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Humanitarianism:
the New Face of Neo-Colonialism
มนุษยธรรมนิยม：
โฉมใหม่ของจักรวรรดินิยมใหม่

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Abstract

The era of new war was distinctly illuminated in global politics after the cold war ended. It essentially concerned on humanitarian dilemma to the extent that it has been a legitimate criteria for external actors to intervene domestic affair of other states. Contrarily, without such legitimacy, the action could be seen as an abuse to sovereignty and non-intervention principle. The Responsibility to Protect (R2P) is a moral doctrine in charge of international community to intervene with the responsibility towards the basic right of citizens whenever the government fails to do so. Even though a moral purpose seems to be acceptable, but ‘behind the scene’ intentions are also persistently questionable. This paper aims to render a decision whether humanitarianism is a moral responsibility or a new face of neo-colonialism, predicated on Libya intervention in 2011.

Keywords: Neo-Colonialism; Responsibility to Protect; Humanitarian

บทคัดย่อ

บทความฉบับนี้มุ่งทำความเข้าใจเกี่ยวกับการให้ความช่วยเหลือทางมนุษยธรรม ในช่วงหลังสงครามเย็น ด้วยความตระหนักในวิกฤตมนุษยธรรมที่ถูกใช้เป็นตัวชี้วัด อันชอบธรรมแต่ผิดกฎหมายให้กับตัวแสดงนองรัฐ เข้าแทรกแซงกิจการภายในของ รัฐอื่นโดยอ้างเหตุผลด้านมนุษยธรรม อย่างไรก็ตามเจตนาแท้จริงเบื้องหลังการ กระทำดังกล่าวยังคงเป็นข้อกังขา บทความฉบับนี้ศึกษาหลักรับผิดชอบเพื่อปักป้อง ผ่านการวิเคราะห์สาเหตุของการแทรกแซง เจตนา และการปฏิบัติการต่อกรณีการ แทรกแซงประเทศลิเบียในปี 2011 ผลการศึกษาพบว่าปฏิบัติการดังกล่าวนำโดย สหรัฐอเมริกาใช้เหตุผลด้านมนุษยธรรมเป็นเพียงข้ออ้างเพื่อแทรกแซงการปฏิวัติ ระบบทางการเมืองของลิเบีย ทั้งนี้ยังมีตัวแสดงอื่นๆ ที่สำคัญ ได้แก่ UNSC และ NATO ในฐานะพันธมิตรของสหรัฐอเมริกาได้เข้ามีส่วนได้ส่วนเสียจากการ ปฏิบัติการดังกล่าว

คำสำคัญ: จักรวรดินิยมใหม่; หลักรับผิดชอบเพื่อปักป้อง; มนุษยธรรม

Introduction

The Soviet Union dissolution and the age of globalisation have brought the emergence of ‘new wars’ (Kaldor, 2012). The so-called new wars have been shaped in a form of intra-state conflicts rather than inter-state ones. Interestingly, such conflicts highlight a contemporary character of security problems that arouse a blast of human right violations (Davidson, 2012). Since a citizen became a key criterion to legitimise external affairs to intervene other states (Atack, 2002). When a global relation has changed, so has the world moral. It thus needs to emphasise on the promotion of human right protection. This phenomenon requires a concept of humanitarianism.

In fact, humanitarianism issues have been in controversial debates even before the cold war. Since then, once the sovereignty of state is at the top priority, humanitarian interventions have never been legalised until last two decades. More apparently, a major shift of thoughts placed in 1990s, several states conceptualised a new frame of humanitarianism in world society when the most debatable humanitarian intervention occurred in the 1990s, the case of Kosovo that caused a renewal of international political norm (Sombatpoonsiri, 2015). The International Committee on Intervention and State Sovereignty (ICISS) launched a report on the Responsibility to Protect in 2001 and later implemented in 2005 by the United Nations. In addition, the Responsibility to Protect proposes three main pillars consisting of Responsibility to Prevent, Responsibility to React, and Responsibility to Rebuild.

This paper purposes to criticise that humanitarian intervention through R2P is merely an excuse to magnify intervening states interests by using Libya as a case study. In order to reach its

conclusion, the paper is set into four sections. It begins with the analysis on moral responsibility, the concept of human right and the Responsibility to Protect will be critically clarified. Following by the second section, an analysis on neo-colonialism, the principle of non-intervention and sovereignty, as well as the ideology of western dominance will be criticised here. In prior to a conclusion in the last section, the paper provides an analysis on humanitarian intervention in Libya (2011). It comparatively bridges among the R2P- doctrinal and a case study- practical which leads the paper to its goal.

An analysis against humanitarian intervention

Moral Responsibility

The role of morality has significantly increased in global politics; the legitimacy of humanitarian intervention. The term ‘humanitarian intervention’ defines to military use of force- plays down the state sovereignty principle. However, the question is, is it acceptable for international society to attach to non-intervention principle and let violations on human right happen. This is due to the Rwanda case in 1994, when the international agents refused to apply humanitarian intervention. Resulting in approximately up to 500,000 women were raped, and nearly a million of Tutsis were killed during the violence. This is exactly a key argument of this section. It highlights on the moral excuse of humanitarian intervention by arguing through a moral-shared norm and universal human rights. Therefore, the humanitarian purpose is crucial to differentiate itself from other interventions that will be done for national interest. To do so, human rights principle and the moral legitimacy, the Responsibility to Protect are provided to discuss.

Human rights

According to Kantian explanation, liberalists emphasise the legitimacy on the use of military force in countries that tend to have a great violation on human right. This legitimacy to intervene lies on three assumptions. Firstly, individual right is equally owned by each person in respect of morality, regardless of religion, gender, nation, culture, etc. This implies an entitlement to the extent that a human being expects to be protected. Secondly, positive and negative things, deprivation, generally affect to individual chances to live their lives. Lastly, right protection is for people, state, and non-state actors over the world. Therefore, moral interventions to heal these abuses are reasonable (Spalding, 2013). These assumptions draw from cosmopolitan idea on universal human right and moral authority. In addition, humanitarian projects prioritise the lessening of human suffering over state sovereignty (*ibid.*, 2013). Furthermore, the universal norm on human right- borderless- enjoys customary law protection since they value the universal morality which guarantees the basic and civil right, owned by individuals in all aspects. Fundamentally, as discussed this idea, international society prioritise the right of human over state sovereignty. This idea raises the concept of common humanity; a global community comprises of all individuals, no matter how different they are. Also, this sets a shared norm on moral values (Smith, 1998). Following these arguments, due to Smith: *“It follows, then, that a state that is oppressive and violates the autonomy and integrity of its subjects forfeits its moral claim to full sovereignty. Thus, a liberal ethics of world order subordinates the principle of state sovereignty to the recognition and respect of human rights.... The principle of an individual’s right to*

moral autonomy, or to put it differently, to the human rights enshrined in the Universal Declaration on Human Rights, should be recognized as the highest principle of world order, ethically speaking, with state sovereignty as a circumscribed and conditional norm” (Smith, 1996).

It could be said that nowadays, according to the UN Charter, human rights have become as an important value as sovereignty and security. Specifically, article 39 noted that “the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security” (the United Nations, no date). The definition of ‘threats to peace’ is covering to civil wars, human rights violations and humanitarian crises. As a result, this approves the UNSC to apply an appropriate operation, namely, humanitarian intervention. Additionally, referred to Keohane’s thought, human right is the most significant moral norm in international community; emphasise on the institutional moral purposes that build up a debate to overwhelm critic on human rights critic and the use of force. This norm, on one hand, thus justifies the political legitimacy for external intervention to step in other states when there are massacres, genocides or civil wars for a ceasefire. On the other hand, it implies the depreciation of realism; focuses mainly on state sovereignty, in global politics. States now are not the only actor to take care for their people. Instead, global community and humanity have recently become the two most dominant actors, as well as human rights promoter. Human rights consequently

contribute a set of moral connection among states and individuals, also states and other states or non-state agents.

To conclude, the development of international human rights protection, both in principles and practices, has offered moral accountability. This contributes to the establishment of the Responsibility to Protect that highlight on moral projects of international society to avoid human right violations that will be further addressed in the next section.

The Responsibility to Protect (R2P)

As mentioned earlier, one of axiological wars in the international scenario emerges around the themes of human rights and sovereignty. This kind of war doubtfully marks a highlight on legitimacy and legality of humanitarian intervention actions (Jubilut, 2012). In response to the incidents in Bosnia, Somalia, and Rwanda, the ICISS conceptualised a new framework about humanitarian intervention to the UN, namely the Responsibility to Protect.

The Responsibility to Protect is seen as a key turning point, significantly challenged the principles of sovereignty and non-intervention. This framework has replaced a question from is it legitimate to intervene to when to intervene under humanitarian reasons. More apparently, there are three pillars in R2P (ICISS, 2001);

Firstly, **prevention** is set up with the attention of stimulating world community to build up a mechanism to prevent the spread of conflicts to intense persecution. Those mechanisms are simply; to offer political freedom, improve the rule of law effectiveness, and narrower economic gap. Secondly, **reaction** could be called as a legacy of humanitarian intervention. International agents have a right

to aid and support those weak states to complete their duty. In this case, the ICSS forced to limit the intervention with military force by suggesting that whenever prevention failed, other softer measures should be taken first. Lastly, rebuilding is the measures to ensure that those states and their people are able to continue their system after the invention done (Sombatpoonsiri, 2015).

In additions, on behalf of humanity, moral responsibility is recognised for individual rights protection. It is absolutely wrong in the light of moral to leave a man drowns once you have capability to secure him. Similarly, reject to intervene probably leads to massive violated and failure of international responsibility to promote human rights. The phrase ‘moral duty’ came from the right to intervene principle, for Kant; “that action to which someone is bound. It is therefore a matter of obligation”. Finally, to put in nutshell, the R2P works as legitimiser has shifted the humanitarian intervention into moral responsibility.

An analysis against humanitarian intervention: Neo – colonialism

States in the 20th century are completely free from former colonisers and western domination. But, in reality, it is undeniable that powerful states are even now playing a predominant role in global realm that can be seen from a consensus on the prioritisation of human rights and legitimacy on humanitarian intervention among the global north over state sovereignty and non-intervention principles (Krieg, 2013). This means weak states have to face with intervention approved by the UN. Concurrently, NGOs and liberal democratic countries made an effort to push moral necessary to legitimise the intervention in a scope of the Responsibility to Protect where it is believed that international community has to deal with

human rights violation when a state fails to do so. However, it became a question when strong states had legitimacies to interfere the weaker ones; whether or not the former coloniser use the principle of humanitarian invention as a measure to recover their colonials. The western values on humanitarianism conducted to four respects that constructed the agreements on neo-colonialism in this section. State sovereignty together with non-intervention doctrines which is contrast to the idea of universal human rights will be firstly addressed. Following by human rights critics, argued that it is rested on the western values, as well as set up and dominated by western agents. Thirdly, how humanitarianism is used as an excuse for intervention by great powers will be clarified.

Non-intervention and State Sovereignty

The principle of non-intervention developed from the pluralist approach, claims that the extreme power of sovereign authority is state and it is states' duty to serve and maintain themselves without any kinds of intervention, either indirect or direct (Gome, 2011). In this regard, international system is an appropriate international order, to respect each other's sovereignty. In details, this flashed to two approached; realist and pluralist. The first one sees international scenario as anarchic while the latter one perceives international system as a group of sovereign entities. In pluralist's point of view, international society is seen as a group of independent and sovereign entities. Therefore, all kinds of intervention that interfere into domestic affairs are not acceptable. Due to Walzer, *“Even though the fit between government and the political life of its people may be bad, this is no justification for humanitarian intervention. We must act as if governments are internally legitimate,*

because to do otherwise threatens the autonomy necessary for the natural, if painful, emergence of free, civilized polities”.

From the quote, humanitarian intervention challenges the autonomy of sovereign states, also impeding states from shaping their own political destiny (Walzer, 1992). In this perspective, states prioritise their national interest and benefits. Moreover, humanitarian intervention disapproval also discussed by Wheeler and Morris (1996), state that firstly; state interference is only done for a national interest, and selectivity certainly tends to take place. Secondly, majority of cases indicated that there was a mix of intention to intervene, not a moral as a first one. Thirdly, it concerns the absence of universal agreement on when is the most appropriate time to intervene. As examined, both approaches suggest that to detect selfish intention behind humanitarianism and to insuperable risk to sovereign state’s autonomy. Therefore, the international community is greatest worked by safeguarding non-intervention doctrine.

The ideology of western dominance

Humanitarian intervention has been shaped and changed over the history, depended on western demand. The argument of this section is to present that international norm forms the interests and advantages for international agents, by turns, it harmonises with expectations, shared values, and behaviours. This is according to Robert Cox’s point of view that a principle or theory is always made for somebody and some objectives. A seen sample of humanitarian norms on framing the humanitarian military intervention could be perceived in the last decades. The objective of humanitarian intervention is to relieve human suffering, as well as to cope with

violated battles over human right. Nevertheless, this section aims to refine on the phrase ‘for somebody’ that contributes to the norm and ideology justification behind humanitarianism construction in international law, also, to argue that those norms and ideology are rested on western values.

To begin with the re-definition of humanity and human right, European Christians played as the only target of humanitarian intervention in the 19th century (Sombatpoonsiri, 2015). It later, in the late twentieth, widened the scope to the doctrine that everyone ought to be treated similarly (ibid., 2015). Humanitarian justification is thus an outcome of an articulation of interest and shared values which link one’s practices to the principle of justice that affects to behavioural shaped. Plus, on the liberal’s view towards the human right values, it explains the western domination that universalised and enforces their claims, and values on the need of moral in humanitarian intervention (Baraka, 2013). Those liberal values; democracy, human rights, free-trade, etc., have subsequently influenced to the international interests and behaviours. Either democratic or non-democratic states have to speak democratic language to vindicate the universal norm. This hegemonic character performed apparently in the post-Cold war, paved by the defeat of communism to democracy. In other words, human rights represent the universal medium of western democracy. It indicates that western liberal politics demanded to spread their power in international level. Once human rights are clearly a western outcome, human rights are a subordination of democracy and capitalism since the protection of human rights needs liberal political system. Such values were largely introduced to the global south by

all means; through international organisation, technical assistance, etc. Grounded on this aspect, it is obvious that human rights stressing on the legitimacy of humanitarian intervention is an interference of western norms and values to the non-westerns.

An analysis on humanitarian intervention in Libya

The UNSC resolution 1973 allowed the international community to use military force, the NATO-led intervention, in response to Libya crisis with the aims of, firstly, protecting people in Eastern city of Benghazi and those who were considered to be at risk of being randomly butchered or massacre by Colonel Muammar Gaddafi, Libyan leader, secondly, removing Gaddafi's regime. The operation took six months from March to October in 2011. The death of Gaddafi led to a transitional government which had to represent for varied ethnic groups in Libya. In this case, humanitarian intervention on the concept of the Responsibility to Protect initially functioned by Operation Unified Protector, authorised by the UN. Cause of intervention, intention and implementation will be taken to analyse the legality and legitimacy of Libya intervention.

Cause of intervention

The cause of intervention exploded from 'no mercy' speech, called for his advocates to use force against Benghazi citizens. As a result, many thousands were killed. Moreover, the situation became severely worse when not only Gaddafi's army rooted the violence, but also armed protesters using petrol bombs, vehicle bombs, shooting and firearms to seize four main cities.

Intention

To criticise the intention, we need to know the UN's resolution, noted that "*Expressing grave concern at the deteriorating situation, the escalation of violence, and the heavy civilian casualties*", "*reiterating the responsibility of the Libyan authorities to protect the Libyan population and reaffirming that parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians*" (UN, 2011).

The UN resolution 1973 stated that (Cheikh, 2013): Call for an immediate ceasefire and the absolute end of violencePut more effort to solve the problem by mainly emphasising on the interest of Libyan population

Libyan authorities have to conform to international law; international humanitarian law, refugee and human right principle, as well as use all the methods to protect and serve the citizens their basic right.

From the resolution, global north primarily aimed at people protection. However, indeed, it showed that this primary reason was overlooked to collapse Gaddafi's regime, though the number of loss was growing (Hehir and Murray, 2013). In fact, all possible measures were used to remove Gaddafi and serve national interest to the United States, Britain, France and some Arab League nations (Okeke, 2012). To be precise, the morality of protecting people was eliminated. This has been crucial that NATO's dismissed the AU High Level Panel and Security Council draft which indicate to stop conquering for democratic accomplishments and ceasefire, but, remarkably, did not require Gaddafi's cessation (Cheikh, 2013). Hence, to justify the action, it is needed to determine whether it was a pure

intention for humanitarian or it was interest-searching intention, for this case, to get rid of Gaddafi's power (ibid., 2013).

Implementation

The intervening action led by NATO contained over ten thousands air sorties, and almost half thousand air strikes, targeted at the regime (Vira and Cordesman, 2011). As a consequence, every accused place, pointed by their intelligence sources, were bombed. By the time the NATO targeted its operation to Gaddafi's base, Sirte. Together with air bomb done by protesters, there was a huge damage to the town because the inhabitants were Gaddafi advocates (Forte, 2012). Besides, instead of urging a ceasefire, NATO operation, in practice, assisted the rebels who refused a peaceful way and called for Gaddafi's collapse (Hehir and Murray, 2013). Indeed, external actors presented as a main supporter to the rebels, delivered weapons, technology and training. This led to massive loss of civilians as well as a huge destruction to a battle ground (ibid., 2013).

To summarise, although a gross loss of life and severe human right violation were empirically revealed, the empirical evidences proved that humanitarian intervention in Libya (2011) did not base upon humanitarian reasons. Conversely, it significantly matched to national interest of intervening actors. It thus could be determined as a face of neo-colonialism. The dilemma bases on the intention and the intervening actions which negatively correlate with humanitarian indicator. The 1973 and 1975 were initially figured out with the objective of civilian and human right protection. In practice, however, the operation prioritised the regime revolution while the loss of civilians was multiplying. This reaffirms the truth that

humanitarian assistances were not the first intention of the intervention. As argued, the result of regime change conduces to the increase of intervening states, particularly in geopolitics. These actions certainly did not concur with morality but subverted. Humanitarian intervention in Libya, in particular with reference to the R2P, indicate that western powers are using universal norm on human right through the United Nations to magnify their national interests, rather than to protect those foreign strangers. Thus, it can be said that humanitarian intervention is used as an excuse for external actors to pursue their interests. This is definitely a new face of neo-colonialism.

Conclusion

The re-organisation of international relations in the post-cold war period has globalised international cooperation. This has led to the idea of international community where states are intensely depended and influenced on each other, conflicts in one state spread across borders. Fundamentally, this has dominated the concept of security, in particular human security, stepping into sovereign state with humanitarian purposes are recently legitimate. Precisely, states are still the first agent to do so due to the R2P. In spite of the belief of moral, intervening agents have permission to pursue the intervention. Global South remains their doubts; do humanitarian reasons really justify the external actors to offer assistances. This has led to the central arguments of this paper. As it can be seen, theoretical and empirical evidences were examined. Firstly, moral responsibility is displayed in the sense of human rights before it was linked to the R2P. On one hand, liberal democratic nations on behalf of humanitarian intervention advocates, insist that

intervening action is applied upon a moral responsibility not a national interest. On the other hand, realists argue that it is all over about national interest, external actors step in when their interests are endangered. This shed on the absence of moral norms at the first place to legitimise humanitarian implementation.

Although there are comprehensive claims from each school of thoughts, tangible supports are lack. Therefore, this paper provides an empirical examination to clarify which claim the humanitarian intervention tends to be. It investigated Libyan humanitarian intervention in 2011 which is activated by the R2P.

Based on the analysis, humanitarian intervention in Libya textually expressed a just cause and humanitarian aid led the action for a ceasefire and peace. However, the questions rose up during the mission when it obviously conversed to its primary intention; regime change was a true goal which functioned geo-political interests to the West. Therefore, it contributes to a conclusion that humanitarian intervention framework, in specific, the R2P, is a mask the great powers wear to intervene other states to serve their national interests. They shaped, spread, and eventually applied it to gain further benefits in international politics.

To summarise, the paper founded that humanitarian intervention tends to be categorised in neo-colonialism. However, last but not least, international community and international law have to be greater reinforced in order to defend self-interest hiding behind humanitarian masks, thus, unquestionably, a pure humanitarian intervention.

References

Atack, I. (2002) "Ethical Objections to Humanitarian Intervention", **SAGE Publications**, 33 (3): 279-292.

Baraka, A. (2013). **Humanitarian Intervention: The Gift That keeps on Giving to U.S. Imperialism**, available at <http://fpif.org/humanitarian-intervention-gift-keeps-giving-u-s-imperialism/> accessed January 16, 2017.

Bolton, J. R. (1994) "Wrong Turn in Somalia", **Foreign Affairs**, 73 (1): 56-66.

Cheikh, N. (2013) "Stories behind the western-led humanitarian intervention in Libya: A critical analysis", **African Journal of Political Science and International Relations**, 7 (3) : 154 - 163.

Cohn, M. (2011). **The Responsibility to Protect – The cases of Libya and Ivory Coast**, available at <http://www.globalresearch.ca/the-responsibility-to-protect-the-cases-of-libya-and-ivory-coast/24799>, accessed January 16, 2017.

Davidson, J. (2012). 'Humanitarian Intervention as Liberal Imperialism: A Force for Good?', **POLIS Journal**, 7: 128-64.

Forte, M. (2012). **Slouching Towards Sirte**. Montreal: Baraka Books

Gomes, B. (2011). The Duty to Oppose Violence: Humanitarian Intervention as a Question for Political Philosophy', **Review of International Studies**, 37 (3): 1045-1067.

GPF (no date). **Humanitarian Intervention?**, available at <https://www.globalpolicy.org/qhumanitarianq-intervention.html>, accessed February 10, 2017.

Head to Head, 2014. **Humanitarian intervention or imperialism.** [video online] Available at: <https://www.youtube.com/watch?v=XStlTddkHo4> ,Accessed February 18, 2017.

Hehir, A. and Murray, R. (2013). **Libya, the Responsibility to Protect and the Future of Humanitarian Intervention.** London: Palgrave Macmillan.

Jones, J. (2015). "Humanitarian Intervention In A Multipolar World". **Washington University Global Studies Law Review.** 15.1 : 161-190.

Jubilut, Liliana L. "Has The 'Responsibility To Protect' Been A Real Change In Humanitarian Intervention? An Analysis From The Crisis In Libya". **The Journal of Pan African Studies** 5.1 : 309-335.

Kieh, G. (2017). "Neo-Colonialism: American Foreign Policy and the First Liberian Civil War". **International Community Law Review.** 14 (4) : 164-180.

ICRtoP (no date) "The Crisis in Côte d'Ivoire", available at <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>, accessed January 15, 2017.

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

Kaldor, M. (2012). **New and Old Wars: Organised Violence in a Global Era.** (third edition), Cambridge: Polity Press.

Okeke, J. M. (2012). **Why NATO Intervention in Libya is not a Victory for Responsibility to Protect**, available at <https://www.issafrica.org/iss-today/why-nato-intervention-in->

libya-is-not-a-victory-for-responsibility-to-protect, accessed February 16, 2017.

Smith, M. J. (1998). Humanitarian Intervention: An Overview of the Ethical Issues' in Joel, H. R. (ed.) **Ethics and International Affairs**, Washington: Georgetown University Press, pp. 271-95.

Sombatpoonsiri, J. (2015). **The Responsibility to Protect (R2P) and its impact on shaping contemporary knowledge of global politics**. Bangkok: Chulalongkorn University Printing House.

Spalding, L. J. (2013). "A Critical Investigation of the IR Theories that Underpin the Debate on Humanitarian Intervention", **International Public Policy Review**, 7 (2): 1-15.

UN (no date). **The Responsibility to Protect**, available at <http://www.un.org/en/preventgenocide/rwanda/pdf/Background%20R2P%202014.pdf>, accessed February 20, 2017.

Vira, V. and Cordesman, A. H. (2011). **The Libyan Uprising: an Uncertain Trajectory**, available at <http://csis.org/publication/libyan-uprising-uncertain-trajectory>, accessed February 16, 2017.

