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Report on the Annual Conference of the German Association for Historical Peace Research (AKHF) in 2012, on "The Emergence of Humanitarian Intervention. Concepts and Practices in the Nineteenth and Twentieth Centuries."

Organizer: Fabian Klose (Ludwig-Maximilians-Universität Munich)
Historisches Kolleg München, 25-27 October 2012

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Report by **Adrian Franco**, Department of History, Ludwig-Maximilians-Universität Munich,
franco.adrian@campus.lmu.de

At a time of continuing upheavals and major political changes in the Arab World, the issue of forced humanitarian intervention in armed conflicts, ranging from the prevention of mass atrocities against civilians to peacekeeping missions in the threat of Civil War, has attained an ever urgent, virulent and much debated status, equally among politicians, militaries, NGOs, the media and scholars as well. Therefore, in the light of at least two decades of ongoing controversy and two crucial experiences with complete different outcomes – namely the failure to protect civilians in Srebrenica in 1995 and the successful interception at Bengasi in 2011 – the conference sought to investigate the historical emergence of concepts and practices of humanitarian intervention in the nineteenth and twentieth centuries. Acknowledging the multi-dimensional and interdisciplinary character of the topic, the conference brought together a group of international experts from different disciplines such as international law, sociology, political science, and history, thus emphasizing the enrichment of research from different perspectives and various approaches.

In his introductory remarks FABIAN KLOSE (Munich) highlighted the four leading themes and questions of the conference:

1. Which concepts, actors, and practices of humanitarian intervention can be identified in the nineteenth and twentieth centuries?
 2. Where are the philosophical and legal origins of enforcing humanitarian norms by military means?
 3. Which role does the mobilization of public opinion play in the decision for and against humanitarian intervention?
 4. What is the relationship between the humanitarian justification to protect and the interest of power politics to interfere in the sovereign rights of states?
- What chances and risks are implied in the concept of humanitarian intervention?

In his subsequent keynote lecture MICHAEL GEYER (Chicago) linked the central issue of armed intervention to the major umbrella themes of humanitarianism and human rights as well as discussing the various related dilemmas. Geyer further enhanced and exposed both the analytical and historical problems of establishing a strong link between legitimized humanitarian interventions and preceding human rights violations in recent times. Instead, he suggested a historical baseline to assess, compare and discuss contemporary definitions of humanitarian intervention without blurring concepts of protecting human rights and humanitarianism. By examining current political definitions of humanitarian interventions, Geyer confronted these with a historical lineage of theory and practice of forcible interventions on the one hand, and the long tradition of humanitarianism and the protection of rights on the other.

In addition to the six main panels of the conference, the public panel discussion *“Protecting Human Rights by Force? Military and Political Perspectives in the 21st Century”* on October 25 aimed to discuss the recent development and the future of the concept of humanitarian intervention, taking into account the implication of different institutions and actors involved. The discussion brought together JOACHIM KÄPPNER (Süddeutsche Zeitung, Munich), CORINNA HAUSWEDELL (Conflict Analysis and Dialogue, Bonn), LAWRENCE MOSS (Human Rights Watch, New York), and ULF HÄUßLER (German Federal Ministry of Defense, Berlin).

The **First Panel** of the conference focused on the legal discourse on intervention and the importance of public opinion in the nineteenth century. By presenting various positions of legal experts in the second half of that century DANIEL MARC SEGESSER (Berne) delivered a comparative overview. In drawing different positions either favorable or critical to forced interventions, he concluded that all legal experts had considered the sovereignty of a state as the core element of international law. Nevertheless, he argued that some had revealed the tendency to acknowledge the legitimacy to intervene if international law or even the “laws of humanity” had been broken. STEFAN KROLL (Göttingen) concentrated in his paper on the justification of intervention in regard to the legal principle of sovereignty. Kroll emphasized that there had never been an absolute meaning of sovereignty, neither in legal theory nor in legal practice. On the contrary, he argued that some legal theorists had been able to deduce a legitimate justification for intervention. JON WESTERN (South Hadley, MA) then shifted the focus from the legal dimension to the influence of public opinion, taking into consideration a comparative analysis of three different historical events: the Greek War of Independence in the 1820s, the U.S.-American war with Spain in 1898, and

the U.S. response to the Bosnian War from 1992 to 1995. Western applied an analytical framework corresponding to the complex constellations of public opinion and decision making.

In his commentary, MARTIN AUST (Munich) underlined the importance of investigating the significance of public-opinion building in the wake of humanitarian interventions, suggesting a further examination of images, media and their impacts. Referring to Segesser's paper, Aust took into question the continuity of some legal positions towards the present. Basically, he proposed that legal experts in the nineteenth century had been influenced by imperial rule and the idea of dividing the community of states into a hierarchy of civilized, semi-civilized and non-civilized members.

The **Second Panel** sought to give another perspective on the nineteenth century, starting with the anti-slavery moment in history and more explicitly with the endeavors to stop the slave trade. By interpreting the aftermath of the Congress of Vienna in 1814/15, FABIAN KLOSE (Munich) assessed the quality of the "*Declaration on the Universal Abolition of the Slave Trade*" as the starting point of emerging humanitarian intervention practice. In that sense, Klose advocated the opinion that the Vienna document had helped to establish an international humanitarian norm, as well as an "apparatus to enforce it". Furthermore he argued that the international regime to enforce the ban of the slave trade significantly helped to establish a new practice in international politics. In this respect, the various cases of intervention by the Great European Powers to protect Christian minorities in the Ottoman Empire did not mark, in and of themselves, the first practical implementation of the idea of humanitarian intervention, as recent studies have proclaimed.

Focusing on military efforts to intervene in the slave trade on the coast of West Africa, BRONWEN EVERILL (Warwick) explored the role of the British colony of Sierra Leone and the American Colonization Society's settlements in Liberia in regard to British-American cooperation. By comparing both colonies and the naval operations shaped by national politics and regional differences in dealing with the slave trade, Everill depicted the development from an initial U.S. denial to cooperate with Britain's Navy, to a working collaboration after the Anglo-American treaty of 1842 that led to a stronger U.S. commitment to military intervention on the African coast. Almost the same subject – foreign intervention in Africa – touched the central questions of MAIRI MACDONALD's (Toronto) concern with colonial rule in King Leopold's Congo Free State. Beginning with the 1890 Brussels Conference and its emphasis on European colonization legitimized by humanitarian ends, she looked for effects of this "humanitarian pretext" on Leopold's cruel exploitation of people and resources in the Congo. Her inquiry was dedicated to the potential "moral hazard" the humanitarian consensus had promoted to encourage atrocities under the humanitarian zeal to end the Slave Trade in Africa.

Summarizing all three papers regarding the Slave Trade and humanitarian intervention in the nineteenth century, JOST DÜLFFER (Cologne) asked for the consideration of results and long-term implications of antislavery cooperation. Moreover, he underlined the influence of commercial and political motives.

The **Third Panel** connected the topic of the conference to the issue of protecting religious and ethnic minority groups in the nineteenth century. ABIGAIL GREEN (Oxford) illuminated the non-military efforts by the international community on behalf of the threatened Jewish communities in Morocco and Romania as a case-in-point study to understand how humanitarian consciousness had functioned across boundaries (i.e. Eastern and Western Europe; Europe and Muslim world) and towards different minorities which were not of Christian denomination. By comparing the different international response to the plights of Jewish communities in both countries and referring to the diplomatic forums at the Congresses of Berlin (1878) and Madrid (1880), she argued that one should place emphasis on “the logic of the international system” in order to understand the motives behind humanitarian interventions in the regions in question.

Unfortunately DAVIDE RODOGNO (Geneva) was unable to participate, wherefore BRENDAN SIMMS (Cambridge) gave a short abstract of Rodogno’s main arguments in his commentary notes. Subsequently, Simms highlighted the common grounds in both approaches, among these the importance of strategic dimensions and Geopolitics. However, by referring to the antislavery campaign and Green’s paper on Jewish minorities Simms questioned Rodogno’s concept of exclusively focusing on Western interventions for the protection of Christian minorities in the Ottoman Empire.

The **Fourth Panel** aimed at the interwar period, thus advancing in time to the twentieth century. DANIEL MAUL (Gießen) concentrated on the tensions of “Quaker ethics” on the one hand and the involvement into armed conflicts on the other, once The Religious Society of Friends had been pursuing child relief work in Post-war Germany (1919-1925) and humanitarian aid in the Spanish Civil War (1936-1939). Hence, he explored the compromising challenge to central Quaker commitments – such as pacifism, reconciliation and impartiality – against the background of major conflicts and the dependency on “national frameworks” in relief practice. Switching the scene to National Socialist foreign policy after 1933 and to the “dark sides” of humanitarian intervention, JOST DÜLFFER (Cologne) investigated how the Third Reich had abused the language of protecting minority rights in order to intervene in neighbor states on behalf of the German speaking population. He characterized these tactical appeals to “the violation of human rights of ethnic Germans” and to the principle of self-determination as suitable instruments for an aggressive foreign policy.

In her commentary on both approaches to the interwar period, CLAUDIA KEMPER (Hamburg) raised further questions. As to the Quaker dilemma, she proposed also to take into consideration other reform movements and their interaction at the turn of the century. Regarding Dülffer’s analysis she explicitly asked for more information on the mechanisms of international communication networks and the supply “of meaning and beliefs” in order to grasp the undermining of humanitarianism committed by Nazi Germany.

The **Fifth Panel** focuses on various forms of Cold War interventionism. Tracking the development of United Nations peacekeeping operations during the Cold War until the 1990s, JAN ERIK SCHULTE (Dresden) examined peacekeeping missions and their humanitarian character before 1989/90 in order to discuss them as precedents of rather

contemporary debates on the “*Responsibility to Protect*”. By emphasizing the terminological and categorical problems of his application, Schulte identified a gradual revision of UN Blue Helmet engagement towards the end of the Cold War, implying an increasing involvement of U.S. and NATO military forces and the retreat from UN controlled peacekeeping. Hitherto, the relationship between peacekeeping and humanitarian intervention was described as ultimately questionable, but nevertheless interrelated. Sharing his observations on the history of UN peacekeeping, NORRIE MACQUEEN (Dundee, St. Andrews) continued on the interconnectedness of humanitarian intervention and the concept of impartial engagement. Essentially, his argument followed the genesis of UN peacekeeping practice after 1945 passing its first conceptualization by Dag Hammarskjöld (1958) and major subsequent challenges to that model, eventually culminating in the disillusion of the 1990s failures to intervene. Hence, MacQueen placed emphasis on the dilemma of peacekeeping principles in a bipolar system of the Cold War. These limitations had resulted in a “joint approach” after the 1990s: UN-legitimized coercive intervention by multi-national entities or national states on the one side and traditional impartial peacekeeping by UN control on the other.

Regarding the period of détente between East and West, GOTTFRIED NIEDHART (Mannheim) explored how Western Powers had intervened by “soft” and non-military means in order to transform the Eastern bloc. He argued that a new policy of communication on different levels between both systems had shaped the CSCE process and the Helsinki Final Act in 1975, establishing a “platform for peaceful humanitarian intervention” in Soviet controlled societies. With his focus on relief operations of the Federal Republic of Germany between 1960 and 1992, PATRICK MERZIGER (Berlin) depicted the deployment of German troops through the lenses of military logic. He concluded that the German Army had considered these engagements as strictly military driven and therefore not as the consequence of genuine humanitarian commitments. In that sense, Merziger characterized a diverse number of military ambitions behind apparently humanitarian reasons: above all, the improvement of external and internal structures of operation in cases of real emergency outside national borders.

In his commentary remarks, HOLGER NEHRING (Sheffield) highlighted three common fields of interest in all approaches: the critical search for genealogies, the issue of peacekeeping, the relationship to human rights and to interventions without violent “intervention”. Furthermore, Nehring highlighted possible similar topics of research between humanitarian intervention and peacekeeping regarding those coincidences, as for instance the subject of guardianships and the reference to peace as an international norm. The **Sixth Panel** was dedicated to recent debates and case studies of humanitarian interventions. ERIC J. MORGAN (Wisconsin, Green Bay) opened this session with his thoughts on decisions and responses of the Clinton administration to the Rwandan genocide in 1994. By discussing the U.S. failure to stop the genocide and the attempt to alleviate the subsequent refugee crisis, Morgan balanced the effects of engagement in the context of a troubled world in the aftermaths of the Cold War. In his paper on the UN peacekeeping mission INTERFET in East Timor in 1999 BRADLEY SIMPSON (Princeton) put humanitarian motives to intervene in question. Although humanitarian considerations and rhetoric had been raised to justify the international intervention, he argued that

throughout the relationship of Western countries with Indonesia, from the Cold War period up to the crisis of the 1990s, geopolitical driven deliberations had essentially influenced the international politics towards the East Timor question. MANUEL FRÖHLICH (Jena) focused in his paper on the Security Council resolution 1973 on Libya as the first implantation of the recent concept of R2P (i.e. *“Responsibility to Protect”*). By concentrating on the genesis of the ICISS report, its conclusions and crucial definitions on the prevention of suffering and eventually including also important modifications in later years, he assessed the ten-year-period to the interception at Bengasi as a time of “normative change”.

In her comment MARIE-JANINE CALIC (Munich) intended to put more emphasis on one comprehensive perspective of development, regarding the discourse on humanitarian intervention and the strengthening of international law. She proposed to regard the international intervention in Kosovo in 1999 as a crucial turning point. Furthermore, she underlined the interconnectedness of public opinion and decision making in all mentioned cases. Finally, Calic expressed the necessity to take also into account those incidences of conflict that had been lacking any intervention.

The final session of the conference was devoted to ANDREW THOMPSON's (Exeter) concluding remarks. According to him, the papers at the conference made a compelling case for examining the past of humanitarianism for a better understanding of its present and future. Thus Thompson suggested five lines of enquiry which were in his opinion essential to the participants of the conference and which could bring together “the nineteenth and twentieth century [...], state and non-state actors, western and non-western practices and perceptions, and the relationship between humanitarian intervention and related discourses.” First, he explored the necessity of grasping the various meanings of what humanitarians had been related to in the course of history, the often unclear and vast areas of their engagement and their entanglement with other discourses, in particular with the debates on human rights. Secondly, he underlined the importance of sketching genealogies and agreeing upon major episodes concerning humanitarian interventions. Furthermore, Thompson requested further reflection on the role of the state within the history of humanitarian intervention regarding the collaboration between states, the relationship to non-state interventions, and the interplay between national and international visions. The fourth line, following Thompson's argument, then included the close relationship between paternalism and humanitarianism. Finally, he expressed the need to approach the issues of sovereignty and accountability of states. In particular, he emphasized on the one hand the need to investigate various justifications for interventions and those groups that defined them, and on the other hand the logic of humanitarian legitimacy that seemed to be far more selective and bound to “geographies” of care.

In conclusion, the multidisciplinary conference fruitfully enhanced current issues of research and ongoing debates related to the growing interest in the subject of humanitarian intervention in history.

Conference overview

INTRODUCTION: Fabian Klose (Ludwig-Maximilians-Universität Munich), Holger Nehring (University of Sheffield)

KEYNOTE LECTURE: Michael Geyer (University of Chicago), Humanitarianism and Human Rights: A Troubled Rapport

PANEL I: THE LEGAL DISCOURSE ON HUMANITARIAN INTERVENTION AND THE ROLE OF PUBLIC OPINION IN THE 19TH CENTURY

- Daniel Marc Segesser (University of Berne), Humanitarian Intervention and the Issue of State Sovereignty in the Discourse of Legal Experts of the Second Half of the 19th Century
- Stefan Kroll (Max Planck Institute for the Study of Religious and Ethnic Diversity Göttingen), Intervention and Justification
- Jon Western (Mount Holyoke College, South Hadley), "Prudence or Outrage? Public Opinion and Influence on Humanitarian Intervention in Historical and Comparative Perspective"
- Chair: Christa Hämmerle (University of Vienna)
- Commentary: Martin Aust (Ludwig-Maximilians-Universität Munich)

PUBLIC PANEL DISCUSSION: Joachim Käppner (Süddeutsche Zeitung, Munich), Corinna Hauswedell (Director of Conflict Analysis and Dialogue (CoAD), Bonn), Lawrence Moss (Human Rights Watch, New York), Ulf Häußler (German Federal Ministry of Defence, Berlin): „Protecting Human Rights by Force? Military and Political Perspectives in the 21st Century"

PANEL II: HUMANITARIAN INTERVENTION IN THE 19TH CENTURY, PART I: FIGHTING THE SLAVE TRADE

- Fabian Klose (Ludwig-Maximilians-Universität Munich), Enforcing Abolition: The Congress of Vienna and the Origins of Humanitarian Intervention
- Bronwen Everill (Warwick University), Colonial Anti-Slavery and Humanitarian Intervention: Sierra Leone and Liberia from 1821-1861
- Mairi MacDonald (University of Toronto), Colonial Rule as Humanitarian Intervention: The Brussels Conference relative to the African Slave Trade 1890
- Chair and Commentary: Jost Dülffer (University of Cologne)

PANEL III: HUMANITARIAN INTERVENTION IN THE 19TH CENTURY, PART II: PROTECTING RELIGIOUS AND ETHNIC MINORITY GROUPS

- Davide Rodogno (Graduate Institute Geneva), Interventions in the Ottoman Empire
- Abigail Green (Brasenose College Oxford), Patterns of Intervention: the Jewish Question as an International Problem in the 19th Century
- Chair: Tobias Grill (Ludwig-Maximilians-Universität Munich)
- Commentary: Brendan Simms (University of Cambridge)

PANEL IV: HUMANITARIAN INTERVENTION IN THE INTERWAR PERIOD

- Daniel Maul (University of Gießen), Questions of War and Peace: Quaker Relief and the Problem of Humanitarian Intervention 1870 to 1945
- Jost Dülffer (University of Cologne), Humanitarian Intervention as Legitimation - the German Case 1937/1940
- Chair: Martin Geyer (Ludwig-Maximilians-Universität Munich)
- Commentary: Claudia Kemper (Forschungsstelle für Zeitgeschichte Hamburg)

PANEL V: HUMANITARIAN INTERVENTION DURING THE COLD WAR

- Jan Erik Schulte (Hannah-Arendt-Institut Dresden), From the Protection of Sovereignty to Humanitarian Intervention? Traditions and Developments of United Nations Peacekeeping in the 20th Century
- Norrie MacQueen (University of St. Andrews), Cold War Peacekeeping versus Humanitarian Intervention: Beyond the Hammarskjöldian Model
- Gottfried Niedhart (University of Mannheim), Humanitarian Catastrophies and the Problem of Intervention in the East-West Conflict: from Hungary 1956 to Helsinki 1975
- Patrick Merziger (University of Gießen), Civil-Military Cooperation in Humanitarian Missions of the Federal Republic of Germany 1960-1992
- Chair: Fabian Klose (Ludwig-Maximilians-Universität Munich)
- Commentary: Holger Nehring (University of Sheffield)

PANEL VI: A NEW CENTURY OF HUMANITARIAN INTERVENTION?

- Eric J. Morgan (University of Wisconsin-Green Bay), From Intervention to Non-Intervention: The United States and the Rwandan Genocide
 - Bradley Simpson (Princeton University), Realpolitik Praxis in Humanitarian War: The International Community's Intervention in East Timor in 1999
 - Manuel Fröhlich (University of Jena), The Responsibility to Protect as Normative Change: The Case of Libya
 - Chair: Corinna Hauswedell (Director of Conflict Analysis and Dialogue (CoAD), Bonn)
 - Commentary: Marie-Janine Calic (Ludwig-Maximilians Universität Munich)
- FINAL COMMENTARY: Andrew Thompson (University of Exeter)

Contact:

Dr. Fabian Klose
Leibniz Institute for European History Mainz
Alte Universitätsstraße 19
D-55116 Mainz
Tel. + 49 (0) 6131-39 393 64
klose@ieg-mainz.de

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