

## The Dialectical Relationship between International Intervention and Human Security

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### Abstract

The study dealt with the relation between international intervention and human security through explaining the concept of human international intervention, its legality and various problematic issues. The study also aimed to show the extent to which there is an agreement in the international community on humanitarian intervention, from both the theoretical and practical aspects. The study adopted the analytical and legal methods to show and analyze the legal frameworks and political trends of intervention, where it's found that there is disagreement about the goals of intervention, its legality and the extent of its success in achieving its human goals. The study as well revealed a negative relationship between international intervention and the possibility of achieving human security, where it created various problematic issues about it.

**Keywords:** Human International Intervention, Human Security, Human International Law.

## العلاقة الجدلية بين التدخل الدولي والأمن الإنساني

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### ملخص

تناولت الدراسة العلاقة بين التدخل الدولي والأمن الإنساني، من خلال توضيح مفهوم التدخل الدولي الإنساني، ومشروعيته، وإشكالياته المختلفة، كما هدفت إلى بيان مدى وجود توافق في المجتمع الدولي حول التدخل الإنساني من الناحيتين النظرية والتطبيقية، وقد استخدمت الدراسة المنهج التحليلي والمنهج القانوني بهدف عرض وتحليل الأطر القانونية والاتجاهات السياسية للتدخل؛ إذ تبين وجود اختلاف حول غايات التدخل، ومشروعيته، ومدى نجاحه في تحقيق أغراضه الإنسانية، كما كشفت الدراسة عن علاقة سلبية بين التدخل الدولي وإمكانية تحقيق الأمن الإنساني، إذ إنه خلق إشكاليات مختلفة حوله.

**الكلمات المفتاحية:** التدخل الدولي الإنساني، الأمن الإنساني، القانون الدولي الإنساني.

### Introduction:

The principle of intervention science is considered one of the major principles of the United Nations since its establishment in 1945 AD based on the idea of respect for sovereignty, which is a principle that has been firm in international relations based on that governments have to respect everyone's will on their lands and their citizens, but the phenomenon of intervention emerged mainly during the Cold War, where the Soviet Union intervened in Hungary in 1956 AD, Czechoslovakia in 1968 AD, Ethiopia in 1977 AD and Afghanistan in 1979 AD. The United States also intervened in Haiti in 1974 AD, Angola in 1975 AD, Lebanon in 1982 AD and Panama in 1986 AD, but its intervention didn't receive world agreement and consensus.

With the end of the Cold War and collapse of Eastern Bloc system, a wide spread of liberal values happened based on the idea of free trade, interdependence, respect for human rights, and the rising role of international non-state actors at the

time where a clear fragmentation of the social fabric occurred in some countries, with a clear increase in civil conflicts based on ethnic foundations, as the states of international intervention have increased as a new access to change the international legal rules under the name “humanitarian international intervention”, to defend human rights, protection of minorities and provide human aid.

The growing phenomenon of international humanitarian intervention addressed questions about the goals and legality of intervention and its feasibility, especially it represents a clear violation of the principle of sovereignty at the time where the supporters of the social liberal trend claim that the link between respect for human rights and the guarantee of international peace and security has got out the issue of human rights from the domestic jurisdiction of the national country to the sphere of international jurisdiction, especially after the country has given up many of its functions in a lot of aspects as a result of overlapping, intertwining and interdependence between countries to achieve common benefits and interests, which at the end led to corrosion of concept of sovereignty; as issues can be passed when there are civil conflicts represented in serious violations of human rights.

**Importance of the study:**

The current study is considered a scientific addition to international relationships field and humanitarian international law since it deals the issue of international intervention for humanitarian goals as a new access to change international legal rules after the end of Cold War from theoretical and applied aspects through dealing with one of the most important controversial issues among liberal advocates that supportserosion of the concept of sovereignty, and the current stream that supports the principle of non-interference in internal affairs.

Its practical importance is clarified through analyzing political and legal arguments provided by supporters of intervention as considered to be an important mean to alleviate human suffering and opponents of intervention who sees in it as a justification for intervention in internal affairs of countries and violation to their sovereignty, which gives space to politicians and interested people in this subject to

view these arguments and understand its applied and theoretical and its standard dimensions, especially when talking about intervention would be for great powers or in the developing countries of vital importance to them.

**Study objectives**

The study aimed to reveal the nature of the relationship between international intervention and its purposes in human security, where some great powers that sponsor liberal ideas justify military actions directed to human interest is inherent to all of humanity, at a time where it is difficult to define the concept of human interest between a historical era and another. The study sought to investigate the essence of human security as a dialectic concept in international relationships after the end of the Cold War, and reveal the extent of legality of human international intervention and its problematic.

The study also aimed to analyze the pro-and-opposition positions to armed international intervention from the theoretical and applied aspects through thinking well of efficacy of international intervention in protecting human security in the intervened countries, and show the extent of its negative effects on international and national peace and security, and the reaction of the international community towards it.

**The study problem and questions:**

Cases of international intervention have increased under so-called “human intervention” as an entry to change international legal rules after the end of the Cold War; as international community advocates the human rights, as the issue of human rights is no longer within the internal jurisdiction of the countries as their governments violated the major rights of people, at a time where another party considered it as it is not an excuse to infringe on sovereignty, because the repercussions brought by intervention may threaten international peace and security and expose them to risk.

Therefore, the study addresses many important questions about the dialectical relationship between international intervention and human security, at a time where fact indicates that international community has divided in its positions into two parts;

the first is viewed through international human dimension, and the second through a local security dimension, which caused the study to deal with the following questions:

- What is the essence of international intervention and does it have human purposes?
- Is there an agreement about the legality of human international intervention?
- What are the procedures problematic of human international intervention?

**Study method:**

The study adopted the descriptive method since it helps to determine features of the phenomenon of international intervention and its general form by observing and describing the nature of the phenomenon and disagreement about it. This method depends on collecting data dealing with describing the phenomenon, then formulating, segmenting and criticizing questions about it(Aqeel, 1979, p114-124). In studying the phenomenon of human international intervention, it became clear that there is an exacerbation of that problem in more than one area, which required an accurate description of that situation with all its dimensions, showing there is a division in the international community over it, addressing questions about the nature of the phenomenon, its legality and problematic then choosing certain cases as models for the study.

As for the legal method, it considered international system as only legal systems interpreted in light of its legal and systematic sources(Barakat& others, 1987, p21), where this method concerns about international legal rules that represent a group of legal rights and commitments. Its use became clear when discussing the legality of human international intervention and legal justifications that the pro-intervention and anti-intervention parties depended on.

**Study hypothesis:**

The study depends in its theoretical framework on the factual opposing point of view to the policy of intervention under the excuse of alleviating human suffering of oppressed people, where it is observed that there is no international

agreement on the legality of intervention theoretically and practically. There is also disagreement about describing its concept and goal in achieving human security, which prompted the study to assume that there is no consensus around it from the legal and political standpoints, as there is a disorder in the nature and direction of the relationship. The hypothesis was formulated as follows “There is a negative correlation relationship between international invention and the possibility of achieving human security, where international intervention is considered an independent variable, while human security is considered a dependent variable.

**Related studies:**

There are a set of studies about this subject, but this study is complementary to them, including:

- A study by Kleczkowska (2020) entitled “The Illegality of Humanitarian Intervention: The Case of the UK’s Legal Position concerning the 2018 Strikes in Syria”, where the researcher dealt with the legality of British intervention in Syria in 2018 under international law, as it became clear that intervention is useless in achieving human security to the victims of civil war.
- (Bellamy & Wheeler (2016) conducted a study entitled “Intervention in World Politics”, where the two researchers showed objections directed against legitimation of human international intervention. They also revealed supporters’ point of view in the intervention processes, and they concluded that there is a disagreement in international community about the issue of intervention from the political and legal aspects.
- A study by Al-Zghoul (2015) entitled “The Effect of military human international intervention on the regional role of African Union”, where it dealt with the phenomenon of human international intervention through description and analysis, and monitored some of its negative effects on the African countries security, but this study didn’t clarify the extent of international agreement on this phenomenon and its effects on human security obviously.
- Khalil (2014) conducted a study entitled “Human military intervention between

legal legitimacy and political legitimacy”, where it dealt with the political and legal side in the international intervention in Kosovo, which wasn’t based on legal foundations as much as it depended on political foundations.

– A study by Abu Mour (2013) entitled “The concept of human security in the field of international relationships theories”, where she revealed that the end of the Cold War had a clear influence in reformulated the concept of security, and its end caused clearly an agreement in international community on deciding the procedures of armed international intervention.

**First: Theoretical framework of the idea of human international intervention:**

The period after end of the Cold War witnessed an increase in the cases of international intervention for human purposes associated with the increase of political problems inside the nation-state itself, where the international community intervention became practicable after the decline of communist thoughts and spread of liberal values at the world level.

The first cases of intervention began after the Security Council Resolution No. 688/1991 in imposing a no-fly zone in the north and south of Iraq. Then, intervention in Somalia in 1992, Iraq in 2003, Libya in 2011 and Mali in 2013. But these interventions cases didn’t receive a consensus among the supporters of intellectual currents in international relationships, where some of them address an important issue related to the concept of military intervention according to the seventh item of United Nations Charter, and the necessity of checking the conflict if it is found that it forms a threaten to international peace and security(Vukas, 2008, p12-17).

International law thinkers were also divided over limits and areas of international intervention according to their different interpretation to the texts of United Nations Charter of the Articles 1/(3), (55), (56), which may be viewed as intervention permission. Whereas the Article 2/(4) states that using force is not allowed, where they were divided into three currents; first, thinks that the international law has no

jurisdiction to intervene in issues related to human rights inside countries, second, thinks that there is a need to take out issues related human rights from the country's jurisdiction framework to international community one and the third thinks that it is necessary to distinguish between the usual issues of human rights that are subject to the country, and the human major rights which are disallowed to be intervened in during wars and conflicts(Ben Obeid, 2010, p78-79).

**1. Analysis of the concept of human international intervention**

International intervention is generally defined as a coercive violation of sovereignty, as some of international relationships thinkers like J. Nye believe that international intervention means a foreign country intervened in internal affairs of another country(yacoub,2004, p24), and it is considered a form of expression about influence and the ability to conquer others(Zaghoul, 2015, p11). Whereas Pacht defined intervention as a country's intervention with its authority in the affairs of another country using force or the threat of it(Zaidan, 2014, p158). Whereas policy science encyclopedia indicated that the meanings of the concept range between protection of intervened country and to its ethnicity residing in another state, or a country forces another one to meet its commitments under the threaten pressure or use of force against it(Rabie, 1994, p672).

While intervention in its human meaning is a phenomenon associated with new roles of the United Nations after the end of the Cold War, and its human definition is related to protection of the major human rights that individuals may have<sup>(1)</sup> . It also means military intervention to prevent the government from committing murders against people(Wheeler, 2004, p818). It is exclusively related to impose a certain state or protecting a minority, which is being persecuted or violating human rights based on the United nations resolutions(Vukas, 2008, p8-9).

As for the meaning of human purposes, the International Committee of the Red Cross thinks that the most accurate word is "humanitarian actions". The United Nations gave the phrase "responsibility of international protection" and considered it a parallel concept to human security (Sarkin, 2009, p13). R.J. Vincent,one of the first theorists of the idea of humanitarian intervention, adds that it is not necessary



for this human action to be legal or illegal, but it is important to agree with human values(Vincent, 1974, p4-8).

It is observed a clear variance between theories of international relationships about the concept of theory of human intervention, as the realists as the use of military force in a way that violates national sovereignty as an argument to alleviate the suffering of oppressed people by their governments(Vincent, 1996, p125-126). They do not think it comes for human purposes, as there is a disagreement about the essence of what is considered a human issue. This trend agrees completely with the first view of the international legal trends that refuse the international law intervention to regulate issue related to human rights since they belong to a country.

As for new liberal supporters, they define it as a human action to protect nationals' souls from imminent risk, stop a systematic violating of human rights and support that the liberal states impose severe liberal conditions to combine illiberal states in their international gatherings(Dunn, 2004, p335-337), as Fukuyama thinks that the reasons behind violating human rights is absence of liberty in states violating human rights which became illegitimate states or lack it(Fukuyama, 1993, p31). This trend agrees with the international law opinion which supports intervention to relieve human suffering as it is considered a global issue.

## **2. The concept of human security in the United Nations**

The United Nations has singled out several international legislations that ensure the basic rights of human, which are reinforced by the Universal Declaration of Human Rights in 1948, in addition to conventions criminalizing and punishing genocide. The successive Geneva Conventions emphasized the protection of individuals during armed conflicts, and condemned racism in all its forms and emphasized the guarantee of human rights, where their violations are considered crimes against humanity(Arafa, 2006, p30-31). The report of the United Nations Development Program issued in 2009 supported this idea where it indicated in its second chapter to the new dimensions of the human security through concentrating on four aspects; first, it is considered as an international issue, second, it is integrated

in its main components, third, through international protection and fourth, it is related to type of human life and his liberation in his homeland<sup>(2)</sup>.

**Second: intellectual and Political disagreements about human purposes of international intervention:**

The issue of human purposes of intervention did not receive intellectual or political consensus about its purposes in international relationships. This agreement became clear since the case of human international intervention began in Iraq in 1991; The Security Council rejection of granting of military intervention in north of Iraq led to that western powers justified that as a delegation through the formula of the resolution 688, whereas United Nations General Secretariat believed that this justification is not enough and it serves their national interest(Wheeler, 2004, p837), whereas the Security Council unanimously approved the United States mandate with Resolution 794 of 1992 to military intervention in Somalia in order to deliver humanitarian aid to it. These differences can be explained as follows:

**1. Disagreements from intellectual view**

The supporters of new liberal theory such as Joseph Nay, Robert Cohen, Tim Dan, Nicholas Wheeler and others think that non-state active parties such as pressure and interest groups, multinational corporations, international governmental and non-governmental organizations have created a state of interdependence at the international level(Focker, 2016, p301-304), where this is actually transformed to complex global network of interactions that made negative changes occurred on the state of human rights in a country which may cause serious consequences to the rest of countries(Liittle, 2006, p68-77). Therefore, the international community has to impose legislations on the developing countries that guarantee human rights in them. In case there is a violation to them, the international community must intervene to alleviate human suffering(Dunne, 2016, p123-124).

As for realist supporters such as Bary Buzan , George Lawson , Keneth Wats Kleczkowska and others refuse supporting the idea of international intervention under justification of human purposes. Kleczkowska thinks that The United Nations Charter and international law affirms non-intervention in the states internal affairs,

where the British intervention through air strikes in Syria in 2018 was not for human purposes (Kleczkowska, 2020, p35-49), and international system has a lot of international chaos and absence of central authority, which requires states to seek to keep their security and sovereignty (Buzan, 2012, p2-31).

**2. Disagreements from Political view**

Political positions varied towards international intervention processes and the logic of human purposes. The escalation of the ethnic war in Yugoslavia in 1991-1995 represented a model of this disagreement; although various forms of war crimes and crimes against humanity have emerged, the Security Council was unable to make a decision about military intervention in it, but with the acceleration of crimes in Kosovo in 1999, NATO intervened outside the scope of the Security Council through air strikes against Serbian forces to stop their repeated attacks.

This incident revealed a great variance in international positions about this intervention, where Germany and France refused in principle the military intervention and the issue should remain within the European framework. Whereas Russia found that this intervention affects its national security in Eastern Europe and threatened to deploy cruise missiles in Belarus (Radin & Reach, 2017, p62), whereas China doubted US intentions and proposals to military intervention for human purposes which lead to a series of Western interventions in its affairs (Khalil, 2014, p106).

In addition to, at the time when international consensus was missed in Europe, the Security Council didn't intervene in the ethnic conflict in Rwanda from 1990-1993 although of classification of the International Criminal Court for crimes in which it was timed to the level of genocide, and not even in Liberia in 1999-2003, Ivory Coast in 2002-2004, Sudan in 1994-2002 or others, whereas it intervened in Libya in 2011, as an international alliance under the leadership of NATO was formed to intervene military in Libya in implementation of a Security Council resolution No.1973, but Russia criticized NATO intervention and realized the absence of human purposes in it, as the Security Council Resolution was not deputation to use power by the United States and its allies to support the armed opposition to over throw Gaddafi (Chivvis, 2014, p60-62).

Whereas in Mali crisis, the Security Council unanimously agreed to provide help to Malian government, as this is considered a success and contribution in fighting international terrorism. France represented the spearhead in this intervention process, as it legitimated its intervention by a demand from Malian government and the Security Council Resolution No.2085, which permits to establish an international force to support Mali in its war to restoring the north and fighting terrorist groups<sup>(3)</sup>.

**Third: Trends and dimensions of international humanitarian armed intervention:**

The theoretical and practical disagreement was reflected in two main directions and currents, one of them supports intervention through mentioning procedural, political and legal justifications, and the other is against it. This disagreement stemmed from their intellectual backgrounds and political culture. These trends were monitored as follows:

**A. Supporters of International humanitarian intervention**

Alex J. Ballamy, Nicholas J. Wheeler, Tim Dunne, Richard Little, Antony Clark, Robert Bech, who are supporters of the current of liberal international community, think that the United Nations Charter and international law now give the right to international community for human intervention if a clear violation of human rights occurred (Ballamy & Wheeler, 2016, p480-481). Michael Ignatieff, Professor of political science at Harvard University, who is considered one of the most important advisers of the United Nations defenders of the principle of "responsibility to protect" thinks that it is a moral duty for strong liberal states to contribute in alleviation of human suffering over oppressed peoples for moral reasons(Ignatieff, 2019, pp156-159). The dimensions of intervention lie in the following:

**1- Role of the United Nations and international law to protect human rights**

United Nations General Assembly adopted in 1945 and 1948 the United Nations Charter and the Universal Declaration of Human Rights as the basis for a set of human law, where the country members must abide by and commit to, in addition to a set of international treaties that formed the structure of the international law

of human rights. The United Nations Charter in the third item of the first Article indicated that among the United Nations objectives is to reinforce and respect human rights and basic freedoms. The Article 55 –item (C) also stated as “The United Nations must reinforce human rights and his basic freedoms without discrimination due to ethnicity, gender, language or religion <sup>(4)</sup>.

Whereas the Universal Declaration of Human Rights indicated that the Universal Declaration of Human Rights is the common level that all states should seek to (Carter & Trimble, 2012, p899), then followed by the International Covenant on Economic, Social and Cultural Rights signed in 1976, which included the right to work, social protection and education.

The International Charter on Civil and Political Rights and its two protocols in (1976, 1989) on equality before the law, the right to a fair trial, torture and arbitrary arrest and the protection of minority rights were also issued<sup>(5)</sup>. About 20 international treaties depended on it, and it was considered a legally binding document. The United Nations formed a committee to monitor applying this charter and determined a mechanism for the violation victims to contact the committee directly, it also created Human Rights Council in 2006, it expanded the role of the High Commissioner for Human Rights and issued human rights documents and considered them a source of the United Nations and international law, such as the International Convention on the Elimination of All Forms of Racial Discrimination in 1965, the principles of international cooperation in discovering, arresting, handing over and punishing guilty people who committed war crimes and crimes against humanity, the basic system of the International court, the Rome System of the International Criminal Court, the Geneva Conventions and their additional protocols and others<sup>(6)</sup>.

However, sometimes these international charters and laws are not enough to impose states to respect these rights, which requires monitoring these rights by specialized international bodies, with the rejection of a lot of these states of the principle of international control, arguing that this control is inconsistent with the principle of national sovereignty and non-intervention of internal affairs (Hussein, 2007, p77-80).

**2- Preserving international peace and security and their relationship to human rights.**

The phenomenon of ethnic fragmentation and ethnic conflict spreaded remarkably since the end of the Cold War led to civil wars and posed a real threat to international peace and security. The Security Council Resolutions 1160 and 1199 considering the Kosovar case as a threat to international peace and security as an example of this(Khalil, 2014, p112). Therefore, United Nations made the issue of intervention related to things determined by the international Security Council as follows(Al Shukri, 2012, p232):

1. Intervention connected to the internal dimension of problems happen inside states that threaten internal peace.
2. Intervention related to human need to protect people's life and security in a state where its government practice crimes against humanity in it.
3. Intervention related to state and legal governments need to keep its people security against armed rebellion gangs.

The advocates of international intervention pointed to that it comes based on a lot of controls including by the international community through the Security Council, including(Abu El-Ala, 2008, p161):

- The general goal is respecting human rights and not any other goal.
- Intervention does not lead to cause change in the structure of the authority and society.
- The use of military force should be the last alternative.
- Intervention comes by an international well.

The first item of Article 1 of the United Nations Charter indicated that among the United Nations objectives is keep international security and peace, and therefore the United Nations should take all effective measures to stop reasons that threaten international peace, where this requires the cooperation of all countries to face aggression against any country or nation. The third item of Article 1 indicated the necessity to achieve international cooperation to solve international issues of human character, and reinforce respecting human rights and main freedoms without discrimination.

Therefore, the issue of local security seemed to be defined by international security, and in accordance with what the neo-liberal theory addresses, so the instability of any country and the absence of social, economic and political security in it will greatly contribute in affecting international security, since the international community has become highly intertwined and interacting. Therefore, the issue of human is no longer an internal issue only, where this proposition is supported by two justifications: The United Nations Charter impose states to protect the main human rights, and the general international law gives right to intervene for human purposes (Arend & Beck, 1997, p7-8).

**B- Opponents of international humanitarian intervention**

Opponents of intervention indicate that it is necessary to distinguish between human intervention by military means and human intervention based on aid, as they is controlled by principles of international law based on neutrality and non-intervention in internal affairs, whereas intervention has political dimensions (Si Ali, 2010, p142-144).

Realists opponents of intervention also find that intervention will lead to disruption of the balance of power among great powers, as the system of after the Cold War is a balanced multipolar one, and therefore balance of power should be kept and not disrupted (Mearsheimer, 2016, p229-236). The absence of consensus in the Security Council towards the process of intervention indicates that the intervention without the international community agreement will undermine the international system, as intervention process may contribute in passing the idea of striving towards international peace and security and create inconsistency in interests among great powers (Kleczkowska, 2020, p35-49).

As for international positions, Russia and China refuse the idea of human international intervention based on American's attitudes and visions to protect human rights or justifications for spreading democracy, and they considered them as a part of its imperial project. They are fear that this will be justifications to promote democracy, Western intervention in their influence areas and a threat to

their security(Radin and Reach, 2017, p63). In the Syrian case, Russia and China voted against the Security Council Resolutions condemning the Syrian government and they also obstructed any Western projects to intervene in the crisis. The dimensions of refusing the idea of intervention are clear as follows:

**1- Legal justifications for opposing human intervention**

The fourth item of the second Article of the United Nations Charter indicated that “The members of the body in all their international relationships stop threatening of force or use it against lands or political independence of any country”. The seventh item of the second Article of the charter also indicated that among the principles of the United Nations “Non-intervention in the affairs that are at the heart of the internal power of a state<sup>(7)</sup>. In1965 the General Secretariat issued a declaration about inadmissibility of intervention in internal affairs of states and protection of their independence and sovereignty. It also issued a declaration in 1970 that condemns all forms of intervention in internal and external affairs of any country, and it considered it against international law.

The charters of international organizations also made clear the illegality of armed intervention in the affairs of member states such as Arab League in the eighth Article of its charter and Organization of the African Union in the third Article of its charter<sup>(8)</sup>.

**2- Political justifications related to sovereignty**

International intervention contributes in penetrating of national sovereignty which is considered an important feature of a state. Intervention for human purposes, which permits using armed force to protect human rights, is considered the most dangerous for the existence of state especially the small and weak ones, and by this concept it gave human rights the priority on the idea of security and sovereignty of state and non-intervention in its internal affair which is against the first principle of the United Nations, where the first item of the second Article of the charter pointed to the principle of equality in sovereignty among all member countries. Therefore, the process of intervention emerged various and contradicted international reactions among great powers, and between them and the developing



countries concerning the legality of human international intervention, since who intervene are the great powers.

The opponent developing countries to the idea of intervention found that United States have intentionally involved issues of human rights in its foreign policy to reinforce its international influence which was strengthened in the era of American president George Bush, the son when he invaded Iraq in 1991 which represented a clear violation of national sovereignty. The theses of Presidents Bill Clinton and Obama on the reinforcement of democracy and the free market also came to reflect the strong tendency of American foreign policy propaganda (Khalil, 2014, p88), and by this the United States and its Western allies played the role of global policeman, at a time when they play a great role in creating the crisis of the developing world.

### **3- Procedural justifications related to the reality of intervention**

Nicholas Wheeler and Alex Balamy confirms that “the great powers don’t intervene unless this intervention may bring them results in them by force and the balance of power without looking at the aspects of feelings and human emotions which are not included mainly in international politics(Ballamy and Wheeler, 2016, p481-482). As for Russia, it unilaterally intervened in the east of Ocarina in 2014 and in Syria in 2015 to protect its national interests. The United States also intervened in Afghanistan in 2001 and in Iraq in 2003 with the aim to protect its national security. France intervened in Libya and Mali in 2013 under the pretext of fighting terrorism, whereas these powers did not intervene to stop massacres in Myanmar to the Muslim minority since the last century, and they were not an incentive to the great powers to human intervention in them.

On the other hand, there is selectivity in the process of intervention if it is internationally legitimized, as the great powers dominating the Security Council are accused to have double standards in dealing with international issues, where it is impossible to intervene in a great state that itself violates the rights of minorities that live in it as what is going on with Uighur Muslims in the Chinese province of Xinjiang, or the Muslims of Chechnya in Russia. The process of

intervention also takes place in certain countries than others, where intervention occurred in Libya and it did not occur in Syria although of the similar conditions of the civil war in them.

**Fourth: Problematic related to the issue of human international intervention:**

The issue of human intervention includes very accurate problems between their supporters who adhere to the principle of state sovereignty and complete jurisdiction over its internal affairs, and who support the principle of the universality of human rights and promote the principle of responsibility of protection of oppressed people by the repressive regimes. United Nations made the issue of intervention related to things determined by the international Security Council; (Intervention connected to the internal dimension, Intervention related to human need, Intervention related to state and legal governments need) (Al Shukri, 2012, p232), Therefore, the United Nations resolutions have authorized the Security Council the right of armed intervention for human purposes within certain models and cases, including:

- 1- “Problems Model Inside States”, where this took place when the repressive measures included in the seventh Chapter of the Charter were used, which authorizes the United Nations to take certain steps against a country if one of the cases stated in Article 39 of the Charter (aggression, breach of peace, threaten peace) is available, and a resolution by the Security Council should be issued about this, and this model was applied in Iraq in 2003 after the Security Council Resolution No.1441/2002 was issued.
- 2- ”Human Cases Model”, and this took place when the Serbian government violated human rights in Kosovo, and when the government of Libya violated human rights against its citizens, and therefore Security Council Resolution No. 1973/2011 was passed imposing an air embargo over Libya and organizing air strikes against the government forces.
- 3- “Official Governments Application Form”, and this took place when Malian government asked for help from the United nations to intervene in order to

impose law in north of the country to face terrorist groups and prestige of the state, where the Security Council Resolution No./2013 was passed which permitted to establish international force to support Mali in its fighting against jihadist groups.

Although of this presenting of these three models for human intervention revealed by the study, there are still problematic related to the procedural aspects of the process of armed international intervention for human purposes, which are still under investigation, including:

**A- The problem of the humanitarian objectives of international intervention:**

The study singled out a question whether the main motive behind international intervention is the humanitarian dimension or not. It became clear that the motive according to the opponents of intervention was not primarily human, and the main reason in pushing the intervened states to respond to human suffering as much as it was concerned with its national interests.

It must not be thought that human factors and moral considerations are the only main driver of the processes of intervention, as it is unreasonable that states for countries to risk the lives of their soldiers outside their lands in an issue that affects their national security directly (Mearsheimer, 2016, p216-217). The military campaign resulted from the process of intervention will need financial funding to cover the expenses of using weapons, so how could this be achieved without the issue relationship with national interests. Therefore, ensuring national interests of the intervened countries was the critical factor that controlled the aims of the international intervention and its style.

**B- The problem of the legality of international intervention**

The armed international intervention in Iraq and Libya was give legal character based on human standards by the intervened states, but the legitimacy of the intervention received a great variance among the intellectual currents in international relationships; Realists have rejected it and considered it illegal, whereas the liberal current supported it and found that there is a necessity by the modernized Western

society for collective work to alleviate the human suffering of oppressed peoples with the help of the items of the seventh chapter of the United Nations Charter that authorized the Security Council to carry out a military action against states where actions in them contribute in the absence of international peace and security to the international community.

Disagreement from the political view became clear among the countries in Libyan case after passing the 1973 Resolution in 2011 by the Security Council, which considered the Libyan people crisis caused by Muammar Gaddafi as a threat to international peace and security based on the seventh Chapter. The resolution received a reservation later by Russia and China that were among the most careful states in discussing the processes of armed intervention, and this raised several questions about its legitimacy among the permanent members of the Security Council, since Russia considered the West had tricked it to approve the intervention process in Libya (Chivvis, 2014, p60-61).

**C- C-The problem of the success and effectiveness of international intervention**

It is necessary to identify the results caused by intervention in short and long term in both cases of Iraq and Libya; at the short term, international intervention led to cessation of civil war temporarily, and most of the refugees turned back to their cities and countries. The killing and destruction carried out by the fighting groups also stopped, and humanitarian aid was delivered to civilians trapped in the looted areas. Whereas in the long term the later periods of actions showed that intervention was not able to treat the potential causes behind the human suffering; the conflicts between society classes were not solved but they increased, democratic regimes were not formed, the successive governments were unable to build strong official institutions to the state and they were not able to form national councils reflecting fair of ethnic, civil, political and intellectual divisions inside them.

The process of intervention itself includes several aspects of misuse, which may lead to create chaos in the state intervened in; for example, in the case of Iraq and Libya the intervention led to damage of the country's institutions, absence of

security in it and division of the society into warring groups led by warlords. Although the Western claims that they seek to reinforce the liberal orientations to protect human rights and achieve international security and peace, but the USA and Britain, which are the greatest liberal democracies in the world involved in five wars together since the end of the Cold War(Mearsheimer, 2016, p245).

### **Conclusion and results:**

The study revealed disagreement among the intellectual currents and political positions of states about considering human international intervention as a new entry to change international legal rules. The disagreement was determined through three major issues, first: it relates to intervention purposes; is it really for human purposes or political ones related to the national interest of states, second: it relates to the legitimacy of intervention from the political and legal aspects, and its consistency extent with the principle of maintaining sovereignty and non-intervention and third: it relates to the extent of processes of intervention success, which did not contribute in eliminating the causes of human suffering.

The study found that there is a negative relationship between international intervention and the possibility of achieving human security, where international intervention did not contribute in solving civil conflicts in the intervened countries and did not find international consensus because of the structure of the international community featured with international chaos. The intervention which is governed by use of military force only or that one which is restricted to deliver human aid was not successful and active in Iraq, Libya and Mali and not even in Kosovo province which is actually still managed by the United Nations since 1999. In addition, the great powers are really the intervened powers and claim that they are proxy for international community.

Therefore, it became clear that the issue of human international intervention often face several criticisms that made it not subjected to international consensus theoretically and practically, but at the same time it contributed in developing human international law rules, especially when describing the cases of the armed

international intervention for human purposes by the Security Council such as intervention when there are big problems inside states, severe violation of human rights and when official governments ask for that. Therefore, the study recommends that human international intervention, if it occurred, should be supported with a human program with economic, social and political dimensions of long terms, and it should be binding on all intervened parties. The intervened states should work together with the national powers in the states intervened in to form structures and institutions that create new community relationships, otherwise the intervention won't be active towards human rights.

**Margins:**

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- (1) Preamble to the Universal Declaration of Human Rights, html.  
<http://www.org.overview.rights>,
- (2) UNDP, see Arab Human Development Report 2009, Challenges to human security in Arab countries
- (3) <https://studies.aljazeera.net/ar/article/496>
- (4) United Nations Charter, <http://www.un.org>.
- (5) <https://www.un.org/ar/global-issues/human-rights>
- (6) <https://www.un.org/ar/global-issues/human-rights>
- (7) The United Nations Charter Article (2) Item 7
- (8) For more information, see Arab League Charter and Organization of the African Union Charter

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