in history which, for a time, possessed unprecedented, absolute power, had behaved with more restraint---in respect to intervention and otherwise."[34]

The United States was ready to contribute to a codification of intervention "involving the threat or use of force. However the ground became less certain if one tried to go further." He advanced an example based on paragraph 1 of the Ghana-India-Yugoslavia draft. "That paragraph," as the United States put it, "prohibited all 'interference' in the right of any state to choose and develop its own political, economic, and social order. But to take an actual case, India was at present having difficulty---temporary, it was to be hoped---in feeding its people, and the United States was sending it large quantities of wheat. Might not that action be interpreted as influencing India's economic and social order and strengthening the Indian Government against any possible revolution? If so, was it not a form of intervention, or at least of interference?"[35]

Mishra's response to the Americans---that "so far as economic assistance in general was concerned and wheat deliveries in particular" the "legitimate nature of such aid" would not be called into question by the three-power proposal, that his delegation "preferred to believe that they came within the context of international co-operation and were not motivated by other considerations"---was an expression I think of the distinction between means and outcome that

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[31] See A/AC.119/SR.31; A/AC.119/L.27.
[32] A/AC.119/SR.32
[33] Earlier in the discussion, however, the US is on record as having said that "it fully subscribed to the obligation it shared with its fellow American states on the subject of non-intervention, but it must be borne in mind that it was the United Nations Charter and not the OAS Charter which the Committee was considering." See A/AC.119/SR.29.
[34] A/AC.119/SR.32
[35] Ibid.

was so central to the notion of effective intervention in 1945, and which reappeared in more anti-colonial iterations like those of Bandung and Belgrade.[36] Invited aid was not foreign pressure, it was an expression not inhibition of sovereign personality, the criterion of intervention was, to quote Yugoslavia at Mexico City, "not only the nature of the act itself but also its effects."[37]

Accordingly it was possible to specify a much wider range of activities called intervention. In the three-power proposal, to name just a few: the organising, assisting, fomenting, inciting of "subversive or terrorist activities"; the "use of duress to obtain or maintain territorial agreements or special advantages of any kind to matters essentially within the competence of any state"; the recognising of "territorial acquisitions or special advantages obtained by duress of any kind by another state."[38] In the Mexican proposal: the use or encouragement of "coercive measures of an economic or political nature"; supplying materials to be used for "promoting or aiding a rebellion or seditious movement"; making the "recognition of governments or the maintenance of diplomatic relations dependent on the receipt of special advantages"; the "preventing or attempting to prevent a State from freely disposing its natural riches or resources."[39]

BANDUNG'S EXCEPTIONS

So a familiar bifurcation---North-South, smaller power- versus great power-led coalitions---was structuring the constitution of intervention in international society. The fact of this divide was seized upon by the Soviet Union: if the Special Committee were to succeed, "an adequate formula must be found which reflected the vital importance of the principle of non-intervention for the peoples of Latin America, Asia and Africa," particularly one that was not limited to the separate matter of coercion.[40] But there was another difficulty, too: that of the exceptional, of higher purposes, the issues for which there were to be exemptions from a blanket rule on non-intervention, whereby ordinarily unacceptable types of foreign pressure were to be deemed legitimate or non-interventionary.

I think we can show that Mexico City is where the constitutive logics highlighted in previous chapters come together in a single setting: if Mexico City places dictatorial and effective intervention squarely on trial, so too does it adjudicate the merits of an anticolonial intervention, in all its solidarist, even humanitarian, anticipation.

Explained El Sayed El-Reedy of the United Arab Republic: "the systematic formulation of the principle of non-intervention was one of the most significant developments that had occurred in international law since the adoption of the Charter," but what needed to be better appreciated was that: "the principle of non-intervention complemented the principle of self-determination, a fact which had been recognised and recalled at Bandung in 1955," from which the newly independent countries "had derived a positive national policy, the policy of non-alignment." Non-intervention was in this way linked to the promotion of human rights: "since 1945 the United Nations had

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[36] Ibid.
[37] A/AC.119/SR.17.
[38] A/AC.119/L.27.
[39] A/AC.119/L.24.
[40] A/AC.119/SR.30.

always rightly followed a liberal interpretation of Article 2(7) of the Charter, which could not be invoked as grounds for prohibiting the United Nations from considering questions relating to human rights likely to affect international peace and security."[41]

Non-intervention was compatible with the promotion of international human rights, it was tied to claims about the character of the domestic and the international, and above all to theories about the limits of these spaces, for practice of non-intervention was not, we are beginning to see---in global international society, it never was---tantamount to a defense of a pure or absolute sovereignty. Henri Jux Ratsimbazafy of Madagascar explained that "it was true that the principle of sovereignty was still the keystone of inter-state relations," but "significant progress in international law would be impossible without the gradual breaking down of the walls of national sovereignty." He continued:

> The efforts of the Special Committee itself were based on the assumption that States should recognise as mandatory the rules of international law, agree to limit their freedom of action in certain fields under multilateral agreements, and above all, transfer some of their powers to the appropriate organs of the United Nations. It was important to realise that any progress made by the United Nations must reflect in some degree a surrender of national sovereignty, and that such a process was in the interests of peace and stability.[42]

Hence when the UN "had undertaken the task of maintain law and order in the Middle East and in Africa, and of speeding the process of decolonisation, individual powers had been obliged to recognise a limitation on their freedom of action in those spheres." These voluntary acceptances of obligations---under the Charter, under multilateral treaties, under international law more generally---were at once a manifestation of sovereignty and its limitation. "The question whether a particular subject was within the exclusive competence of a state was an essentially relative question depending on the development of international relations…"[43]

And that international relations had fundamentally changed was of course a key assumption behind the founding of the Special Committee, one example noted by the UAR was that "independent African States had not only affirmed the right of African countries still under foreign domination to self-determination but had proclaimed, in the Charter of the Organisation of African Unity, their 'absolute dedication to the total emancipation of the African territories which are still dependent.'"[44] On this score limitations on certain freedoms of action (e.g. freedoms of colonial rule) implied related expansions of freedom of action (e.g. international anti-colonial resistance).

William Waldo Kofi Vanderpuye was serving as the Ghanaian representative:

> …the international character of a question was a consequence of the acceptance of international obligations concerning it and, in particular, that in a matter not in principle regulated by international law the right of a state to use its discretion might nevertheless

[41] Ibid.
[42] A/AC.119/SR.31
[43] Ibid. See also India in A/AC.119/SR.29.
[44] A/AC.119/SR.8.

> be restricted by obligations undertaken towards other states. *It followed that the principle of non-intervention could not be invoked with respect to such questions as apartheid in the Republic of South Africa, the oppression of Africans in Central Africa, the denial of the right of self-determination, and other colonialist and neo-colonialist practices which had been subject of many resolutions in the General Assembly.*[45]

Vanderpuye cited in that connection the Permanent Court of International Justice in the *Nationality Decrees in Tunis and Morocco* case, as well as the comments of Quincy Wright---the same Quincy Wright of the Princeton Conference three years later (see Chapter 1)---who in *The Role of International Law in the Elimination of War* argued that domestic jurisdiction could "not be defined on the basis of geography but only of law".[46] The scope of domestic affairs "in the legal sense had been continually reduced as the real interest of states in the territory of others had been recognised and given legal protection."[47]

Hence we can understand what Yugoslavia might have meant when it said that "[s]upport for the principle of non-intervention and the free development of nations was not, as was sometimes claimed, inconsistent with the idea of world integration."[48] The Mexican thesis similarly: "There was no doubt that the world was undergoing a process of integration, as the United States representative pointed out."[49] But there surely existed "a very wide margin for the application of the principle of non-intervention, which was in no way incompatible with the process of integration referred to by the United States representative."[50]

Non-intervention may be a correlative of sovereignty, but, to correct a common misunderstanding, it is not its corollary. It is not its corollary in the same way that intervention is not simply its opposite: because non-intervention itself may diminish and wear down sovereign privilege, and because non-intervention has historically put a check on a greater sovereignty, by virtue of its relationship with, for instance, the promotion and protection of universal human rights. In light of arguments like Ghana's at Mexico City, the Canadian delegation could see that "the concept [non-intervention] could be viewed as an important derogation from the full freedom of action normally associated with national sovereignty."[51]

But there were, perhaps especially for a rough Northern coalition, reasons to demur: "For example certain speakers had referred to the concept of self-determination embodied in Article 1(2) of the Charter as the main rationale for the formulation of such rules." In particular "the self-determination referred to in that paragraph was the self-determination of peoples, a concept which might not always coincide with the concept of the self-determination of states," hence "too rigid a formulation of the rules of non-intervention might lead to serious contradictions"---what one side saw, that is, as "serious contradictions."[52]

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[45] A/AC.119/SR.29.
[46] Ibid.; Wright 1961.
[47] A/AC.119/SR.29.
[48] A/AC.119/SR.25.
[49] A/AC.119/SR.30.
[50] Guatemala in A/AC.119/SR.32; Mexico in A/AC.119/SR.30.
[51] A/AC.119/SR.31
[52] Ibid.

THE 1965 DECLARATION ON NON-INTERVENTION/INTERVENTION

I want to move now from Mexico City---subsequent encounters, in the Special Committee and elsewhere, give us a sense of which battles, at the international-societal level, were coming to end, and which were carrying on. At its 39th meeting, the Special Committee adopted unanimously the following: "the committee was unable to reach any consensus on the scope or content of this principle [non-intervention]."[53]

About a year later, however, we did see something like a breakthrough, at New York, 1965---when a declaration on non-intervention is considered by the General Assembly. We think we know the 1965 Declaration very well, but I want to show that actually we have largely misunderstood or misrepresented it in the context of a global "sovereignty-intervention" debate. We tend to remember 1965 as strongly sovereigntist, for example, or as anti-solidarist or anti-internationalist, but this seems incorrect. In fact the historical significance of the Declaration is two-fold: first, it shows us how a dictatorial reading of the intervention concept had fallen out of international-societal practice. And second, it shows how North-South disagreement was, both before and after 1965, premised on the international promotion, plausibly even international-coercive promotion, of human rights and humanitarianism, in this case international responsibilities of human rights and humanitarianism as linked up with a struggle against colonialism, neocolonialism, and apartheid. So we cannot, as we often have, read this moment simply according to its negative effects having to do with the proscription of international action, we need to see how, in a way that was contested and unresolved between North and South, its legacy instead has to do with certain positive effects, which legitimated and expanded the scope of legitimate interstate behaviour. In this way New York picked up where Mexico City left off.

We should start directly with the content of Resolution 2131 (XX) itself. Its fourth and final draft---sponsored by 57 African, Asian, and Latin American states---was produced "after very protracted and strenuous negotiations, which lasted several days," it was an attempt to integrate a number of previous drafts (including Soviet drafts) and proposed amendments (including Western amendments) so as to have a single draft that could reach as near to unanimous agreement as possible.[54] And it was adopted 100 to none, with one abstention.[55]

The first thing to notice here is that a vote in favour of the 1965 Declaration could not be construed as a vote in favour of dictatorial interventionism. The operative parts of the adopted text declared explicitly:

1) That no State had the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. *Consequently, armed intervention and all other forms of interference or attempted threats against the*

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[53] See A/5746.
[54] UAE in A/PV.1408. See also United Nations Department of Public Information 1965: 92.
[55] Abstaining was the UK. In the First Committee, abstaining were also Australia, Belgium, the Netherlands, and New Zealand.

> *personality of the state or against its political, economic, and cultural elements, are condemned.*

We might note too that the preamble referred to non-intervention as it had been managed by the Charter of the OAS, the Charter of the Organisation of African Unity, the Pact of the Arab League, Bandung, Belgrade, and Cairo.[56]

And when the Thai delegate made comments like this one in the First Committee---"intervention was not confined only to armed attacks…the notion of non-intervention must encompass all activities, even those not involving armed force, which were calculated to impair the authority of the legal government of another sovereign state"---the responses that emerged across multiple conceivable sides---US-aligned, Soviet-aligned, non-aligned---focused less on very different constructions of the concept, than on actual complicities in actual cases, dependent upon this broad and effective conception.[57] In other words the focus, in the General Assembly, was more about who was the intervener in which cases, and in which armed and unarmed ways, than dictatorial force---all seemed to accept that intervention meant more than armed force.

Why the shift from dictatorial interventionism? From the Western perspective, it was significant that the item was originally sponsored by the Soviet Union, the perception being that the Soviets had introduced its draft resolution as "a pretext for another attack on the US and the Western states generally."[58] And it is also worth noting that a great deal of the content of formal GA debate on this Declaration had to do with Vietnam and what counted as 'intervention' in Vietnam, or more specifically, what counted as intervention in the context of a Vietnamese Revolution, as a struggle for independence. I think what we were beginning to see here was the overtaking of the question of intervention/non-intervention by anti-colonial politics and the globalization of the Cold War, and the completion of a shift in belief and practice such that the intervention concept was to play a new role in ordering these sorts of problems, which was different from the role played in 1945. So it was in fact the notion of national liberation, I want to suggest, that that was at the heart of the conversation by 1965, and the relationship of national liberation less to "armed intervention" than to the "covert intervention" associated with contending Cold War blocs or ideologies---the US described the problem of Vietnam as the problem of "the current Chinese communist doctrine of intervention, that of so-called 'wars of national liberation,' proposed not only against South Vietnam and Laos but against Thailand and even against non-communist governments in Africa."[59] And yet, at the same time, there was of course a race to claim the mantle of international protector or liberator in various circumstances of civil strife and proxy conflict, and this might begin to explain why we see arguments which, in the context of a global intervention debate as I have been describing it, are surely quite surprising: "the United States," its delegation announces, "had always been prepared to stand up

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[56] Stressing this point was e.g. Peru in A/C.1/SR.1397.
[57] A/C.1/SR.1398.
[58] And this "attack" on the West, the US claimed, was to be itself "partly explained by the Soviet Union's competition with Beijing for primacy in Communist orthodoxy and militancy." See United Nations Department of Public Information 1965: 89; A/C.1/SR.1396.
[59] Ibid.

against such interventions, as it had done in Greece and Korea, in support of peoples who cherished their liberty and wished to determine their own destiny."[60]

In fact it was first of all Western diplomacy and Western drafts and amendments that emphasised what became the second operational paragraph of the resolution: "…no State shall organize, assist, foment, finance, incite, or tolerate subversive, terrorist, or armed activities directed towards the violent overthrow of the regime of another State…"[61] We can see how this might have cut two ways. On the one hand, US amendments to the original USSR draft were designed to "deal explicitly with covert, subversive intervention and to emphasize the necessity of all peoples being allowed to determine their own destinies through the exercise of self-determination."[62] By UK amendments, similarly, it was to be shown that the USSR draft "failed to cover some forms of intervention," hence that the General Assembly ought to adopt "a declaration of the right of all states freely to choose and develop their own political, social, economic, and cultural systems."[63] In short one "main change," to quote the American delegation, was to show that "unlawful intervention meant more than simply armed attacks across international frontiers."[64]

But the other main change would be to clearly categorise as unacceptable the "insidious encouragement of guerilla warfare," the "secret training of armed bands," and the "infiltration of agents" that constituted intervention for "ideological reasons" under the cover of "liberation."[65] Some examples cited: "young people from many independent African States being trained in Communist China" and others "trained in Cuba for the same purpose."[66] It "would be said that such activities were designed to aid the 'people's revolution' or 'national liberation movements'" but while that argument was "plausible although objectionable" in the case of "colonial territories," it was clearly "indefensible in the case of independent states where subversion was fostered against the will of the people."[67]

So the dictatorial was dropping out, in the letter of the resolution, clearly, but also in the content of debate and the self-descriptions of states themselves. Yet we can also start to see how this is not to suggest, in some neat or uncontentious way, that the anti-colonial was dropping in. The crux of Northern and Southern contestation was in fact about the anti-colonial implications of non-intervention, and legitimate or lawful forms of international non-interventionary action. This seems so important that I want to try to map it out a little further; once again we can start with the content of the Declaration itself.

So it is true that its first operative clause, the clause that we have come to remember in the singular, was written as follows:

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[60] Ibid.
[61] See US and UK amendments to the USSR draft declaration, A/C.1/L.350; A/C.1/L.351.
[62] United Nations Department of Public Information 1965: 89.
[63] United Nations Department of Public Information 1965: 90; see A/C.1/L.351.
[64] A/C.1/SR.1396.
[65] A/C.1/SR.1395.
[66] US in A/C.1/SR.1396.
[67] A/C.1/SR.1398.

> No State has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state…

It also true that in a subsequent clause we find that:

> …no state shall…interfere in civil strife on another state…

But misunderstood if not totally unacknowledged, in all its solidarism, is clause three:

> That the use of force to deprive peoples of their national identity constituted a violation of their inalienable rights and of the principles of non-intervention.

And just as uncommonly appreciated are the implications of clause six:

> …all States were obliged to respect the right of self-determination and independence of peoples and nations to be freely exercised without any 'foreign' pressure and with absolute respect for human rights and fundamental freedoms; consequently all States should contribute to the complete elimination of racial discrimination and colonialism in all its forms and manifestations.[68]

That these later clauses were also the ones advocated by non-aligned states, to which a Northern coalition would attach reservations and be generally opposed, suggests to me that they are a very important component of a history of global debate. So I do not want to suggest that they can be read in a way that is universally applicable---even among the 57 Third World sponsors of the adopted draft, we can identify a spectrum of moderate to radical versions, and that spectrum is evident in debate---but I do want to suggest they reflected logics of a discursive practice that was anti-empire and anti-apartheid, which legitimated a range of international anti-colonial actions at the expense of pre-existing sovereign privileges or domestic jurisdictions.

Take, for example, Earle Edward Seaton, representing Tanzania, who spoke of the "ideal of a universal international society based on freedom and justice" in which "assistance offered to oppressed peoples struggling against colonialism and apartheid" could never constitute intervention, it fulfilled instead a legitimate international responsibility. "That view had been upheld at the Second Conference of Heads of State or Government of Non-Aligned Countries, held at Cairo in October 1964."[69] As Liberia put, to protect and promote non-intervention would be to protect and to promote human rights:

> The most complete manifestation of intervention was colonialism, which was an intrusion into the most vital aspects of the lives of other peoples. He used the word 'peoples' advisedly, because there was a tendency to think of intervention chiefly in terms of interference by one state in the internal affairs of another. Actually it was the impact of intervention on the lives of peoples which made it not only a juridical issue but a political and moral issue of the highest order. *Intervention was thus more than a violation of the*

[68] A/RES/2131(XX).
[69] A/C.1/SR.1401.

> *rules governing the relations of states; what it amounted to was the domination of one people by another, and it therefore constituted a challenge to the most fundamental principles of human rights.*[70]

The kind of critique that interests me most consisted of two steps; these two steps might be identified with, for instance, Pakistan's proposed amendments to be used in the preparation of a joint text, but arguably had been taken many times before (at Bandung, at Belgrade, at Cairo, at Havana, etc.).[71]

The first step had to do with the obligations of sovereign states to responsibilities and commitments higher than themselves: "The principle of non-intervention should not serve as an excuse for the evasion of obligations accepted by states under international agreements or United Nations resolutions." Pakistan's was perhaps a warning for certain academic and political tendencies of the present: "A chaotic position would result if the Assembly were to formulate the principle of non-intervention in a way that would throw into doubt the binding nature of obligations undertaken in international treaties."[72]

Applied in 1965, non-intervention---perhaps, if useful, a humanitarian non-intervention---might have sounded similar to a formulation of humanitarian intervention as it has come to be used presently and very recently: "There were states which denied their peoples the most fundamental human rights and which, when condemned, hid behind the perversely interpreted principle of non-intervention…To consolidate their rule and crush the will of the people, they did not hesitate to employ measures amounting to genocide."[73] A 27-power draft declaration---belonging to non-aligned countries---spoke to these types of concerns when it specified:

> …the policies of apartheid and racial discrimination are policies contrary to the principle of non-intervention, due to the fact that these policies not only impair the free will of the people who suffer from these policies, but they moreover deny them their inalienable right to freely choose their own political, economic, social, and cultural systems.[74]

More evidence appears: the same draft described colonialism itself as "a gross violation of the principle of non-intervention" and stated in a separate clause that "use of force to dislocate people and the denial to them of their national identity were direct violations of their inherent rights and were inconsistent with the principle of non-intervention."[75] States like Iraq and Jordan explained "the liquidation of an entire people in its homeland and the attempt to obliterate its national identity" constituted intervention at its most sinister and atrocious.[76]

So the notion that non-intervention permits or ever permitted a shield for genocidaires or perpetrators of crimes against humanity is flatly rejected in international-societal discourse in the 1960s. Arguments concerning human rights offenders who attempt to "hide behind" non-

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[70] Ibid.
[71] A/C.1/L.352.
[72] A/C.1/SR.1404.
[73] Pakistan in ibid.
[74] See A/C.1/L.353/Rev.4 and Add.1.
[75] Ibid.
[76] Iraq in A/C.1/SR.1404; Jordan in A/C.1/SR.1405.

intervention did appear, but precisely as examples of incorrect, allegedly even unlawful applications; for Third World states, establishing as much was in fact a very central purpose of the Declaration. Again, we have fundamentally misunderstood.

In fact we could even take this further: in the 1960s, genocide was a manifestation of intervention as an act, it was not an activation or trigger condition of intervention, intervention was not understood as genocide prevention, genocide was among its forms, the prevention of genocide was therefore anti-interventionary, essentially it was non-interventionary. This was true for other crimes against humanity, too---namely apartheid. According to anticolonial interventionists, it was not that intervention was considered permissible or lawful under these circumstances---it was that collective or individual international action along these lines was non-interventionary. This much followed from the logic of non-intervention as rooted in human rights, and the right to self-determination in particular.

Hence, the second step, which had to with a vindication of international anti-colonial resistance. Pakistan: "[w]hen the world community expressed its concern at such barbarous acts those states pleaded that such matters were essentially within their domestic jurisdiction," but international condemnation, possibly also other forms of international action, were legitimate, attempts to say otherwise "should be condemned in clear and unequivocal terms in the proposed declaration."[77]

"[I]t would occur to no one," Tunisia was comfortable in arguing, "to accuse of intervention in the domestic affairs of a third country a state which gave active support to the peoples of Southern Rhodesia, the Territories under Portuguese administration, South Africa, Palestine, and all the other countries still under colonial rule which were victims of armed intervention and subject to foreign domination against their will."[78]

A very crucial use of the Non-Intervention Declaration, even a focal point of its contestation, had to do then with the patently international dimension of wars of national liberation, both in terms of first, managing metropolitan force against liberation movements and second, in terms of anti-colonial solidarity among the newly independent states, wherein assistance was to be conceived as a duty or responsibility of states and the international community, and wherein---for some, certainly---struggle was to be undertaken by all necessary means, as a last resort. If, as the UAR put it, intervention "could be perpetrated not only against states but also against peoples and movements striving to exercise their inherent right to self-determination and independence," then "any formulation of the principle should recognise the right of self-determination and the consequent right of self-defence of peoples under colonial rule and foreign domination."[79] Yugoslavia: it was interventionary to use force against "the peoples fighting for their independence" and "it was incumbent upon freedom-loving peoples everywhere to give them moral and material assistance."[80]

True, there was, as I have already noted, disagreement over which type of "active support" or which forms of "colonial rule," but this would not seem to detract much from the discursive-

[77] A/C.1/SR.1404.
[78] A/C.1/SR.1402.
[79] A/C.1/SR.1403.
[80] A/C.1/SR.1401.

practical and international-institutional achievement that was Third World ordering of international anti-colonial resistance, through logics of self-determination, as non-interventionary. That there was widespread convergence on at least some thematic range of cases, according to some basic iteration of this logic---South African apartheid and related international economic sanctions to take a key example, material support for liberation in white minority-ruled or Portuguese-administered Southern Africa, to take another compelling case---seems very significant. Its significance is reflected in the marks it left on the Declaration and the way in which it came to frame global debate, without representing consensus.

'FRIENDLY' INTERVENTIONISTS

So there might be seen in Resolution 2131 (XX) a kind of refraction of practices, and it is in the mid-1960s that non-intervention in the UN becomes not only particularly broad in its proscriptions of intervention as an act---more than force---but also, from a Southern reading of institutional change, relatively solidarist---relatively anti-colonial, relatively humanitarian---in positivities. As Afghanistan put it, there had been "three occasions in the history of the United Nations" which were cause of "the greatest rejoicing." First, the United Nations Declaration of Human Rights. Second, the Declaration on the Granting of Independence to Colonial Countries and Peoples. And third, this "historic moment," the recodification of non-intervention, following from the moral logic and formulation of the other two.[81]

After the adoption of Resolution 2131 (XX), the Pakistani representative would note "with satisfaction that the draft unequivocally condemned policies of racial discrimination and included under which Governments practising those inhuman policies would not be able to evade their obligations by claiming the matters in question were domestic affairs," and "welcomed the reference, in the preamble and in operative paragraph 6, to the 'self-determination of peoples.'"[82]

Northern pushback came against this sort of practice: most Western states interpreted the text as a rejection of the national liberation movement, the Declaration "should serve as a warning to those who started so-called wars of liberation; they should take note, in particular, of operative paragraphs 2 and 5 [condemning subversion]."[84] France: "some representatives had argued that it should be permissible in certain cases to intervene…on behalf of a given movement" but "Europeans would remember only too well how the pretext of 'assistance to oppressed national minorities' had been used between 1933 and 1940."[85] Italy: "of course no effort should be spared to abolish colonialism and racial segregation as soon as possible….but no war was lawful, and no one had the right to intervene, in any way, either for or against movements or governments, according to how he judged them."[86] Israel: "certain texts" had been submitted in the General Assembly which "had left escape clauses that would in fact encourage irredentist movements to serve as a pretext for foreign intervention."[87]

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[81] Afghanistan in A/PV.1408.
[82] A/C.1/SR.1422.
[84] US in A/C.1/SR.1423
[85] A/C.1/SR.1405
[86] A/C.1/SR.1402
[87] A/C.1/SR.1404.

It was probably for this reason that several Western states---Australia, Belgium, Canada, France, Italy, New Zealand, Spain, and the United Kingdom---came to express doubt in the overall relevance of Resolution 2131, claiming that the declaration was in important ways "vague," and having omitted the views of "experts," it was "merely a statement of political and moral intentions," less "a formulation of law."[88] Canada lamented that "the wisest course would have been to transfer the item for further consideration to the Special Committee," the Declaration's use of the word "'peoples' was imprecise."[89] France saw it as based "more on concepts of international morality than on a rigorous juridical analysis" and still more had voted for it only on the understanding that it "should not in any circumstances be invoked as a precedent in the Sixth Committee [Legal Committee] or in the Special Committee on the Principles of International Law Conferencing Friendly Relations and Cooperation Among States."[90]

But the Declaration did become the template for future discussions in both the UN's Sixth and Special Committees. And far from being neat and separate, politics and law were of course linked here: the Special Committee itself was comprised of state members whose appointees served at once as technical legal experts and as authorised representatives of their governments.[91] What followed in the Friendly Relations process very much resembled the combat of political practices that marked Resolution 2131---to understand the anti-colonial dimension of the Declaration, and the centrality of the anti-colonial to its historical contestation, is to understand the dynamics behind the UN's historic adoption of Friendly Relations.

In November 1965, during the Special Committee's consideration of the final report from Mexico City, two statements were made that should be quoted in full. The first belonged to the Algerian delegation:

> Acceptance of the principle of the legal equality of states necessarily implied non-interference in the domestic affairs of states. *That did not mean, however, that the domestic jurisdiction of a state, sometimes said to be exclusive, was unlimited within the bounds of a given territory….In every organized society there existed elementary general principles which made it a duty to limit the legislative and even constitutional powers of the state, in particular whenever it was a question of ensuring respect for and the integrity of the human person. In case of violation, the international community had a duty, in agreement with its members, to denounce it and to take all steps necessary to redeem that wrong…*[92]

The second belonged to Mali:

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[88] US, Belgium, and Israel in A/C.1/SR.1423.
[89] A/C.1/SR.1422.
[90] Ibid.
[91] Resolution 1966 (XVIII) recommended that state governments "appoint jurists as their representatives." See A/5036; A/5356; A/5671. For a discussion see e.g. Vanderpuye of Ghana in A/AC.125/SR.72.
[92] A/C.6/SR.878.

> It should be clearly understood that his delegation considered that practices contrary to the Purposes of the Charter and the provisions of the Universal Declaration of Human Rights, such as apartheid and genocide, did not come within the domestic jurisdiction of a state…*Intervention aimed at restoring human dignity and freeing populations which were still under foreign domination should be considered as an act tending to free humanity from a source of international tensions…*[93]

The Special Committee, submitting its reports to the Sixth Committee for recommendation to the General Assembly, would formally consider non-intervention on three more occasions: New York, 1966, Geneva, 1967, and again Geneva, 1970. In each case the battle was in fact more or less the same: about the extent to which non-intervention, as an international-legal principle of friendly relations, should adopt or modify the formulation contained in Resolution 2131(XX).

In New York most considered that formulation as an essential instrument for the facilitation of the Committee's work.[94] Southern and socialist draft proposals were explicitly reaffirming that "by virtue of the number of states which voted in its favour, the scope and profoundness of its contents, and in particular the absence of opposition or reservations reflects a universal legal conviction which already constitutes an authentic and definite principle of international law."[95] Chile, "together with all the countries of the Latin American continent," (and of Asia and Africa, the delegation could have added) was "resolutely and totally in favour of the text of the General Assembly's Declaration as a formulation of non-intervention."[96] Nothing was to be done that could impair or jeopardize its value. All that the Special Committee could do was offer "additional paragraphs for consideration in connection with the text of General Assembly Resolution 2131 (XX)," like this one contained in the revised joint proposal by India, Lebanon, the United Arab Republic, Syria, and Yugoslavia: "aid and assistance given to peoples under any form of colonial domination does not constitute intervention."[97]

The voting record on proposals like these reveals, again, a sharp North-South divide, and what needs to be understood is that the wording of the 1965 Declaration was at the root of this divide, that underpinning international cultural variance was all the solidarism of the anti-colonial implication.[98] The rival view---that the word of the General Assembly was not "so sacrosanct," that "the Special Committee was entitled to "undertake an examination of the principle of non-intervention on bases quite different from those of resolution 2131 (XX)"---was premised on the Western skepticism as to "whether the Member States had really reached agreement" just one year earlier.[99] And of course they had not---in any total or very deep way---the Declaration's adoption being a story of compromise and contestation, not ideal consensus.

One issue was that "peoples did not necessarily constitute states under international law and consequently were not necessarily subjects of international law," that, as "a matter of substance," any interpretation of sovereignty on this basis was neither logical nor legal, non-intervention

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[93] A/C.6/SR.872.
[94] A/6230.
[95] E.g. joint proposal by Chile and the UAR: A/AC.125/L.17. Draft resolution of Czechoslovakia: A/AC.125/L.20.
[96] See A/6230; A/AC.125/L.20.
[97] A/AC.125/L.12.
[98] See tallies on various proposals and amendments in A/6320.
[99] France, Italy, UK, and Sweden in A/AC.125/SR.11; A/AC.125/SR.16.

dealt with "states" not "peoples"---in that connection paragraphs containing expressions like "national identity" were mistakes, if words like "aid and assistance" to dependent nations were merely euphemism for "armed aid and assistance," then they could never be accepted, they appeared "to give a state complete freedom to intervene" wherever there was "foreign domination," and as long as there "was no objective procedure under international law for determining what constituted 'foreign domination'" there would also be a "loophole for intervention by armed force or subversive activities.[100]

The US had the "gravest misgivings with regard to paragraph 6 ["…all states shall contribute to the complete elimination of racial discrimination and colonialism in all its forms and manifestations"], for its effect would be to give legal sanction to a form of intervention by force." Then there was the risk of abuse: surely there were "a number of cases in which sovereign states whose indigenous populations were admittedly fully in charge of their own governments had nevertheless been made the object of the use of force under the pretext of 'anti-colonialism.'"[101] "As for paragraph 3 ["the use of force to deprive peoples of their national identity constitutes a violation of their inalienable rights and of the principle of non-intervention"]," argued the United Kingdom, "the question seemed at first sight to arise whether such a paragraph was not out of place in a text on non-intervention, for it seemed to deal with domestic matters such as human rights and the rights of minorities."[102] These comments summarise the approach taken in the six-power proposal (Australia, Canada, France, Italy, the UK, and the US) presented at New York.[103]

By 1967 the General Assembly had instructed the Special Committee to consider proposals with the aim of "widening the area of agreement already expressed in General Assembly resolution 2131 (XX)"---though the parameters of that existing area of agreement was of course itself a matter of debate.[104] To "widen" agreement was not necessarily to widen the scope of the principle, nor even to "abide" by the Declaration, but to take account of it, and to realise through it a more generally acceptable legal enunciation of non-intervention.

What we need to recognise here is that the first meeting in Geneva reflected again the tensions afflicting New York: between the full text of Declaration (resolution 2131[XX]) on the one hand, and a set of Western drafts on the other, the purpose of which, as the British representative put it, was to "seek to identify those elements in resolution 2131 (XX) which were directly relevant to the principle of non-intervention, having in mind that that resolution contained provisions which were not directly relevant to non-intervention as such, but which might be regarded as subsumed in the texts relating to other principles."[105] The "texts relating to other principles" included those having to do with the self-determination of peoples. Hence, according to the non-aligned, Western proposals would "tear up resolution 2131 (XX)" with a supposed "view to improving on

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[100] US, A/AC.125/SR.13; Australia, A/AC.125/SR.13; Sweden, A/AC.125/SR.12; UK, A/AC.125/SR.10; Canada, A/AC.125/SR.13; UK, A/AC.125/SR.10.
[101] Adopted 85 votes to none, with two abstentions: US and France. A/PV.1489; A/RES/2181(XXI).
[102] A/AC.125/SR.10.
[103] A/AC.125/L.13.
[104] See A/RES/2181(XXI).
[105] A/AC.125/SR.73. Compare e.g. A/AC.125/L.54 with A/AC.125/L.13 and A/AC.125/L.44.

it," they would present a "diminutive," "distorted," even "mutilated" understanding of non-intervention that severed its link to self-determination, and misconstrued its anti-colonial use.[106]

To "torpedo" by means of the Western draft would be to miss how states had transferred "certain matters to the international plane" and removed them from the "sphere of purely internal competence." "On the basis of freedom and equality," states could rightfully, in abidance with non-intervention, "assume certain obligations to take international action, for example under the Convention on the Prevention and Punishment of the Crime of Genocide" or "the Declaration on the Elimination of All Forms of Racial Discrimination."[107] For "a State violating such obligations incurred international responsibility."[108]

Is there institutional upshot to this competition, is there a kind of sublation that would follow? At the last session of the Special Committee, in Geneva, 1970, member states do strike a compromise, but they do so under various pressures, including of progress made in relation to the other six principles of friendly relations; a new wording of intervention/non-intervention is provisionally rendered, but that wording co-exists with, and does not vanquish, the entire scope of rival meanings represented by rival practices. It is a compromise between the North, reflected in the UK proposal of 1967, and the South, reflected in the text of Declaration 2131(XX).

The General Assembly adopted resolution 2624 (XXV) (the Friendly Relations Declaration) on 24 October 1970, it is among the most important declarations in the history of modern international law---in narratives of "sovereignty-intervention" we hear too little of it.[109] And it is of great significance not because it represented a universal peace, but because from it we can triangulate changes and tensions in a historical map of discursive practice.

Friendly Relations would forbid "armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements," as well as the use or encouragement of the use of "economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind."[110] And while, absolutely, "no State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State," "the use of force to deprive peoples of their national identity constitutes a violation of their inalienable rights and of the principle of non-intervention," with the corresponding proviso---if it did correspond---that "no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the regime of another State, or interfere in civil strife in another State."[111] Paragraph 6 of Resolution 2131 ("…all states shall contribute to the complete elimination of racial discrimination and colonialism in all its forms and manifestations") was missing, though reference to the duty to bring to colonialism a "speedy end" through "joint and separate action" appeared elsewhere in the Declaration.[112]

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[106] India in A/AC.125/SR.72; British response in A/AC.125/SR.73.
[107] The Soviet Union supports the non-aligned interpretation in A/AC.125/SR.71.
[108] Ibid.
[109] See A/RES/2625 (XXV).
[110] Ibid.
[111] Ibid.
[112] Ibid.

FROM DICTATORIAL TO 'FRIENDLY'

"The whole question of intervention," observed Liberia in the pivotal UN debates of 1965, amounted to "confrontation between great and small powers. It was in terms of that division rather than exclusively in terms of ideological divisions that the whole problem should be approached."[113]

Who were the 'friendly' interventionists? I am using this language light-heartedly of course: by 'friendly' I have in mind a reference to Western practice in the later stages of the Friendly Relations process, and, in concluding this chapter, I think we can begin to see why, from the perspective of peoples seeking freedom from colonial rule, or from an anti-colonial interventionist perspective, a 'friendly' formulation was in important ways unfriendly and not so good-neighbourly. After its adoption, France explained Friendly Relations as containing "ambiguities," particularly in regard to self-determination, the British delegate noted "passages in it which did not satisfy his government," and the United States qualified explicitly that states "did not have the right to intervene by military means" in dependent territories, that the agreements limited neither "the right of an Administering Authority to use appropriate police measures in the territories for which it was responsible" nor "the right of a State to provide military assistance to another state at the request of the latter."[114]

But we ought to call friendly because it was not dictatorial. A loose Northern coalition had by now abandoned the argument that the boundaries of inter-state intervention were simply those of Article 2 (4), that inter-state intervention was either armed force or "unknowable." It was friendlier insofar as intervention, "direct or indirect," "for any reason," as "armed force" or as "political, economic, or any other" interference against the "personality of the state" had been outlawed and proscribed. If an older formula approached intervention as a matter of traditional security, I am saying, then friendly interventionism took on a broader discretion, the problem of intervention was now one of amiability.

And a Southern interpretation took this whole subject further: friendliness involved humanitarian responsibilities. Friendly Relations as much as the 1965 Declaration seems hatched in the milieu of a sovereignty and domestic space comprehending limits having to do with common commitments to universal human rights and the prevention of crimes against humanity. Jordan: "all forms of intervention were contrary to human rights and to the principles set out in the Charter of the United Nations."[115] This was logical insofar as intervention was to be known, fundamentally, as the outcome of foreign pressure at the expense of self-determination, listed in both UN covenants as a primary human right. And it is according to claims having to do with the line between the domestic and the international that non-intervention might be resolved in such a way as to legitimise international action---including, from some readings, various expressions of coercive action---to prevent gross human rights abuses, such as colonialism and apartheid.

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[113] A/C.1/SR.1401.
[114] A/C.6/SR.1179; A/C.6/SR.1180.
[115] A/C.1/SR.1405.

The puzzle, as Costa Rica had put it in 1965, was how to reconcile "two of the fundamental purposes of the modern community of nations: the guaranteeing of the sovereignty of states and protection of human rights and fundamental freedoms."[116] But even then, through the 1960s, universal human rights, particularly in relation to racial equality and colonial oppression, represented a clear limit on the freedom of sovereigns, and the duties of the international community. Consider this statement by Ecuador, also drawn from the 1965 debate: "There is no doubt that we are going through a period of transition characterised, among other visible phenomena, if not by the collapse of the outmoded concept of absolute state sovereignty, at least by the adaptation of that concept." Ecuador continued: "this transitional stage is also marked by the emergence of a basic principle of international authority which has resulted in the struggle against colonialism and its immediate corollary, the birth of new independent states."[117] In this way we might begin to see why, in discursive practices of the non-aligned, "support for the principle of non-intervention and the free development of nations was not, as was sometimes claimed, inconsistent with the idea of world integration."[118]

Henceforth these other sorts of meanings decentred the old understandings in international society, they were inscribed on its declarations and its letters---intervention changed as it was situated in a newer politics, wherein the superpowers, though experimenting with a détente, were presented with the existential threat of the Cold War, and wherein former colonies and dependent powers played increasingly independent roles, in protest of Western-led order. It is not that as though, through the 1960s, a Northern practice---dictatorial intervention---had been gracefully substituted by a Southern practice---anticolonial intervention---in some singular, universal way. Yet change was occurring on many sides; we see intervention having been broadly re-constituted in the multiple practices of the society of states. One crucial transformation was from 'dictatorial' to 'friendly.' And I would now like to discuss how intervention in its anti-colonial interpretation was coming to be redrawn as well, a process which become particularly apparent over the 1970s, and which might be seen to culminate in the UN's adoption of a second declaration on non-intervention in 1981.

[116] A/C.1/SR.1402.
[117] A/PV.1340.
[118] Yugoslavia in A/AC.119/SR.25.

CHAPTER 6

Emancipatory Intervention and the New International Orders

A panel on covert intervention convened on 25 April 1975 at the American Society of International Law's Annual Meeting in Washington, D.C. Richard Falk was there, Tom Farer was there, Dean Rusk was there, they were citing R. J. Vincent (whose *Nonintervention and International Order* had been published one year prior).[1] Panellist David Stern was presenting a review of the then-present state of the concepts of sovereignty and intervention. He had come to a firm conclusion: in 1975 "neither concept is any longer as monolithic as it once might have been and that the challenge of the entirety of what we so glibly call the Third World has been to break down the neat formalistic compartments that had formerly been erected." Thirty years ago, when he had first come into the field, the rules of intervention in international life "were relatively fixed, reasonably limited in scope, and almost totally cast in the cultural tradition of Western Europe and its culturally related territories."[2]

No longer so; a Third World protest was being staged, intervention had been cast and recast in the play of multiple discursive practices. Stern was right to observe that "old standards that we inherited and took for granted are no longer the standards by which we have to operate." "I feel that the older concepts of both sovereignty and intervention, originating as they did in the essentially European tradition, have not yet been able to confront and accommodate the overwhelming demands for a system of acceptable standards which will protect the legitimate interests of the emerging nations."

Because if "intervention was originally conceived and dealt with in many international agreements as the direct military threat to the territorial integrity of a sovereign member of the international community," then by 1975 it seemed as if it had "taken on a completely new meaning." Friendly Relations was a necessary part of the explanation, but only part. Pronounced Stern: "I would suggest that given the present state of *international economic relations* it is impossible to fix with any precision the meaning of that term."[3] He could have taken the point further: from the mid-1970s into the 1980s it was the state of international economic relations, yes, but also the state of international-communicative and information-technological relations that was reordering the intervention dilemma in the discourse of international society.

From the early 1970s through to the 1980s intervention/non-intervention in international society linked up to the declarations of two new international orders: the New International Economic Order (NIEO) and the New World Information and Communication Order (NWICO). In the 70s and 80s, an alternative formulation gains prominence, we see it reflected in a second non-intervention declaration, which expanded upon Resolution 2131.[4] And unlike the first Declaration, this second one would not be unanimously adopted in the General Assembly. It drew ire in a more outright way: in 1981 the resolution passed with a vote of 120 to 22, with 6

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[1] American Society of International Law 1975.
[2] Stern, Borosage, and Farer 1975: 200.
[3] Ibid.
[4] A/RES/36/103.

abstentions. The North-South divide again reappears; the records show all voting against belonged to the West or Western coalition, with only one exception.[5]

To be clear the NIEO and NWICO are widely considered to have been failures---failures insofar as they failed to achieve their objectives of reshaping actual international-communicative and -economic structures, and of redistributing actual communicative and economic fortunes. But I would recall here a core maxim of any history in lines and of the present: what interests us is not just the success of the protest, but the record of the confrontation itself, and the normative logics or strategies to be pulled from its battles. Again it is the discursive practices themselves that seem useful and revelatory. Through the 1970s and 80s there is a re-constitution in meaning that did not "win," but which nevertheless seems an important feature of the meaning of intervention today, and the meaning of intervention historically.

The notion of an emancipatory intervention captures its mood and bent. The language and logic of the emancipatory overlaps of course with the anti-colonial as provisionally described in previous chapters---it makes claims to non-intervention as premised upon self-determination, and expressive of a commitment to various forms of autonomy (particularly, I stress in this chapter, autonomy as distinct from formal independence), but I want to hold that there are differences which are also important. A newly accentuated part of the formula or design had to do with intervention in terms of foreign-imposed underdevelopment, structural economic dependence, and actions taken by transnational corporations. And another newly important part of the answer had to do with foreign-imposed communicative conditions and information flows, including via newly-developed electronic means and through the distribution of what was being called, even then, "false" and "distorted" news.[6] As it is re-practiced, non-intervention, ordered by a commitment to autonomy that is more than "national liberation," explicitly forbids a particular set of actions, and sanctions others. In this chapter I want to map out and explain some of the most important versions of those actions, which come to inform, for instance, the Second Declaration on Non-Intervention adopted in 1981.

AFTER FRIENDLY RELATIONS

The next UN resolution (but not yet the Second Declaration) on the subject of intervention came in 1976.[7] There was of course doubt concerning another appraisal of non-intervention---circulating through committee debates for nearly a decade was the position taken by the United States, and repeated almost verbatim in every case, that "effective measures to strengthen the commitment of the international community to this principle" would be best achieved by "universal adherence to the principles of purposes of the United Nations Charter and to the Declaration on the Principles of International Law Concerning Friendly Relations and Cooperation among States."[8] But 1970 was a reconciliation, not an assimilation or full diffusion or perfect overlap, and viewed in this light it is less surprising that its truce did not hold: the 1976

[5] Venezuela. See A/36/PV.91.
[6] See NWICO section of this chapter.
[7] A/RES/31/91.
[8] See for example A/33/216.

resolution was the first of four more soon adopted in the General Assembly, each titled "Non-interference in the Internal Affairs of States," the fifth being followed by the 1981 Declaration.[9]

We know too little about these resolutions, and I want to show that we would be wrong to assume they were mere repetitions of older forms, instead of attempts at redrawing. A draft text of the 1976 resolution presented before the First Committee suggested a new sort of framing was on the minds of its non-aligned co-sponsors.[10] Sri Lanka explained:

> The erratic meanderings of the international money market in recent years have amply demonstrated the extent to which economic disequilibrium can affect even the most highly developed countries in the world. How much worse could be the impact of economic destabilisation on developing countries whose resources are scarce, which depend largely, if not entirely, on commodity exports to earn the money sorely needed for their development, and whose economic survival is already beset with problems over which they have little or no control? *It is against this background that I introduce draft resolution A/C.1/31/L.41 [Non-interference in the internal affairs of states, 1976].*[11]

The reference was to the recent "Nixon Shock" that was the unilateral decision by the President to, among other things, suspend the convertibility of the US dollar to gold---effectively bringing to an end the Bretton Woods system of fixed international financial exchange that was established at the end of the Second World War.[12]

It is not of course that previously-analysed beliefs regarding non-intervention and the national liberation struggle were disappearing, but that the liberation thesis was being modified, reaching into the international-economic and, soon, the -communicative and info-technological, in ways it had not before. This first resolution---adopted 106 to one (the United States), with 13 abstentions (a Northern coalition)---reasserted for example that the use of force to deprive peoples of their national identity was a violation of non-intervention, but it also condemned a "wide range of direct and indirect techniques, including withholding assistance and the threat of withholding assistance, *subtle and sophisticated forms of economic coercion, subversion and defamation with a view to destabilisation, are being mobilised against governments which seek to free their economies from foreign control and manipulation,*" especially those seeking "*to exercise permanent sovereignty over their natural resources*."[13]

In the resolution's sixth paragraph we can identify an integral part of the political strategising that would follow: a request that the Secretary-General invite all member states to express their views on the principle and formally report back to the General Assembly the following year.[14] Paragraph six was the beginning of what became a multiyear project: by successive resolutions, the Secretary-General would invite substantive views on the principle and prepare reports in

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[9] A/RES/32/153; A/RES/33/74; A/RES/34/101; A/RES/35/159; A/RES/36/103.
[10] See A/C.1/31/PV.55.
[11] Ibid.
[12] See e.g. Eichengreen 2019: 126-133.
[13] A/31/PV.98.
[14] A/RES/31/91

1977, 1978, and 1979.[15] In 1980 an ad-hoc working group composed of member states was instead established, with the purpose of achieving a revised declaration on the subject-matter.[16]

Here we can note first, that a Western coalition of about 15 states (25 in 1980) abstained on all of these resolutions (voting in favour were all other members of the UN), and second, that the responses of these states to the Secretary-General's consultations struck a common chord: it was neither necessary nor advisable to embark upon further elaboration beyond Friendly Relations, to do so "might in fact lead to a certain confusion and cast doubt upon the interpretation and scope of the already-existing prohibitions against interference."[17] The question, for our purposes, is: what types of elaboration were casting doubt or leading to a "certain confusion" upon earlier interpretations and scopes? What new provisions were being inserted into these reports, resolutions, and related meetings of the General Assembly?

To reconvene on the practice of non-intervention might have been acceptable to the industrialised North if not for the role being played by self-determination, and---this part was newer---iterations of self-determination with proliferating economic and cultural effects, including in relation to various forms of property. Neatly tracing these effects was a note, submitted by Panama, which appeared in the second report of the Secretary-General in 1978.[18] Panama's reply that intervention had to be understood on "the basis of three fundamental pillars of the system established in accordance with the Charter of the UN for the effective exercise of the right to self-determination of peoples," namely:

I. The magna carta of decolonisation (Resolution 1514 (XV))
II. The Declaration of Permanent Sovereignty Over Natural Resources (Resolution 1803 (XVII))
III. The Declaration on the Establishment of a New International Economic Order (Resolution 3201 (SVI))[19]

The first pillar has already been addressed (see Chapter 3). To constitute according to the Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514) was to hold international action against colonialism as consistent with non-intervention.[20] It is for this reason that Panama called for special attention and study be devoted to three documents on the subject presented at the 15th summit of the OAU in Khartoum: 1) Resolution 37 of 22 July 1978 on military intervention in Africa and measures to be taken against neo-colonialist manoeuvres and intervention---a condemnation especially of the use of mercenaries as proxies for "imperialist powers" seeking to "impede the process of decolonisation", 2) draft resolution 38, of the same date, on measures to be taken against neo-colonialist manoeuvres and foreign military intervention---a call, by now very routine in OAU resolutions, "to increase its support and assistance to liberation movements in Southern Africa," including via material

[15] A/32/164; A/32/165; A/34/192.
[16] See A/RES/34/101.
[17] Recorded votes in A/32/PV.106; A/33/PV.85; A/34/PV.103; A/35/PV.94; see e.g. Sweden in A/34/193.
[18] Panama in A/33/216.
[19] Ibid.
[20] Ibid.

assistance, for example, dispensed by the OAU's Liberation Committee based in Dar es Salaam, and 3) resolution 39, also of the same date, on the establishment of what was tentatively called the "inter-African military intervention force," elsewhere, more delicately, an inter-African or pan-African "task force"---adopted with the understanding that such a force could "be envisaged only within the context of the OAU's objectives and priorities for the elimination of the racist minority regimes of Southern Africa, the total liberation of the continent, and the safeguarding of the independence, sovereignty and territorial integrity of member states."[21]

The second pillar was: in effectuating a right to the self-determination of peoples, the principle of non-intervention also entailed respect for the "inalienable right of all states freely to dispose of their natural wealth and resources," and a set of related economic rights and duties, including the right of a state "to nationalization or transfer of ownership to its nationals."[22] The conclusion of the 1962 Declaration on Permanent Sovereignty Over Natural Resources was that the "violation of the rights of peoples and nations to sovereignty of their natural wealth and resources is contrary to the spirit and principles of the Charter of the United Nations," and resolution 32/154, adopted on 19 December 1977, stated that "any measure or pressure directed against any state while exercising its sovereign right freely to dispose of its natural resources constitutes a flagrant violation of the right of self-determination of peoples and the principle of non-intervention."[23] Deliberations over the control of the Panama Canal was one example---the Torrijos-Carter Treaties having been signed in September 1977.[24]

And the third pillar of non-intervention was embodied by the New International Economic Order. 70 percent of the world's population accounted for but 30 percent of the world's income in 1974---the General Assembly had proclaimed a NIEO to "correct inequalities and redress existing injustices," to "eliminate the widening gap between the developed and the developing countries," and to "ensure steadily accelerating economic and social development and peace and justice."[25] It was to be guaranteed by a series of substantive principles. Among them: the elimination of colonialism, apartheid, racial discrimination, and neo-colonialism as a "prerequisite for development"; "restitution and full compensation for the exploitation and depletion of, and damages to, the natural and all other resources" of nations under colonial or neocolonial rule; a "just and equitable relationship between the prices of raw materials, primary commodities, manufactured, and semi-manufactured goods" exported and imported by developing states; "extension of active assistance to developing countries" with no strings attached, and aid "free of any political or military conditions"; international monetary reform to promote "an adequate flow of real resources"; and the facilitation of producers' associations in the world economy.[26]

Not explicitly mentioned in the 1974 Declaration, but described four years later by the Non-Aligned Movement as an "integral part of the struggle for the NIEO," was the need to address

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[21] Ibid.
[22] Ibid.
[23] See A/RES/3171; A/RES/32/154.
[24] On the sovereign right to natural resources and the Panama Canal, see e.g. "Latin American Issues" section of the NAM's Colombo Declaration, A/31/197.
[25] A/RES/S-6/3201.
[26] The full list in ibid.

imbalanced information flows between North and South.[27] The breaking down of colonial and neocolonial structures in mass media, in the distribution and content of news, in the control of communication networks---"a new international order in the fields of information and mass communication is as vital as a new international economic order."[28] It comes to be known as the New World Information and Communication Order (NWICO). This we might ascribe to Panama's note too, by locating the NWICO within its third pillar.

I will say a little more about the NWICO later on, but for now I want to say that it is often dated to the Colombo Declaration of the non-aligned, and it is also at Colombo that the non-aligned adopt for the first time a special chapter specifically on non-intervention. Here we find the following crucial points:

> The Non-Aligned commitment to the principle of true independence of states, *as distinct from merely formal sovereignty*, means that the Non-Aligned are opposed to any form of interference in the internal affairs of states…The Conference expressed alarm at the increasing evidence of the resort to forms of aggression by foreign powers and other political and economic agencies or institutions, *official as well as private, such as transnational corporations,* aimed at preserving and protecting their special interests and dominant influence in order to obstruct and thwart the processes of political, economic, and social transformation. These policies of aggression are for the most part being implemented by a wide range of indirect and highly subtle and sophisticated techniques such as *economic aggression, subversion, and defamation of governments* directed at destabilization of states and their institutions.[30]

"Although the process of decolonization had made significant headway," independence "as distinct from merely formal sovereignty" seemed endangered by "indirect and highly subtle and sophisticated techniques," including in the economic and the communicative ("defamation of governments").[31] Two years later a meeting of non-aligned foreign ministers singled out interference as "one of the most serious problems in the world today," which was "carried out by means of state power and through other national and international political and economic organizations and institutions, of an official or private nature, *especially the transnational corporations and mass media on a global scale*."[32]

This meeting, I want to suggest, seems significant in a way similar to Panama's note: it highlights where the debate had headed and was heading. In light of new problems---including the "instability of the international monetary situation," fractured faith in a world economy "in the hands of a minority composed of highly developed countries," and, as I will discuss, the communicative implications of various technological advancements---a NIEO and NWICO were to be built in the society of states.[33] But instead of asking "what were the historical meanings of

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[27] See A/33/206.
[28] Colombo Declaration of the non-aligned in A/31/197. See generally Alleyne 1995.
[30] A/31/197; Sri Lanka references the special chapter in its call for a second non-intervention declaration in A/C.1/32/PV.55.
[31] A/31/197.
[32] See Panama in A/33/216; see A/33/206.
[33] Ibid.; India in the second report of the Secretary-General, ibid.

the NIEO or NWICO?" the next question should be, "what was, in more substantive terms, the discursive relationship of intervention to these orders?"[34]

NATURAL RESOURCES AND THE TRANSNATIONAL CORPORATIONS

> As for the developed countries, the concept of human solidarity should cause them to feel repugnance at the fact that a group of corporations can with impunity interfere in the most vital workings of the life of a nation, even going so far as to disrupt it completely…
>
> International action must be directed towards serving the man who enjoys no privileges but who suffers and toils: the miner in Cardiff and the *fellah* in Egypt; the cocoa farmer in Ghana or the Ivory Coast, and the peasant of the plateaux of South America; the fisherman in Java and the coffee farmer in Kenya or Colombia…It is the peoples, all the peoples south of the Río Bravo, that stand up to shout, "Enough---no more dependence", "an end to intervention"; to affirm the sovereign right of all developing nations freely to dispose of their natural resources.

Chilean President Salvador Allende was speaking before the General Assembly in December 1972.[35] Non-intervention, from the viewpoint of Chile, of Peru, of Latin America, of the South more generally, had come to provide a normal response to a set of international-economic problems, the G77 declared repeatedly that "international economic relations should be based on full respect for the principles of equality among states and non-intervention in internal affairs."[36]

And in the General Assembly, echoing UNCTAD, the concept was being specified in terms of nationalisation, transfer, regulation, and supervision of foreign investment and property, usually in regard to transnational corporations---each of the 1977, 1978, and 1979 SG reports on non-interference contained references to the transnational corporations and misappropriated natural wealth.[37] In the Program of Action on the Establishment of a NIEO "non-interference" appears explicitly---in its section on "regulation and control over the activities of transnational corporations"---and in the Charter of Economic Rights and Duties, Article 2 of Chapter 2, it is declared that, given the right of every state to full sovereignty over its wealth, natural resources, and economic activities, "transnational corporations shall not intervene in the internal affairs of a host state."[38] The international-economic uses of non-intervention were not limited to these themes, but it is with them that the concept enters into a new kind of normalised relationship. I want to plot out how.

Allende had anchored his UN speech with reference to a "historic act of reclamation"---"we have nationalised our basic resources. We have nationalised copper." "Our economy could no longer tolerate the state of subordination implied in the 80 percent of its exports in the hands of a small

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[34] For histories of the NWICO and NIEO, see e.g. Alleyne 1995; the recent special issue of *Humanity* (volume 6, issue 1).
[35] A/PV.2096.
[36] See e.g. 'Manila Declaration and Programme of Action' adopted G77 reprinted in United Nations Conference on Trade and Development 1976: 109-27.
[37] E.g. Suriname in A/32/164.
[38] A/RES/3202 (S-VI); A/RES/3281(XXIX).

group of large, foreign companies," companies that had "exploited Chile's copper for many years, in the last 42 years alone taking out more than $4,000 million in profits although their initial investment was no more than $30 million." He gave an extreme contrast: "in my country there are 700,000 children who will never be able to enjoy life in a normal human way because during the first eight months of life they did not receive the minimum amount of protein."[39] No, "we have not confiscated the great foreign copper-mining companies…however, we have put right a longstanding injustice by deducting from the amount of compensation the profits over 12 per cent per annum which those companies have obtained since 1955." Copper mines had hence been nationalised "with scrupulous regard for domestic legislation but also respect for the norms of international law."[40]

Were norms of intervention really among them? We should note that international practice did not provide a definite reply to this particular sort of problem, but rather gave to it solutions that were multiplied and subdivided; the fate of foreign investment and the vast riches of the transnational corporations opened up another front in ongoing contestation. If to the host state the act of nationalisation was a reclamation of what was rightfully theirs, then from the perspective of an aggrieved guest or visitor it was a matter of private property protection or---less frequently, but crucially still---the well-being, security, even the "human rights and property rights" of citizens abroad who, went this actual argument, were affected by alleged expropriations. In this respect: was not the nationalising of Chile's mining companies akin to a kind of larceny, theft, or robbery in domestic life---under the threat of domestic courts backed by police and military might, and without the payment of an "adequate, prompt, and effective" compensation, did not such a "confiscation" constitute an interference in affairs for which the United States was primarily responsible?[41]

The counterargument, briefly: a developing state's nationalisation was non-interventionary because it was, at bottom, "an act of development," a component of realising a NIEO and the universal aspirations of peoples. It was "an act of reaffirmation of sovereignty," yes, but also and at once, an "unavoidable motive force behind development."[42] Algerian President Houari Boumédiène in the General Assembly's Sixth Special Session: nationalisation was a "means of liberation" aimed at "freeing our natural resources from foreign domination," becoming in this way, a "fundamental requisite to economic development." Nationalisation acquired this special status because of the host state's condition of oppression: it "tears down the barrier that a foreign company erects between us, as producers, and our clients and suppliers" and accommodates a "transition from relations of exploitation to relations of equality."[43]

There were at this time three prevalent ways of categorising the transnational corporations in international-societal debate: first, as agents of states---as if the West "accepted the principle of the right of people to self-determination only when they had succeeded in setting up the

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[39] A/PV.2096.
[40] Ibid.
[41] For the US-aligned response, see e.g. comments of John Rehm, Assistant Legal Advisor for the Department of State in Rehm, 1967; see generally Fleming 1973.
[42] Cuba, A/PV.2227.
[43] Algeria in A/PV.2208.

institutions and machinery that would perpetuate the system of pillage established in the colonial era"; second, as agents of themselves, as nomadic subjects with some substantial degree of independence---as in, "Merchants have no country of their own…they have no ties with the soil. All they are interested in is the source of their profits," and; third, as extensions of international-economic structure---as manifestations of an unfettered capitalist system and the "tragedy of underdevelopment."[44] But the most important point, I would argue, is that by the mid-1970s it was not just governments but also "foreign companies and consortia" that were independently capable of undertaking intervention in international life, operating, at times, above or between states, in addition to below or as state proxies.[45] Allende cited documents revealing the "dark designs" of the International Telephone and Telegraph Corporation, which proved that the corporation itself had "suggested to the United States Government," not the other way around, that the CIA "should intervene in the political events in Chile" so as to "overthrow my government within a period of six months." "I have in my briefcase the document, dated October 1971, which contains the 18 points of that plan…"[46]

There was a knowledge too of a legitimate coercive enforcement in this new international-economic sphere. This adds a final layer to the linework. To illustrate again through the Chilean case: there was to be established a "permanent machinery for protection and solidarity regarding copper," which, like the Organisation of Petroleum Exporting Countries, could, in ideal circumstances, form the "nucleus of what should be an organization of all third world countries to protect and defend all commodities, mineral, and hydrocarbons as well as agricultural."[47]

OPEC action was in these sorts of formulations---formulations increasingly prominent in the early 1970s through to the final years of the decade---"an example and a source of hope." "[N]o action could have fitted more neatly into the logic of the basic concerns of the developing countries than what was undertaken by the oil-exporting countries."[48] According to this strain of argument, OPEC, through its price-setting, production targets, embargoes, was to its members an "exercise of their sovereignty," and a "common front" to "challenge the omnipotence of the monopolies and the imperialist states" that were "unscrupulously interfering" in "the domestic affairs" of underdeveloped states, depriving peoples of their fundamental human rights.[49]

We know Northern response: "the oil weapon" and its "strangulation of the industrialised world" was outlawed if not by the Charter itself then surely by agreements like Friendly Relations.[50] In 1979, after the adoption of that year's General Assembly resolution on non-interference and a related resolution on the "inadmissibility of the policy of hegemonism," Yehuda Zvi Blum of Israel took the floor. If non-intervention recalled the duty of states to refrain, inter alia, from "economic coercion," and from "all forms of pressure," then the "Arab oil-exporting countries have been guilty of all such actions, especially since the onset of the energy crisis in 1973, which

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[44] "Merchants have no country of their own…" These words were Thomas Jefferson's, quoted by Allende in A/PV.2096.
[45] See A/33/216.
[46] A/PV.2096.
[47] Ibid.
[48] Algeria, A/PV.2208.
[49] Cuba, A/PV.2227.
[50] See e.g. Kissinger 1975: 172-3; consider also Luttwak 1984.

they deliberately created." Arab "petro-hegemonism" was inviting "global economic chaos", oil producers were "using economic coercion in order to control peoples and relations between states." In short they had "frequently interfered through the use of the oil weapon in the internal affairs of sovereign states."[51]

This ordering of things, I am saying, was of course not entirely new, but it was newly accentuated in a global intervention debate. And it represents the first of two interlocking discursive geometries.

MASS MEDIA AND INFORMATION FLOWS ON A GLOBAL SCALE

Shifts in the economic occurred simultaneously with shifts in the information-technological: the period experienced the effects of a communications revolution---the appearance of hundreds of broadcast satellites, for instance, marked if not the advent then at least a new form of an electronic system that knit states (and peoples) closer together, coinciding with the proliferation of colour television and, by the mid-1980s, the home computer. Insofar as satellites were concerned, the phenomenon might have been framed by the earlier attempts at managing outer space, as a zone widely conceived among states as a "province of all," to be protected from national appropriation by claims of sovereignty.[52]

And yet side by side every innovation arrived particular techniques of their use; these techniques, including of instruments located in a common outer space, made it possible to conceive of particular categories of action as affecting sovereignty and self-determination, as penetrating the national, and hence as connected with the intervention debate.[53] Again, concerns of communicative interferences had appeared before---consider shortwave radio broadcasts, for instance. But they were being re-constituted and elevated to surprising levels of importance in light of technological progress; the matter was of renewed interest to international lawyers, for instance, some of whom were beginning to use the language of "broadcast interventions."[54]

I think this issue of broadcasting---more specifically of direct satellite broadcasting (DSB)---gives coherent expression to a more general form; it is not that DSB was the only communicative method of new concern to the intervention/non-intervention debate, but that it provides a convenient introduction to the ways that the intervention concept was becoming entangled in the "colonisation of information" problem that underpinned the NWICO.[55] And in particular the relatively simple model of the one-directional broadcast can be used to locate intervention in the period's overarching "free flow versus fair flow" debate.

The puzzle---to quote the language that would appear in the General Assembly's 1982 declaration on the principles of international direct television broadcasting---was about ordering DSB in a "manner compatible with the sovereign rights of states, including the principle of non-

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[51] Israel, A/34/PV.103.
[52] E.g. A/RES/2222(XXI).
[53] E.g. comparisons were being made of space law to the law of the sea.
[54] See for example Gold 1971: 74, 77, 66-91.
[55] See e.g. Schiller 1978.

intervention, as well as the right of everyone to seek, receive, and impart information and ideas as enshrined in the relevant UN instruments" (including the Human Rights Declaration).[56] In 1972 a Soviet resolution on the subject appeared in the General Assembly. A few months later UNESCO adopted a Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange.[57]

Over the course of all this, the following sorts of questions are debated: what the meaning of objectivity in news? What is the relationship of truth to free speech and information? We might not normally think of diplomats as engaged with at least some of these quandaries, but state positions were in fact being taken, and these positions matter insofar as we want to understand what it meant to intervene in the context of a NWICO. Roughly-speaking, we could start by identifying two historical sides.

On the one hand was a kind of *laissez-faire* approach: that true freedom of information, even truth in free information, was freedom of information without regulation. George H. W. Bush---serving then as UN Ambassador---appeared before the UN General Assembly to quote John Stuart Mill in *On Liberty*: "truth has no chance but in proportion as every side of it, every opinion which embodies any fraction of the truth, not only finds advocates, but is so advocated as to be listened to."[58] The many sides of truth would reveal themselves through transactions of information without inhibition; the "free market of ideas" must not to be trespassed upon. Hence there was "no adequate basis for drawing up definitive international arrangements to govern satellite community broadcasts, let alone direct broadcasts."[59] The United States could not accept a proposal that called into question its "strong 200-year-old belief in the free exchange of information" that served as "a primary basis for the maintenance of democratic institutions" and for prosperity in global interdependence.[60]

A crude form of this argument seemed to be the more that was added, the more discussion (or at least reflection) that was had, the closer to truth, and to democracy, we would come. A more sophisticated version suggested that some minimum, unregulated area of thought was a necessary condition for the attainment of truth and greater freedom.

Now there can be no doubt that the South disagreed with an unlimited notion of "letting be"---of leaving states to broadcast internationally as they wished---but I want to note that here, on DSB, a number of smaller Western states were also deviating from the American line. Spanish representative Jose Luis Lopez-Schümmer noted that if John Stuart Mill was to serve as a guide for the ordering of information flows, it might also be appropriate to quote another great European thinker, Ortega y Gasset: "Life like freedom, in the political sense, is what man [sic] lives within the framework of his chosen institutions." Freedom was to emerge within the framework of a carefully institutionalised balance between two principles: the "principle of non-

[56] A/RES/37/92.
[57] UNESCO is A/AC.105/104; Soviet draft is A/8771.
[58] A/C.1/PV.1861.
[59] Ibid.
[60] Ibid.

interference" and "freedom of information."[61] "[I]n view of the new reality which the conquest of space denotes, conventional and detailed regulations" were to prevent "hegemony," to ensure "small and medium-sized nations or groups of nations or States will be protected."[62]

From no side was it being argued that freedom of information was to be denied or restricted; rather from every side came an argument about how freedom was to be achieved, and the delineation of the broad, international-societal principle of non-intervention in relation to that particular freedom (of information). Chile: "Obviously, we agree with such a principle [freedom of information], but the meaning attached to it by free men and peoples is very different from the meaning attached to it by imperialist monopolies."[63] El Salvador: "Information should be free, and in order to guarantee that freedom, which would be jeopardized by excesses and mystifications, it has to be regulated."[64] To be sure, then, both the smaller-power and Great-Power arguments were conceding the need for a kind of freedom without intervention, but the source, range, and nature of that intervention varied. It had to be substantiated and appraised.

What were these logics of determining intervention in information flows?

In a Southern design, for our purposes, the most basic organising principle was consent. "No country could agree to broadcasts by satellite from other States of television programmes into its territory without its control and agreement. Such actions would constitute flagrant intervention in the internal affairs of States."[65] They were often "defended on the pretext of the free circulation of information and ideas" but as the history of radio broadcasting had shown---some cited specifically the history of Radio Liberty, Radio Free Europe, the Voice of Israel, and Radio Moscow---information exchange risked becoming a "disguised form of traditional neocolonialism."[66] The Ministers of Education of the Andean Region---Bolivia, Chile, Colombia, Ecuador, Peru, and Venezuela---met at Bogotá to declare as much. During UN debate the Colombian representative read from their agreements:

> …Unilateral management of broadcasts via satellite, whether practised by one state or by non-governmental bodies, might easily lend itself to abuses disturbing the customs, scales of values, and the cultures of the receiving countries, thus entailing intervention in affairs exclusively within the competence of states…Satellite broadcasting from one State to another, even when carried on by non-governmental bodies, should take place only with the prior and explicit consent of the Governments of the receiving countries.

"Freedom of information is invoked," Chile acknowledged, "but that freedom is the exclusive right of the transmitter and not the receiver…The latter's freedom is not taken into account."[67] This was the Andean position but it was also the non-aligned and Soviet position, its application

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[61] A/C.1/PV.1868.
[62] Ibid.
[63] Chile, A/C.1/PV.1867. Note that only a few countries in the world had the technology to produce direct-broadcast interventions at the time.
[64] El Salvador, A/C.1/PV.1868.
[65] Mongolia, A/SPC/36/SR.19.
[66] Vietnam, A/SPC/36/SR.16; e.g. Ukraine in A/C.1/PV.1866; Saudi Arabia in A/C.1/PV.1862.
[67] A/C.1/PV.1867.

giving rise to unresolved questions regarding, for instance, the risk of signal spillover from a consenting neighbour into a non-consenting one, in light of technical limitations related to the cylindrical shape of transmissions.[68]

But perhaps it is more interesting to note that intervention was being constituted on account of theories having to do with truth, and truth-telling, in addition to consent. The second point: non-aligned states referred to a right and duty, described as non-interventionist, to combat the dissemination from outside of "false or distorted news."[69] "All countries have a right to ensure that information disseminated in which they are involved be objective, complete, and well-balanced."[70] Notions of "objectivity," "completion," and "balance" of course invited complex philosophical questions, of which state delegations were aware, to which references were sometimes made. But what basically needs to be understood is that, here, to the Third World, false information---described as a non-objective, incomplete, and unbalanced achievement---was both inherently interventionary, and stemmed from interventionist problems.

One tactic then was to explain an international "lack of objectivity" as linked fundamentally to the maintenance of hegemony (much like a Gramscian cultural hegemony). The "survival of the colonial era," wrote Tunisian Minister of Information Mustapha Masmoudi, was "reflected in the often tendentious interpretation of news concerning the developing countries," "highlighting events whose significance, in certain cases, is limited or even non-existent," in "setting out facts in such a way that the conclusion to be drawn from them is necessarily favourable to the interests" of the North.[71] This occurred on multiple accumulative levels: in "keeping silent on situations unfavourable to the interests of the countries of origin of these media," coverage of world events was coverage of the "interests of certain societies," "distorted by reference to moral, cultural, or political values peculiar to certain states, in defiance of the values or concerns of other nations." And in sharp contrast to the domestic law of a number of industrialised nations, there was no effective "right of correction" in the rules of international society.[72]

Observed Pakistan in the First Committee: "[f]rom the debate it is clear that misgivings exist not only with regard to freedom of dissemination" (a freedom to be understood primarily in terms of consent of the receiver, to recall the first point I have been making in this section) "but also with regard to its quality and extent."[73] Now we can see how "quality and extent" might have referred to the regulating out of interventionist falsehoods (the second point I am making). But "quality and extent" might also have referred to values outside of the "false," the "distorted," or the fake. To add a third layer to all of this, what was non-interventionist information was also information "not at increasing tensions among states but at decreasing them; at increasing understanding among peoples," at achieving good-neighborliness.[74]

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[68] E.g. El Salvador in A/C.1/PV.1868.
[69] See A/34/827.
[70] El Salvador, A/C.1/PV.1868
[71] Masmoudi 1979.
[72] Ibid.: 185.
[73] Pakistan, A/C.1/PV.1868.
[74] USSR in ibid.

Several delegations clarified: freedom of information was not a "freedom to misinform," but nor did it constitute "freedom of propaganda for ideas of hostility, violence, racial hatred" or freedom of "pirate broadcasts whereby the stronger mercilessly infringe the economic interests of the less strong."[75] In discussions of the Secretary-General's third report on non-intervention, Sri Lanka laid out a conception of intervention as defamation, which was not necessarily related to truth: "very significant, because there are ways whereby the reputation, prestige, and standing of leaders in countries are undermined or attacked" so as to "induce the people of those countries to replace them by others" amenable to foreign interest.[76]

Unacceptable then were transmissions not just propagandistic but chauvinistic; that sought objectives incompatible with friendly relations, including objectives that imposed themselves upon the "national identity" of the people, affecting its local traditions, its religious character, its ethics, etc. The "principle of the free flow of information should not authorise technically advanced states to use satellites to disseminate to other states television programmes that might affect their cultural identity," "such a practice would be…an obvious interference in its internal affairs."[77] When the Belgian representative spoke of a "free flow of information," the counterargument was essentially: "whose flow?" "Who is going to be at the source of this free flow of information?" No one had the right to instill polluted flows "in the minds of other peoples to whom these new 'ethical values' are completely alien." The Soviet Union, sponsor of the draft declaration supported by non-aligned, seemed to imply that rival amendments---again, proposed by a Northern coalition---amounted to a tacit defense of flows of "alien information, of alien morality, of alien moral foundations."[79]

But, as with the NIEO, the uses of the intervention concept in a NWICO would not be limited to the negative. A NWICO meant regulating out interventionist information considered false, and unfriendly, but also regulating in non-interventionist news and information perceived to be both true and, much more controversially, emancipatory. Smaller-power designations were turning again to a logic of exception such that substantive NWICO commitments were sometimes construed by the West as infringing upon areas protected by the non-intervention principle. In all this then non-intervention in the context of "free information" rhymed with "free trade" (in fact Argentina was defending a right of states to "dispose freely of information" in the same breath as a corresponding right of states to "dispose freely of their natural resources").[80]

As the Indian delegation explained at the Tunis Symposium on the Mass Media in March 1976: if the "one-sided and loaded flows of information from the industrialised nations to the developing world" had come to be seen, in an "elitist neocolonial link-up," as "the very epitome of the flow of information," then "any interference in this unequal flow comes to be viewed by this section as an interference with its freedom."[81]

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[75] See Bulgaria, A/C.1/PV.1862; Mongolia, A/C.1/PV.1868.
[76] A/C.1/32/PV.55.
[77] Tunisia, A/SPC/35/SR.18. See also e.g. Indonesia's citing of "reasonable restraints to safeguard the cultural identity of the peoples of the recipient states" in A/SPC/34/SR.19.
[79] A/C.1/PV.1870.
[80] Argentina, A/SPC/33/SR.9.
[81] Records of the Tunis Symposium on the Mass Media, 1976, quoted in Schiller 1978: 37-38.

Yet a more positive freedom of information meant "the right of each nation to inform the world public about its interests, its aspirations, and its social and cultural values," which would imply the elimination of monopolies---state-based and transnational-private---on information flows through the international establishment and promotion of a "plurality of sources and channels of information."[82] "80 percent of world news was emanating from major transnational agencies" based in industrialised North, and in terms of content, only "20 to 30 percent of news coverage" was devoted to the developing countries, countries which represented over 75 percent of the world's population.[83] Almost totally captured were the radio frequencies; the developed countries controlled 90 percent of the entire spectrum.[84] If the old system of information confined "what should be known, and how it should be made known" in the hands of the few, the new system was to redistribute to the many, by collective international action.[85]

And there were substantive recommendations along these lines. In the name of these principles, for instance, Ministers of Information and news agency directors of 62 non-aligned states soon moved to establish the Non-Aligned News Agencies Pool (NANAP) with the understanding that it "would supplement and expand the existing flow of news" that was Northern-dominated.[86] By 1983, the Pool had grown to more than 83 news agencies from Africa, Asia, Latin America, and Eastern Europe.[87] And earlier, in places like Sarajevo, 1977, non-aligned states were founding similar initiatives like the Broadcasting Organization of Non-Aligned Countries for the exchange of alternative radio and television programs.[88]

I think we can begin to see, then, how what might have been described as "acts of free information" were much like Boumediene's "acts of development," which in achieving international information that was accurate, balanced, objective, were not just "friendly," but anti-colonial in a broad sense that we might call "emancipatory." The press pool, for instance, was not just, in a negative formulation, a censorship board, more positively it was also a medium for "stating positions on critical confrontation issues" perceived as marginalised by Western-dominated press, for "countering tendentious reporting and mass media campaigns."[89] Here we must recall that the Mass Media Declaration adopted at the UNESCO Paris Conference---the outcome of eight years of consultations pushed by non-aligned campaigns, "a triumph of patient efforts," according to then-Director-General of UNESCO Amadou-Mahtar M'Bow, when the "probabilities of failure seemed great"---referred to the contributions of mass media to the "promotion of human rights and to countering racialism, apartheid, and incitement to war."[90]

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[82] See the MacBride Resolution (International Commission for the Study of Communication Problems, 4/19) adopted at the 1980 UNESCO General Conference, reprinted in United Nations Educational, Scientific and Cultural Organization 1980: 68-71.
[83] Masmoudi 1979: 185.
[84] Ibid.
[85] "Declaration of the Ministerial Conference of Non-Aligned Countries on Decolonisation of Information" reprinted in Nordenstreng, Manet, and Kleinwächter 1986: 287.
[86] Yugoslavia, A/SPC/33/SR.45. See Non-Aligned News Agencies Pool (Coordinating Committee) 1984.
[87] For an assessment, including of the "Western counterattack" against the news agency pool and related initiatives, see Nordenstreng and Hannikainen 1984: 3-36.
[88] See e.g. Popovic 1977.
[89] Pinch 1987: 169; "countering…" language from the final declaration of the 8th Non-Aligned Summit, A/41/697.
[90] Quoted in United Nations Educational, Scientific and Cultural Organization 1983: 13; Yugoslavia in A/SPC/33/SR.45.

To give a sense of the direction I have in mind: at the Havana Summit of the Non-Aligned Movement in 1978, the adopted final declaration took note of a number of related recommendations of the Intergovernmental Coordinating Council in the Field of Information of Non-Aligned Countries. It ultimately requested that:

> …member countries of the Movement to support, through their information media, the liberation movements, particularly those in Southern Africa, with a view to putting an end to the negative and biased information about them, and to support the initiative to organise the year of information about their struggle.[91]

The Declaration also welcomed the creation of a pan-African news agency, one that would contribute to the "just cause of the African liberation struggle, thus contributing to the establishment of a new international information order."[92] Later on, to give another example, the Movement would call upon the UN Department of Public Information "to intensify efforts to disseminate impartial information" on "priority issues" like "practices of apartheid" and "the question of Palestine."[93]

THE SECOND NON-INTERVENTION DECLARATION

It is from the standpoint of the new international orders and a particular commitment to "total emancipation" that we should approach the UN's non-interference declaration of 1981; we need to see 1981 as the coming together of a series of substantive recommendations reflective of the NIEO, NWICO, in addition to more familiar anti-colonial concerns having to do with wars of national liberation, previously discussed in the context of the 1965 Declaration and Friendly Relations. The decisive diplomatic moves for a second declaration were made during the twentieth anniversary of the Non-Aligned Movement---the point was to institutionalise, in the UN, certain designs that had figured into newer practices of intervention and non-intervention in the Movement, and to further institutionalise types of knowledge that, according to non-aligned practitioners, were lying underneath, or could be read into, previous agreements.

"Why we consider a declaration to be necessary in spite of all those that we have is so that the forms of interference and intervention to which we take exception…may be clearly identified," explained Sri Lanka in the First Committee.[94] "Also a declaration could contain a specific and clear indication of the measures that states might take and the means they might adopt to prevent any form of interference in the external or internal affairs of other states." That is, the new declaration could enumerate counter-interventionary measures and various positive rights and duties deemed legitimately undertaken by states as well as the international community, which might otherwise be understood---wrongly, according to the non-aligned---as interventionary.[95]

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[91] A/34/542.
[92] Ibid.
[93] See for example the "Information and Communications" section of the Jakarta Message in S/24816.
[94] A/C.1/32/PV.55.
[95] Ibid.

In 1979, a draft declaration, sponsored by Algeria, Botswana, Cuba, Cyprus, Ethiopia, Madagascar, Sri Lanka, and Yugoslavia (subsequently also by Bangladesh and Vietnam), made its rounds through the UN.[96] It held that non-intervention comprehended five parts. One part had to do with all types of interference taken against the "personality of the state," another part with protecting against subversion, including the recruitment of mercenaries for use against other states. The third, also familiar, concerned the obligation of all states to "observe, promote, and respect all human rights and fundamental freedoms."[97] "[E]fforts by the international community to accord priority to causes and cases," recognised by the General Assembly, of "massive and flagrant violations of human rights of peoples and persons *shall not be considered as interference in the internal affairs of states.*" The same section specified that "nothing" in the declaration was to prejudice the right of self-determination to peoples under "colonial or racist regimes" as well as "their right to wage both political and armed struggle" and to "seek and receive support in accordance with the principles of the Charter."[98]

But two other sections focused more specifically on the concerns of the NIEO and the NWICO. The first of these looked to the economic, holding that "every state has the sovereign and inalienable right to freely determine its own economic system and to develop its international economic relations in accordance with the will of its people." To that end the declaration named a number of substantive provisions, a few of which deserve our attention:

> -"No state should be subjected to action which…denies to it the right to exercise permanent sovereignty over its natural resources"
> -"The denial of economic assistance or the withholding of economic assistance aimed at influencing the path of economic development chosen by a state, is contrary to the principle of non-interference"
> -"No state or other political or economic agency or institution shall interfere in the sovereign right of states to regulate their foreign economic activity and exercise their authority over foreign investment within their national jurisdiction"

If this penultimate section was rephrasing the sorts of logics inherent in debates regarding natural resources and the NIEO, then the section following applied the same treatment to international information flows and the NWICO. The informational dimension of non-intervention implied that "every state has the right to fully develop its system of information and mass media as an integral part of its overall national progress" in accordance with "its right to inform and to be informed in an objective and integrated manner." To this end the draft again listed a number of provisions:

> -"No state or group of states shall interfere with the right of other states to develop their information system and to combat the monopolising of information"
> -"States shall respect the right of all states and peoples to be informed in a rapid, objective, and complete manner"
> -"States have the right and duty to combat…the dissemination of false or distorted

[96] Draft in A/34/827.
[97] A/C.1/32/PV.55.
[98] Draft in A/34/827.

news"[99]

In light of failures to collectively agree on this 10-power draft, a working group was set up that replaced annual Secretary-General reports on the subject-matter with a view of "finalising the elaboration of a declaration."[100] But what we saw in the 1981 Declaration was very much an extension of the 10-power draft.

In 1981 the fuller meaning of the principle of non-intervention was being resolved in not five but three categories: rights of states, duties of states, and matters of both rights and duties. Operative paragraphs under category one stressed the sovereign and inalienable right of a state "to exercise permanent sovereignty over its natural resources." The very next paragraph was about:

> …the right of states and peoples to have free access to information and to develop fully, without interference, their system of information and mass media and *to use their information media in order to promote their political, social, economic, and cultural interests and aspirations, based, inter alia, on the relevant articles of the Universal Declaration of Human Rights and the principles of the new international information order.*

Under category two was the duty "of a state to abstain from any defamatory campaign" and other measures which "constitute interference or intervention in the internal or external affairs of another state," including "inter alia, the duty of a state not to use its external economic assistance programme or adopt any multilateral or unilateral economic reprisal or blockade," and to "prevent the use of transnational and multilateral corporations under its jurisdiction and control as instruments of political pressure or coercion." Category three specified "the right and duty of states to combat, within their constitutional prerogatives, the dissemination of false or distorted news" interpreted as "interference in the internal affairs of other states or as being harmful to the promotion of peace, cooperation, and friendly relations among states and nations."

And once again, non-intervention was being called to the national liberation front, a move cast in the language of universal human rights. "Nothing" was to prejudice in any manner the right to self-determination of "peoples under colonial domination, foreign occupation or racist regimes," and "nothing" was to prejudice the right of those peoples to "seek and receive" international support for their struggle. All states had a right and duty to "fully support" these struggles, which were understood in the context of the broader "right and duty of states to observe, promote, and defend all human rights and fundamental freedoms within their own national territories," and to "work for the elimination of mass and flagrant violations of the right of nations and peoples…in particular, for the elimination of apartheid and all forms of racism and racial discrimination."[101]

The Western position on the last of these parts has been discussed in detail in the previous chapter. On those provisions that seemed newer---regarding new-international-economic and informational-communicative intervention---the Northern position was flatly rejectionist.

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[99] Ibid.
[100] A/RES/35/159.
[101] A/RES/36/103.

Adamson of the USA noted that while there was "much to commend" in the text, it was "seriously flawed in many respects," among them the issue that it "purports to create new rights and duties," which were not "contained in the UN Charter or in international law." "For example, in its paragraph on a new international information order and on the dissemination of information, the text directly contradicts the principles of the Universal Declaration on Human Rights, notably Article 19 of that Declaration, which affirms the right of everyone to receive and impart information across frontiers."[102] It purported also "to define new and hitherto unrecognised duties of states with regard to economic assistance and multinational corporations," neither "realistically" nor "equitably."[103]

In explaining their negative votes before the General Assembly, most doubted "the necessity of a new declaration on this subject [to supplement the Declaration of 1965]," noting the new draft's "highly controversial elements."[104] No doubt the highly controversial here encompassed paragraphs that were anti-colonial, possibly radically so, in ways that I have discussed in previous chapters. For instance: the Irish delegation notably announced that it would not "associate itself with the inclusion of an explicit endorsement of armed struggle" in a UN Declaration.[105] Also opposed---a discussion for another time---was the resolution's call to "refrain from any measure which would lead to the strengthening of existing military blocs."[106]

But a vote against the Declaration was also a vote against "a just and equitable international economic order" and the "principles of the new international information order."[107] Greece and Ireland made reference to "elements to which we cannot subscribe" such as a paragraph limiting the "right to information" which would prove inconsistent with "the letter and spirit of the Universal Declaration of Human Rights."[108] Finland, abstaining, objected "specifically to the way in which questions concerning human rights, the dissemination of information, and the economic aspects of the principle of non-interference are dealt with." "Had those paragraphs been put to separate vote, my delegation would have voted against them."[109]

CONCLUSION

This chapter began with a note on the American Society of International Law, and I would like to conclude it with another---at the Society's 57th annual banquet, 27 April 1963, dinner remarks were being delivered by Francis Plimpton, then-U.S. Deputy Ambassador to the UN. His central focus had to do with what he called the "Afro-Asian group," his central doubt concerned its revolt against Western-led order:

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[102] A/C.1/36/PV.51.
[103] Ibid.
[104] E.g. Austria in ibid.
[105] Ibid.
[106] See paragraph 6 of part II of the Declaration (A/RES/36/103), and see especially the comments of France in A/C.1/36/PV.51.
[107] A/33/206; India's comments in the second report of the Secretary-General, A/33/216; wording from the 1981 Declaration.
[108] A/C.1/36/PV.51. This position had also been taken during SG consultations. See e.g. Sweden in A/34/193.
[109] Ibid.

> The General Assembly has, particularly in the area of anti-colonialism, adopted resolutions which we wish had been differently worded, and some, recommending sanctions against South Africa, which we have opposed, and it is certainly true that the attitude of some of my colleagues toward colonialism is emotional to a degree that has to be heard to be believed…What we must and can and do hope is that Afro-Asian attitudes will broaden and mature as time goes on, and that preoccupation with the dying issue of today and tomorrow will disappear.[110]

In some way the purpose of this and the previous chapter was to respond to Francis Plimpton: to historicise a North-South struggle over orders of intervention through the 1960s to 80s, in other words, is to show how the Plimpton perspective and others like it failed to understand the magnitude of the normative changes that were unfolding in international society---including in terms of circumscribing the national, and re-ordering a zone of the international in which human rights were to be protected by material as well as moral and legal means. The Plimpton argument underplays the important ways in which the West is conceding here in UN rule-making, how various institutional models are being constituted from outside of Western understandings, and how a record of these "non-Western" understandings represent useful historical knowledge, including of, for instance, humanitarianism in positive non-interventions.

An emancipatory definition of non-intervention as it pertained to natural resources and multinational enterprise was not simply an interdiction, but also a set of international encroachments, as developmentalist actions. This was also true as it pertained to the information-technological and communicative. In the context of intervention, the way in which the non-aligned ordered matters of international trade and economic structures was often very similar to the way in which they came to order matters of international communications and information flows: a national but also international "right to communicate" seemed comparable perhaps to a national and international "right to develop." Here things like producers' associations were constituted much like non-aligned news agencies pools. And sovereign control of natural resources moved along with sovereign control of domestic conversations, including of choices of government and elections. Located between both visions of international order---visions of the NWICO and NIEO---were the transnational corporations. If private corporations---media conglomerates as much as mining companies---were conceived as international-interventionist proxies or themselves independent sorts of agents, their international regulation and coordination was also the realisation of non-intervention as a principle. To do so was to call into question the relevance of a broader public/private distinction.

At least some of this seems fertile for the present.

What we have not done in this chapter is assess in detail the material outcomes of the NIEO and NWICO. Of course these orders did not achieve their aims, but it seems wrong to remember them simply as dead ends.

It might be worth noting that their defeat is not simply the story of persuasion, and, to reassert a recurring theme, a significant part of the explanation has to do with political maneuvers that deviated from a deliberative ideal; often, the rejoinder was withdrawal. We can take note of the

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[110] 'Address by Ambassador Francis T. P. Plimpton' in American Society of International Law 1963: 299.

first formal American withdrawal from UNESCO in 1984 (wrote President Reagan in a letter to Congress dated 17 September 1981: "We recognise the concerns of certain developing countries regarding imbalances in the present international flow of information and ideas. But we believe that the way to resolve these concerns does not lie in silencing voices or restricting access to the means of communication…We do not feel we can continue to support a UNESCO that turns its back on the high purposes this organization was originally intended to serve.").[111] And we can find evidence of a similar approach to the NIEO, this time in the form of persistent obfuscations and deferrals (in a Washington meeting on 24 May 1975, Kissinger to President Ford: "I want to fuzz it up. I don't want to accept a New Economic Order but I don't want to confront Boumedienne." Ford: "I see no reason to talk theory when we can in a practical way just screw up the negotiations.")[112]

True, through the 1970s and 80s, as through the 50s and 60s, there is also a separate and rich history to be told of deeds called intervention, including the much-discussed interventions of the Reagan era---of Contras in Nicaragua, mujahideen in Afghanistan, etc. There is a series of what was commonly regarded by all involved as subversive-interventionary activities, as forms of intervention widely decried and secretive. The debate certainly made reference to the mercenaries and the sabotage; the point is not to say that these were unimportant. But what I have tried to sketch out here is a lesser-known feature of intervention as discursive practice. What I have been trying to say is that actual North-South confrontations in the discourse of international society through this period is not just about realist Cold Warriors, but that it looked to, for instance, the transnational corporations and the fourth estate. And notably these themes also relate to subsequent resolutions premised on the non-intervention principle that come to be adopted annually in the UN through the 80s and 90s: on the inadmissibility of international "economic coercion" and of foreign interference in domestic elections.[113]

Were we to identify in the history of international society the emergence of a practice called absolute non-intervention, or a non-intervention that was used to divorce sovereignty from international duties, including in regard to human rights, it cannot be during the 1960s, the 1970s, or 1980s, just as it cannot be in 1945, or 1955. What we must begin to appreciate is that the lines were never so few or so simple. Hence one crucial reason why the naming of the subsequent intervention/non-intervention discussions as the "sovereignty-intervention" debate---in academic writings, in domestic-public spheres, and in international-public spheres---was, in the 1990s into the early 2000s, very misleading.

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[111] Quoted in Nordenstreng and Hannikainen 1984: 62. This was not the only reason, but it was an important reason, behind US withdrawal. UNESCO director Amadou-Mahtar M'Bow would resign under Western pressure.
[112] *FRUS*, 1973–1976, XXXI: Document 292. Quoted in Dietrich 2017: 289.
[113] See A/RES/40/9; A/RES/39/210; A/RES/40/185; A/RES/41/165; A/RES/42/173; A/RES/44/215; A/RES/46/210; A/RES/48/168; A/RES/52/181; A/RES/52/181; A/RES/54/200; A/RES/56/179; A/RES/58/198; A/RES/60/185; A/RES/62/183; A/RES/44/147; A/RES/45/151; A/RES/46/130; A/RES/47/130; A/RES/48/124; A/RES/50/172; A/RES/52/119; A/RES/54/168; A/RES/56/154.

CHAPTER 7

Humanitarian Intervention and the Responsibilities to Protect

So in the mid- to late 20th century it was a practice self-described as non-intervention, not intervention, that ordered the means by which human rights were to be legitimately promoted and protected---even coercively, and against the wishes of the affected state---in international society. By the turn of the century, "humanitarian intervention" seems to largely overtake such positive connotations of what might have been called a humanitarian non-intervention. In this final chapter I would like to consider how and if this feat was really achieved, and the ways in which related concepts like R2P become variously contested by states.

The emergence of humanitarian intervention and R2P might be said to have been traced many times before. In fact some of the major terms of these explanations we have come to take them for granted. In the context of the early 2000s, particular types of comments regarding contestation should come as no surprise---about, for instance, shifts in meaning from classical humanitarian intervention to R2P, from R2P to "R2P Lite," that is, from an ICISS (2001) formulation to a World Summit (2005) formulation, or, more recently, from R2P to RwP (to an R2P with RwP). These arguments usually have to do with unilateral authority versus multilateral authority, the break between the authority of coalitions of the willing (or individual states) and of the UN Security Council, about the tearing down of old pillars (Prevent, React, Rebuild) and putting up of newer ones (the primary responsibility of states, the international responsibility to assist, the collective responsibility of the international community), about the parameters of four "mass atrocity crimes" (genocide, war crimes, crimes against humanity, ethnic cleansing) versus parameters of "large-scale loss of life" or "large-scale human rights abuses," about threshold criteria about the right to go to war (corresponding to classical theories of jus ad bellum) as distinguished from concerns about right conduct in war (corresponding to classical theories of jus in bello), itself a question distinct from postwar settlement and rebuilding (the theorising of a jus post bellum).[1]

But I want to turn away from these particular lines, and not only because they have already been discussed elsewhere; instead I want to suggest that while they do represent important limits in the post-Cold War period, to focus on these changes alone would be to overlook a deeper, more primary change in meaning, even to miss the point of this very recent and very important stage of the global intervention/non-intervention debate. And while there is a kind of coming-together in the post-Cold War period, this coming-together, as a compromise or partial overlap, conceals a set of differences that makes sense not only against the history that I have been telling in previous chapters, but also against newer discursive practices that might be traced from the end of the Cold War. It is this set of differences that I want to draw out in this chapter.

So states---North and South---do agree on a textual outline of R2P in 2005, they do begin, particularly from 1999 onward, to employ the language of legitimate intervention for the prevention of atrocities including genocide. But the fundamental problem remains, as ever, the constitution of intervention as a concept in international life, and more specifically the relationship of intervention with sovereignty. And while I am not concerned with assessing the

[1] See e.g. Bellamy 2009a; Weiss 2007; compare with e.g. Orford 2011; Hehir 2012.

truth of the alleged transition from "sovereignty as a right" to "sovereignty as a responsibility"---more or less indirectly I hope to have done so in previous chapters---I do want to acknowledge the importance of this type of vocabulary and framing of international humanitarian protection as a political problem, particularly insofar as it contributes to a gradual normative shift in the UN, the major features of which should be seen to culminate in the clash of two Responsibilities to Protect.

The basic forms of these two responsibilities---one Southern, the other Northern---precede the arrival of the ICISS report in 2001, but they come clearly into view during the consideration and continuous adaptation of R2P in the UN. The key difference between them refers to the compatibility of intervention under R2P with an essential feature of what could be called classical humanitarian intervention: the suspension of sovereignty, and the possibility of its becoming conditional, as distinct from its becoming qualified. And the mechanism by which this process occurs, under the auspices of R2P, I think we might understand not just as "sovereignty as responsibility" but more specifically "responsibility as control," which has to do with the transfer of the international R2P to foreign guardians, and the privileges implied by that transfer. So on either side of responsibility as control, we find two practices of intervention, or two R2Ps. On the Southern view, the desire of the peoples of the countries concerned remains the guiding principle; intervention is international involvement, yes, but never involvement that casts into doubt the equal right of all nations and peoples to freely determine their political, economic, and cultural futures. Sovereignty becomes the prerequisite for and basis of human rights: this is a rejection of the intervention-sovereignty dualism, intervention need not and ought never to infringe upon the sovereignty of states. Sovereignty is indefeasible---but qualified.

To map out these two forms, and hence to appreciate what it could possibly mean to intervene, not least coercively, without infringing upon sovereignty, we need to understand how self-determination was decoupled from the constitution of intervention as an act. This is the last step involved in this chapter. We need to understand how, in other words, 20th-century logics of intervention/non-intervention were loosened, such that the essence of intervention as an act no longer had to do with the outcome or consequence of foreign pressure in its many forms, or relatedly with the related idea of consent, but rather with a much more general impression of interposition or international involvement. So there can be no doubt that the relationship of the intervention problem to humanitarianisms, human rights, and prevention of crimes against humanity and atrocities adopts new forms and a new significance in the post-Cold War period. But from a longer historical perspective what seems so striking is not so much the taking on of these sorts of normative themes (as laid out in previous chapters, they had appeared many times before), it is rather the disappearance of self-determination as a constitutive element of intervention as a concept, such that it becomes possible to conceive of an age of interventionists, but not clearly an age of sovereignty's suspension.

A NEW INTERNATIONAL HUMANITARIAN ORDER

At the UNGA's 36th session, Jordan had called for a New International Humanitarian Order (NIHO) to be established in parallel to the NIEO and NWICO, guided by its own Independent Commission on International Humanitarian Issues (ICIHI).[2] As Kurt Herndl Assistant Secretary-

[2] The ICIHI report: Aga Khan and Talal 1988.

General for Human Rights noted in his discussion of the NIHO: "the term 'humanitarian' could be used to describe the body of 'law of The Hague' and 'law of Geneva' created around the turn of the 19th century as an approach to problems that emphasised the protection of individuals as opposed to political considerations."[3] The NIHO was accordingly one in which "the efforts made by the humanitarian institutions, both governmental and non-governmental, should be fully recognised," the Secretary-General having highlighted specifically "the work of the International Committee of the Red Cross, as well as UNHCR, UNICEF, and UNDRO."[4]

There would be established a new international humanitarian order by the end of the century, but it was not Jordan's, and it was not "humanitarian" as Herndl had described it. A different conception of humanitarian order took its place, one that seemed to assume different boundaries and points, which emphasised less the NGOs than the action of state governments, and which branched away from IHL and IHRL to bodies of law concerned with international administration, trusteeship, and the legitimate use of force. The new humanitarian order, as often noted, was broadly the order of human security, and within that context, an order of intervention for humanitarian purposes. By the turn of the century it is more ICISS than ICIHI that defines a new order of humanitarianism, it seems to belong less to the NIHO than to HI.

We know the basic story. The facts of this story include, for instance, the late-1980s advocacy of Mario Bettati and Bernard Kouchner of a "droit d'ingérence," as a "right/duty" to interfere on humanitarian grounds.[5] Less familiar, perhaps, is the reception of the droit d'ingérence among humanitarian organisations representative of the "law of The Hague" and the "law of Geneva": the ICRC, for instance, argued the "broad and indiscriminate use" of the words "intervention" and "humanitarian assistance" risked erasing "perceptions of the distinct character of international humanitarian law and humanitarian action."[6] "Humanitarian action cannot be a substitute for political action…these spheres must remain clearly distinct from each other."[7] On the one hand, the language of intervention risked blurring the line between belligerents and non-belligerents, further endangering aid workers and civilians in conflict zones. Yet the more subtle point: the emergence of a doctrine called "humanitarian" and constituted as "intervention" risked spoiling the uniquely impartial and neutral nature of the humanitarian mandate contained in the Geneva Conventions---in stepping into the internal affairs of states, a doctrine of interference deviated from an ideal of objective, non-selective, and impartial human rights promotion (precisely the ideal that Kouchner had come to criticize in Biafra in the 1960s, now portrayed as an accessory to inaction, even indifference, in the face of genocide).[8]

But of course such a HI did have undeniable appeal to some in the society of states: a "new humanitarian order" was implicit within "the new world order" proposed at the end of the Cold War. Again here we know the basic story. We know about the ways in which the droit d'ingérence was embraced by the French government (when then-Foreign Minister Roland

[3] A/C.3/40/SR.69.
[4] Jordan, ibid.
[5] Bettati and Kouchner 1987.
[6] International Committee of the Red Cross 2000.
[7] Ibid; see also Ryniker 2001.
[8] See Weissman 2010.

Dumas proclaimed what he called the "right to intervene on humanitarian grounds"), we know about President Bush's position on "humanitarian needs," Defense Secretary Dick Cheney's invoking of "humanitarian missions," the "humanitarian war" arguments of the Clinton administration, and the 1999 speech of Tony Blair on "just wars" for "values."[9] We also know about the path from this order to various rejections; for instance, of the "Mogadishu line" and a culture of impartiality in delivering emergency assistance, of certain modes of peacekeeping in scenarios in which there was "no peace to keep," with the events of Somalia and Bosnia in mind.[10]

These facts are familiar in all recent histories of intervention in international life---but it would be wrong to assume, as is sometimes implied, that there emerged a veritable global consensus or overlap in regard to these ideas, and it is not enough to focus on these transformations alone. Rather the key is to return to the question of what constituted intervention as a concept in international society, it is there that the most important changes were again occurring, which have largely gone unnoticed. In particular, what we need to historicise now is a re-casting of the role that non-intervention had been playing in international human rights promotion---this is the most important re-constitution at the so-called "unipolar moment."

Much has been said of the Kofi Annan speech before the UNGA on 20 September 1999 (components of which had been published in an essay titled 'Two Concepts of Sovereignty' for *The Economist* four days earlier).[11] But what I want to trace in this speech is not the facticity of Annan's oft-cited challenge to reconcile sovereignty with the need to prevent "gross and systematic violations of human rights, with grave humanitarian consequences"---as demonstrated in previous chapters, there was no inherent contradiction between the international protection of human rights and sovereignty. We saw this in relation to Southern Africa, for instance---where international action against apartheid, through coercion and without sovereign consent, was ordered as non-interventionary---and we can see how the story of international-legal and international-societal thickening in general is also that of the band of the domestic narrowing, and the band of the international expanding.

Instead, the historical importance of Annan's push has to do with its discursive achievements; with its framing, its setting of the terms and parameters in which thinking about the intervention/non-intervention problem would occur through the early post-Cold War. Two specific pivots or strokes deserve our attention.

First: though NATO's role in the Kosovo crisis had "cast in stark relief what has been called the dilemma of humanitarian intervention," Annan believed that "'intervention' should not be understood as referring only to the use of force" (the legacy of HI in its classical sense). It was "important to define intervention as broadly as possible, to include actions along a wide continuum from the most pacific to the most coercive."[12] Outside of the category of what he

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[9] See e.g. Dumas 1991.
[10] The "culture of impartiality in peacekeeping operations" is described as "a recipe for disaster" in e.g. Evans 2008: 29, see chapter one titled "The problem."
[11] Annan 1999.
[12] A/54/PV.4.

called "forcible" or "armed" intervention were "less perilous actions of intervention than the one we witnessed recently in Yugoslavia." Yet what Annan included in his list of "less perilous actions of intervention" should be carefully noted, particularly in light of the NIHO and the positions of, for instance, the Red Cross (and eventually, as we will see, the non-aligned) on a right or duty to intervene: "the commitment of the international community to peacekeeping, to humanitarian assistance, and to rehabilitation and reconstruction."[13]

Considered in the context of earlier debates, what was surely missing here was the by-now institutionalised logic of intervention as effect, intervention as foreign pressure upon self-determined futures. After all was not the inclusion of peacekeeping and humanitarian assistance (measures traditionally taken with state consent) evidence of such an exclusion? And, just as importantly, was Annan's speech not also a "broad and indiscriminate use" of technical concepts that seemed to blur "perceptions of the distinct character of international humanitarian law and humanitarian action"?[14] What might have appeared to be a standard reference to earlier orderings---away from simply dictatorial force, toward a broader range of action---was in fact a different sort of ordering altogether. What Annan had dropped from the essential criteria of identifying "intervention" was a particular program of self-determination---that which, in 1999, had clearly not escaped his consideration, but had little appeal.

"Let me say that the multinational force for East Timor reflects precisely the unity of purpose that I have called for today."[15] But if peacekeeping in East Timor was also Annan's model case, it was also a case of coercive force having been clearly requested by a sovereign government, the UN having been formally invited into the territory by Indonesia: consider the Agreement between Indonesia and Portugal on the Question of East Timor of 5 May 1999 (the General Agreement) and the Agreements between the United Nations and the Governments of Indonesia and Portugal of the same date regarding a direct ballot of the East Timorese and security arrangements.[16] A few sentences of Annan's speech also appear verbatim in his article in *The Economist*, among them are these*:* "In Kosovo a group of states intervened without seeking authority from the UNSC. In Timor the Council has now authorised intervention, but only after obtaining an invitation from Indonesia."[17]

Consent, to Annan, was not an essential feature of non-intervention; to the contrary, Annan was suggesting that only as a last resort was intervention to be taken without consent. He accepted and promulgated the idea that non-intervention meant something else: "non-action," or, to be precise, non-involvement. Non-intervention in this new narrative becomes the act of indifference to atrocities, of "standing idly by," of "turning a blind eye" to "wholesale slaughter" and ignoring "the collective conscience of humanity". The principle of non-intervention is divorced from a logic of action corresponding to self-determination, or self-determined political, economic, and cultural futures. If intervention meant international involvement in a very loose sense, "along a broad continuum" with or without the consent of the affected state, in line or not with sovereign will, then non-intervention comes to be used here to imply, quite simply, the

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[13] Ibid.
[14] International Committee of the Red Cross 2000.
[15] A/54/PV.4.
[16] A/53/951; S/1999/513.
[17] A/54/PV.4; Annan 1999.

absence of international interposition, without distinction between affairs considered international and domestic. This is the first set of observations to make.

The second set has to do with what Annan called a new shift in the meaning of sovereignty (especially in light of postwar "forces of globalization and international cooperation") toward an understanding in which the state was the "servant of its people, and not vice versa."[18] I will say less about this second move; Annan's two conceptions of sovereignty---what he called "state sovereignty" and "individual sovereignty" (by which he meant the "human rights and fundamental freedoms of each and every individual, as enshrined in our Charter")---has been widely discussed.[19] What needs to be noted however is that Annan was problematising the notion that the international protection of human rights was consistent with "traditional notions of sovereignty" as much as non-intervention: in the post-Cold War, state "frontiers" could no longer be used as an "absolute defence" and the basis of "sovereign impunity."[20]

To say so was, in general terms, to recite conceptions of sovereignty and non-intervention that had already gained ground elsewhere, particularly in conversations about the "new world order" in Western policy circles and major Western thinktanks.[21] Self-described "new-interventionist" arguments suggested that "since the end of the Cold War" the "anti-interventionist regime" and "the old idea of sovereign equality" had "fallen out of sync with modern notions of justice." The "death of the restrictive old rules on peacekeeping and peacemaking---under which most bloody conflicts were simply ignored as 'domestic matters'---should not be mourned."[22]

But it is not just that, as a fact, the "old rules" of the Cold War had not ordered as "domestic matters" the suffering of individuals, including in conflict zones---the history of the UN-based anti-apartheid struggle being, again, the obvious counterexample---it was that a particular version or use of self-determination was disappearing from discursive practice. Professed dichotomies of "individual sovereignty" and "state sovereignty" had of course long been resolved by the social contract, it was of course the notion of popular sovereignty that linked the rights of the people with the rights of the state (a notion that, in various degrees of abstraction, was many hundreds of years old). When in 1996 Francis Deng and his colleagues at the Brookings Institution wrote about *Sovereignty as Responsibility*---a project corresponding to Annan's frame of reference---what was occurring was the replacement of logics of self-determination in the legitimation of sovereignty with logics corresponding to other rights agendas (particularly those having to do with domestic conflict management, and the humanitarian consequences of civil war), and therefore the severing of self-determination from the constitution both of sovereignty and of intervention.[23]

WHEN SOVEREIGNTY YIELDS TO HUMANITARIAN PROTECTION

[18] A/54/PV.4.
[19] See for example Bellamy 2009b.
[20] A/54/PV.4.
[21] See especially Deng 2010.
[22] Glennon 1999.
[23] Deng et al. 1996.

One predictable response to the above point is that this emerging discourse was not as Western as I have started to imply, that it was also Southern; that the New Interventionism is also the discourse of the OAU, and the AU, for instance.[24] But I need to show now that this argument is only partly right: there emerged in this period two general historical formulations of intervention that might be reasonably described as Northern and Southern, and while yes, there are overlaps, there are also important differences. Also speaking on the 20th of September was then-President of Democratic Republic of Algeria, Abdelaziz Bouteflika, who offered a response to Annan in his capacity as President of the OAU.

The most basic component of what he called the developing-world position was a rejection of the common implication that to be anti-classical humanitarian intervention was to be anti-humanitarian: "we do not deny the right of Northern-hemisphere public opinion to denounce the breaches of human rights where they exist. Nor do we deny that the UN has the right and the duty to help suffering humanity." But inasmuch as "the sovereign state remains beyond dispute a place of social contract and the context within which human rights should be organized---- political rights, as well as economic and social ones---the international community should favour stability as well as concord and the culture of democracy for our developing countries."[25]

On that score, three questions remained unanswered: "first, where does aid stop and interference begin? Second, where are the lines to be drawn between the humanitarian, the political, and the economic? Third, is interference valid only in weak and weakened states or for all states without distinction?"[26]

No doubt the problems raised by Annan were gaining significant political traction, and that, in important spaces of international society, prominent vocabularies were beginning to resemble the "sovereignty-intervention" dualism (by which the presence of one came at the expense of the other).[27] But what we saw at the global level, especially in the UN through 1999 and 2000, was not a debate between sovereigntists and interventionists, nor "absolute sovereigntists" and "responsible sovereigntists," nor human-rights-devoted universalists and "cultural relativists," nor even between "interventionists" and "non-interventionists" (as this language came to be used). Actually what we really saw was a North-South divide over the suspension and conditionality of sovereignty, as distinct from its qualification (the qualification of sovereign rights as they actually stood in 1999 and 2000, as well as, certainly, the qualification of abstract autarchies).

Through the turn of the century and into the R2P debates, what we see is a Third World that drops the role of non-interventionist, while embracing (as it had before) qualified sovereignty, without dropping a commitment to its non-suspension, even in emergency circumstances. In other words all become interventionists, at least in the very general sense that Annan had in mind---according to a meaning of intervention as international involvement, plausibly coercive, for the protection of human rights. Yet the question was, as ever: what were the limits of intervention as an act? Here I want to argue that Southern answers to the three questions

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[24] E.g. Williams 2007.
[25] A/54/PV.4.
[26] Ibid.
[27] By 2001 the ICISS report makes reference to "the sovereignty-intervention debate." See ICISS 2001: 9.

identified by Algeria were in fact all premised upon specific arguments about the indefeasibility of sovereignty and sovereign equality. And it followed from assumptions about this sanctity that a particular North-South confrontation emerges over intervention/non-intervention.

The position of the North is well-known, we can locate it in statements like these: "the last few years of this century have disproved the notion that people and human freedoms take second place to state sovereignty." Basically what we were witnessing was a growing acknowledgement or recognition of the idea that first, sovereignty ought to yield to higher imperatives or obligations, and that second, there was a culpability to be associated with affected sovereigns---both for having failed to protect civilians, and presumably for having obstructed international action by raising sovereignty "as a shield":

> There is one lesson to be learned from these years of turmoil: actions to prevent and repress the most serious violations of human rights may take precedence over respect for national sovereignty. No government can hide behind the shield of its own borders.[28]

A second part of the same form was, more implicitly, about which problems were to be located within the domain of the domestic, about which contents were being slotted into the sphere of the internal as separate from the international. "The NATO intervention [in Kosovo] obliges us to ask a sensitive question about the limits to the right of the international community to intervene in the internal affairs of a state."[29] The interventionist impulse promised to rescue humanitarian problems, and especially the right to life, from the internal as if it were already and singularly there---to say so was to adopt earlier strands of thinking about the droit d'ingérence:

> If there is one lesson for our Organization to learn from the twentieth century, it is that for no state can the massacre of its own people be considered an 'internal affair,' under any pretext. This legal formalism would ultimately amount to admitting that, as the head of the UN Interim Administration in Kosovo, Bernard Kouchner has said, it would be 'legitimate, although not elegant, to massacre one's own people.'[30]

It might have been argued that the intervention debate had reached a very ideological stage---insofar as "massacre and genocide" were not, in preceding decades, considered "internal affairs." But again the feat was to rewrite and reframe the past, not to accurately recall it: "we have come to understand that absolute sovereignty and total non-interference are no longer tenable" (as if they had once been), "this implies a rethinking of the principles…that have governed the community of nations for over three centuries"; the new international order would abolish the "sovereign right to ethnic cleansing and genocide"; it was time to declare "sovereignty cannot mean impunity for genocide and human rights abuses."[31]

Although this new-interventionist narrative did not represent true historical knowledge, it was playing a political role that successfully connected human rights promotion to an exceptionalist

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[28] Italy, A/54/PV.8.
[29] Belgium, A/54/PV.14.
[30] Ibid.
[31] Poland, A/54/PV.17; Italy, A/54/PV.8; Poland, A/54/PV.17.

form of interventionism, such that what was once contrary to human rights (intervention) came into view as the means through which to prevent abhorrent violations.

From this moment onward a broad Western position is compatible with the legality and legitimacy of classical humanitarian intervention (CHI), according to which, in emergency, an interventionary performance might legitimately derogate from the right to sovereignty. This logic of conditional or suspended sovereignty, I am saying, had two major points. First, that humanitarian disasters were abuses caused by malevolent or negligent agents in the form of affected states---"dictators and murderers" whose sovereignty provided a "license to kill."[32] Second, that affairs once understood to belong to the international were shifted back into the domestic---that it was legitimate to enter the domestic because it was there that we could find the problem of humanitarian protection. The other, more commonly-discussed lines of the period---unilateral versus multilateral authority, coalitions of the willing, veto restraints in the Security Council---were of course also important, but the density of agreement upon them varied (see for example Germany's skepticism of unilateralism), and all mattered less than the logic not of who intervenes, but of what it meant to intervene: whether an act of intervention might become, as a last resort, a legitimate contravention of sovereignty.[33]

And if this exception to sovereignty was a necessary feature of the humanitarian-interventionist form, then it was at the heart of the South's rejection of that form. Again, other problems were being described too---for instance, about legitimate cause (which human rights, which mass atrocities), the role to be played by international law, the role of regional organisations---but it was the relationship between protection and the foreign administration of domestic futures that established a historically-significant struggle between practices. The line between illegitimate intervention and legitimate intervention, like legitimate aid, was suspended sovereignty; an unacceptable politicisation occurred when the objectives of the protectors departed from the strictly humanitarian (say, the protection of civilians) and moved into the internal; the moment at which its application became non-objective, selective, and partial was the moment at which sovereign equality was violated. All the while the suspension of sovereignty could be distinguished from its qualification, and from the argument---very old---that all states and the UN had a duty to universally protect human rights.

In its classical sense we know from recent histories that "humanitarian intervention" was rejected by the members of the Non-Aligned Movement. At the 13th Ministerial Conference in Cartagena, 8-9 April 2000: "We reject the so-called 'right' of humanitarian intervention, which has no legal basis in the United Nations Charter or in the general principles of international law."[34] And we also know that this rejection was re-adopted elsewhere, at the South Summit of the G77 in Havana, for instance, and in subsequent NAM Summit Declarations.[35]

But to reject the "right of humanitarian intervention" as it was being practiced in the West was not necessarily to reject international humanitarian duties to protect individuals. The problem of genocide prevention was, from the non-aligned perspective, primarily about political will and

[32] Germany, A/54/PV.8; Evans 2008: 11.
[33] Germany, A/54/PV.8.
[34] A/54/917.
[35] A/55/74; see e.g. the Kuala Lumpur Declaration of the NAM in A/57/759.

enforcement, not about an overcoming of sovereignty or its redesign. To non-aligned states like Indonesia, it was too easy to exonerate international actors from their liabilities in previous disasters. In many cases the location of agency, the availability of effective choices, was located outside of the state:

> …to blame this principle [sovereignty] for the inability of the Organization to come to the aid of suffering humanity anywhere is to distort the truth. To extend such assistance is a solemn obligation. Indeed it is imperative. However, there are many reasons why the UN often finds itself ineffective in situations that require it to act swiftly and decisively. These include resource constraints, lack of political will, selectivity, misplaced media attention, and disfunction in the working of bodies as the Security Council and in implementing mechanisms. These have nothing to do with the principle of sovereignty.[36]

For all its references to Rwanda, for instance, quickly forgotten was that Nigeria, on behalf of the NAM, had proposed a draft resolution under Chapter VII that would have empowered UNAMIR to enforce "law and order and the establishment of transitional institutions" while protecting civilians. This was a draft to "increase the strength of UNAMIR and to revise its mandate"--- precisely what Roméo Dallaire would claim was lacking from UNAMIR.[37] Yet, as the OAU's International Panel of Eminent Personalities later concluded, rejections of the NAM proposal and other calls for "the means to do more" were the consequence not of some international-legal or -normative conundrum, but a failure of political leadership.[38]

Kishore Mahbubani of Singapore, in the context of the intervention debate: "[i]t is puzzling, even shocking, that there has been no move to have the OAU report discussed by the Security Council." This and the Brahimi Panel on UN Peace Operations told "a sobering story of gross ineptitude, the primacy of narrow national interests among key members of the Security Council over everything else…"[39] What was needed to avert a future Rwanda was not a new interventionist doctrine, but the will to stand accountable to commitments already made.[40]

In 1998, at the Durban Summit, the Movement stressed again this kind of point:

> In four and a half decades, the world has changed vastly from the days of the Bandung meeting. Yet the principles laid down by the founders of the NAM remain valid, and the ideas, goals, and vision articulated then, continue to guide our movement. As we mark the 50th anniversary of the Universal Declaration of Human Rights, nothing should be used as a convenient mask to hide genocide, gross violations of human rights and crimes against humanity, nor should human rights be used as a political instrument for interference in internal affairs.[41]

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[36] Indonesia in A/54/PV.33. Similar comments by e.g. India in A/54/PV.27.
[37] See 'Draft Resolution on the Situation in Rwanda' contained in recently declassified cables such as 'Text of NAM Draft (13 April 1994)' in *National Security Archive Electronic Briefing Book No. 472*, The National Security Archive.
[38] Organisation of African Unity 2000.
[39] A/44/PV.35.
[40] E.g. Pakistan at the World Summit: "In Rwanda, Srebrenica, and elsewhere, it was the failure of political will that prevented action, not the absence of an interventionist doctrine." A/59/PV.86.
[41] A/53/667.

The existence of rights was a matter separate from their enforcement. The effective protection of basic human rights was not mutually exclusive with respect for the internal or for sovereignty. Accordingly the South was focused on the following sorts of lines: a rejection of the human-rights-versus-sovereignty dualism, a re-assertion of the international duty to protect human rights, and an acknowledgement that the resolution of these two commitments could be located in the threshold between the domestic and the international. The Chinese delegation during the 1999 debates:

> …putting an end to these conflicts and crises and eliminating their root causes is the *ardent desire of the peoples of the countries concerned, as well as a legitimate concern of the international community. However, such arguments as 'humanitarian intervention' and 'human rights over sovereignty' that cropped up recently set up human rights against sovereignty.*[42]

The implication that sovereignty was interchangeable with the "ardent desire of the peoples of the countries concerned" in some ways corresponded to logics of popular sovereignty that informed earlier discursive practice, but there were important differences. No doubt the desire of the peoples of the countries concerned remained the guiding principle; intervention is international involvement, yes, but never involvement that cast into doubt the equal right of all nations and peoples to freely determine their political, economic, and cultural futures. "The history of China and other developing countries shows that a country's sovereignty is the prerequisite for and the basis of the human rights that the people of that country can enjoy."[43] But while some of this language was word for word that of previous strains of self-determination, the concept of self-determination and its attendant complexities (for instance, its relationship with an internationalist justification for the use of force, as in Afghanistan through the 1980s, or its relationship with territorial integrity, as in Kosovo) was notably not at the heart of intervention in its international-discursive use.

In 2000 it was through a resolution concerning respect for the Charter to achieve "international cooperation" in "solving international problems of humanitarian character" that the South rejected the classical doctrine of humanitarian intervention in the General Assembly (the resolution would be re-affirmed and re-adopted, with requests for recorded votes, many times over the following seven years).[44] This is rarely acknowledged; perhaps because the vocabulary of "intervention" does not explicitly appear in its text---in fact it was removed at the last minute. I would like to suggest that this removal is a historically significant moment in the recent management of intervention/non-intervention in international society; not only does it express key features of a Southern formulation of qualified but not suspended sovereignty, it also summarises a historic loosening in the constitution of the intervention concept, insofar as international thinking on the logic of intervention as an act was undergoing a shift away from

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[42] A/54/PV.27.
[43] A/54/PV.8.
[44] A/C.3/55/L.47; A/C.3/55/L.47/Rev.1; A/RES/55/101. See also A/RES/57/217 of 2002, A/RES/58/188 of 2003, A/RES/59/204 of 2004, A/RES/62/166 of 2007.

self-determination toward the much more general notion of international involvement (and non-intervention toward non-involvement).

Cuba had introduced the draft in the Third Committee with the co-sponsorship of 14 other non-aligned members.[45] And like Cuba's 1990 draft on non-intervention in the international promotion of human rights (later retitled "international cooperation" and "objectivity, non-selectivity, and impartiality" in human rights promotion), this latest proposal had been modelled on paragraphs in the 1965 and 1981 non-intervention declarations, as well as Friendly Relations. Its function was to assert that in "solving international problems of humanitarian character," "no State or group of States has the right to intervene, for any reason whatever, directly or indirectly" that all forms of "interference or attempted threats against the personality of the State or against its political economic and cultural elements, are in violation of international law."[46]

But, as with the fate of the 1990 draft, the language of intervention would not appear in the resolution's adopted form. It was replaced instead with a reference to respect for "sovereign equality" in international humanitarian action or more specifically the idea that "all states in these activities [activities to 'solve international problems of a humanitarian character'] must comply with the principles set forth in Article 2 of the Charter, in particular respecting the sovereign equality of all States and refraining from the threat or use of force against the territorial integrity or political independence of any State."[47] Why? Immediately after Chad and Ethiopia were announced as additional co-sponsors, Cuba explained: "The direct reference to non-intervention in the affairs of other States had been removed to take into account the concerns expressed, in particular, by African delegations in the light of recent developments on their continent."[48]

In the OAU/AU and sub-regional organisations like ECOWAS and SADC, African states had indeed renounced the non-intervention institutionalised in the 1965, 70, and 81 agreements.[49] Just a few months earlier, there had been declared at Lomé a regional right of intervention, enshrined in Article 4(h) of the AU Constitutive Act---"the right of the Union to intervene in a Member state pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide, and crimes against humanity."[50] We also know that by 1999 ECOWAS had established, among other things, the Protocol Relating to the Mechanism for Conflict Prevention, Management, and Resolution (the 1999 Protocol), which described ECOMOG as an "intervention force" tasked with, among other things, humanitarian disaster relief.[51]

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[45] A/C.3/55/L.47.
[46] A/C.3/55/L.47/Rev.1.
[47] A/RES/55/101.
[48] A/C.3/55/SR.55.
[49] In this thesis I am analyzing (sub-)regional organisations or meetings either for illustrative purposes or because those specific meetings prove influential in the development of broader historical discursive practices. I am choosing to concentrate here on the OAU/AU because its Charter provisions both illustrate and prove influential for a discursive practice that comes to be adopted more generally in international society, particularly among members of the G77 and NAM.
[50] *AU Constitutive Act*.
[51] See *Protocol Relating to the Mechanism for Conflict Prevention, Management, and Resolution*, adopted on 10 December 1999.

No doubt the states of Africa had come together as exceptionalist-interventionists and qualified-sovereigntists. But if we look at the ways in which intervention was being interpreted as an act---the ways in which these agreements and their authors sorted what was to fall into the interventionary and into the non-interventionary---it is far from clear that they had become suspended- or conditional-sovereigntists, no less classical-humanitarian-interventionists. In the Constitutive Act was also the following, for example:

> (j) the right of Member States to request intervention from the Union in order to restore peace and security;

It is widely agreed that Article 4(j) provides formal support for what is often called "intervention by invitation."[52] The classification of this particular mode of intervention---also known as "intervention upon request," or "military assistance upon request"---proceeds from the effect of consent to the foreign use of force. And it forms a branch of international-legal debate that clearly did not begin with the 1980s or 90s (Hall was reviewing "intervention by invitation" as early as 1890), but which, though rejected in Cold-War international society, was being taken up in postwar books and articles, including in relation to "law and force in the New International Order."[53] To listen to international-legal scholars writing at the time: "[e]xamples of such limited operations would include the use of peacekeeping forces *which do not become involved with internal affairs*"---for instance, "German help given to the Somalian Government in connection with the hijacked airliner at Mogadishu Airport on 18 October 1977."[54]

Various African sub-regional organizations were also institutionalising arrangements compatible with intervention by request. In the 1996 Botswana Communiqué on the SADC Organ on Politics, Defence and Security, for instance, references to "military intervention of whatever nature" were suggestive of a reading of intervention inclusive of traditional peacekeeping.[55] The ECOWAS Protocol of 1999, too, allowed for intervention upon request as a collective security tool.[56] Prior consent---as requests, including ad-hoc, not ex-ante, requests by recognised state governments---would become ordinarily expected for various types of interventions in which ECOWAS and the SADC would become engaged, particularly but not exclusively those of

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[52] See e.g. De Wet 2015: 981; Kuwali 2015: 249; see also comments of Abdulqawi Ahmed Yusuf in Institute of International Law 2007: 343.

[53] See e.g. Damrosch and Scheffer 1991, chapters 9, 10, 11, and 12 on 'Intervention by Invitation'; Doswald-Beck 1985; Mullerson 1991; Wippman 1996; Hall 1890: 290, section on 'Intervention by invitation of a party to a civil war'. See generally De Wet 2020; Nolte 2010; Fox 2015**.** Consider too, recently, Nguyen 2019.

[54] Doswald-Beck 1985: 189. Emphasis added.

[55] A/50/1001, see Articles 4.1 and 4.2. The SADC Protocol on Politics, Defence and Security Cooperation in Article 11(4)(a): "[i]n respect of both inter- and intra-state conflicts, the Organ shall seek to obtain the consent of the disputant parties to its peacemaking efforts." See De Wet 2020: 178-79.

[56] Article 27: "The Mediation and Security Council shall consider several options and decide on the most appropriate course of action to take in terms of intervention." But the modalities include: "recourse to the Council of Elders, the dispatch of fact-finding missions, political and mediation missions or intervention by ECOMOG," and ECOMOG, the "Community's intervention force," is tasked in Article 22 not just with "humanitarian intervention," but also "observation and monitoring," "peacekeeping and restoration of peace," "preventative deployment," etc.

"observation and monitoring," "peacekeeping and restoration of peace," "preventative deployment," "peace-building, disarmament, and demobilisation."[57]

To be clear the AU was not obliged to wait for the consent of the affected state before undertaking intervention, as had been the case for the OAU's Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of Conflicts.[58] But this is not the only point of interest here. Rather it is also the notion that there could be something like an "intervention-by-invitation" or "intervention-by-request." This was reflective I think---in the same manner put forward by Annan one year earlier---of an deep, foundational change in meaning.

Of course we know that the right of intervention was first, a right belonging strictly to the Union and second, a right to be exercised toward its members alone---and that therefore, third, such a right was very unlike CHI. But what I am saying is that the challenge had to do with the various modalities of intervention---because among those modalities were forms of intervention which, in line with the peacekeeping and humanitarian-assistance traditions of the UN and the NGOs, were to receive the consent of the affected state, and which proved that intervention was coming to be known less as the effect of foreign pressure (as the foreign suppression of self-determined political, economic, and cultural futures) than of "international involvement."

What we should note is that older political logics of intervention were diametrically opposed to "intervention-by-request"; if intervention is the infringement of self-determination or sovereign will, then how could assistance requested by the sovereign or determined by the nation or people constitute "intervention"? How was this at all evocative of the sovereignty-human rights dualism? Was the position of these new interventionists really much like the New Interventionists when it came to the subordination if not of self-determination then of sovereign equality? The shift in African security culture would soon be described as one from "non-interference" to "non-indifference," but is this really a shift toward human rights as away from sovereignty?

To observe the expansion of intervention's meaning is also to suggest the possibility of a coercive interventionary performance that while protecting human rights does not "become involved with internal affairs" and hence does not suspend sovereignty or infringe upon sovereign equality. This is what, in leaving behind a categorical rejection of intervention in international life, and adopting a distinction between legitimate and illegitimate intervention, Third World or Southern states came to agree upon (even in cases of Chapter VII mandates having to do with the protection of civilians). And it is according to this basic formulation---a form which sought to strike "a proper balance so as to ensure that while human lives are saved, state sovereignty is not being trampled underfoot"---that critics of CHI and related strains of thought would warn of the "complexity of international intervention and the risk of inappropriate intervention."[59]

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[57] Article 22 of the 1999 Protocol. Note also subsequent reluctance within the AU to invoke Article 4(h) in the absence of ad hoc consent or UNSC authorisation. See De Wet 2014; De Wet 2020*,* Chapter 5.
[58] See generally Kioko 2003.
[59] China, A/55/PV.29.

Briefly I want to return to the resolution of 2000---the UNGA's implicit rejection of CHI, and its acceptance of a looser meaning of intervention as involvement in solving "international problems of a humanitarian character." In the end, the resolution would be adopted by 104 (all non-aligned) to 52 (Northern states and close allies), with 15 abstentions, and 18 non-voting. Tallies on nearly identical resolutions in 2001, 2002, 2004, and 2007 follow the same trends.[60]

In explaining its vote, the Canadian delegation criticized the text for having "focused too strongly on national sovereignty without including counterbalancing language on human rights, suggesting that sovereignty was a shield behind which human rights could be violated with impunity."[61] The American delegation, concurring "with the statement in the Millennium Report of the Secretary-General that 'surely no legal principle---not even sovereignty---can ever shield a crime against humanity,'" alleged that "the resolution tried to build just such a shield."[62] Similarly, France, on behalf of the EU: the draft "was actually concerned with something other than encouraging respect for human rights and fundamental freedoms."[63] New Zealand, the following year: "state sovereignty should not be promoted over and above other objectives of the United Nations."[64] Australia, in 2004: the text attached "primary importance to the protection of sovereignty to the detriment of fostering human rights."[65]

But the co-sponsors and supporters of the resolution were neither unqualified sovereigntists nor anti-humanitarians---it was if North and South were speaking on different planes. Overall what needs to be understood is that non-aligned states were beginning to assume a looser, less technical sense of "intervention." If the Movement was becoming interventionist---in tandem with its African members---then their interventionism made claims about what intervention, and what relationship with sovereignty. At the 13th Ministerial Conference of the NAM, a new but never flaunted strategy began to shine through: if "the interpretation of the Charter is broadened to make room for humanitarian intervention," then "the modes of that intervention should also be broadened."[66] The goal was to ensure that "any new orientation of humanitarian assistance should be based on unconditional respect for the Charter of the United Nations and international law" and "must be inspired by the basic criteria of neutrality and impartiality."

South African Foreign Affairs Minister Nkosazana Dlamini-Zuma, as Chair of the Movement: "We need to define humanitarian intervention, otherwise others will define it for us."[67]

TWO RESPONSIBILITIES TO PROTECT

There were a few themes of interest then---to the South particularly---which were missing from the ICISS report: a distinction between suspended and qualified sovereignty; a sensitivity to lines between the international and the domestic; a stance on the location and function of consent.

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[60] A/RES/56/152; A/RES/57/217; A/RES/59/204; A/RES/62/166.
[61] A/C.3/55/SR.55.
[62] Ibid.
[63] Ibid.
[64] A/C.3/57/SR.53.
[65] A/C.3/59/SR.49.
[66] Colombian President Andres Pastrana at the NAM Ministerial Conference in Cartagena, 8 April 2000, A/54/917.
[67] Ibid.

Notably the last of these was self-described as outside its purview: "the kind of intervention with which we are concerned in this report is action taken against a state or its leaders, without its or their consent, for purposes which are claimed to be humanitarian or protective."[68]

Now, it is commonly known that the Commission set out to "[shift] the terms of the debate" such that its "proposed change in terminology is also a change in perspective": to move from "humanitarian intervention" to "a responsibility to protect" was also to move from an understanding of "sovereignty as control" to "sovereignty as responsibility."[69] But what I want to consider here is the possibility that the ICISS report also sanctioned something else: what might usefully be called "responsibility as control." And I think it is imperative to see how the following might be argued: that on either side of this threshold of "responsibility as control" we could identify two Responsibilities to Protect, that the historical puzzle of the past two decades is really about how North-South practices of intervention imply rival interpretations of R2P.

The central theme of the ICISS report comprehended the following: "sovereign states have a responsibility to protect their citizens from avoiding catastrophe---from mass murder and rape, from starvation---but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states."[70] Still there was equivocation as to the nature of what it meant for the international community to bear responsibility; yes, three specific responsibilities were implied by the R2P (to prevent, to react, to rebuild), but if, when a state was unable or unwilling to protect, "it becomes the responsibility of the international community *to act in its place*," exactly what sort of transfer of authority was involved in a transfer of humanitarian responsibility?[71] While the Commission acknowledged that "the primary responsibility to protect" rested with the state, might the international community, in fulfilling the residual or reallocated R2P in extreme circumstances, take on local political responsibilities?

The substance of the R2P was described by the Commission as "the provision of life-supporting protection and assistance to populations at risk."[72] Its relationship to territorial integrity, self-determination, and choice or replacement of government was discussed in the report's section on "right intention":

> The primary purpose of the intervention must be to halt or avert human suffering. Any use of military force that aims from the outset, for example, for the alteration of borders or the advancement of a particular combatant group's claim to self-determination, cannot be justified. Overthrow of regimes is not, as such, a legitimate objective, although disabling that regime's capacity to harm its own people may be essential to discharging the mandate of protection---and what is necessary to achieve that disabling will vary from case to case.[73]

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[68] ICISS 2001: 8.
[69] Ibid.: 17.
[70] ICISS 2001: viii.
[71] ICISS 2001: 15. Emphasis added.
[72] Ibid.: 17.
[73] Ibid.: 35.

Yet just as the ordinary meaning of guardianship has at least two different connotations, so too did this appear true of the international R2P.[74] Might the keeping guard of people, through the "provision of life-supporting protection," also confer the position or office of becoming more generally responsible for the care of those people, particularly when they are unable to manage their own affairs?[75] The latter meaning blurred into a logic of trusteeship whereby "taking responsibility" or fulfilling the R2P granted---for a transitional period---foreign authority or control, or at least deprived the malevolent or negligent state of the right to do so. So by inheriting an R2P from threats of large-scale loss of life, did rescuers---interventionists---inherit a tacit responsibility over the territory of the rescued---the people of the state experiencing the intervention? To say so would be to suspend competing claims to supreme authority.

In fact, in the 2001 report, this was explicitly admitted: "Intervention suspends sovereignty claims to the extent that *good governance*---as well as peace and stability---cannot be promoted or restored unless the intervener has authority over a territory."[76] The Commission did stress that "the suspension of the exercise of sovereignty is only *de facto* for the period of the intervention and follow-up, and not *de jure*." But not only was there a concern here about slipping away from a logic of the preservation of life to one of "good governance" as well as "peace and stability," there were also a number of reasons to doubt the relevance of a distinction between the de facto and de jure. For example, cited by the Commissioners was Yugoslavia: "Yugoslavia could be said to have temporarily had its sovereignty over Kosovo suspended, though it has not lost it de jure." This was not clearly true as of 2001, but it was almost definitely untrue after Kosovo's declaration of independence from Serbia in 2008. And surely a very central concern, for the South, was always about intent; about whether there could ever be, in the process of protecting civilians, legitimate intent to take control of internal affairs.

This process of conditionalizing and then revoking or suspending state sovereignty, embodied by the transfer of the R2P from the state to the international community, is what I mean by "responsibility as control." And it is in light of responsibility as control that we can understand the rejection, in the South, of the first of two Responsibilities to Protect: it was surely in reference to a responsibility to control that we find allegations of R2P's imperialistic tendencies and the conviction that the concept is "full of traps" concealing "unmentionable motives."[77]

Intervention was in all cases to endeavour "to sustain forms of government compatible with the sovereignty of the state" but, from the view of the First R2P, such an undertaking never represented a hard limit: one sub-section of the ICISS report was devoted to trusteeship, in which we find the notorious classification of "failed states," and elsewhere it was confessed that "occupation of territory may not be able to be avoided" (as long as there was a commitment to "returning the territory to its sovereign owner at the conclusion of hostilities or, if that is not possible, administering it on an interim basis under UN auspices").[78] In the penultimate chapter

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[74] Guardianship as either "the condition or fact of being a guardian; the office or position of guardian," including as a position of legal tutelage, particularly for those unable to manage their own affairs, or more generally, as "keeping" guard, as "protection." *Oxford English Dictionary*, 2nd Edition, 1989.
[75] Ibid.
[76] ICISS 2001: 44.
[77] Venezuela in A/59/PV.89.
[78] ICISS 2001: 44, 43, 35.

of the report---"Responsibility to Rebuild"---the promise to return the R2P to the state was described not as a returning of the obligation to defend civilians from atrocity or threats to life, but "*returning the society* in question to those who live in it, and who, *in the last instance*, must take responsibility together for *its future destiny*."[79]

So no doubt that R2P was a "linking concept that bridges the divide between intervention and sovereignty," but the way in which the concepts were being linked suggested the possibility of a mechanism by which sovereignty became defeasible, according to which it might be legitimate in the course of protecting lives---its overarching objective---to overthrow governments and regimes, to approve of foreign occupation such that it was conceivable to return "the society in question to those who live in it" at a later date.[80] From the critic's view: in this way, was ICISS not still, fundamentally, the "International Commission on Humanitarian Intervention" (as it was initially called by Canadian officials)?[81] If the sovereignty-intervention dualism was a defining feature of more classical practice, was it not latent in a First R2P?

And basically if these forms provide dual readings of the ICISS report, then they also come to be used in interpreting R2P from 2005 onward. We know the basic transformations from the letter of the ICISS report to that of the World Summit Outcome Document (WSOD): the narrowing of threshold criteria or just cause to four "mass atrocity crimes"; the disappearance of post-intervention obligations and precautionary criteria; the move, explained in the Secretary-General's 2009 report, from R2P's three responsibilities (prevent, react, rebuild) to R2P's three pillars (the primary R2P belongs to the state; the international community has a responsibility to assist with this state duty; the international community has a responsibility to employ "timely and decisive response" when a state "manifestly fails" to protect).[82] And yes, we also know, crucially, that the WSOD did not sanction recourse to "coalitions of the willing" when "the Security Council fails to act."[83]

But the "question of authority" has been poorly understood and only partly uncovered in the context of international-societal discourse. It is not simply, as Chapter 6 in the ICISS report suggests, the sources of authorisation of acts of intervention, the "who will intervene" or the "who will approve of intervention"---the UNSC or groups of states or individual states---but rather the question of what authority R2P might grant to interventionists at the expense of the affected state, whether to "take responsibility" was to take control, as distinct from providing aid; in short, whether sovereignty could ever be legitimately suspended.

So in 2005 there is adopted a "responsibility to protect," but if we look closely, it is not a Southern formulation at the expense of a Northern one, or vice versa. Nor is it a fusion of two viewpoints into one, without their preservation. Despite the global adoption of paragraphs 138

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[79] Ibid.: 45.
[80] Ibid.: 17.
[81] Bellamy cites the commission's original name as used by Lloyd Axworthy in Washington, DC, on 16 June 2000; see Bellamy 2008: 620. In his memoirs Axworthy describes ICISS as having "crafted a definition of sovereignty," such that "[i]f a state legitimately protects its citizens, then it is in full right of its sovereign power. If it fails to do so, or is the perpetrator of a massive attack on the rights of its citizens, then the international community must assume the function." Axworthy 2003: 192.
[82] A/63/677.
[83] ICISS 2001: 59, 53.

and 139, incompatible North-South practices are read into the same document; that the World Summit did not take an explicit stance on responsibility as control is among the most important reasons why the WSOD could be accepted by both sides.

Accordingly it was not as if the WSOD necessarily excluded controversial features of classical humanitarian-interventionist thought. At the Millennium Summit of 2000, in his unveiling of the Canadian-sponsored ICISS, Lloyd Axworthy explained the Commission's objectives in the context of a dualistic choice of either the inviolability of sovereignty or rescue through intervention:

> Nothing so threatens the United Nations' very future as this apparent contradiction between principle and power; between people's security and governments' interests; between, in short, humanitarian intervention and state sovereignty.[84]

At the World Summit, the Icelandic delegation: while "sovereign equality" and "the promise of living in peace as *good neighbours*" were "valuable principles," "Iceland has never looked on the United Nations as a mechanism solely for safeguarding sovereignty." Up to now "the key commitments to the peoples enshrined in the United Nations Charter have not been given their due weight." The WSOD "makes significant strides towards redressing the imbalance. In particular, we have established the concept of the responsibility to protect."[85]

Patterns of Southern contestation at the Millennium Summit also resembled those of the 1999 UNGA debates ("we disagree with the assumption that the principles of sovereignty and humanitarian international law are at variance"; where intervention did occur, "[a]ction must be confined to the saving of lives, not the overthrowing of governments"; "intervention…must never be used as a guise for unwarranted interference in internal state governance.")[86]

At the World Summit was again the denial that humanitarian responsibility might follow a logic of responsibility as control. It was in this way always a consistent argument, not some muddle or confusion, to say, in reference to R2P, "any intervention must give due recognition to the Charter principles pertaining to sovereignty, territorial integrity, and non-interference in internal affairs."[87] Notably the same sort of formulation appeared in the AU's Ezulwini Consensus passed earlier that year.[88]

From one view, then, the NAM strategy on humanitarian intervention had not really changed; the need was to define R2P "otherwise others will define it for us" in a context in which meaning was not settled, in which Northern activism for R2P had reached a high point, but also one in

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[84] A/55/PV.15.
[85] A/60/PV.6. Emphasis mine, to stress a departure from Friendly Relations and 'friendly' interventionism.
[86] Namibia, A/55/PV.5; China, A/55/PV.12; Barbados, A/55/PV.13. Also, Russia: it was possible to draw up "a legal framework for coercive actions on the part of the international community in the case of emergency humanitarian situations" but not through "the concept of humanitarian intervention and limited sovereignty." A/55/PV.29.
[87] Malaysia, A/60/PV.4.
[88] The Ezulwini Consensus approved of AU-led applications of R2P. But note line three: "…this should not be used as a pretext to undermine the sovereignty, independence and territorial integrity of states."

which the WSOD had multiple interpretations. We know, for example, that the NAM "observed similarities between the new expression 'responsibility to protect' and 'humanitarian intervention'" at its summit in Kuala Lumpur in 2003 (and elsewhere), then "requested the Co-ordinating Bureau [of the NAM] to carefully study and consider the expression 'the responsibility to protect,'" particularly on the basis of, for instance, "territorial integrity and national sovereignty of States."[89] We also know that in Havana, 2006, the Movement agreed to "remain seized of the matter" while bearing in mind "the principles of the UN Charter and international law" including "respect for the sovereignty and territorial integrity of states."[90]

This was not so much a rejection of R2P (outright rejections were exceptions to the rule) but an expression of doubt concerning "what is R2P?" or "what are its limits?" And this ambivalence was cited, for instance, when the non-aligned opposed the creation in 2008 of a UN Office on R2P and position of UN Special Adviser on R2P at the Undersecretary-General level (Cuba: "[i]n a letter dated 20 June 2007, the Chairman of the Co-ordinating Bureau of the Movement of Non-Aligned Countries had requested the Secretary-General to take into account, in any decision on that very sensitive matter," the sensitive matter of R2P, "the fact that Member States had not completed their deliberations.")[91] If there was to be a Special Adviser, their role had to be to "assist the General Assembly in its consideration of the issue rather than to promote the idea of the R2P" as if it were adequately or wholly formed.[92]

It was precisely because of what the Secretary-General's Office itself described as the "manifold concerns regarding the conceptual range and application, and the practical implications" of R2P that there had appeared a urgent need to give it "concrete form."[93] The purpose of the UN Office and Secretary-General's reports was always to operationalise R2P through "examination of how to further the ideas" contained in paragraphs 138 and 139---which notably also contained a call for the UNGA to "continue consideration" of the R2P "bearing in mind the principles of the Charter and international law."[94]

And again the need to "further the ideas" of R2P was particularly true of the place of sovereignty and its suspension. As the Secretary-General was putting it in his 2009 report on the subject, "the responsibility to protect is an ally of sovereignty, not an adversary."[95] But at times it was as if the point of saying so was to stress that according to Pillar One, the "primary R2P belongs to states" and that "sovereignty entails rights but also responsibilities." Yet at the heart of North-South disagreement was always the abrogation of those responsibilities and the consequences thereof.

"Neither concerns about sovereignty nor the understanding that sovereignty implies responsibility," noted the SG's report, "are confined to one part of the world."[96] But the precise contents of sets of concerns were unalike across regions. Their substance lay behind or

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[89] A/57/759.
[90] A/61/472.
[91] A/C.5/62/SR.23.
[92] A/C.5/62/SR.28.
[93] Chef de Cabinet in A/C.5/62/SR.28.
[94] Ibid.
[95] A/63/677.
[96] Ibid.

underneath the paragraphs of this and subsequent SG reports, in one sense literally---as was the case with the footnotes of paragraph 8, which contained writings by the then-Special Adviser on R2P Edward Luck.[97] These are writings in which we find references to "the conditions under which rulers surrender the right to govern their people and other nations become free to intervene"; Kofi Annan's 2005 argument (later retracted) that R2P had produced "a new equation, with 'human life, human dignity, human rights raised above even the entrenched concept of state sovereignty'"; the arguments of Francis Deng et al. (reaffirmed in the SG report's seventh paragraph) that "living up to the responsibilities of sovereignty becomes in effect the best guarantee of sovereignty"; the quoting of Thomas Hobbes to the effect that when a sovereign state can "no longer fulfill the function for which he or she was given power," a sovereign state is "no longer owed obedience, is no longer indeed a sovereign."[98]

The use of a kind of neo-Hobbesian logic to refer not, perhaps as it was in *Leviathan,* to the transferring inward of supreme authority to those who both stood behind and consented to obey it, but rather to the viable transferring outward of such a right to foreign subjects as interveners---this was of course always the fear of the developing states. And it was deepened, not alleviated, by the report's suggestion that "Member States may want to consider the principles, rules, and doctrine that should guide the application of coercive force in extreme situations relating to the responsibility to protect. This issue was addressed in the 2001 report of the ICISS and by my predecessor, Kofi Annan, in his 2005 report 'In larger freedom'…"[99]

The concern was always Pillar Three: "we must continue to think in a concerted way about the third pillar" so as to affirm that "no juridical norm can legally justify humanitarian intervention by the Security Council under Chapter VII of the Charter"---where the concept of "humanitarian intervention" denoted not just coercive international action for human rights, but sovereignty's infringement. Coercive intervention was to be "fully consistent with the Charter."[100] That meant recognising that sovereignty was never to be suspended, but also that sovereignty does "not exempt the state from its obligation to protect its population. On the contrary, it is from that very attribute that such obligation derives." R2P "must be implemented pursuant to premises that do not undermine the guarantees and sovereignty of states," it was to acknowledge international versus domestic jurisdictions: "the implementation of the responsibility to protect should not contravene…the principle of non-interference in the internal affairs of states."[101]

Hence "it is critical that our discussions not be reduced to the simplistic dichotomy of states on the one side insisting on absolute sovereignty and, on the other side, R2P proponents demanding that states surrender absolute sovereignty." Clearly "we are all united behind our fundamental desire to protect innocent people and to prevent another Rwanda."[102]

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[97] Luck 2008; Luck 2009.

[98] "Peter Berkowitz put it well…" First reference Luck 2009: 14, Luck quotes Berkowitz 2008: 18. Second and third references: Kofi Annan in SG/SM/10161 and Deng et al. 1996 are quoted in Luck, 2008: xxxiv, xxxvii. On the same page, Luck quotes an analysis of Hobbes contained in MacFarlane and Khong 2006: 39. The authors continue: "the similarity of this view to that of sovereignty as the 'responsibility to protect' is evident." When "there is no protection of subjects in their loyalty; then is the commonwealth dissolved…" Hobbes 1996: XXIX, 23.

[99] A/63/677.

[100] Cuba, A/63/PV.99; Brazil, A/63/PV.97.

[101] Ecuador, A/63/PV.98; China, ibid.

[102] Singapore, ibid.

But if R2P embraced qualified over absolute sovereignty, what was left was to insist upon the difference between qualified and conditional or "limited" or suspended sovereignty. To argue otherwise would be to accept, by alternative means, the worst excesses of the old humanitarian-interventionist form. The Serbian representative could not restrain himself from quoting Martti Ahtisaari, the former President of Finland and subsequent UN Special Envoy for the Kosovo Status Process, who:

> …in an interview with CNN on 10 December 2008, gave his view of the Responsibility to Protect. After acknowledging the fact that the General Assembly had 'accepted the principle of R2P in 2005,' he went on to justify it by saying that '*if a dictatorial leadership in any country behaves the way Milosevic and company did vis-à-vis the Albanians in Kosovo, they lose the right to control them anymore*.' We wonder if such interpretations of the noble concept of the Responsibility to Protect truly lead us away from the supposedly defunct concept of humanitarian intervention.[103]

RESPONSIBILITIES WHILE PROTECTING

I have been arguing that the post-Cold War debate was largely mediated by two rival practices---identifiable as two R2Ps---without denying the reality of a number of ancillary tensions (questions of voluntary veto restraint, early warning systems and rapid response, modes of effective prevention, development goals like food security, etc.) present in informal interactive dialogues of the General Assembly, PoC debates in the UNSC, annual reports of the Secretary-General, etc. The primary contention through late 1990s, but also into the early 20th century, was a theory of relegating sovereignty in international life, such that it might be legitimately suspended in the course of intervention for humanitarian purposes. This exercise of foreign power over internal (including local-political) affairs, this shaping of national destinies from the outside, as a kind of guardianship that was also a trusteeship, served as the focal point of an uninterrupted dialogue in interpretation. Its apogee was in 2011.

It is in Libya that Southern suspicions of a First R2P (whereby, if a state is unwilling or unable to uphold its responsibility to protect its people, "*they lose the right to control them anymore*") are vindicated, and it is from this point onward that the conversation takes a new turn. I do not want to suggest that R2P "died" in Libya---clearly, for most states, it did not.[104] Nor do I want to suggest it "decayed"---unless we have in mind its Northern practice. Because by the end of 2011 there is a relative uptake of a sovereignty-insistent version of R2P in international discourse. Accordingly it is not that 2011 marks the failure of R2P as a principle (a more successful application in Côte d'Ivoire is often cited, for instance), but that the problem of Libya comes to resemble the problem of suspended sovereignty: Libya exposes a clash of practices that was already present, and triggers a new rejection of any implicit "responsibility as control" in the international responsibility to protect.

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[103] Serbia, A/63/PV.101.
[104] See Welsh 2013.

That is how the intervention was being understood by the South: NATO had gone "far beyond the letter and spirit of resolution 1973" by "[a]busing the authorisation granted by the Council to advance a political regime-change agenda."[105] Intervention had obviously been approved---if we mean intervention as international involvement or coercion, but not intervention as the infringement of sovereignty, as control over the internal affairs and political destiny of Libya. It was the way in which intervention became involvement in civil war, rather than the arguably separate activity of guarding civilians from impending violence. The intervention had become a decisive attack---an attack against loyalist forces and loyalist strongholds, through sustained air coverage for rebel fighters---as opposed to a humanitarian defense---a defense of both civilian supporters of the TNA and civilian supporters of the government.[106] NATO sorties had crossed into the local-political, under the banner of the international-humanitarian, to conquer an old enemy; it was fitting that American-French air strikes against Gaddafi's personal convoy led directly to his capture and extrajudicial killing by Libyan rebels.[107]

The Western response seemed to suggest, in contrast, that while "the overthrow of regimes" was not a core interventionist objective, disabling regimes was, in particular circumstances, "essential to discharging the mandate of protection."[108] "That is what we did in Libya…By striking Colonel Al-Gaddafi's forces before they entered Benghazi, France and its partners helped to prevent a massacre there…"[109] But even after Benghazi had been saved, humanitarian risks remained; Gaddafi's complicity in large-scale violence against his own population was clear, such that, as a tyrannical figure, he could not be trusted to refrain from further atrocities, and was unlikely to abide by a truce. The next question was whether he had consequently lost the legitimacy to rule: to which key NATO governments answered, as early as 15 April, with an unmistakable yes.[110]

A series of facts were acknowledged by both sides---for instance, that resolution 1973 had authorised "all necessary means"; that the ICC had issued arrest warrants for Gaddafi, Said al-Gaddafi, and Abdullah al Senussi; that Gaddafi had incited extreme violence in language eerily reminiscent of previous atrocity scenarios; that resolution 1970 banned arms shipments to either side of the civil war; that the Arab League, while clearly calling for a no-fly zone, did not clearly support NATO's subsequent bombing campaign; that the AU had pursued a strategy of mediation, to the effect that it called formally for an end to NATO air strikes; that the preambular section of resolution 1973 reaffirmed a "strong commitment to the sovereignty, independence, territorial integrity, and national unity of the Libyan Arab Jamahiriya."[111]

The issue was never the denial but evaluation of these facts: the assessment of what actions were really approved, and what feasible options, if any, for the effective protection of civilians existed outside of air strikes as actually employed. As an ethical matter, Libya was never about whether

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[105] South Africa, S/PV.6650.
[106] Admits Anne Marie-Slaughter, former Director of Policy Planning at the State Department: "We did not try to protect civilians on Qaddafi's side." Quoted in Becker and Shane 2016.
[107] See e.g. Human Rights Watch 2012.
[108] Language from ICISS 2001: 35.
[109] France, S/PV.6531.
[110] E.g. the joint letter by Obama, Cameron, and Sarkozy 2011.
[111] S/RES/1973 (2011); S/RES/1970 (2011); see e.g. the decisions of the African Union at the Malabo Summit.

to intervene---all agreed that "intervention," at least in the by-now common and loose sense of the word, was necessary---but the manner in which intervention took place.

And it is in this context that we must understand Brazil's Responsibility While Protecting (RwP) proposal.[112] True, the RwP concept paper was not just a response to Libya, but it contained within it the makings of a strong critique of NATO's intervention and the idea of a "Libya model," and it becomes a kind of channel through which to make arguments corresponding to Southern practice. At the same time, it is written in such a way so as not to expressly exclude a Northern reading of R2P, ensuring that RwP is neither outright rejected nor fully accepted by the West. This was its political feat: to create space for a confluence between Northern and Southern practices, much like the WSOD had done, while also pressing upon themes of interest to the South especially, including the authority endowed to interveners.

There were very crucial components of Brazil's concept paper which stressed prevention and non-aggravation of existing conflicts ("our collective point of departure should resemble the Hippocratic principle of *primum non nocere*---first, do not harm") but it was RwP's emphasis upon accountability to Security Council mandates that mattered most ("enhanced Council procedures are needed to monitor and assess the manner in which resolutions are interpreted and implemented to ensure responsibility while protecting.")[113] By drawing attention to accountability in implementation, and particularly to the monitoring of mandates under R2P's third pillar, RwP proposed a procedural path through which to protect the sovereign equality of states, as an expression of right conduct in protecting.

To be clear the RwP document itself did not explicitly cite the indefeasibility of sovereignty---and perhaps for this reason did not immediately receive sanction from the South, nor even from the BRICS.[114] But it was probably also because of this reticence that RwP, initially seen as an obstructionist tactic, is eventually acknowledged in the North as a potentially constructive contribution.[115] On the one hand, accountability in implementation might have resembled the *jus in bello* provisions that defined "other precautionary criteria" in the ICISS report's chapter on Responsibility to React.[116] On the other hand, and particularly from a Southern interpretation of accountability, an RwP might effectively become a responsibility to respect the line between domestic and international affairs, to strictly adhere to the letter of adopted Council resolutions. While protecting, there was a duty to stay out---to stay out of local political affairs while ensuring the safety of innocents, to respect self-determined futures. In an indirect but very significant sense, then, the proposal for an accountability mechanism becomes an expression of the South's earlier rejection of classical humanitarian interventionism, as distinct from international humanitarian action.

And in fact, this is precisely the sort of use of RwP that we begin to see among prominent players outside of the West. "[R]egime change and the arming and harming of civilians cannot

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[112] A/66/551.
[113] Ibid.
[114] See e.g. Spektor 2012.
[115] Assuming modest alterations regarding sequencing, which Brazil informally granted.
[116] ICISS 2001: 35-38.

be justified in the name of protecting civilians," explained South Africa, "those entrusted with such responsibilities must uphold them while protecting civilians, as clearly stated by the representative of Brazil."[117]

> The protection of civilians falls within the realm of humanitarianism. There should be no political motives or purposes involved, including regime change. For that reason, how to strictly and effectively monitor the implementation of Security Council resolutions has become an important and urgent issue. China welcomes and will carefully study the concept paper proposed by Brazil and actively supports discussions considering that paper.[118]

In the same meeting India also refers to themes of accountability and "monitoring of the manner in which the Council's mandates are interpreted." "The Council's recent actions have brought to the fore a considerable sense of unease about the manner in which the humanitarian imperative of protecting civilians has been interpreted for actual action on the ground."

> The actions of the Council and the international community should facilitate engagement among warring factions in a conflict situation in a nationally-owned and inclusive political process and not complicate the situation by threats of sanctions, regime change, et cetera. This inclusive approach to national reconciliation, anchored in state sovereignty, is the only way to move forward and ensure the protection of civilians in an effective, pragmatic, and enduring manner.[119]

To illustrate the conceptual moves: Resolution 3313 (XXIX), adopted in 1974, claimed that qualifying as an act of aggression was "[t]he use of armed forces which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided for in the agreement."[120] An illegitimate application of R2P seemed to be an intervention into the territory of a state, with the agreement either of the receiving state or of the Security Council, that contravened the conditions provided for in the agreement. The expectation here was that the conditions provided for in a POC mandate would also be conditions of, to use the words of Resolution 1973, a "strong commitment to…sovereignty, independence, territorial integrity, and national unity…"[121]

According to some practices---particularly those which permitted, under extraordinary circumstances, the suspension of sovereignty or foreign-imposed regime change---the introduction of such a mechanism might enable the sabotage of R2P. But to others, it marked the concept's progressive institutionalisation.

CONCLUSION: INTERVENTION AND SOVEREIGNTY'S SUSPENSION

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[117] South Africa, S/PV.6650.
[118] China, ibid.
[119] India, ibid.
[120] A/RES/3314(XXIX).
[121] S/RES/1973 (2011).

I have been suggesting that the intervention/non-intervention debate in the post-Cold War period saw a continuity between the HI debates of the 1990s, and the R2P debates of the early 2000s. In Northern practice, I have suggested, certain key features of CHI remained consistent with R2P. In contrast Southern practice accepted a qualified but not suspended sovereignty.

In short, at the end of the century, something interesting happens: the age of a human-rights-based non-intervention is largely eclipsed, the age of a human-rights-based intervention begins. It is true that the South begins to use the language of intervention, the South does go interventionist, the protest takes a new turn insofar as non-intervention is construed as non-involvement. But what does not occur is a relegation of the sanctity of sovereignty, of sovereign equality, even in international intervention for humanitarian purposes.

To understand, we must appreciate how there was also occurring a kind of gradual dismantlement of the logic of intervention as a political concept, toward a constitution that was divorced from self-determination and employed much more loosely in debate. It is this dropping out of self-determination---as a constitutive feature of non-intervention---and a subsequent re-definition of intervention as "broadly as possible," particularly in the aftermath of tragedies like the Rwandan Genocide and as exemplified by the framing adopted by the UN Secretariat, that creates political space for new debates about the international promotion and protection of human rights in international life.

If all accept that "[n]othing should be used as a convenient mask to hide genocide" then the following sorts of lines come to define Southern practice: a sensitivity to the separate spheres of international versus domestic obligation or affairs, an appraisal of the location and function of consent, and a clear distinction between suspended and qualified sovereignty. We ought to use this language of suspended sovereignty---rather than conditional or limited sovereignty---to emphasise that an indefeasible sovereignty might still be qualified. And if the 1990s decouple self-determination and non-intervention, and the portrayal of non-intervention not just as non-pressure but as non-involvement, then the revolt against the ICISS report is about the existence of a mechanism which might enable sovereignty's suspension.

The notion that when a state manifestly fails to uphold its R2P, supreme authority over internal affairs might transfer with or become interrupted by the international adoption of the responsibility to protect---this is a process that might have been called not "sovereignty as responsibility" but "responsibility as control." And what I have been saying then is that the difference then between a logic of qualified sovereignty on the one hand, and suspended sovereignty on the other, might imply the possibility of two Responsibilities to Protect.

The essential historical-discursive question, then, becomes this: inherent in Northern practices of R2P, was there not hidden a logic of the suspension of sovereignty that was also crucial to classical conceptions of humanitarian intervention? The WSOD provided no clear or definitive answer. The legacy of the World Summit has to do with the General Assembly's adoption of the language of R2P, but also the persistence of unalike Northern and Southern interpretations.

Contestation of R2P through the 2000s, and especially from 2009 onward, has accordingly been largely misunderstood. It is too easy to say that the non-aligned were having second thoughts or

sought the renegotiation of what had been agreed upon in 2005. Rather the tension emerged between rival practices; accordingly it was always the clarifying and "furthering" of the R2P concept (to give it more "concrete form") that constituted formal objectives of the Special Adviser's Office and SG reports. True, what I have not done in this chapter is an outlining of all plausible transformations occurring in this period and across annual reports or informal dialogues. But these changes seem secondary to the clash of two broader and, in terms of their fundamental features, much older discursive practices, of which---to summarise the last step taken in this chapter---the crisis in Libya becomes a culmination.

2011 marks a new rejection of Northern practice, but not a rejection either of the protection of civilians or R2P generally. To argumentative trends was added the declaration of "no more Libyas"---but in the sense of no more interventions like the Libyan one insofar as NATO allegedly overplayed its Council mandate, becoming involved in warfighting, not civilian protection. And no doubt it is also a presumed intent to apply again the "Libya model" that underpins ethical debate over the crisis in Syria---a case which I have not had the space to discuss, but which also suits the forms discussed. The debate from 2011 onward is not about "no" to intervention or "yes" to intervention, but the character of legitimate and illegitimate intervention. Brazil's proposal of an RwP becomes an expression of this point.

And RwP is put to use in ways corresponding to a sovereignty-insistent practice: an accountability mechanism provides a conduit through which to "observe the principles of objectivity and neutrality and fully respect the independence, sovereignty, unity, and territorial integrity of the country concerned." To be avoided is "any decision to intervene that is associated with political motives" and foreign control over local political affairs; assessment of Council mandates accordingly provides an avenue through which to responsibly protect. None of this implied abrogation of the international R2P as the duty to prevent large-scale human rights abuses, including under Chapter VII. In fact, for its supporters in the South, more was to be done on this level of emergency collective action, though in a different chord: "in this context it is pertinent to mention that we find several member states all too willing to expend considerable resources for regime change in the name of protection of civilians" yet "unwilling to provide minimal resources, like military helicopters, to the United Nations peacekeeping missions."[122]

What I have not had the space to do here is to examine in detail the 2018 and 2019 UN debates on R2P. It is true that in 2018 the General Assembly decided for the first time in 12 years to include R2P an agenda item for its 72nd session.[123] And it is true that a great number---even large majority---of states supported this move. But it must be noted that the proposed purpose of the debate was never to operationalise a concept already formed, nor to adopt a draft resolution, but "to build consensus" and find "further common ground" precisely because "we are not all on the same page."[124] Overall, when we look at the content and outcome of these discussions, what we continue to see in fact is the clash between two Responsibilities to Protect: one of sovereignty's insistence, such that "R2P is not a justification for intervention by external actors in the domestic

[122] India, S/PV.6650.
[123] See A/72/PV.2; 113 votes to 21, 17 abstentions.
[124] Ghana, A/72/PV.2; Ghana and Australia jointly requested inclusion of the item on the agenda.

affairs of sovereign states," the other of its suspension, such that while "national ownership is important," there is a "fundamental tension" when states fail to uphold their primary R2P.[125]

The extent to which one of these forms might overtake the other was the key historical problem of the "humanitarian intervention" debates of the 1990s, and it remains the problem of intervention in R2P. The notion that there could be such a thing as intervention for the prevention of large-scale human rights abuses which did not "become involved with internal affairs" or infringe upon sovereignty was the fulcrum upon which we could have an age of interventionists---it is also the fulcrum upon which that age might be eclipsed by another.

[125] Compare e.g. the comments of Singapore with comments of the UK in A/72/PV.99.

CONCLUSION

This project has been about statespeople and their ordering of international social life. And in particular, the attempt of statespeople to make sense of what it means to mind your own business. I have been looking at Third World protests against Western-dominated order, tracing changes in the discursive practices that constitute intervention in international society, as part of a story that is bound up with where we are, and where we might be going.

San Francisco's moment, that of dictatorial intervention, shows how, from the very beginning, postwar order was marked by a North-South confrontation on the meaning of state-based non-intervention. What to make of the fact that the Sponsoring Powers chose to inscribe into the Charter the minimalist interpretation with which most academics are familiar and take for granted---that the one assumed by Oppenheim and Lawrence---at the expense of a widely proposed alternative---that which is reflected in Calvo, Montevideo, Chapultepec, etc.? San Francisco is a story of the failed attempt of a Latin American-led coalition to re-constitute intervention according to a logic of the effect and consequence of foreign influence on state "personalities" and its "destinies." If Article 2 (4), the Charter's expression of non-intervention as an obligation of states, was underpinned by a desire to preserve, from a cynical view, imperial privilege and an agreeable distribution or balance of influence among major powers, then we might identify in Article 2 (7) not just a different formulation of the concept as it was to order the rights of the UN towards its members, but a commitment to a very similar sort of political program---one that was sovereigntist in respect not only to its denial of the compulsory jurisdiction of international courts, but to its rejection of a range of conceivable enforcement powers available to the General Assembly and other UN organs.

This is precisely opposite to the function of the concept as associated with the Bandung Spirit in the following decades, a spirit to be associated with the Asia-Africa Conference of 1955 but also a series of other intergovernmental meetings, especially of the non-aligned. Here an emerging Third World identity seeks to re-order intervention in a manner that is reductive of the external vulnerabilities of smaller states, and expansive in terms of the content and scope of collective duty. For Southern governments, non-intervention is yes, one of five principles of the Panchsheel, but comes to be practiced in a context not limited to the Panchsheel. Its use in relation to the promotion of human rights and self-determination---a single most important and prerequisite human right---is about narrowing the band of legitimate action then-available to hegemons, and broadening the band of legitimate resistance against foreign domination, particularly various iterations of colonial domination and extreme racism. Issues of large-scale human rights abuses, atrocities, and crimes against humanity---apartheid, colonialism itself---once resigned by a Northern coalition to the "purely domestic" become repossessed by the international; they become violations of the principle of non-intervention. In its radical and Tricontinentalist formulation, "full support" for the national liberation movements, by "all means necessary" and across state borders, becomes an international responsibility consistent with a declaration that "no state has the right to intervene, directly or indirectly, for any reason whatever, "in "any form." We can thus identify an internationalism of the Third World revolutionaries within an ongoing global debate on intervention---certainly it was alleged an interventionism by its Western critics, and, all would agree, contained a recurring set of claims about the limits of intervention as an act---which, in different versions, enjoys considerable

popularity at the summits of the Non-Aligned Movement. In a general form anti-colonial intervention begins to circulate in friction with interpretations written into the Charter.

We have seen that in picking up this interpretation in the UN, the South was seeking, quite self-consciously, to redefine the form and function of non-intervention as conceived in the Charter. A politico-legal struggle emerges in the 1960s and 70s defined by the South's promotion of anti-colonial intervention and the West's late defence of its dictatorial counterpart, which is also a struggle over the positioning of self-determination at the heart of the constitution of what it is to intervene. This process I considered in relation to the Friendly Relations Declaration, which I traced in the meetings of the Special Committee and the writing of the first Declaration on Non-Intervention in 1965. In places like Mexico City, in some of the most controversial global deliberations since San Francisco, states convene to ask specifically, "what is non-intervention" in a manner that not only departs from the letter of Article 2 (4), but particular relationships of non-intervention to human rights: constantly in the crosshairs here is the legitimacy of various types of international assistance to the national liberation movements. Dictatorial intervention slips, the West does bend, there is a broadening in perceived forms of intervention as an act, such that intervention is increasingly practised as an effect of foreign pressure. Yet there is less agreement on intervention as the effect of infringement upon self-determination, and even less on intervention as the effect of infringement upon the self-determination of peoples.

So I hope to have qualified my discussion to an such extent that 1970 is not simply a story of anti-colonial intervention in diffusion. But still, there is a shift; we might explain it as a shift from approaching intervention as a problem of security, to approaching intervention as a problem of good-neighbourliness, rather than peaceful co-existence. We can immediately start to see applications. Statespeople, particularly in a Western tradition, had approached intervention as a matter of security, and so too has this been true of Western academics: studies of intervention become studies of coercive interference, dictatorial force, just war, measures "short of war" but violent still, etc. But actually there is another approach to all of this: a practice of intervention as amiability, and we can imagine studies of intervention as amiability, too. So a 'friendlier' intervention, we might say, is about a broader discretion. And I think it takes hold among members of international society, some begrudgingly, by the early 1970s.

This thematic, through the 1970s and early 80s, then faces another protest, another scene of discursive change, and international-institutional campaigns. Because surely there remains a great deal of disagreement concerning the responsibilities of good neighbours in respect to human rights and emancipation; and conditions of meaning change further in tandem with new problems, technologies, and re-distributions of power. It is for this reason that we see a call for a second non-intervention declaration in the UN, which is eventually adopted in the General Assembly in 1981---a Northern coalition votes against. New constitutive pillars emerge: one is the NIEO. Non-intervention comes to be used in the context of the control of natural resources, to the nationalisation of various forms of property, to the regulation of transnational corporations, to the creation of producers' associations and price controls, including the oil weapon. Within this pillar we might also locate the NWICO. Non-interventionist regulating of international-information flows, "false news," defamation, and propaganda---and launching of various countermeasures, for instance, a news agency pool like a producer's association---is no doubt related to appearance of new communicative technologies. I hope to have suggested that

direct broadcast satellites is a good illustration. It is this new application of self-determination, especially as a path towards development in international-economic but also international-communicative networks, which impresses upon global debate through to the events of 1989. So an anti-colonial and more broadly emancipatory intervention logic appears within the Second Non-Intervention Declaration, and, I think quite importantly, calls into question for instance not just the placement of the line between the national and the international, but relatedly between the ordinarily public and ordinarily private.

The debates of the 1990s and early 2000s are in many ways where this project all began. These are the most familiar to us. In the context of catastrophes in Eastern Europe and Northern and Central Africa, as well as, very crucially, the unipolar moment, the question of humanitarian intervention achieves a new political currency. But it is not just that human rights would again serve as a basis for moderating sovereign rights and duties, or would again bestow certain corresponding responsibilities to the international community, it is that the terms of the debate are recast. The discussion is carefully, and deliberately, re-framed: in particular I have tried to show how the meaning of intervening becomes decoupled from self-determination. Yes, there is by 2005 a coming-together among smaller and larger states, but it is partial overlap, it conceals a set of very crucial differences in interpretation. We can expose that set of differences by studying the clash of two Responsibilities to Protect---one Northern, one Southern---which we can ascertain in international discourse by distinguishing between, first, conditional and qualified sovereignty, and relatedly, second, between "sovereignty as responsibility" and what I have called "responsibility as control."

All this seems like a very significant departure from what states believed and practiced during the Cold War, but not for the reasons we commonly assume. Yes, a humanitarian exception is being contemplated, but what seems so striking is not just the reappearance of atrocity prevention in connection with intervention/non-intervention, it is rather the notion of non-intervention comes to mean international non-action or more specifically non-involvement. The post-Cold War marks a gradual disappearance of a logic of self-determination from constitution of intervention as an act. "Intervention" is formulated by statespeople much more loosely. The key moves can be seen in Kofi Annan's 1999 address and the policies of the UN Secretariat from this point forward, as well as in the OAU/AU and among members of the Non-Aligned Movement. Consider intervention's changing relationship to consent, for instance: that it becomes reasonable in these settings to speak of "intervention by invitation" or intervention as peacekeeping. This type of reading has significant repercussions. We can see how it can be used to reject the premises of a choice between sovereignty and non-involvement on the one hand, and non-sovereignty and international involvement on the other.

So the 1990s and 2000s are of course the decades of a "sovereignty-intervention debate" from the perspective of prominent Western readings of, for instance, the ICISS report and R2P. Yet what we see in a Southern R2P is a qualified but not conditional sovereignty, such that it is logical to undertake coercive intervention for humanitarian purposes without infringing upon self-determined futures, without infringing upon what is called in this context sovereignty or sovereign equality. A Responsibility While Protecting becomes a responsibility to respect this process of self-determining, and to non-interfere in internal affairs, which at the same time upholds civilian protection as a non-internal or international duty.

We come to appreciate, in short, that the "sovereignty-intervention debate," in global international society, is a misnomer. And it is a misnomer in the context of modern R2P not only because sovereignty implies responsibility; but because sovereignty implies control, and self-determined futures, because qualified sovereignty is not necessarily conditional sovereignty, and because the corollary of sovereignty is not necessarily non-intervention.

That this sort of dualism cannot hold, on levels not limited to these Responsibilities to Protect, is one thing I hope to have suggested in all of my historical investigations. All recent eras or ages of intervention, and non-intervention, contain some relationship with international humanitarian involvement, with an interstate solidarity that curbs autarchy and expands the international. Still, it is clear that precise interventionist forms and their politics have not remained the same. To think about a history of the present notion of a global sovereignty-intervention debate is to do the opposite of a history of the past in terms of the present: it is to show that a more genuinely global history of what we thought we knew as "sovereignty-intervention" is actually more a history of "intervention/non-intervention."

INTERVENTION IN TRANSVERSALS

"The whole question of intervention," observed Liberia in the pivotal UN debates of 1965, amounts to "confrontation between great and small powers. It was in terms of that division rather than exclusively in terms of ideological divisions that the whole problem should be approached."[1] Certainly I have argued that this is, on one very important level, very correct.

Now at first blush a North-South argument might be assumed familiar---we might anticipate a critique of intervention as a Western-imperialist concept, as a technology of oppression, as a Trojan horse or hegemonic ideology. But I have been trying to stand outside the usual critical or postcolonial accounts: what I have attempted to do instead is to approach the question of intervention, in the society of states, as a North-South dialogue that is also a political-discursive struggle, one in which we understand, for instance: that any conceptualisation of non-intervention necessarily involves a specific way of conceptualising intervention, since the two are mirror images; that what seems at once interventionary and non-interventionary, from the view of different practices, has often been at the heart of disagreements about how to correctly mind one's own business. It hence seems too easy to summarise the question of intervention as that of a glove over the hand of empire or a "civilising mission in new clothes"---though no doubt intervention has been, among other things, exactly that. So without denying the concept's most abhorrent complicities, and without denying a number of very important substantive conclusions associated with this sort of critical or postcolonial perspective, the point has been to critique from across multiple interpretations, rather than from within any particular form.

In this way I would describe the story as having moved transversally: it is a history in contrasts and comparisons that, in passing through and connecting multiple practices, both North and South, has tried to say something of relevance to many sides. What I have not shown is a long or direct descent of any particular form, but the relations of several interpretations or applications in remoteness, where they stand with respect to each other, when, and how, with some discussion

[1] A/C.1/SR.1401.

of why. In all this my tone has been critical---it had to be, and ought to be---and one very important point is to provincialise or de-centre Western meanings, and to alter self-understandings. But I have also tried to reveal something about intervention and non-intervention, as concepts, in general.

Summed up differently, my purpose has been in a sense cartographical: if intervention and non-intervention are concepts contested in their use, then their history is a record of the evaluative boundaries and partitions that states have marked off in their international discursive practice. Early on I used a metaphor of lines as expressive of conditions of meaning---as expressive of a substantive design of some constitutive claim---and as a kind of framework for illustrating my approach methodologically. If this much seems to aid our understanding, then another way of seeing all this might be on a kind of map of global order, or the section of that map which the rules of intervention and non-intervention could be said to represent; instrumentally then, I have been sketching out state-led campaigns and struggles for its lines, on this map we can imagine regional designs superimposed, in overlaps and differences.

And I hope to have done so with a series of effects on current debates.

1. First, I think we have come far away from classical English School and constructivist accounts of the subject, without leaving behind the general and very important notions of international society or the social-constructed nature of world politics. The case that I have been making is not just that analytical categories like norms and principles ought to be supplemented by notions of practice or discourse, but that we should be questioning certain dichotomous terms of the intervention conversation, and offer something more liberating. The dichotomies I have in mind are both broadly politically influential and recently associated with important strands of ES and constructivist scholarship: of norm emergence or norm decay, on the one hand, and the rise or fall of post-Westphalian or liberal-solidarist order, on the other.

Around these sorts of problems, I hope to have offered a very different iteration of pluralism than we have come to know. Where pluralism and solidarism have come to be understood as opposite normative approaches to the legitimacy of humanitarian intervention in the post-Cold War, each pole also came to be identified with previous historical studies regarding the development of intervention norms in international society: Wheeler's solidarist argument in favour of intervention, published in 2000, against the backdrop of Vincent's earlier pluralist argument in favour of non-intervention, published in 1977, for example.[2] If solidarism endorses here a new consensus on legitimate humanitarian interventionism, as part of a radical moral transformation of international society, pluralism comes to imply the advocacy of a particular set of pluralist rules and norms, particularly sovereignty and non-intervention, understood as abstention from international coercive interference.

But one alternative pluralist response to the solidarist challenge of the post-Cold War is not simply an appeal to the alleged substance of old-style orders---as substance perceived to underwrite stability, in the presence of disparate conceptions of justice---it is a recognition and contemplation of the uses of a plurality of historical contestations. I mean to have invited a sensibility that is highly suspicious of solidarism as normally used in this context (as a kind of

[2] Wheeler 2000, Vincent 1974. See also the discussion in Welsh 2011.

liberal-interventionist monism), such that freedom is to be achieved not through a single, universal horizon of justice, but through an affirmation of different visions of justice (coming to inform a plurality of claims to the content of global order). But affirming that plurality need not mean taking a single, substantive position on the composition of intervention/non-intervention, intended to preserve more comprehensive doctrines. It might also reflect pluralist values: to be uncovered from the past are pluralities of forms of intervention and non-intervention, as repertoires for problematizing across contexts, for bringing to light the many choices available to us, as materials for improvisation in the present.

So this sort of account of intervention in global order might plausibly fit into a longer-standing intellectual tradition of pluralism---concerned generally with diversity in co-existence---but unlike in the ways we might expect. My position has not been expressive of a commitment to a relatively thin set of rules of sovereignty and non-intervention (amounting to say, abstention from international coercive interference). Rather than advocating specific rules or norms, the objective has been much more exploratory and process-oriented; it is the process or method that is pluralist, or agonist-pluralist.[3] The liberal-solidarist credentials of the various practices are up for debate, and there has no doubt been some sort of solidarist substance to the revolt and its forms, but it is a pluralist faith behind their identification and comparison.

In short what I have tried to do is replace a focus on the consensus, or its collapse or decay, with a reading of encounters and the creative potential of the conflict. Because there is an emancipatory dimension in the friction and motion of practices, both in the highly-politicised dialogues of international society---where mutual elucidation and change is also a dimension of struggle, where practices might adapt or synthesise precisely because of conflict (e.g. the rearrangement of a dictatorial intervention through the Friendly Relations process)---and, I hope to have suggested, in the doing of critical-historical analysis itself.

2. The other central misconception in current debate, which I have often addressed quite directly (e.g. Chapter 1), and on which the thesis as a whole comes to bear, has had to do with singular contents of intervention and non-intervention. Singularity in meaning underpins the dichotomies mentioned in point one. And not only have I shown why this is philosophically unjustified---one lesson we can draw out of Princeton, 1967---and historically incorrect---particularly in terms of actual discursive practice among statespeople---I think it presents serious limitations on the moral and political possibilities of the present. Hence the implications of proving the contestedness of these terms, and, of contextualising specific forms at specific moments in actual international discourse, seem significant.

As an illustration I think we can connect this again to major ES debates, and particularly their practising of non-intervention, on both pluralist and solidarist sides. To refer again to my chosen flagbearers: in early Vincent we can find the argument that "a general moral judgement then, might be that the principle of nonintervention is an amoral rule---that it might serve a moral purpose only accidentally and not by design."[4] And in Wheeler: "what moral value attaches to

[3] Because pluralism represents a broad and ongoing political and political-theoretical tradition. See Chapter 2 in Hurrell 2007. More agonist pluralisms might draw from the work of e.g. William Connolly or Bonnie Honig.
[4] Vincent 1974: 344

the rules of sovereignty and non-intervention if they provide a license for governments to violate global humanitarian standards?" Is it not for this reason that "humanitarian intervention exposes the conflict between order and justice at its starkest"?[5]

Here non-intervention is rendered as an absolute proscription on international coercive interference, for any reason, in any form. Non-intervention represents a kind of obstruction to the realisation of universal human rights, to the prevention of mass atrocities, to processes of globalisation and world society-making, and to international solidarity at the expense of autarchy or sovereignty in various formulations.

Not so, I have repeatedly argued. In the whole of its historical use non-intervention is no doubt a correlative of sovereignty, including relatively absolutist versions, but it is not its corollary. And solidarism, including through the international promotion or even forcible protection of universal human rights, may be and has been expressed through non-interventionist logics. I think I have demonstrated this in a number of ways: the collective security provisions of an effective non-intervention, the spectrum of international assistance implied by anti-colonial non-intervention, inclusive of various types of coercion, the various developmentalist assertions of an emancipatory non-intervention, the peacekeeping, peacemaking, and civilian protection mandates embraced by a Southern R2P.

As for the alleged mutual exclusivity of non-intervention and globalisation: I think we could listen, again, to Southern non-interventionists themselves, in response to precisely this sort of argument raised then by the United States, at Mexico City, 1964. "Support for the principle of non-intervention and the free development of nations was not, as was sometimes claimed, inconsistent with the idea of world integration," just as it was not inconsistent with the promotion of human rights, and the prevention of what states were calling "crimes against humanity" including genocide and apartheid.[6] This was Yugoslavia's reply. Mexico: "There was no doubt that the world was undergoing a process of integration, as the United States representative pointed out."[7] But there surely existed "a very wide margin for the application of the principle of non-intervention" which seemed underappreciated in the North.[8]

A history of intervention/non-intervention is a combative history because it reveals the convenience of these old binaries, rather than their truth: it was never true that solidarists were interventionists but not non-interventionists, that newly independent states of the South were somehow absolutely sovereigntist, that non-intervention had granted through the Cold War anything like a "license to kill," that 1989 ushered in an unprecedented era of legitimately "saving strangers," that sovereignty and non-intervention were once widely understood by states as a legitimate shield against accountability for extreme human rights abuses (like apartheid), or that, for a brief moment in 2005, the world was all of one mind, before fracturing just recently. A move from singular meaning or singular practice, towards a more historically persuasive understanding of international contestation, of the arguments actually made by statespeople themselves, shows instead a much more complicated picture.

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[5] Wheeler 2000: 27, 28.
[6] A/AC.119/SR.25.
[7] A/AC.119/SR.30.
[8] Guatemala in A/AC.119/SR.32; Mexico in A/AC.119/SR.30.

No doubt, at some level of abstraction, we can locate various institutionalised "eras" or "ages" of intervention or non-intervention in global order since 1945, but, again, it seems difficult to see just any one of them as distinctly humanitarian, or protective; it seems much easier however to identify eras and ages as humanitarian or protective in different ways, according to different constitutive logics, for different actors, in light of changing political agendas and problems.

3. And all this relates to the development of alternative starting points for the study of intervention in IR generally, particularly as attempts at avoiding certain types of ethnocentricity, or at least mitigating their effects on our understandings of diplomatic culture.

I hope to have proven the following: we cannot, even as a rough guide, take as our starting point, in a study of global international society, "the kind of definition of intervention offered by the traditional international legal publicists," that of "dictatorial or coercive interference."[9] Nor is this the place to accept a reconceptualisation of "intervention as a specific modality of coercion…relatively well-suited to the regulation of conflict between territorially bounded political communities and transnational social forces."[10] The problem is not just that these represent particular sets of beliefs about what intervention is, which seem tied up with historical Western practice and its politics, but that they entail a research bias in the study of global-international normative structures. We might have thought to finesse this by attempting intervention "as a scientific concept," but we have seen why this cannot work, either.[11] Insofar as we seek to account for contestation, to make sense of its state participants, to understand what is believed cross-culturally, then we need to start from intervention and non-intervention as actually interpreted in the struggles of statespeople.

In a study of international society, but I think surely elsewhere too, what is required is a much more adaptive meaning---it needs to be adaptive to the changing conditions of its use, located historically within a framework of varied moral and political circumstances. The term intervention refers to a judgement made of international action in a specific sort of context: the affairs belonging to others. It is because of not simply geographical borders but perceived boundaries---the domestic from the international, for instance---that we should approach the problem of intervention, or non-intervention, as minding your own business. Yet this very abstract definition alone is insufficient, to be useful it must be specified further, and here, as we have seen, there is persistent disagreement as to its proper application in international life (constitutively and, or as inclusive of, regulatively).

Faced with this, the choice is not either to adopt their conceptualisation, or ours, but rather: how to go about studying the possibilities and play of multiple interpretations, about explicating the history of international discourse so as to say something about international cultural convergence, or at least about the state of global order. By starting with quandaries of practice, we are making states more understandable, as agents who define the debate and its various terms, on whom our own substantive understandings should not be projected. We are clarifying

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[9] Bull 1984c: 1.
[10] MacMillan 2013: 1039.
[11] Rosenau 1969. I discuss this in the first chapter.

internationally-shared, cross-cultural problems having to do with intervention, through the self-descriptions and practices of the statespeople who share them.

And in addition to providing explanations of global problems, according to meanings contained in polarised or competing practices, we are bringing to light the various faults or trade-offs of just any one of them, both in particular historical contexts and in contexts of the present, as a comment on the possibilities that have been and might be available to us, within those global problems. Very significantly, then, all this has also been about opening up the range of choices available---ethically, institutionally, strategically, analytically, etc. These are choices to be made in scholarship, yes, but also foreign policy.

And there are many options here. I have exposed a number of logics reflecting significant and sustained historical use, both Western and non-Western.

Some of them seem quite radical: that intervention is the effect of foreign pressure, or the suppression of state personalities or self-determined futures, if not self-determination itself. And they address a number of pervasive misunderstandings: that intervention is merely a structure of imperialism, merely a means of colonising or neo-colonising, of rendering sovereignty defeasible as opposed to qualified, for instance.

Clearly there are a number of doubts to be had or reservations to be made when it comes to some of these forms---no single application represents the final word. But the usefulness of practices of intervention/non-intervention, like all ethics or rules or customs, is again not limited to universally resolving or permanently settling. We have seen instead how these sorts of formulations, without achieving universality, contribute to various other sorts of demands, including in relation to international peace and security, cooperation, good neighborliness, development, justice, and humanitarian responsibilities such as the prevention of mass atrocities, guided by a concern that might sound much like privacy in domestic life.

4. So I hope to have offered a positive gloss on recurrence and "the end of dreams"---and this picks up on a previous point about the moral possibilities of the present.[12] My history has not been an extremely historicist or contextualist one that rejects any degree of recurrence---we could choose to study this debate at various levels of abstraction, and I chose to take very seriously the one represented by the recurring problem of how states attempt to address the problem of activity in the affairs of others. We can imagine then, and have seen in the history, the reuse of older logics in new contexts and overall new forms. But I also hope to have argued very strongly against a story in terms of particularised but permanent features of international life, and accordingly against anything like a return of history.

That is because I have been advancing an understanding of change that does not correspond to full reversals. What do I mean by this? On one level I mean that I have been historicising a plurality of practices and conditions, not just a shift between interventionist order or non-interventionist order, as if the contents of these orders have been or can be totally reproduced over time. Again we like to think that sovereignty experiences in the early 2000s a sudden and important transformation---shifting from a right to a responsibility, it finally transcends

[12] Kagan 2008.

Westphalia. International society comes to be defined in interventionist terms, but then falls back, with enlightened sovereignty, into an era of non-interventionism. Again this sort of thinking folds back into ES debates, but in fact it is a strand of thought common to Western liberalism generally and much international-liberal organising.

But it now surely seems very hard to accept---historically, but also theoretically---the motions of this pendulum (from images of Westphalia, to post-Westphalia, and back again) and the scarcity of its directions (as if when non-interventionist order reigns, the composition of its alternative is very apparent, repressed perhaps, but capable of a neat re-integration). It is not as if its adoption coincides with the arrival of a political project, humanitarian intervention and defeasible sovereignty, that its repression reappears with the departure of that or similar project; some activities of interest, including forms of human rights protection, rather regularly cross between interventionary and non-interventionary practices.

In the new understanding, significant changes of form occur within and across, at work and in tension politically, as novel redrawings. What we have seen is not just one common border, with interlocking contents organised on two sides, but disputed and shifting boundaries, in multiple interpretations. All this has been suggestive of the articulation of new practices which, if we were to illustrate them, consist of novel designs; the frame of mind is of a re-charting of the ground, of plausible re-codifications that will not appeal to New-Interventionists, but might very well appeal to Newer-Interventionists, or New-Non-Interventionists. There is a centrality of contrivance even in a perennialised sort of global order problem.

5. Yet one foreseeable response to all this might be: what are various interpretations of intervention other than organised hypocrisies? What have I done in this thesis except to make intervention everything and nothing? Is not a shift towards contestation really one towards states of normative disorder and disintegration?

We are nearing the end of my space, but to pull together and review arguments that have already appeared, I would reply with a few key points. I would also note that generally these are the types of doubts expressed about the revolt against the West itself, throughout the 1950s into the 1980s, and I think broadly resemble much talk of the contestation and alleged impending destruction of international order today, sometimes conflated with the end of a particular sort of order established at the end of the Cold War.[13] This is also why it seems so important to address.

I of course admit the hypocrisies of the use of these concepts, particularly (but not only) as terms of political discourse---after all I have been trying to tell a story about intervention's many faces, its disloyalties to older forms, the incompatibilities of multiple applications. But I have done so without denying its place in global order, and the widespread appeal of its basic ordering. Diachronically we see hypocrisies: from dictatorial to anti-colonial, 'friendly,' emancipatory, etc. And synchronically this is also always true: in say, two R2Ps. And again we could find even more betrayals, at other levels of abstraction, as we move down the scale. I explored moderate and radical versions of its anti-colonial form, and we would likely find something similar of say, Northern R2P and perceived limits of its own interventions.

[13] See Bull and Watson 1986b.

But hypocrisies are organised still: I have been looking at practices, and not only this, but practices that are institutionalised, and to various degrees. There are manifold disagreements, but also certain types of agreements, and I take it here that we are not questioning the utility of institutions or normative structures in general. Even in cultural heterogeneity, there is a common interest in working out common rules---including provisionally or as compromises. And the content of these agreements, like the content of international law, of course has pull on the practice; they play a role in delimiting the range of legitimate interpretations, they are one part of a broader explanation as to why intervention/non-intervention is not without limits.

So there is order in multicultural international society, and there is also order in multiple distinct practices. And while some of this is no doubt imposed, and some of this is a mere modus vivendi, there are partial overlaps. In the history sections I have called these overlapping agreements rather than consensus, but not because I do not believe in the possibility of something like a Rawlsian sort of overlapping consensus. The point instead has been to highlight the differences, not only to provide a more persuasive and accurate account of global debate, or to elucidate useful meanings and useful meanings historically, but also because contestation and re-constitution, in international society, may prove useful to its working.

Yes, contestation is of interest politically and diplomatically first in the sense of states' attempts to further their own interests, but also in the sense of maintaining or strengthening global rules and institutions with general appeal, particularly in the framework of new contexts of international relations. I think the history sections give a sense of how re-constitution and contestation of intervention, in the process of the liquidation of colonialism, progressively developed globally-institutionalised agendas on which most agree: the prevention of war, the protection of human rights, the principles cited in the Friendly Relations Declaration. Strongly rendered: might global disorder result from having failed to adjust pre-existing rules to new realities, new problems, new distributions of agency, etc.?

From one view then, embrace of the conflict will be seen as a contribution to further disintegration or as a sabotage of revered practices and beliefs, not least at a moment of political fragility. I do not share this view. Recognising and managing the conflict and studying its strategies are themselves located in a cycle of refining and becoming. There is a state of change without destruction, that preserves through transformation, and it is this state of international-discursive movement, and this state of mind, that I have been fighting for.

We might therefore wonder whether the risk to the longevity of ideas like R2P is really the proposal of multiple formulations, or precisely continued insistence on just one.

INTERVENTION AND NEW ERAS

It seems impossible to return to where we began: Kofi Annan's address in the Ditchley mansion, humanitarian intervention and ICISS, the "liberal global order", and the consensus.

Were I to conclude with an image or scene of the intervention/non-intervention problem in the present, I would have to choose something very different: possibly Ecuadorian President Lenín Moreno's 11 April 2019 announcement, via video link in the Twitterverse, of Julian Assange's

eviction from the Ecuadorian embassy in Knightsbridge, particularly on account of Wikileaks' "transgression of international treaties," including its violations of "the norm of not intervening in the internal affairs of other states."[14] Moreno cited the recent case of Wikileaks' publishing of hacked Vatican documents, but there were other examples, too---in October 2016 an official statement of the Ecuadorian foreign ministry publicised its "sovereign decision" to turn off Assange's personal internet access. Why? Ecuador "respects the principle of non-intervention in the internal affairs of other states" and "Wikileaks has published a wealth of documents impacting on the US election campaign."[15]

What I like about this image is that it draws together, in a new environment---that of global social media and cyberspace---a range of state and non-state actors engaged in new sorts of questions having to do with privacy and "minding your own business," in light of arguably new types of pressures, coercions, and encroachments, of various formalities. It also shows the remarkably disproportionate agency of non-state actors in the international-digital sphere, while inferring that these sorts of activities are increasingly carried out by states themselves--- Wikileaks being not the only actor, of course, facing allegations of conspiracy or coordination with digital interferences in the 2016 U.S. presidential election.

In this sense it is no wonder that the Non-Aligned has called to "another look at NWICO"---not simply to reinstate that order, but to adapt it to shifting terrains implied by, for instance, decreasing costs of communication and widening access to the internet.[16] Consider the Declaration on Information and Communication Technologies adopted by non-aligned states in Algiers, 2014, the Outcome Document of the Baku Summit in 2019, or UN General Assembly resolution 73/27, which---passed 119 to 49, here the North-South divide appears again--- confirmed that "state sovereignty and international norms and principles that flow from sovereignty apply to state conduct of ICT-related activities," that states had a right and duty to combat "the dissemination of false or distorted news, which can be interpreted as interference in the internal affairs of other states," that states must "abstain from any defamatory campaign, vilification or hostile propaganda for the purpose of intervening," that states "must not use proxies to commit internationally wrongful acts using ICTs and should seek to ensure that their territory is not used by non-state actors to commit such acts," that…[17]

But I do not want to pursue these lines any further. Partly because we are still watching this latest round of contestation unfold: resolution 73/27, for example, also decided to "convene, beginning in 2019…an open-ended working group acting on a consensus basis…to further develop the rules, norms, and principles of responsible behaviour of states" in the sphere of ICTs and "information security."[18] But also because my core message in these final pages is less about the substance of this latest frontier, than about the fact that lines continue to move, in new circumstances: if Talleyrand was right---if intervention is in the end a diplomatic formula, if it is a particular sort of institutionalised practice within the diplomatic community or society of states---then artful separations must still be made.

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[14] @Lenin, 11 April 2019, 2:27am.
[15] @MFAEcuador, 18 October 2016, 3:46pm.
[16] See e.g. the Kuala Lumpur Declaration of the Ministers of Information of the Non-Aligned Countries in A/60/576.
[17] A/RES/73/27.
[18] Ibid.

So I would imagine a conclusive image of intervention/non-intervention not as a return to form, or incipient like-mindedness, but as a scene of unfamiliar dilemmas and terrains, as part of a longer history which cannot be seen in terms of order versus justice, or an interventionist North against a non-interventionist South, but re-encountering and re-ordering.

And my hope then is that in starting to survey horizons like these---through the historical investigations that have comprised this thesis, and perhaps through related investigations in the future---we might shed new light on the imperative of learning to justly mind one's own business, which is not to say learning to leave behind shared responsibilities. Because while I have tried to stand far away from the way that the intervention debate has been previously approached, I have been engaging nonetheless in a normative defense of the subject-matter. My reply to prevailing problematizations of intervention and non-intervention has, like others preceding it, been an attempt to meet the arguments of those who would seek to do away with these concepts, and to demonstrate their enduring attractiveness in world politics, and in global order. But I have tried to do so without stating the case for either intervention or non-intervention specifically: the logic of their contested and plural use suggests that such a straightforward choice is not necessary. I have been offering less an argument in favour of particular applications, than a reflection on the viability of re-constitutions, through contestations.

For if intervention in international society has proven historically vulnerable to several of these contestations and re-constitutions, can it not be said that the crisis of the present---of R2P, but not only---is more a particular sort of continuity than exception?

BIBLIOGRAPHY

UN Documents

Verbatim records of meetings

A/31/PV.98. Verbatim Records of the UN General Assembly, Thirty-first Session, 98th plenary meeting, 14 December 1976.
A/32/PV.106. Verbatim Records of the UN General Assembly, Thirty-second Session, 106th plenary meeting, 19 December 1977.
A/33/PV.85. Verbatim Records of the UN General Assembly, Thirty-third Session, 85th plenary meeting, 15 December 1978.
A/34/PV.103. Verbatim Records of the UN General Assembly, Thirty-fourth session, 103rd plenary meeting, 14 December 1979.
A/35/PV.94. Verbatim Records of the UN General Assembly, Thirty-fifth session, 94th plenary meeting, 12 December 1980.
A/36/PV.91. Verbatim Records of the UN General Assembly, Thirty-sixth Session, 91st plenary meeting, 9 December 1981.
A/37/PV.82. Verbatim Records of the UN General Assembly, Thirty-seventh Session, 82nd plenary meeting, 29 November 1982.
A/41/PV.56. Verbatim Records of the UN General Assembly, Forty-first Session, 56th plenary meeting, 4 November 1986.
A/44/PV.35. Verbatim Records of the UN General Assembly, Forty-fourth Session, 35th plenary meeting, 26 October 1989.
A/54/PV.14. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 14th plenary meeting, 25 September 1999.
A/54/PV.16. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 16th plenary meeting, 29 September 1999.
A/54/PV.17. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 17th plenary meeting, 29 September 1999.
A/54/PV.27. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 27th plenary meeting, 6 October 1999.
A/54/PV.29. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 29th plenary meeting, 7 October 1999.
A/54/PV.32. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 32nd plenary meeting, 8 October 1999.
A/54/PV.33. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 33rd plenary meeting, 11 October 1999.
A/54/PV.4. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 4th plenary meeting, 20 September 1999.
A/54/PV.8. Verbatim Records of the UN General Assembly, Fifty-fourth Session, 8th plenary meeting, 22 September 1999.
A/55/PV.12. Verbatim Records of the UN General Assembly, Fifty-fifth Session, 12th plenary meeting, 13 September 2000.
A/55/PV.13. Verbatim Records of the UN General Assembly, Fifty-fifth Session, 13th plenary meeting, 13 September 2000.

A/55/PV.15. Verbatim Records of the UN General Assembly, Fifty-fifth Session, 15th plenary meeting, 14 September 2000.
A/55/PV.29. Verbatim Records of the UN General Assembly, Fifty-fifth Session, 29th plenary meeting, 27 September 2000.
A/55/PV.5. Verbatim Records of the UN General Assembly, Fifty-fifth Session, 5th plenary meeting, 7 September 2000.
A/59/PV.86. Verbatim Records of the UN General Assembly, Fifty-ninth Session, 86th plenary meeting, 6 April 2005.
A/59/PV.89. Verbatim Records of the UN General Assembly, Fifty-ninth Session, 89th plenary meeting, 8 April 2005.
A/60/PV.4. Verbatim Records of the UN General Assembly, Sixtieth Session, 4th plenary meeting, 14 September 2005.
A/60/PV.6. Verbatim Records of the UN General Assembly, Sixtieth Session, 6th plenary meeting, 15 September 2005.
A/63/PV.101. Verbatim Records of the UN General Assembly, Sixty-third Session, 101st plenary meeting, 28 July 2009.
A/63/PV.97. Verbatim Records of the UN General Assembly, Sixty-third Session, 97th plenary meeting, 23 July 2009.
A/63/PV.98. Verbatim Records of the UN General Assembly, Sixty-third Session, 98th plenary meeting, 24 July 2009.
A/63/PV.99. Verbatim Records of the UN General Assembly, Sixty-third Session, 99th plenary meeting, 24 July 2009.
A/72/PV.105. Verbatim Records of the UN General Assembly, Seventy-second Session, 105th plenary meeting, 2 July 2018.
A/72/PV.2. Verbatim Records of the UN General Assembly, Seventy-second Session, 2nd plenary meeting, 15 September 2017.
A/72/PV.99. Verbatim Records of the UN General Assembly, Seventy-second Session, 99th plenary meeting, 25 June 2018.
A/C.1/31/PV.55. Verbatim Records of the UN General Assembly, Thirty-first Session, First Committee, 55th meeting, 8 December 1976.
A/C.1/32/PV.55. Verbatim Records of the UN General Assembly, First Committee, Thirty-second Session, 55th meeting, 7 December 1977.
A/C.1/36/PV.48. Verbatim Records of the UN General Assembly, First Committee, Thirty-sixth Session, 48th meeting, 2 December 1981.
A/C.1/36/PV.49. Verbatim Records of the UN General Assembly, First Committee, Thirty-sixth Session, 49th meeting, 2 December 1981.
A/C.1/36/PV.51. Verbatim Records of the UN General Assembly, First Committee, Thirty-sixth Session, 51st meeting, 3 December 1981.
A/C.1/PV.1861. Verbatim Records of the UN General Assembly, First Committee, 1861st meeting, 12 October 1972.
A/C.1/PV.1862. Verbatim Records of the UN General Assembly, First Committee, 1862nd meeting, 13 October 1972.
A/C.1/PV.1866. Verbatim Records of the UN General Assembly, First Committee, 1866th meeting, 18 October 1972.
A/C.1/PV.1867. Verbatim Records of the UN General Assembly, First Committee, 1867th meeting, 18 October 1972.

A/C.1/PV.1868. Verbatim Records of the UN General Assembly, First Committee, 1868th meeting, 19 October 1972.
A/C.1/PV.1870. Verbatim Records of the UN General Assembly, First Committee, 1870th meeting, 20 October 1972.
A/PV.1340. Verbatim Records of the UN General Assembly, Twentieth Session, 1340th plenary meeting, 28 September 1965.
A/PV.1408. Verbatim Records of the UN General Assembly, Twentieth Session, 1408th plenary meeting, 21 December 1965.
A/PV.1489. Verbatim Records of the UN General Assembly, Twentieth Session, 1489th plenary meeting, 12 December 1966.
A/PV.2095. Verbatim Records of the UN General Assembly, 2095th plenary meeting, 1 December 1972.
A/PV.2096. Verbatim Records of the UN General Assembly, 2096th plenary meeting, 4 December 1972.
A/PV.2208. Verbatim Records of the UN General Assembly, 2208th plenary meeting, 10 April 1974.
A/PV.2213. Verbatim Records of the UN General Assembly, 2213th plenary meeting, 12 April 1974.
A/PV.2227. Verbatim Records of the UN General Assembly, 2227th plenary meeting, 24 April 1974.
A/PV.731. Verbatim Records of the UN General Assembly, Twelfth Session, 731st plenary meeting, 14 December 1957.
S/PV.6531. Verbatim Records of the UN Security Council, 6531st meeting, 10 May 2011.
S/PV.6650. Verbatim Records of the UN Security Council, 6650th meeting, 9 November 2011.
S/PV.6790. Verbatim Records of the UN Security Council, 6790th meeting, 25 June 2012.

Summary Records of Meetings

A/AC.119/SR.10. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 10th meeting, 16 October 1964.
A/AC.119/SR.17. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 17th meeting, 21 October 1964.
A/AC.119/SR.25. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 25th meeting, 23 October 1964.
A/AC.119/SR.26. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 26th meeting, 23 October 1964.
A/AC.119/SR.28. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 28th meeting, 21 December 1964.
A/AC.119/SR.29. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 29th meeting, 23 October 1964.
A/AC.119/SR.3. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 3rd meeting, 16 October 1964.
A/AC.119/SR.30. Summary Records of the UN General Assembly,119th Ad Hoc Committee, 30th meeting, 26 October 1964.
A/AC.119/SR.31. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 31st meeting, 26 October 1964.

A/AC.119/SR.32. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 32nd meeting, 26 October 1964.
A/AC.119/SR.8. Summary Records of the UN General Assembly, 119th Ad Hoc Committee, 8th meeting, 16 October 1964.
A/AC.125/SR.10. Summary Records of the UN General Assembly, 125th Ad Hoc Committee, 10th meeting, 25 July 1966.
A/AC.125/SR.11. Summary Records of the UN General Assembly, 125th Ad Hoc Committee, 11th meeting, 25 July 1966.
A/AC.125/SR.12. Summary Records of the UN General Assembly, 125th Ad Hoc Committee, 12th meeting, 25 July 1966.
A/AC.125/SR.13. Summary Records of the UN General Assembly, 125th Ad Hoc Committee, 13th meeting, 25 July 1966.
A/AC.125/SR.16. Summary Records of the UN General Assembly, 125th Ad Hoc Committee, 16th meeting, 25 July 1966.
A/AC.125/SR.71. Summary Records of the UN General Assembly, 125th Ad Hoc Committee, 71st meeting, 4 December 1967.
A/AC.125/SR.72. Summary Records of the UN General Assembly, 125th Ad Hoc Committee, 72nd meeting, 4 December 1967.
A/AC.125/SR.73. Summary Records of the UN General Assembly, 125th Ad Hoc Committee, 73rd meeting, 4 December 1967.
A/C.1/SR.1395. Summary Records of the UN General Assembly, First Committee, 1395th meeting, 3 December 1965.
A/C.1/SR.1396. Summary Records of the UN General Assembly, First Committee, 1396th meeting, 3 December 1965.
A/C.1/SR.1397. Summary Records of the UN General Assembly, First Committee, 1397th meeting, 6 December 1965.
A/C.1/SR.1398. Summary Records of the UN General Assembly, First Committee, 1398th meeting, 6 December 1965.
A/C.1/SR.1399. Summary Records of the UN General Assembly, First Committee, 1399th meeting, 7 December 1965.
A/C.1/SR.1400. Summary Records of the UN General Assembly, First Committee, 1400th meeting, 7 December 1965.
A/C.1/SR.1401. Summary Records of the UN General Assembly, First Committee, 1401st meeting, 8 December 1965.
A/C.1/SR.1402.Summary Records of the UN General Assembly, First Committee, 1402nd meeting, 8 December 1965.
A/C.1/SR.1403. Summary Records of the UN General Assembly, First Committee, 1403rd meeting, 9 December 1965.
A/C.1/SR.1404. Summary Records of the UN General Assembly, First Committee, 1404th meeting, 9 December 1965.
A/C.1/SR.1405. Summary Records of the UN General Assembly, First Committee, 1405th meeting, 9 December 1965.
A/C.1/SR.1406. Summary Records of the UN General Assembly, First Committee, 1406th meeting, 10 December 1965.
A/C.1/SR.1422. Summary Records of the UN General Assembly, First Committee, 1422nd meeting, 20 December 1965.

A/C.1/SR.1423. Summary Records of the UN General Assembly, First Committee, 1423rd meeting, 20 December 1965.
A/C.1/SR.831. Summary Records of the UN General Assembly, First Committee, 831st meeting, 4 February 1957.
A/C.1/SR.834. Summary Records of the UN General Assembly, First Committee, 834th meeting, 6 February 1957.
A/C.1/SR.839. Summary Records of the UN General Assembly, First Committee, 839th meeting, 8 February 1957.
A/C.1/SR.936. Summary Records of the UN General Assembly, First Committee, 936th meeting, 13 December 1957.
A/C.1/SR.937. Summary Records of the UN General Assembly, First Committee, 937th meeting, 13 December 1957.
A/C.3/40/SR.69. Summary Records of the UN General Assembly, Third Committee, Fortieth Session, 69th meeting, 6 December 1985.
A/C.3/40/SR.71. Summary Records of the UN General Assembly, Third Committee, Fortieth Session, 71st meeting, 6 December 1985.
A/C.3/45/SR.58. Summary Records of the UN General Assembly, Third Committee, Forty-fifth Session, 58th meeting, 30 November 1990.
A/C.3/55/SR.55. Summary Records of the UN General Assembly, Third Committee, Fifty-fifth Session, Third Committee, 55th meeting, 29 November 2000.
A/C.3/57/SR.53. Summary Records of the UN General Assembly, Third Committee, Fifty-seventh Session, 53rd meeting, 16 December 2002.
A/C.3/59/SR.49. Summary Records of the UN General Assembly, Fifty-Ninth Session, Third Committee, 49th meeting, 31 January 2005.
A/C.3/SR. 294. Summary Records of the UN General Assembly, Third Committee, 294th meeting, 26 October 1950.
A/C.5/62/SR.23. Summary Records of the UN General Assembly, Fifth Committee, Sixty-second Session, 23rd meeting, 7 February 2008.
A/C.5/62/SR.28. Summary Records of the UN General Assembly, Fifth Committee, Sixty-second Session, 28th meeting, 17 April 2009.
A/C.6/SR.1178. Summary Records of the UN General Assembly, Sixth Committee, 1178th meeting, 23 September 1970.
A/C.6/SR.1179. Summary Records of the UN General Assembly, Sixth Committee, 1179th meeting, 24 September 1970.
A/C.6/SR.1180. Summary Records of the UN General Assembly, Sixth Committee, 1180th meeting, 24 September 1970.
A/C.6/SR.872. Summary Records of the UN General Assembly, Sixth Committee, 872nd meeting, 9 November 1965.
A/C.6/SR.878. Summary Records of the UN General Assembly, Sixth Committee, 878th meeting, 18 November 1965.
A/SPC/33/SR.45. Summary Records of the UN General Assembly, Special Political Committee, Thirty-third Session, 45th meeting, 4 December 1978.
A/SPC/33/SR.9. Summary Records of the UN General Assembly, Special Political Committee, Thirty-third Session, 9th meeting, 18 October 1978.
A/SPC/34/SR.19. Summary Records of the UN General Assembly, Special Political Committee, Thirty-fourth Session, 19th meeting, 1 November 1979.

A/SPC/35/SR.18. Summary Records of the UN General Assembly, Special Political Committee, Thirty-fifth Session, 18th meeting, 29 October 1980.
A/SPC/36/SR.16. Summary Records of the UN General Assembly, Special Political Committee, Thirty-sixth Session, 16th meeting, 28 October 1981.
A/SPC/36/SR.19. Summary Records of the UN General Assembly, Special Political Committee, Thirty-sixth Session, 19th meeting, 3 October 1981.

Reports

A/31/197. Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General. 8 September 1976.
A/32/164. Non-interference in internal affairs of States. Report of the Secretary-General. 2 September 1977.
A/32/165. Implementation of the declaration on the strengthening of international security. Report of Secretary-General. 2 September 1977.
A/33/206. Letter dated 6 September 1978 from the Chargé d'Affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations. addressed to the Secretary-General.
A/33/216. Non-interference in internal affairs of States. Report of the Secretary-General. 21 September 1978.
A/34/192. Non-interference in internal affairs of States. Report of the Secretary-General. 4 October 1979.
A/34/193. Report of the Secretary-General. 4 October 1979.
A/34/542. Letter dated 1 October 1979 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General. 11 October 1979.
A/34/827. Implementation of the Declaration on the Strengthening of International Security. 13 December 1979.
A/3673. Letter dated 20 September 1957 from the Chairman of the delegation of the Union of Soviet Socialist Republics, addressed to the President of the General Assembly. 20 September 1957.
A/3802. Declaration concerning the peaceful co-existence of States. 14 December 1957.
A/41/697. Letter dated 30 September 1986 from the Permanent Representative of Zimbabwe to the United Nations addressed to the Secretary-General. 14 October 1986.
A/50/1001. Letter dated 8 July 1996 from the Permanent Representative of Botswana to the United Nations addressed to the Secretary-General. 19 July 1996.
A/5036. Future work in the field of the codification and progressive development of international law. 15 December 1961.
A/53/667. Letter dated 7 October 1998 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General. 13 November 1998.
A/53/951. Question of East Timor. Report of the Secretary-General. 5 May 1999.
A/5356. Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations. 14 December 1962.
A/54/917. Letter dated 6 June 2000 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General. 16 June 2000.
A/55/74. Letter dated 5 May 2000 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the General Assembly. 12 May 2000.

A/5671. Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations. 13 December 1963.
A/57/759. Letter dated 4 March 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Malaysia to the United Nations addressed to the Secretary-General. 18 March 2003.
A/5746. Report of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. 16 November 1964.
A/5977. Letter date 24 September 1965 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the President of the General Assembly. 24 September 1965.
A/60/576. Letter dated 30 November 2005 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General. 2 December 2005.
A/60/576. Letter dated 30 November 2005 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General. 2 December 2005.
A/61/472. Letter dated 19 September 2006 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General. 29 September 2006.
A/6230. Report of the 1966 Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. 27 June 1966.
A/63/677. Implementing the Responsibility to Protect, Report of the Secretary-General. 12 January 2009.
A/66/551. Letter dated 9 November 2011 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General. 11 November 2011.
A/6700 (Part II). Report of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. 2 October 1967.
A/8771. Letter dated 8 August 1972 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the Secretary-General. 9 August 1972.
A/9330. Letter dated 22 November 1973 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General. 22 November 1973.
A/AC.105/104. Draft Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information. 15 November 1972.
A/AC.119/L.24. Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. Mexico: Proposal. 21 September 1964.
A/AC.119/L.26. Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. United States: Amendment to United Kingdom Proposal. 21 September 1964.
A/AC.119/L.27. Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. Ghana, India and Yugoslavia: Proposal. 21 September 1964.
A/AC.119/L.6. Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. Czechoslovakia: Proposal. 29 August 1964.
A/AC.119/L.7. Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. Yugoslavia: Proposal. 31 August 1964.
A/AC.119/L.8. Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States. United Kingdom: Proposal. 31 August 1964.

A/AC.125/L.12. Joint proposal by India, Lebanon, the United Arab Republic, Syria and Yugoslavia. 25 July 1996.
A/AC.125/L.13. Joint proposal by Australia, Canada, France, Italy, the United Kingdom of Great Britain and Northern Ireland and the United States of America. 16 March 1966.
A/AC.125/L.17. Joint draft resolution by Chile and the United Arab Republic. 27 June 1966.
A/AC.125/L.20. Draft Resolution by Czechoslovakia. 27 June 1966.
A/AC.125/L.44. Draft declaration submitted to the Special Committee by the United Kingdom. 19 July 1967.
A/AC.125/L.54. Joint draft resolution by Argentina, Cameroon, Chile, Czechoslovakia, Ghana, Guatemala, India, Kenya, Mexico, Nigeria, Poland, Union of Soviet Socialist Republics and Venezuela. 19 August 1967.
A/C.1/L.198. Draft declaration concerning the peaceful coexistence of States. 13 December 1957.
A/C.1/L.349/Rev.1 and Add.1. Draft declaration on the inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty. 3 December 1965.
A/C.1/L.350. United States of America: amendments to document A/C.1/L.343/Rev.1. 3 December 1965.
A/C.1/L.351. United Kingdom of Great Britain and Northern Ireland: amendments to document A/C.1/L.343/Rev.1. 6 December 1965.
A/C.1/L.352. Pakistan: amendments to document A/C.1/L.343/Rev.1. 6 December 1965.
A/C.1/L.353/Rev.4 and Add.1. Draft declaration on the inadmissibility of intervention in the domestic affairs of States and the protection of their independence and sovereignty. 3 December 1965.
A/C.3/40/L.83/Rev.1. Amendments to draft resolution A/C.3/40/L.83./Rev.1/Pakistan. 5 December 1985.
A/C.3/40/L.90. Amendments to draft resolution A/C.3/40/L.83/Rev.1/Pakistan. 5 December 1985.
A/C.3/41/L.100. Report of the Economic and Social Council. Czechoslovakia, Lao People's Democratic Republic, Ukrainian Soviet Socialist Republic and Viet Nam: draft resolution. Strengthening of international co-operation in the field of human rights. 25 November 1986.
A/C.3/41/L.100/Rev.1. Report of the Economic and Social Council. Czechoslovakia, Lao People's Democratic Republic, Ukrainian Soviet Socialist Republic and Viet Nam: revised draft resolution. Strengthening of international co-operation in the field of human rights. 26 November 1986.
A/C.3/41/L.6. Report of the Economic and Social Council. 8 October 1986.
A/C.3/45/L.101. Report of the Economic and Social Council. Australia ad United Kingdom and Northern Ireland: amendments to draft resolution A/C.3/45/L.82. 29 November 1990.
A/C.3/45/L.82. Report of the Economic and Social Council. Cuba: draft resolution. Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the strict observance of the principle of non-intervention. 26 November 1990.
A/C.3/45/L.82/Rev.1. Report of the Economic and Social Council. Cuba: revised draft resolution. Strengthening of United Nations action in the human rights field through the

promotion of international co-operation and the strict observance of the principle of non-intervention. 3 December 1990.
A/C.3/45/L.82/Rev.2. Report of the Economic and Social Council. Cuba: revised draft resolution. Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the importance of non-selectivity, impartiality and objectivity. 4 December 1990.
A/C.3/55/L.47. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of humanitarian character. 2 November 2000.
A/C.3/55/L.47/Rev.1. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of humanitarian character. 8 November 2000.
A/C.6/L.492. Future work in the field of the codification and progressive development of international law. 2 December 1961.
A/C.6/L.505. Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations. 26 October 1962.
E/CN.4/1986/24. Report on the situation of human rights in Afghanistan prepared by the Special Rapporteur, Mr. Felix Ermacora, in accordance with Commission on Human Rights resolution 1985/38. 17 February 1986.
S/1999/513. Question of East Timor. Report of the Secretary-General. 5 May 1999.
S/24816. Letter dated 11 November 1992 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General. 18 November 1992.
S/3689. Letter dated 25 October 1956 from the Representative of France addressed to the Secretary-General. 25 October 1956.
S/7123. Letter dated 7 February 1966 addressed to the President of the Security Council from the Representatives of Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela. 8 February 1966.
S/7134. Letter dated 10 February 1966 from the Charge D'Affaires a.i. of Cuba addressed to the Secretary-General. 11 February 1966.
SG/SM/10161. World Summit achieved concrete, significant gains in human rights, rule of law, Secretary-General says in address to Universidade Nova de Lisboa. 12 October 2005.
SG/SM/6613. Secretary-General reflects on 'Intervention' in Thirty-Fifth Annual Ditchley Foundation Lecture. 26 June 1998.

Resolutions

A/RES/1236(XII). Peaceful and neighbourly relations among States. 14 December 1957.
A/RES/1815(XVII). International conference of plenipotentiaries on consular relations. 18 December 1962.
A/RES/21/2200. International Covenant on Civil and Political Rights. 16 December 1966.
A/RES/2131(XX). Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty. 21 December 1965.

A/RES/217(III). International Bill of Human Rights. 8 December 1948.
A/RES/2181(XXI). Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations. 12 December 1966.
A/RES/2222(XXI). Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. 19 December 1966.
A/RES/2225(XXI). Status of the implementation of the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty. 19 December 1966.
A/RES/2625(XXV). Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. 24 October 1970.
A/RES/31/91. Non-interference in the internal affairs of States. 14 December 1976.
A/RES/3171(XXVIII). Permanent sovereignty over natural resources. 17 December 1973.
A/RES/32/153. Non-interference in the internal affairs of States. 19 December 1977.
A/RES/32/154. Implementation of the Declaration on the Strengthening of International Security. 19 December 1977.
A/RES/3201(S-VI). Declaration on the Establishment of a New International Economic Order. 1 May 1974.
A/RES/3202(S-VI). Programme of Action on the Establishment of a New International Economic Order. 1 May 1974.
A/RES/3281(XXIX). Charter of Economic Rights and Duties of States. 12 December 1974.
A/RES/33/115B. International relations in the sphere of information and mass communication. 18 December 1978.
A/RES/33/74. Non-interference in the internal affairs of States. 15 December 1978.
A/RES/3314(XXIX). Participation in the United Nations Conference on the Representation of States in Their Relations with International Organizations. 29 November 1974.
A/RES/34/101. Non-interference in the internal affairs of States. 14 December 1979.
A/RES/35/159. Non-interference in the internal affairs of States. 12 December 1980.
A/RES/36/103. Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States. 9 December 1981.
A/RES/37/37. The situation in Afghanistan and its implications for international peace and security. 29 November 1982.
A/RES/37/92. Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting. 10 December 1982.
A/RES/39/210. Economic measures as a means of political and economic coercion against developing countries. 18 December 1984.
A/RES/40/185. Economic measures as a means of political and economic coercion against developing countries. 17 December 1985.
A/RES/40/9. Solemn appeal to States in conflict to cease armed action. 8 November 1985.
A/RES/41/165. Economic measures as a means of political and economic coercion against developing countries. 5 December 1986.
A/RES/42/173. Economic measures as a means of political and economic coercion against developing countries. 11 December 1987.

A/RES/44/147. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 15 December 1989.

A/RES/44/215. Economic measures as a means of political and economic coercion against developing countries. 22 December 1989.

A/RES/45/151. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 18 December 1990.

A/RES/45/163. Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the importance of non-selectivity, impartiality and objectivity. 18 December 1990.

A/RES/46/130. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 17 December 1991.

A/RES/46/210. Economic measures as a means of political and economic coercion against developing countries. 20 December 1991.

A/RES/47/130. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 22 February 1993.

A/RES/48/124. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 14 February 1994.

A/RES/48/168. Economic measures as a means of political and economic coercion against developing countries. 22 February 1994.

A/RES/50/172. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 27 February 1996.

A/RES/52/119. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 23 February 1998.

A/RES/52/181. Unilateral economic measures as a means of political and economic coercion against developing countries. 4 February 1998.

A/RES/54/168. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 25 February 2000.

A/RES/54/200. Unilateral economic measures as a means of political and economic coercion against developing countries. 20 January 2000.

A/RES/55/101. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character. 2 March 2001.

A/RES/56/152. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character. 13 February 2002.

A/RES/56/154. Respect for the principles of national sovereignty and non-interference in internal affairs of States in their electoral processes. 13 February 2002.

A/RES/56/179. Unilateral economic measures as a means of political and economic coercion against developing countries. 24 January 2002.

A/RES/57/217. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character. 27 February 2003.

A/RES/58/188. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character. 22 December 2003.
A/RES/58/198. Unilateral economic measures as a means of political and economic coercion against developing countries. 30 January 2004.
A/RES/59/204. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character. 20 December 2004.
A/RES/60/185. Unilateral economic measures as a means of political and economic coercion against developing countries. 31 January 2006.
A/RES/62/166. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character. 18 December 2007.
A/RES/62/183. Unilateral economic measures as a means of political and economic coercion against developing countries. 31 January 2008.
A/RES/637(VII). The right of peoples and nations to self-determination. 16 December 1952.
A/RES/73/27. Developments in the field of information and telecommunications in the context of international security. 11 December 2018.
A/RES/S-6/3201. Declaration on the Establishment of a New International Economic Order. 1 May 1974.
S/RES/1970 (2011). Resolution 1970 (2011). 26 February 2011.
S/RES/1973 (2011). Resolution 1973 (2011). 17 March 2011.

IO Publications

International Committee of the Red Cross. *Keynote address by Jacques Forster, Vice President of the International Committee of the Red Cross, presented at the Ninth Annual Seminar on International Humanitarian Law for Diplomats accredited to the United Nations, Geneva, 8-9 March 2000*, September 12, 2000, https://www.icrc.org/en/doc/resources/documents/statement/57jqjk.htm.
Non-Aligned News Agencies Pool (Coordinating Committee). *News Agencies Pool of Non-Aligned Countries: A Perspective*. New Delhi: Indian Institute of Mass Communication for Coordinating Committee, 1983.
Organisation of African Unity. *The Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events.* Addis Ababa: Organisation of African Unity, 2000.
———. *Proceedings of the Summit Conference of Independent African States*, Vol. I, Sect. I. Addis Ababa: Organisation of African Unity, 1963a.
———. *Proceedings of the Summit Conference of Independent African States*, Vol. I, Sect. II. Addis Ababa: Organisation of African Unity, 1963b.
Organisation of American States. *Report on the First Afro-Asian-Latin American Peoples' Solidarity Conference and Its Projections ("Tricontinental Conference of Havana"), New*

Instrument of Communist Intervention and Aggression, Vol. II. Washington: Pan American Union, 1966.

Organisation of Solidarity with the Peoples of Asia, Africa, and Latin America. *The First Solidarity Conference of the Peoples of Africa, Asia, and Latin America: Proceedings.* Havana: Executive Secretariat of the OSPAAAL, 1966.

Pan-American Union. *Inter-American Juridical Yearbook, 1948.* Washington: Pan American Union, 1949.

———. *Inter-American Conference on Problems of War and Peace: Handbook for the Use of Delegates*. Washington: Pan American Union, 1945.

United Nations Information Organizations. *Documents of the United Nations Conference on International Organization,* Vol. I-XXI. New York and London: United Nations Information Organizations, 1945.

United Nations Department of Public Information. *Yearbook of the United Nations*, Vol. XIX. New York: UN Department of Public Information, 1965.

———. *Yearbook of the United Nations*, Vol. IV. New York: UN Department of Public Information, 1950.

United Nations Conference on Trade and Development. P*roceedings of the United Nations Conference on Trade and Development, Fourth Session*, Vol. I. New York: UNCTAD, 1977.

United Nations Educational, Scientific and Cultural Organization. *Records of the General Conference, 21st Session, Belgrade, 23 September to 28 October 1980*, Vol. I. Paris: UNESCO, 1980.

———. *Historical Background of the Mass Media Declaration*. Paris: UNESCO, 1983.

Government Publications

United States Department of State. *Papers Relating to the Foreign Relations of the United States*, 1931-1976. Washington, DC: Government Printing Office, 1946-2011.

———. *The Tricontinental Conference: A Staff Study.* Washington, DC: Government Printing Office, 1966.

———. *Analysis of the Khrushchev Speech of January 6, 1961*. Washington, DC: U.S. Government Printing Office, 1961.

———. *Charter of the Organisation of American States, 9th International Conference of American States at Bogota, Columbia, 30 March– 2 May 1948, Report of Delegation of the US*. Washington, DC: Government Printing Office, 1948.

———. *Report of the Delegation of the United States of America to the Inter-American Conference on Problems of War and Peace, Mexico City, Mexico, 21 February to 8 March 1945*. Washington, DC: Government Printing Office, 1946.

———. *Charter of the United Nations: Report to President on the Results on the San Francisco Conference, by the Chairman of the US Delegation, the Secretary of State, 26 June 1945*. Washington, DC: Government Printing Office, 1945.

———. *Report of the Delegation of the United States of America to the Inter-American Conference for the Maintenance of Peace, Buenos Aires, Argentina, December 1-23, 1936.* Washington, DC: Government Printing Office, 1937.

———. *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, 3-26 December 1933.* Washington, DC: Government Printing Office, 1934.

Canadian Department of External Affairs. *Report on the United Nations Conference on International Organisation held at San Francisco, 25 April-26 June 1945*. Ottawa: King's Printer, 1945.

Indonesia. *Asia-Africa Speaks from Bandung*. Jakarta: Indonesian Ministry of Foreign Affairs, 1955.

Yugoslavia. *The Conference of Heads of States or Government of Non-Aligned Countries, Belgrade, September 1-6, 1961*. Belgrade: Yugoslavia, 1961.

Archival Sources

St Antony's College Library, Oxford
-Transcripts of the Meetings of the Political Committee of the Asian-African Conference Held at Bandung, 20 April 1955 (originals)

John F. Kennedy Presidential Library, University of Massachusetts, Boston
-Lincoln Gordon Papers

National Security Archive, George Washington University, Washington, DC
-National Security Archive Electronic Briefing Book No. 427

Printed Sources

Accioly, Hildebrando. *Manual de Direito Internacional Público*. 8th ed. São Paulo: Saraiva, 1968.

Acharya, Amitav. *Constructing Global Order. Agency and Change in World Politics*. Cambridge: Cambridge University Press, 2018.

———. "The R2P and Norm Diffusion: Toward a Framework of Norm Circulation." *Journal of the Responsibility to Protect* 5, no. 1 (2013): 466-479.

Adler, Emanuel, and Vincent Pouliot. *International Practices.* Cambridge: Cambridge University Press, 2011a.

———. "International practices." *International Theory* 3, no. 1 (2011b): 1-36.

Aga Khan, Sadruddin, and Hassan Bin Talal. *Winning the Human Race? The Report of the Independent Commission on International Humanitarian Issues*. London: Zed Books, 1988.

Agamben, Giorgio. *State of Exception.* Translated by Kevin Attell. Chicago: The University of Chicago Press, 2005.

Alleyne, Mark D. *International Power and International Communication.* London: Palgrave Macmillan, 1995.

American Society of International Law. *Proceedings of the American Society of International Law at its Sixty-Ninth Annual Meeting.* Washington, DC: American Society of International Law, 1975.

———. *Proceedings of the American Society of International Law at its Sixty-First Annual Meeting.* Washington, DC: American Society of International Law, 1967.

———. *Proceedings of the American Society of International Law at its Fifty-Seventh Annual Meeting*. Washington, DC: American Society of International Law, 1963.

Anderson, Carol. *Eyes off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955*. Cambridge: Cambridge University Press, 2003.

Anghie, Antony. "Bandung and the Origins of Third World Sovereignty." In *Bandung, Global History, and International Law,* edited by Luis Eslava, Michael Fakhri, Vasuki Nesiah, 535-551. Cambridge: Cambridge University Press, 2017.

———. *Imperialism, Sovereignty and the Making of International Law*. Cambridge: Cambridge University Press, 2005.

Anghie, Antony, and Bhupinder S. Chimni. "Third World Approaches to International Law and Individual Responsibility in Internal Conflicts." *Chinese Journal of International Law* 2, no. 1 (2003): 77-103.

Anghie, Antony, Bhupinder S. Chimni, Karin Mickelson, and Obiora Okafor, eds. *The Third World and International Order: Law, Politics and Globalization*. Leiden: Martinus Nijhoff Publishers, 2003.

An-Na'im, Ahmed Abdullahi. "Toward a Cross-Cultural Approach to Defining International Standards of Human Rights." In *Human Rights in Cross-Cultural Perspectives,* edited by Abdullahi Ahmed An-Na'im, 19-43. Pennsylvania: University of Pennsylvania Press, 1992.

Annan, Kofi. "Two Concepts of Sovereignty." *The Economist* 352, no. 8137 (1999): 49-50.

Ansprenger, Franz. *The Dissolution of the Colonial Empires*. London: Routledge, 1989.

Anwar, Dewi Fortuna. "Indonesia and the Bandung Conference: Then and Now." In *Bandung Revisited*, edited by See Seng Tan and Amitav Acharya, 180-197. Singapore: National University of Singapore Press, 2008.

Aptheker, Herbert, ed. *The Correspondence of W. E. B. Du Bois.* Vol. III, *Selections 1944-1963*. Amherst: University of Massachusetts Press, 1978.

Axworthy, Lloyd. 2003. *Navigating a New World: Canada's Global Future*. Toronto: Random House.

Baldwin, David. "The Concept of Security." *Review of International Studies* 23, no. 1 (1997): 5-26.

———. "Foreign Aid, Intervention, and Influence." *World Politics* 21, no. 3 (1969): 425-447.

Barnett, Michael, and Raymond Duvall. *Power in Global Governance.* Cambridge: Cambridge University Press, 2004.

Barnet, Richard J., John Norton Moore, and Abram Chayes. "United States Involvement in Foreign Civil Strife Since World War II." *Proceedings of the American Society of International Law,* vol. 61 (1967): 69-81.

Bartelson, Jens. *A Genealogy of Sovereignty*. Cambridge: Cambridge University Press, 2011.

Bass, Gary. *Freedom's Battle: The Origins of Humanitarian Intervention*. New York: Knopf, 2008.

Becker, Jo, and Scott Shane. "Hillary Clinton, 'Smart Power' and a Dictator's Fall." *New York Times,* February 27, 2016, https://www.nytimes.com/2016/02/28/us/politics/hillary-clinton-libya.html/.

Bellamy, Alex J. "The Responsibility to Protect Turns Ten." *Ethics and International Affairs* 29, no. 2 (2015): 161-185.

———. *The Responsibility to Protect: The Global Effort to End Mass Atrocities*. Cambridge: Polity Press, 2009a.

———. "Kosovo and the Advent of Sovereignty as Responsibility." *Journal of Intervention and Statebuilding* 3, no. 2 (2009b): 163-84.

———. "The Responsibility to Protect and the Problem of Military Intervention." *International Affair*s 84, no. 4 (2008): 615-639.
Beloff, Max. "Reflections on Intervention." *Journal of International Affairs* 22, no. 2 (1968): 198-207.
Berkowitz, Peter. "Leviathan Then and Now." *Policy Review* 151 (October/November 2008): 3-20.
Berlin, Isaiah. "Two Concepts of Liberty." In *Four Essays on Liberty*, 118-172. Oxford: Oxford University Press, 1969.
Bettati, Mario, and Bernard Kouchner, eds. *Le devoir d'ingérence*. Paris: Denoël, 1987.
Bevir, Mark. "What is Radical Historicism?" *Philosophy of the Social Sciences* 45, no. 2 (2015): 258-265.
———. "Historicism and Critique." *Philosophy of the Social Sciences* 45, no. 2 (2014): 227-245.
———. "The Contextual Approach." In *The Oxford Handbook of the History of Political Philosophy*, edited by George Klosko, 11-23. Oxford: Oxford University Press, 2011.
———. "Contextualism: From Modernist Method to Post-analytic Historicism." *Journal of the Philosophy of History* 3, no. 3 (2009): 211-224.
———. "What is Genealogy?" *Journal of the Philosophy of History* 2, no. 3 (2008): 263-275.
———. "The Role of Contexts in Understanding and Explanation." *Human Studies* 23 (2000): 395-411.
———. *The Logic of the History of Ideas.* Cambridge: Cambridge University Press, 1999.
Bevir, Mark, and Ian Hall. "The English School and the Classical Approach: Between Modernism and Interpretivism." *Journal of International Political Theory* 16, no. 2 (2020): 153-170.
Bevir, Mark, and Jason Blakely. *Interpretive Social Science. An Anti-Naturalist Approach*. Oxford: Oxford University Press, 2018.
Bevir, Mark, and R. A. W. Rhodes. *The State as Cultural Practice.* Oxford: Oxford University Press, 2010.
Black, Cyril Edwin. *The Dynamics of Modernization. A Study in Comparative History*. New York: Harper and Row, 1966.
Bloomfield, Alan. "Norms Antipreneurs and Theorising Resistance to Normative Change." *Review of International Studies* 42, no. 2 (2016): 310-333.
Bos, Maarten. "Intervention and International Law II." In *Intervention in International Politics*, edited by Louis G. M. Jaquet, 69-75. The Hague: The Netherlands Institute of International Affairs, 1971.
Bourdieu, Pierre. *Practical Reason: On the Theory of Action.* Stanford, CA: Stanford University Press, 1998.
Brierly, James Leslie. *The Law of Nations: an Introduction to the International Law of Peace.* 2nd ed. Oxford: Clarendon Press, 1938.
Brownlie, Ian. "Thoughts on Kind-Hearted Gunmen." In *Humanitarian intervention and the United Nations*, edited by Richard B. Lillich, 138-148. Charlottesville: University Press of Virginia, 1973.
Bueger, Christian, and Frank Gadinger. "The Play of International Practice." *International Studies Quarterly* 59, no. 3 (2015): 449–460.
Bull, Hedley. "Justice in International Relations: The 1983 Hagey Lectures." In *Hedley Bull on International Society,* edited by Kai Alderson and Andrew Hurrell, 206-245. London: Macmillan, 2000.

———. *Justice in International Relations*. Waterloo, ON: University of Waterloo, 1984a.
———, ed. *Intervention in World Politics.* Oxford: Clarendon Press, 1984b.
———, ed. "Introduction." In *Intervention in World Politics*, edited by Hedley Bull, 1-6. Oxford: Clarendon Press, 1984c.
———, ed. "Conclusion." In *Intervention in World Politics*, edited by Hedley Bull, 181-195. Oxford: Clarendon Press, 1984d.
———. "Intervention in the Third World." *The Non-Aligned World* 1, no. 3 (1983): 307-323.
———. "Recapturing the Just War for Political Theory." *World Politics* 31, no. 4 (1979): 588-599.
———. "International Theory: The Case for a Classical Approach." *World Politics* 18, no. 3 (1966): 361-377.
Bull, Hedley, and Adam Watson, eds. *The Expansion of International Society.* Oxford: Oxford University Press, 1986a.
———. "Conclusion". In *The Expansion of International Society*, 425-436. Oxford: Oxford University Press, 1986b.
Burke, Roland. *Decolonisation and the Evolution of Human Rights.* Philadelphia: University of Pennsylvania Press, 2010.
Butterfield, Herbert, and Martin Wight. "Preface." In *Diplomatic Investigations: Essays in the Theory of International Politics*, 11-13. Cambridge, MA: Harvard University Press, 1968.
Buzan, Barry. "Rethinking Security after the Cold War." *Cooperation and Conflict* 32, no. 5 (1997): 5-28.
Cabral, Amilcar. "The Weapon of Theory: Address to the First Tricontinental Conference." In *Selected Texts by Amilcar Cabral: Revolution in Guinea,* translated and edited by Richard Handyside, 90-112. New York: Monthly Review Press, 1970.
Calvo, Carlos. *Le Droit International Théorique Et Pratique.* 5th ed. Vol. I. Paris: Arthur Rousseau, 1896.
Cardoso, Fernando Henrique, and Enzo Faletto. *Dependency and Development in Latin America*. Translated by Marjory Mattingly Urquidi. Berkeley: University of California Press, 1979.
Cardozo, Michael. "Intervention: Benefaction as Justification." In *Essays on Intervention,* edited by Roland J. Stranger, 63-85. Columbus: Ohio State University Press, 1964.
Carnegie Endowment for International Peace. *The International Law of the Future: Postulates, Principles, and Proposals*. Washington: Carnegie Endowment for International Peace, 1944.
———. *International Conferences of American States. Supplement 1933-1940*. Washington: Carnegie Endowment for International Peace, 1940.
Cetina, Karin Knorr. "Objectual Practice." In *The Practice Turn in Contemporary Theory*, edited by Theodore R. Schatzki, Karin Knorr Cetina, and Eike von Savigny, 175-188. New York: Routledge, 2000.
Chandler, David. "The Paradox of the 'Responsibility to Protect.'" *Cooperation and Conflict* 45, no. 1 (2010): 128-134.
Collier, David, Fernando Daniel Hidalgo, and Andra Olivia Maciuceanu. "Essentially Contested Concepts: Debates and Applications." *Journal of Political Ideologies* 11, no. 3 (2006): 211-246.
Connell-Smith, Gordon. *The Inter-American System.* Oxford: Oxford University Press, 1966.
Connolly, William E. *The Terms of Political Discourse.* Oxford: Blackwell Publishers, 1993.

———. "The Politics of Discourse." In *Language and Politics,* edited by Michael Shapiro, 139-167. New York: New York University Press, 1984.
Crawford, Neta. *Argument and Change in World Politics: Ethics, Decolonization, and Humanitarian Intervention*. Cambridge: Cambridge University Press, 2002.
Cunliffe, Philip. *Critical Perspectives on the Responsibility to Protect: Interrogating Theory and Practice*. New York: Routledge, 2012.
Cutler, Lloyd N. "The Right to Intervene." *Foreign Affairs* 64, no. 1 (1985): 96-112.
Damrosch, Lori Fisler, and David J. Scheffer, eds. *Law and Force in the New International Order*. Boulder, CO: Westview Press, 1991.
Deng, Francis M. "From 'Sovereignty as Responsibility' to the Responsibility to Protect." *Global Responsibility to Protect* 2, no. 4 (2010): 353-370.
Deng, Francis M, Sadikiel Kimaro, Terrebce Lyons, Donald Rothchild, and I. William Zartman. *Sovereignty as Responsibility. Conflict Management in Africa*. Washington, DC: Brookings Institution Press, 1996.
De Wet, Erika. *Military Assistance on Request and the Use of Force*. Oxford: Oxford University Press, 2020.
———. "The Modern Practice of Intervention by Invitation in Africa and Its Implications for the Prohibition of the Use of Force." *European Journal of International Law* 26, no. 4 (2015): 979-998.
———. "The Evolving Role of ECOWAS and the SADC in Peace Operations: A Challenge to the Primary of the United Nations Security Council in Matters of Peace and Security?" *Leiden Journal of International Law* 27, no. 2 (2014): 353-369.
Dietrich, Christopher. *Oil Revolution: Anticolonial Elites, Sovereign Rights, and the Economic Culture of Decolonization.* Cambridge: Cambridge University Press, 2017.
Doswald-Beck, Louise. "The Legal Validity of Military Intervention by Invitation of the Government." *British Yearbook of International Law* 56, no. 189 (1985): 189-252.
Doty, Lynn Roxanne. "Aporia: A Critical Exploration of the Agent-Structure Problematique in International Relations Theory." *European Journal of International Relations* 3, no. 3 (1997): 365-92.
———. *Imperial Encounters: The Politics of Representation in North-South Relations.* Minneapolis: University of Minnesota Press, 1996.
Dozer, Donald Marquand, ed. *The Monroe Doctrine: Its Modern Significance.* Tempe, Center for Latin American Studies: Arizona State University, 1976.
Drago, Luis M. "State Loans in their Relations to International Policy*." The American Journal of International Law* 1, no. 3 (1907): 692-726.
Du Bois, W. E. B. "To the Nations of the World." In *W. E. B. Du Bois: A Reader*, edited by David Levering Lewis, 639-41. New York: Henry Holt, 1995.
Dumas, Roland. "La France et le droit d'ingérence humanitaire." *Relations internationales et stratégiques* 1, no. 3 (1991): 55-66.
Dunne, Tim, and Christian Reus-Smit. *The Globalization of International Society.* Oxford: Oxford University Press, 2017.
Dunne, Tim, and Nicholas Wheeler. *Human Rights in Global Politics.* Cambridge: Cambridge University Press, 1999.
Eichengreen, Barry. *Globalising Capital: A History of the International Monetary System.* Princeton: Princeton University Press, 2019.

Ellis, Ellen. “Intervention as a Sanction of International Law.” *Proceedings of the American Society of International Law* 27 (1933): 78-88.
Ellman, Michael. “Churchill on Stalin: A Note.” *Europe-Asia Studies* 58, no. 6 (2006): 965-971.
Evans, Gareth. *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All*. Washington, DC: Brookings Institution Press, 2008.
Falk, Richard A. “The United States and the Doctrine of Nonintervention in the Internal Affairs of Independent States.” *Howard Law Journal* 5, no. 1 (1959):163-189.
Farer, Tom. “Problems of an International Law of Intervention.” *Stanford Journal of International Studies* 3 (1968): 20-26.
Fenwick, Charles G. “Intervention: Individual and Collective.” *American Journal of International Law* 39, no. 4 (1945): 645-663.
———. “Intervention by Way of Propaganda.” *American Journal of International Law* 35, no. 4 (1941): 626-631.
Fidler, David P., Sung Won Kim, and Sumit Ganguly. “Eastphalia Rising? Asian Influence and the Fate of Human Security.” *World Policy Journal* 26, no. 2 (2009): 53-64.
Finnemore, Martha. *The Purpose of Intervention: Changing Beliefs About the Use of Force*. Ithaca, NY: Cornell University Press, 2004.
———. “Constructing Norms of Humanitarian Intervention.” In *The Culture of National Security,* edited by Peter Katzenstein, 153-185. New York: Columbia University Press, 1996.
Fleming, John. “The Nationalisation of Chile’s Large Copper Companies in Contemporary Interstate Relations.” *Villanova Law Review* 18, no. 4 (1973): 593-647.
Foucault, Michel. *Society Must Be Defended. Lectures at the Collège de France, 1975-76*. Translated by David Macey. New York: Picador, 2003.
———. “The Will to Knowledge.” In *The Essential Works of Michel Foucault, 1954-1984*. Vol. I, *Ethics: Subjectivity and Truth*, edited by Paul Rabinow, translated by Robert Hurley and others, 11-16. New York: New Press, 1997.
———. “Nietzsche, Genealogy, History.” In *The Foucault Reader,* edited by Paul Rabinow, 76-100. New York, Pantheon Books, 1984a.
———. “The Order of Discourse” In *Language and Politics*, edited by Michael Shapiro, 108-138. New York: New York University Press, 1984b.
Fox, Gregory H. “Intervention by Invitation.” In *Oxford Handbook of the Use of Force in International Law*, edited by Marc Weller, 816-840. Oxford: Oxford University Press, 2015.
Frank, André Gunder. *Capitalism and Underdevelopment in Latin America*. New York: Monthly Review Press, 1967.
Freeden, Michael. *Ideologies and Political Theory: A Conceptual Approach*. Oxford: Oxford University Press, 1996.
Friedmann, Wolfang. “Intervention and the Developing Countries.” *Virginia Journal of International Law* 10, no. 2 (1969): 205-222.
Gallie, W. B. "Essentially Contested Concepts.” *Proceedings of the Aristotelian Society* 56 (1955-56): 167-198.
Gardner, Richard. “International Law and the Use of Force.” *The Adelphi Papers* 32, no. 266 (1991): 64-73.
Gellman, Irwin F. *Good Neighbour Diplomacy: United States Policies in Latin America, 1933-1945*. Baltimore: Johns Hopkins University Press, 1979.

Getachew, Adom. *Worldmaking After Empire: The Rise and Fall of Self-Determination*. Princeton: Princeton University Press, 2019.
Ginsburg, Tom. "Eastphalia as the Perfection of Westphalia." *Indiana Journal of Global Legal Studies* 17, no. 1 (2010): 27-45.
Glanville, Luke. *Sovereignty and the Responsibility to Protect: A New History*. Chicago: Chicago University Press, 2014.
———. "The Myth of 'Traditional' Sovereignty." *International Studies Quarterly* 57, no. 1 (2013): 79-90.
———. "Retaining the Mandate of Heaven: Sovereign Accountability in Ancient China." *Millennium* 39, no. 2 (2010): 323–343.
Gleijeses, Piero. *Visions of Freedom: Havana, Washington, Pretoria and the Struggle for Southern Africa 1976*. Chapel Hill, NC: University of North Carolina Press, 2016.
———. *Conflicting Missions: Havana, Washington, and Africa, 1959-1976*. Chapel Hill, NC: University of North Carolina Press, 2003.
———. *The Dominican Crisis: The 1965 Constitutionalist Revolt and American Intervention.* Baltimore: Johns Hopkins University Press, 1978.
Glennon, Michael. "The New Interventionism: The Search for a Just International Law." *Foreign Affairs* 78, no. 3 (1999): 2-7.
Go, Julian, and George Lawson, eds. *Global Historical Sociology.* Cambridge: Cambridge University Press, 2017.
Gold, Martin. "Direct Broadcast Satellites: Implications for Less-Developed Countries and for World Order." *Virginia Journal of International Law* 12, no. 1 (1971): 66-91.
Goodrich, Leland M., and Edward Hambro. *Charter of the United Nations: Commentary and Documents*. Boston: World Peace Foundation, 1949.
Gowan, Peter. "US: UN." *New Left Review* 24 (November-December 2003): https://newleftreview.org/issues/II24/articles/peter-gowan-us-un/.
Green, David. *The Containment of Latin America: A History of the Myths and Realities of the Good Neighbour Policy*. Chicago: Quadrangle Books, 1971.
Guevara, Ernesto "Che". "Message to the Tricontinental." *Tricontinental,* Special Supplement (1967): 1-24.
Haass, Richard. *Intervention: The Use of American Military Force in the Post-Cold War World.* Washington, DC: Brookings Institution, 1999.
Hall, Ian. "The 'Revolt Against the West' Revisited." In *The Globalization of International Society*, edited by Tim Dunne and Christian Reus-Smit, 345-361. Oxford: Oxford University Press, 2017.
Hafner, Gerhard. "Present Problems of the Use of Force in International Law: Intervention by Invitation." *Yearbook of the Institute of International Law* 73 (2009): 227-67.
Haines, Gerald K. "Under the Eagle's Wing: The Franklin Roosevelt Administration Forges an American Hemisphere." *Diplomatic History* 1, no. 4 (1977): 373-388.
Hall, William Edward. *A Treatise on International Law*. Oxford: Clarendon Press, 1890.
Halpern, Manfred. "The Morality and Politics of Intervention." In *International Aspects of Civil Strife*, edited by James Rosenau, 249-288. Princeton: Princeton University Press, 1964.
Harcourt, William. *Letters by Historicus on Some Questions of International Law*. London: Macmillan and Company, 1843.
Hehir, Aidan. *Hollow Norms and the Responsibility to Protect.* New York: Palgrave Macmillan, 2019.

———. *The Responsibility to Protect: Rhetoric, Reality, and the Future of Humanitarian Intervention.* New York: Palgrave Macmillan, 2012.
Heinze, Eric. *Waging Humanitarian War: The Ethics, Law, and Politics of Humanitarian Intervention.* New York: State University of New York Press, 2009.
Henkin, Louis. "Force, Intervention, and Neutrality in Contemporary International Law." *Proceedings of the American Society of International Law* 57 (1963): 147-173.
Hershey, Amos Shartle. *The Essentials of International Public Law and Organisation*. New York: Macmillan, 1927.
———. "The Calvo and Drago Doctrines." *The American Journal of International Law* 1, no. 1 (1907): 26-45.
Higgins, Rosalyn. "Intervention and International Law." In *Intervention in World Politics*, edited by Hedley Bull, 29-44. Oxford: Oxford University Press, 1984.
Hilderbrand, Robert C. *Dumbarton Oaks: The Origins of the United Nations and the Search for Postwar Security*. London: The University of North Carolina Press, 1990.
Hobbes, Thomas. *Leviathan.* Edited by J. C. A. Gaskin. Oxford: Oxford University Press, 1996.
Hoffman, Stanley. "The Problem of Intervention." In *Intervention in World Politics,* edited by Hedley Bull, 7-28. Oxford: Oxford University Press, 1984.
Holzgrefe, J. L., and Robert Keohane, eds. *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas.* Cambridge: Cambridge University Press, 2003.
Hopf, Ted. "Change in International Practices." *European Journal of International Relations* 24, no. 3 (2018): 687-711.
Houben, Piet-Hein. "Principles of International Law Concerning Friendly Relations and Co-operation Among States." *American Journal of International Law* 61, no. 3 (1967): 703-36.
Human Rights Watch. "Death of a Dictator: Bloody Vengeance in Sirte." October 17, 2012, https://www.hrw.org/report/2012/10/16/death-dictator/bloody-vengeance-sirte/.
Hurrell, Andrew. "International Law within a Global International Society: Comment on Felix Lange." In *The International Rule of Law: Rise or Decline?* edited by Heike Krieger, Georg Nolte, Andreas Zimmermann, 90-101. Oxford: Oxford University Press, 2019.
———. "Can the Study of Global Governance be Decentred?" In *Global Governance from Regional Perspectives: A Critical View*, edited by Anna Triandafyllidou, 26-43. Oxford: Oxford University Press, 2017.
———. *On Global Order: Power, Values and the Constitution of International Society*. Oxford: Oxford University Press, 2007.
———. "Power, Institutions, and the Production of Inequality." In *Power in Global Governance,* edited by Michael Barnett, and Raymond Duvall, 33-58. Cambridge: Cambridge University Press, 2004.
Hyde, Charles Cheney. *International Law Chiefly as Interpreted and Applied by the United States.* Vol. 1. Boston: Little, Brown and Company, 1922.
Ignatieff, Michael. "How Syria Divided the World." *The New York Review of Books*, July 11, 2012, http://www.nybooks.com/daily/2012/07/11/syria-proxy-war-russia-china/.
Institute of International Law. *Sub-group on Intervention by Invitation, 10th Commission, Present Problems of the Use of Force in International Law, Session de Santiago*. Paris: Pedone, 2007.

International Commission for the Study of Communication Problems. *Many Voices, One World : Towards a New, More Just, and More Efficient World Information and Communication Order.* London: Kogan Page, 1980.

International Commission on Intervention and State Sovereignty. *The Responsibility to Protect. Research, Bibliography, Background*. Ottawa: International Development Research Centre, 2001.

Jansen, Godfrey. *Afro-Asia and Nonalignment.* London: Faber, 1966.

Johns, Fleur, Thomas Skouteris, and Wouter Werner. "Editors' Introduction: Alejandro Álvarez and the Launch of the Periphery Series." *Leiden Journal of International Law*, 19, no. 4 (2006): 857–877.

Jones, Lee. "Sovereignty, Intervention, and Social Order in Revolutionary Times." *Review of International Studies* 39, no. 5 (2013): 1149-1167.

Kagan, Robert. *The Return of History and the End of Dreams*. New York: Knopf, 2008.

Keene, Edward. "International Hierarchy and the Origins of the Modern Practice of Intervention." *Review of International Studies* 39, no. 5 (2013): 1077-1090.

———. *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics.* Cambridge: Cambridge University Press, 2002.

———. "The Development of the Concept of International Society: An Essay on Political Argument in International Relations Theory." In *Confronting the Political in International Relations*, edited by Michi Ebata and Beverly Neufeld, 17-41. London: Macmillan, 2000.

Kelsen, Hans. *Principles of International Law.* New York: Rinehart & Company, 1952.

Kim, Sung Won. "Eastphalia Revisited: The Potential Contribution of Eastphalia to Post-Westphalian Possibilities." *Pacific Focus* 33, no. 3 (2018): 434-545.

Kim, Sung Won, David P. Fidler, and Sumit Ganguly. "Eastphalia Rising? Asian Influence and the Fate of Human Security." *World Policy Journal* 26, no. 2 (2009): 53-64.

Kioko, Ben. "The Right of Intervention under the African Union's Constitutive Act: From Non-interference to Non-intervention." *International Review of the Red Cross* 85, no. 852 (2003): 807-824.

Kissinger, Henry. "'Interview for Bill Moyers' Journal. January 15, 1975." *Department of State Bulletin* LXXII, no. 1859 (1975): 165-181.

Klose, Fabian. *The Emergence of Humanitarian Intervention: Ideas and Practice from the Nineteenth Century to the Present.* Cambridge: Cambridge University Press, 2016.

Koskenniemi, Martti. "Histories of International Law: Dealing with Eurocentrism." *Rechtsgeschichte* 19 (2011): 152-176.

———. *The Gentle Civilizer of Nations. The Rise and Fall of International Law 1870-1960*. Cambridge: Cambridge University Press, 2004.

Kuhn, Thomas. *The Structure of Scientific Revolutions*. Chicago: University of Chicago Press, 1962.

Kuwali, Dan. "From Stopping to Preventing Atrocities: Actualisation of Article 4(h)." *African Security Review* 24, no. 3 (2015): 248-269.

Lamb, Robert. "Recent Developments in the Thought of Quentin Skinner and the Ambitions of Contextualism." *Journal of the Philosophy of History* 3, no. 3 (2009): 246-65.

Lane, Melissa."Doing Our Own Thinking for Ourselves: On Quentin Skinner's Genealogical Turn." *Journal of the History of Ideas* 73, no. 1 (2012): 71-82.

———. "Constraint, Freedom, and Exemplar: History and Theory without Teleology." In *Political Philosophy versus History: Contextualism and Real Politics in Contemporary Political Thought*, edited by Jonathan Floyd and Marc Stears, 128-150. Cambridge: Cambridge University Press, 2011.

Lasser, William. *Benjamin V. Cohen: Architect of the New Deal*. New Haven: Yale University Press, 2002.

Lauren, Paul Gordon. *The Evolution of International Human Rights: Visions Seen*. Philadelphia: University of Pennsylvania Press, 2011.

Lawday, David. *Napoleon's Master: A Life of Prince Talleyrand*. London: Jonathan Cape, 2006.

Lawrence, Thomas J. *Principles of International Law*. 7th ed. Revised by Percy Winfield. Boston: D. C. Heath, 1920.

———-. *Principles of International Law.* 5th ed. Boston: D. C. Heath, 1913.

Lawson, George, and Luca Tardelli. "The Past, Present, and Future of Intervention." *Review of International Studies* 39, no. 5 (2013): 1233-1253

Linklater, Andrew, and Hidemi Suganami. *The English School of International Relations: A Contemporary Reassessment.* Cambridge: Cambridge University Press, 2006.

Little, Richard. "Intervention and Non-intervention in International Society: Britain's response to the American and Spanish Civil Wars." *Review of International Studies* 39, no. 5 (2013): 1111-1129.

———. *Intervention: External Involvement in Civil Wars.* London: Rowman and Littlefield, 1975.

Lorca, Arnulf Becker. *Mestizo International Law: A Global Intellectual History, 1842-1933.* Cambridge: Cambridge University Press, 2015.

Lowe, Vaugham. *International Law.* Oxford: Oxford University Press, 2007.

Luck, Edward. "Building a Norm: The Responsibility to Protect Experience." In *Mass Atrocity Crimes: Preventing Future Outrages,* edited by Robert Rotberg, 108-27. Washington, DC: Brookings Institution Press, 2010.

———. "Sovereignty, Choice, and the Responsibility to Protect." *Global Responsibility to Protect* 1, no. 1 (2009): 10-21.

———. "The Responsible Sovereign and the Responsibility to Protect." In *Annual Review of United Nations Affairs*, edited by Joachim Müller and Karl Sauvant, xxxiii-xliv. Oxford: Oxford University Press, 2008.

Lukes, Steven, and W. G. Runciman. "Relativism: Cognitive and Moral." *Proceedings of the Aristotelian Society, Supplementary Volumes* 84 (1974): 165-208.

Luttwak, Edward N. "Intervention and Access to Natural Resources." In *Intervention in World Politics,* edited by Hedley Bull, 79-94. Oxford: Clarendon Press, 1984.

MacFarlane, Neil S. *Intervention in Contemporary World Politics.* Adelphi Paper 350. London: International Institute for Strategic Studies, 2002.

———. *Intervention and Regional Security.* Adelphi Paper 196. London: International Institute for Strategic Studies, 1985.

MacFarlane, Neil S., and Yuen Foong Khong. *Human Security and the UN: A Critical History*. Bloomington, IN: Indiana University Press, 2006.

MacMillan, John. "Intervention and the Ordering of the Modern World." *Review of International Studies* 39, no. 5 (2013): 1039-1056.

Malik, Charles. *The Problem of Coexistence.* Evanston, IL: Northwestern University, 1955.

Mani, V. S. *Basic Principles of Modern International Law: A Study of the United Nations Debates on the Principles of International Law Concerning Friendly Relations and Cooperation Among States.* Lancers Books: New Delhi, 1993.
———. "The 1970 Declaration on Friendly Relations: A Case Study." *International Studies* 18, no. 3 (1979): 287-321.
Masmoudi, Mustapha. "The New World Information Order." *Journal of Communication* 29, no. 2 (1979): 172-85.
Mayall, James. *World Politics: Progress and its Limits.* Cambridge: Polity Press, 2000.
Mazzini, Giuseppe. "Non-Intervention." In *Life and Writings of Giuseppe Mazzini*, Vol. VI, 300-308. London: Smith, Elder, 1870.
Mazower, Mark. *Governing the World: The History of an Idea.* New York: Penguin, 2012.
———. *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations*. Princeton: Princeton University Press, 2009.
McDougal, Myres S. and Harold D. Lasswell. "The Identification and Appraisal of Diverse Systems of Public Order." *American Journal of International Law* 53, no. 1 (1959): 1-29.
McPherson, Alan. *The Invaded: How Latin Americans and their Allies Fought and Ended U.S. Occupations*. New York: Oxford University Press, 2013.
———. *Yankee No! Anti-Americanism in US-Latin American Relations*. Cambridge, MA: Harvard University Press, 2004.
McWhinney, Edward. "The 'New' Countries and the 'New' International Law: The United Nations' Special Conference on Friendly Relations and Co-operation among States." *American Journal of International Law* 60, no.1 (1966): 1-33.
Modelski, George. "The International Relations of Internal War." In *International Aspects of Civil Strife,* edited by James Rosenau, 14-44. Princeton: Princeton University Press, 1964.
Moore, John Norton. "Intervention: A Monochromatic Term for a Polychromatic Reality." In *Law and the Indo-China War,* 119-150. Princeton: Princeton University Press, 1972.
Morris, Justin. "Libya and Syria: R2P and the Spectre of the Swinging Pendulum." *International Affairs* 89, no. 5 (2013): 1265-1283.
Mullerson, Rein. "Intervention by Invitation." In *Law and Force in the New International Order*, edited by Lori Fisler Damrosch and David J. Scheffer*,* 127-34. Boulder, CO: Westview Press, 1991.
Murphy, Sean D. *Humanitarian Intervention: The United Nations in Evolving World Order.* Philadelphia: University of Pennsylvania Press,1996.
Mussolini, Benito. *Scritti e Discorsi di Benito Mussolini*. Vol. X, *Scritti e Discorsi dell'Impero*. Milan: Hoepli, 1936.
Nabulsi, Karma. *Traditions of War: Occupation, Resistance and the Law.* Oxford: Oxford University Press, 1999.
Nardin, Terry. "From Right to Intervene to Duty to Protect: Michael Walzer on Humanitarian Intervention." *The European Journal of International Law* 24, no. 1 (2013): 67-82.
Neumann, Iver. "Returning Practice to the Linguistic Turn: The Case of Diplomacy." *Millennium: Journal of International Studies* 31, no. 3 (2002): 627-51.
Nguyen, Quoc Tan Trung. "Rethinking the Legality of Intervention by Invitation: Toward Neutrality." *Journal of Conflict and Security Law* 24, no. 2 (2019): 201–238.
Nietzsche, Friedrich. *On the Genealogy of Morals and Ecce Homo*. Translated by Walter Kaufmann. New York: Random House, 1989.

———. *Daybreak: Thoughts on the Prejudices of Morality.* Translated by R. J. Hollingdale. Cambridge: Cambridge University Press, 1982.
Nixon, Edgar B., ed. *Franklin D. Roosevelt and Foreign Affairs.* Vol. I, *January 1933-February 1934.* Cambridge, MA: Belknap Press, 1969.
Nolte, Georg. "Intervention by Invitation." In *Max Planck Encyclopedia of International Law*. Oxford: Oxford University Press, 2010.
Nordenstreng, Kaarle, and Lauri Hannikainen. *The Mass Media Declaration of Unesco.* Norwood: Ablex Publishing Corporation, 1984.
Nordenstreng, Kaarle, Enrique González Manet, and Wolfgang Kleinwächter, eds. *New International Information Order Sourcebook.* Prague: International Organization of Journalists, 1986.
Obama, Barack, David Cameron, and Nicolas Sarkozy. "Libya's Pathway to Peace." *The New York Times,* April 14, 2011, https://www.nytimes.com/2011/04/15/opinion/15iht-edlibya15.html/.
Oppenheim, Lassa. *International Law: A Treatise.* 7th ed.. Edited by Hersch Lauterpacht. 1905/06. London: Longmans, 1948.
———-. *International Law: A Treatise*. 5th ed. Edited by Hersch Lauterpacht. London: Longmans, 1937.
———. *International Law: A Treatise.* 2nd ed. London: Longmans, Green and Co, 1912.
Orford, Anne. *International Authority and the Responsibility to Protect.* Cambridge: Cambridge University Press, 2011.
———. *Reading Humanitarian Intervention. Human Rights and the Use of Force in International Law.* Cambridge: Cambridge University Press, 2003.
Organization of African Unity. *Rwanda, The Preventable Genocide: The Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events*. Addis Ababa: Organisation of African Unity, 2000.
Petersson, Fredrik. "From Versailles to Bandung: The Interwar Origins of Anticolonialism." In *Bandung, Global History and International Law,* edited by Luis Eslava, Michael Fakhri, and Vasuki Nesiah, 66-80. Cambridge: Cambridge University Press, 2017.
Phạm, Quỳnh N., and Robbie Shilliam, eds. *Meanings of Bandung. Postcolonial Orders and Decolonial Visions.* London: Rowman & Littlefield, 2016.
Phillimore, Robert. *Commentaries upon International Law.* Vol I. 3rd ed. London: Butterworths, 1879.
Pinch, Edward T. "The Flow of News: An Assessment of the Non-Aligned News Agencies Pool." *Journal of Communication* 28, no. 4 (1987): 163-171.
Popovic, Mirko. "Cooperation Among Non-Aligned Countries in Radio Broadcasting." *Review of International Affairs* 28, no. 663 (1977): 1-3.
Prashad, Vijay. *The Darker Nations. A People's History of the Third World*. New York: The New Press, 2008.
Queeney, Kathryn M. *Direct Broadcast Satellites and the United Nations.* Alphen aan de Rijn: Sijthoff & Noordhoff, 1978.
Quine, Willard V. O. "Two Dogmas of Empiricism." *Philosophical Review* 60, no. 1 (1951): 20-43.
Quitter, John H. A. "Editor's Foreword. Intervention and World Politics." *Journal of International Affairs* 22, no.2 (1968): ix-x.

Raikes, Thomas. *A Portion of the Journal Kept by Thomas Raikes from 1831-1847*. Vol. I. Cambridge: Cambridge University Press, 2012.
Rawls, John. *A Theory of Justice*. Cambridge, MA: Harvard University Press, 2003.
Recchia, Stefano, and Jennifer M. Welsh, eds. *Just and Unjust Military Interventions: European Thinkers from Vitoria to Mill*. Cambridge: Cambridge University Press, 2013.
Rehm, John B. "Expropriation of American Investments Abroad." In *Digest of International Law,* Vol. VIII, edited by Marjorie Whiteman, 1143- 1163. Washington, DC: US Government Printing Office, 1967.
Reus-Smit, Chris. "The Concept of Intervention." *Review of International Studies* 39, no. 5 (2013): 1057–1076
Rieff, David. "R2P, R.I.P." *The New York Times*, November 7, 2011, http://www.nytimes.com/2011/11/08/opinion/r2p-rip.html/.
Roberts, Adam. "The So-Called Right of Humanitarian Intervention." *Yearbook of International Humanitarian Law* 3 (2002): 3-51.
———. "Humanitarian War: Military Intervention and Human Rights." *International Affairs* 69, no. 3 (1993): 429-449.
Rodogno, Davide. *Against Massacre: Humanitarian Interventions in the Ottoman Empire, 1815-1914.* Princeton: Princeton University Press, 2012.
Romulo, Carlos P. *Forty Years: Third World Soldier at the UN*. New York: Greenwood Press, 1986.
———. *I Walked with Heroes.* New York: Holt, Rinehart and Winston, 1961.
Rosenau, James N. "Pre-Theories and Theories of Foreign Policy." In *The Scientific Study of Foreign Policy,* 115-169. London: Nichols Publishing Company, 1980.
———. "Intervention as a Scientific Concept." *The Journal of Conflict Resolution* 13, no. 2 (1969): 149-171.
———. "The Concept of Intervention." *Journal of International Affairs* 22, no. 2 (1968): 165-176.
Rosenstock, Robert. "The Declaration of Principles of International Law Concerning Friendly Relations: A Survey." *The American Journal of International Law* 65, no. 5 (1971): 713-35.
Russell, Ruth B. *A History of the United Nations Charter.* Washington DC: Brookings Institute, 1958
Ryniker, Anne. "The ICRC's Position on 'Humanitarian Intervention.'" *International Review of the Red Cross* 83, no. 842 (2001): 527-32.
Sahovic, Milan. *Principles of International Law Concerning Friendly Relations and Cooperation.* Belgrade: The Institute of International Politics and Economics, 1972.
Sauvy, Alfred. "Trois mondes, une planète." *L'Observateur*, no. 118, August 14, 1952, http://www.homme-moderne.org/societe/demo/sauvy/3mondes.html.
Scarfi, Juan Pablo. *The Hidden History of International Law in the Americas: Empire and Legal Networks.* Oxford: Oxford University Press, 2017.
Schiller, Herbert. "Decolonization of Information: Efforts toward a New International Order." *Latin American Perspectives* 5, no. 1 (1978): 35-48.
Schlesinger, Stephen C. *Act of Creation: The Founding of the United Nations.* Cambridge, MA: Westview Press, 2003.
Schmitt, Carl. *Political Theology*. Translated by George Schwab. Chicago: University of Chicago Press, 2005.

Schrecker, John, and Michael Walzer. "American Intervention and the Cold War." *Dissent* 12, no. 4 (1965): 431-46.

Schroeder, C. Ursula. "Introduction: Decentring the Study of International Interventions." *Cooperation and Conflict* 53, no. 2 (2018): 139-153.

Seybolt, Taylor B. *Humanitarian Military Intervention: The Conditions for Success and Failure*. Oxford: Oxford University Press, 2007.

Shahabuddin, Mohammad. "Nationalism, Imperialism, and Bandung: Nineteenth-Century Japan as a Prelude." In *Bandung, Global History and International Law*, edited by Luis Eslava, Michael Fakhri, and Vasuki Nesiah, 95-107. Cambridge: Cambridge University Press, 2017.

Sherwood, Marika. "There Is No New Deal for the Blackman in San Francisco: African Attempts to Influence the Founding Conference of the United Nations." *The International Journal of African Studies* 29, no. 1 (1996): 71-94.

Shilliam, Robbie. "Intervention and Colonial-modernity: Decolonizing the Italy/Ethiopia Conflict through Psalms 68:31." *Review of International Studies* 39, no. 5 (2013): 1131-1147.

———, ed. *International Relations and Non-Western Thought: Imperialism, Colonialism and Investigations of Global Modernity*. New York: Routledge, 2010.

Shimazu, Naoko. "Diplomacy as Theatre: Staging the Banding Conference of 1955." *Modern Asian Studies* 48, no. 1 (2014): 225-252.

Shirer, William L. *The Rise and Fall of the Third Reich: A History of Nazi Germany*. New York: Simon and Schuster, 1960.

Shue, Henry. *Basic Rights: Subsistence, Affluence and US Foreign Policy.* Princeton: Princeton University Press, 1980.

Simma Bruno, Daniel-Erasmus Kahn, Georg Nolte, and Andreas Paulus, eds. *The Charter of the United Nations: A Commentary.* Oxford: Oxford University Press, 2012.

Simms, Brendan, and D. J. B. Trim, eds. *Humanitarian Intervention: A History*. Cambridge: Cambridge University Press, 2011.

Sinclair, Ian M. "The Significance of the Friendly Relations Declaration." In *The United Nations and the Principles of International Law: Essays in Memory of Michael Akehurst*, edited by Vaughan Lowe and Colin Warbrick, 1-32. Routledge: London 1994.

Skinner, Quentin. *Visions of Politics. Volume I. Regarding Method.* Cambridge: Cambridge University Press, 2002a.

———. "Interview by Petri Koikkalainen and Sami Syrämäki." *Finnish Yearbook of Political Thought* 6 (2002b): 34-63.

Smith, Gaddis. *The Last Years of the Monroe Doctrine, 1945-1993*. New York: Hill & Wang, 1994.

Spektor, Matias. "Humanitarian Interventionism Brazilian Style?" *America Quarterly* 6, no. 3 (2012): 54-59.

Stauffer, David H., and Almon E. Wright. *Foreign Relations of the United States: Diplomatic Papers, 1946*. Vol. IX, *The American Republics*. Washington: United States Government Printing Office, 1969.

Stern, David S., Robert Borosage, and Tom Farer. "Covert Intervention and Third World Ideas." *Proceedings of the Annual Meeting of the American Society of International Law* 69 (April 1975): 200-216.

Stettinius, Edward R. *The Diaries of Edward R. Stettinius.* Edited by Thomas M. Campbell and George C. Herring. New York: New Viewpoints, 1975.

Stowell, Ellery Cory. *Intervention in International Law.* Washington: John Bryne and Company, 1921.

Subrahmanyam, Sanjay. "'Connected Histories:' Notes towards a Reconfiguration of Early Modern Eurasia." *Modern Asian Studies* 31, no. 3 (1997): 735–62.

Sukarno. *Indonesia Accuses! Soekarno's Defence Oration in the Political Trial of 1930.* Edited and translated by Roger K. Paget. Kuala Lumpur: Oxford University Press, 1975.

———. "Opening Speech by President Sukarno of Indonesia at Opening of the Conference." In *Asia-Africa Speaks from Bandung*. 19-29. Jakarta: Indonesian Ministry of Foreign Affairs, 1955.

Suzuki, Shogo. *Civilisation and Empire: China and Japan's Encounter with International Society.* Routledge: New York, 2009.

Swidler, Ann. "What Anchors Cultural Practices." In *The Practice Turn in Contemporary Theory*, edited by Theodore R. Schatzki, Karin Knorr Cetina, and Eike von Savigny, 83-101. New York: Routledge, 2000.

Tan, See Seng, and Amitav Acharya, eds. *Bandung Revisited. The Legacy of the 1955 Asian-African Conference for International Order.* Singapore: National University of Singapore Press, 2008.

Taylor, Charles. "Comparison, History, Truth." In *Philosophical Arguments*, 148-51. Cambridge, MA: Harvard University Press, 1995.

———. *Philosophical Papers*. Vol. I, *Human Agency and Language*. Cambridge: Cambridge University Press, 1985a.

———. "Foucault on Freedom and Truth." In *Philosophical Papers.* Vol. II, *Philosophy and the Human Sciences*, 152-184. Cambridge: Cambridge University Press, 1985b.

———. "Understanding and Ethnocentricity." In *Philosophical Papers*. Vol. II, *Philosophy and the Human Sciences,* 116-133. Cambridge: Cambridge University Press, 1985c.

———-. "Self-Interpreting Animals." In *Human Agency and Language*, 45-76. Cambridge: Cambridge University Press, 1985d.

———. "Interpretation and the Sciences of Man." *The Review of Metaphysics* 25, no. 1 (1971): 3-51.

———. "Neutrality in Political Science." In *Philosophy, Politics, and Society*, edited by Peter Laslett and W. G. Runciman, 25-57. Oxford: Basil Blackwell, 1967.

Thakur, Ramesh. "R2P after Libya and Syria: Engaging Emerging Powers." In *Reviewing the Responsibility to Protect: Origins, Implementation, and Controversies*, 129-142. London: Routledge, 2019.

Thakur, Ramesh, and William Maley, eds. *Theorising the Responsibility to Protect.* Cambridge: Cambridge University Press, 2015.

Thakur, Ramesh, and Thomas Weiss. "R2P: From Idea to Norm---to Action?" *Global Responsibility to Protect* 1, no. 1 (2009): 22-53.

The Times. "Non-Intervention: Theory and Practice." *The Times,* May 17, 1919.

Tsai, Kellee S. "China's Political Economy and Political Science." *Perspectives on Politics* 11, no. 3 (2013): 860–71.

Tully, James. "Political Philosophy as a Critical Activity." In *Public Philosophy in a New Key.* Vol. I. *Democracy and Civic Freedom*, 15-38. Cambridge: Cambridge University Press, 2008.

Turner, Stephen. "Not So Radical Historicism." *Philosophy of the Social Sciences* 45, no. 2 (2014): 246-257.
Urquhart, Brian. *Ralph Bunche: An American Life.* New York: W. W. Norton, 1998.
Vincent, R. J. *Human Rights and International Relations.* Cambridge: Cambridge University Press, 1986.
———. *Non-Intervention and International Order.* Princeton: Princeton University Press, 1974.
Walker, Rob. *Out of Line: Essays on the Politics of Boundaries and the Limits of Modern Politics.* London: Routledge, 2015.
———. *Inside/Outside. International Relations as Political Theory.* Cambridge: Cambridge University Press, 1992.
Wallerstein, Immanuel. *The Modern World System.* Berkeley: University of California Press, 2011.
Walzer, Michael. "Liberalism and the Art of Separation." In *Thinking Politically: Essays in Political Theory*, edited by David Miller, 53-67. New Haven: Yale University Press, 2007.
———. "Pluralism and Social Democracy." *Dissent* 45, no. 1 (1998): 47-53.
———. *Just and Unjust Wars: A Moral Argument with Historical Illustrations.* Philadelphia: Basic Books, 1977.
Weiss, Thomas G. *Humanitarian Intervention: Ideas in Action*. Cambridge: Polity Press, 2007.
Weissman, Fabrice. "'Not in Our Name': Why Doctors Without Borders Does Not Support the 'Responsibility to Protect.'" *Criminal Justice Ethics* 29, no. 2 (2010): 194-207.
Welles, Sumner. "Intervention and Interventions." *Foreign Affairs* 26, no. 1 (1947): 116-133.
Welsh, Jennifer M. "Norm Robustness and the Responsibility to Protect." *Journal of Global Security Studies* 4, no. 1 (2019): 53-72.
———. "Norm Contestation and the Responsibility to Protect." *Global Responsibility to Protect* 5, no. 4 (2013): 365-396.
———. "A Normative Case for Pluralism: Reassessing Vincent's Views on Humanitarian Intervention." *International Affairs* 87, no. 5 (2011): 1193-1204.
———, ed. *Humanitarian Intervention and International Relations*. Oxford: Oxford University Press, 2004a.
———. "Introduction." In *Humanitarian Intervention and International Relations*, edited by Jennifer Welsh, 1-10. Oxford: Oxford University Press, 2004b.
Wheeler, Nicholas. "The Humanitarian Responsibilities of Sovereignty: Explaining the Development of a New Norm of Military Intervention for Humanitarian Purposes in International Society." In *Humanitarian Intervention and International Relations,* edited by Jennifer Welsh, 29-52. Oxford: Oxford University Press, 2006.
———. *Saving Strangers: Humanitarian Intervention in International Society*. Oxford: Oxford University Press, 2000.
———. "Pluralist or Solidarist Conceptions of International Society: Bull and Vincent on Humanitarian Intervention." *Millennium: Journal of International Studies* 21, no. 3 (1992): 463-487.
Wight, Martin. *International Theory: The Three Traditions.* Edited by Gabriele Wight and Brian Porter. Leicester, UK: Leicester University Press, 1991.
———. *Power Politics.* Edited by Hedley Bull and Carsten Holbraad, Leicester: Leicester University Press, 1978.

———. “Why Is There No International Theory?” In *Diplomatic Investigations: Essays on the Theory of International Politics,* edited by Herbert Butterfield and Martin Wight, 37-54. Oxford: Oxford University Press, 1966.

Williams, David. “Development, Intervention, and International Order.” *Review of International Studies* 39, no. 5 (2013): 1213-1231.

Williams, Paul D. “From Non-Intervention to Non-Indifference: The Origins and Development of the African Union’s Security Culture.” *African Affairs* 106, no. 423 (2007): 253–79.

Winfield, Percy. “History of Intervention in International Law.” *British Yearbook of International Law* 3 (1922): 130-149.

Wippman, David. “Military Intervention, Regional Organizations and Host State Consent.” *Duke Journal of Comparative & International Law* 7, no. 1 (1996): 209-240.

Wittgenstein, Ludwig. *Philosophical Investigations*. Translated by G. E. M. Anscombe. Oxford: Blackwell Publishing, 1973.

Wood, Bryce. *The Making of the Good Neighbour Policy.* New York: Columbia University Press, 1961.

Wright, Quincy. *The Role of International Law in the Elimination of War*. Manchester: Manchester University Press, 1961.

———. “Subversive Intervention.” *American Journal of International Law* 54, no. 3 (1960): 521-535.

Young, Oran. “Intervention and International Systems.” *Journal of International Affairs* 22, no. 2 (1968): 177-187.