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The Interventionist Dilemma: Rules-Based Order versus the Humanitarian Exception

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Proponents of a highly activist U.S. policy in the world keep stumbling upon (and evading) a troubling contradiction. Washington repeatedly emphasizes the need to protect the “rules-based international order that preserves stability worldwide.” The Biden administration and its supporters insist that Russia’s invasion of Ukraine poses a potentially mortal threat to that system, and must, therefore, be defeated. George H. W. Bush’s foreign policy team invoked the same rationale to justify assembling a coalition of countries that used military force to expel Saddam Hussein’s army of occupation from Kuwait in 1991.

Yet the United States and its allies have launched military interventions on multiple occasions throughout the post-Cold War era that clearly violated the purported standards of a rules-based international system. NATO’s meddling in Bosnia’s civil war by bombing Bosnian Serb targets in 1995 certainly seemed inconsistent with such standards. The violation was even more evident in 1999 when NATO launched an air war against Serbia, a recognized member of the United Nations, and then proceeded to amputate Kosovo, one of Serbia’s provinces.

Western military actions since the turn of the century appear to be even more contrary to a rules-based international system. The U.S.-led regime-change wars in Iraq and Libya contradicted the admonitions of America’s policy elites over the decades to respect the sovereignty and territorial integrity of other nations. Washington’s collusion with Turkey, Saudi Arabia, and other Sunni powers to try to unseat Syria’s Bashar al-Assad also is hard to square with those professed standards. The United States still maintains a military presence in

northeastern Syria over the explicit objections of the government that represents Syria in the UN.

Such episodes confirm that the supposed commitment of the United States and its closest allies to a rules-based global order is highly selective and self-serving, if not blatantly hypocritical. Proponents of Washington's various military interventions typically justify the deviations by arguing that principles of justice and human rights sometimes have to overrule normal, recognized standards of state-to-state conduct.

The justice/human rights rationale featured prominently in the case that Bill Clinton's administration and interventionist advocates in the news media made with respect to the Balkan wars. Proponents of U.S./NATO military action warned that Serb-orchestrated genocide was taking place in Bosnia, even though the fatality totals touted at the time (200,000 to 250,000 mostly Muslim civilians) were consistent with those in a typical civil war. More rigorous and credible post-war calculations put the number of deaths at fewer than 100,000—including Serb fatalities.

Nevertheless, the same "genocide" narrative became a crucial feature of NATO's intervention in Kosovo. This time, the claims were even less credible. Subsequent analyses confirmed that only 2,000 deaths had taken place prior to the onset of NATO's bombing campaign. Even some candid supporters of the intervention, such as Brookings Institution scholars Ivo H. Daalder and Michael O'Hanlon, later conceded that what had occurred in Kosovo was not genocide.

Developments elsewhere in the world made that justification for violating the supposed international prohibition against attacking other countries even less credible. Several far bloodier conflicts were taking place in the late 1990s and early 2000s, especially in Africa, most notably in Sierra Leone and the Democratic Republic of the Congo. In addition, there was a genuine case of genocide involving the Hutu mass slaughter of Tutsis in Rwanda. Yet American and other Western policymakers did not regard those conflicts as either so threatening the stability of the international system or being so egregious in terms of human suffering that they warranted outside military intervention.

The rationales for the Western military interventions in Iraq and Libya were even weaker than those invoked with respect to Bosnia and Kosovo. Allegations that Saddam Hussein's government was involved in the 9/11 terrorist attacks were baseless, as were the dire warnings that Baghdad possessed an arsenal containing weapons of mass destruction. Saddam's human rights record was indeed awful, a point that pro-intervention types highlighted. However, it was not dramatically worse than the behavior of other autocratic governments, including the abuses Washington's close ally, Saudi Arabia, routinely committed. Nevertheless, George W. Bush's administration and its cheerleaders in the media and foreign policy community were willing to see the rules-based international order violated with an invasion and occupation of Iraq.

The Obama administration's justifications for leading a NATO assault on Libya were weaker still. Libyan leader Muammar Qaddafi had terminated his government's embryonic nuclear program years earlier, and his relations with the West seemed on the mend. However, the Obama foreign policy team seized on one of the periodic armed rebellions in Libya to launch an air war to achieve forcible regime change—a point that then Secretary of Defense Robert M. Gates implicitly conceded. The official justification for the NATO-led intervention was to protect civilians who were facing an imminent bloodbath. Those warnings proved to be exaggerated, if not baseless. Nevertheless, Washington cited the alleged looming tragedy as a sufficient reason to attack another sovereign country, in violation of the supposed international norm against launching a war of aggression.

Even when the humanitarian motives are genuine, there is an inherent tension between following the legal norms against attacking a sovereign state and preventing serious human rights abuses. All of the U.S.-led interventions mentioned above violated the rules of appropriate international conduct. An argument can be made that the outcomes in Bosnia and Kosovo were better than the alternatives if outside restraint had prevailed, but NATO's actions still amounted to an offensive war. Moreover, the longer-term prognoses in Bosnia and Kosovo are not encouraging.

The results in Iraq, Libya, and Syria indisputably were much worse. Deposing Saddam Hussein and weakening Bashar al-Assad ultimately led to the rise of ISIS and its temporary seizure of vast swaths of both Iraq and Syria. Western meddling also produced the ongoing civil war and led to Russia's intervention in Syria. The NATO intervention in Libya unleashed total chaos, and the country remains utterly dysfunctional. Hundreds of thousands dead and millions made refugees throughout the Middle East hardly constitute interventionist success stories. The Western powers managed both to disrupt the international system and exacerbate humanitarian tragedies.

In light of that track record, we should treat with great skepticism the current argument that NATO's involvement in the Russia-Ukraine war by giving military aid to Kyiv is necessary both to end the human suffering and to prevent the Kremlin from fatally undermining the rules-based international system. The United States and its allies have demonstrated repeatedly that they are willing to launch military interventions whenever that move suits their purposes, regardless of the adverse impact on the international order. Humanitarian justifications (sometimes threadbare ones) are deployed whenever needed to rationalize actions that clearly violate Washington's own purported respect for a rules-based system. The Biden administration's outrage that Russia's aggression against Ukraine poses an intolerable challenge to the international order rings very hollow indeed.

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