

## **INTRODUCTION TO THE SYMPOSIUM ON HUMANITARIAN INTERVENTION AFTER 9/11**

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The initial impetus for the papers collected in this year's symposium issue may be summarized in a word: Darfur. For more than three years, the government of Sudan has orchestrated a campaign of violence targeted against an ethnic civilian population in the country's western region of Darfur. The result has been a massive humanitarian crisis, the displacement of more than two million civilians, and the death of between two and four hundred thousand people. Many activists and policymakers, including the United States government, label the violence "genocide." Whichever label one prefers—"genocide" is a contested term and subject to much debate—the violence exhibited in Darfur is of a level and type that the world community has pledged on numerous occasions to prevent. Yet in the mid-2000s, a decade after Rwanda and Bosnia and more than sixty years after the Holocaust, the world again witnessed organized mass violence that no international organization or country has yet been willing to stop.

The issues underlying international inertia in the face of mass violence in Darfur are complex and multiple. Under pressure from a diverse coalition of actors in civil society, U.S. officials from the president down have played as vocal a role as any international actor on Darfur. Yet with significant troop commitments in Iraq and Afghanistan, with deep difficulties encountered in both post-war operations there, and with negative international fallout from the Iraq intervention, the United States has been in a weak position to lead effectively on Darfur. Outside the United States, a number of Arab and African states have been openly skeptical, if not outright hostile, to international meddling in the sovereign affairs of a non-European state. China and Russia—both

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permanent members of the Security Council and thus wielding significant power at the United Nations—have been allied to Sudan and remain equally wary of making human rights the pretext for international military action. Moreover, the conditions for intervention are not propitious. Darfur is in a remote, landlocked area that is at once very large (it is the size of France) and infrastructurally undeveloped. And Darfur is in Africa, which means that while there are some international strategic and economic incentives for international action, those incentives are less than they would be for other world regions.

All that said, underlying the case-specific problems are a number of complex issues relating to humanitarian intervention. By “humanitarian intervention,” I mean here the use of military force to protect large numbers of civilians from mass violations of human rights and probable death. At an ethical level, the crises that lead to calls for humanitarian intervention, such as widespread violence directly targeted at an ethnic population, are relatively clear. Few would challenge the assertion that such mass violations of human rights are both illegal and wrong, and that the international community, such as it exists, should work to stop them. But the minute one reflects on the political, practical, and legal issues involved in deploying force to stop such violations, the clarity dissolves. Who should authorize an intervention force? What level of violence should trigger an intervention force? Under what conditions should state sovereignty become secondary to the concerns of vulnerable populations? What is the legal basis for intervention? How long should intervention forces stay in a divided society? And finally, what happens if a government responsible for mass violence refuses to allow a robust intervention force to enter that country’s sovereign space (as Sudan has until now)?

As a small group of interdisciplinary researchers at the University of Wisconsin began to consider these questions in light of Darfur, two issues quickly jumped out at us. First, it became clear that a lot of discussion and learning took place in the 1990s. This was the era of humanitarianism and humanitarian intervention when key cases, such as Iraq, Somalia, Rwanda, Bosnia, and Kosovo, were central to international policy and academic discussions. Second, it became equally clear that the events of 9/11 and the subsequent concern with terrorism had not only eclipsed much discussion of humanitarian intervention but also changed the terms of debate, at least among the wealthier countries of the world. International security again became the primary framework for the use of international force, not

humanitarianism. Whether a change actually happened is debatable—some would argue that international security always had been the primary framework for military intervention despite the 1990s—but at a minimum it became clear to us that the political environment that had shaped policy debates about humanitarian intervention had changed with 9/11.

Hence the idea for the symposium was born. The big questions for the presenters were: Where are we today on the question of humanitarian intervention? and what is the status of the doctrine? More specifically, presenters were asked to probe two specific questions. First, what were the cumulative lessons from the interventions of the 1990s? What did the policy and academic communities learn from Iraq, Somalia, Rwanda, Bosnia, and Kosovo? Second, what have been the impacts of 9/11 and the subsequent war on terrorism for humanitarian intervention? That is, how have the changes in the international environment changed the terms of debate on the issue? Given the complexity of the issues at hand, the symposium undoubtedly could not solve them, but the idea was to refocus attention on the problems and promises of humanitarian intervention.

The symposium brought together an international group of smart, thoughtful, and accomplished scholars and practitioners who approached the issues from a variety of perspectives. The participants included some leading international commentators on humanitarian intervention, such as Gareth Evans of the International Crisis Group, the legal scholar Fernando Tesón, and the political scientist Thomas Weiss. Other participants were leading commentators and scholars of genocide, such as political scientist Benjamin Valentino and Jerry Fowler of the Holocaust Museum. Still others, such as philosopher Michel Feher, legal scholar Jeremy Levitt, and political scientists Jon Pevehouse, Tim Hildebrandt, Courtney Hillebrecht, and Peter Holm, are leading commentators with wide-ranging interests in international politics and law who focused at the symposium on the problem of humanitarian intervention. Taken together, the papers in the symposium—and the papers collected in this special issue—offer a number of fresh takes on a subject that remains a critical and topical concern in the international arena.

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A number of groups and individuals at the University of Wisconsin-Madison made the symposium possible. The core conveners were from an interdisciplinary group of researchers on campus called the

Humanitarianism and World Order Research Circle. That group includes Erik Doxtader, Sharon Hutchinson, Heinz Klug, Mara Loveman, and myself. In addition, Kristen Fricchione and Leah Larson-Rabin of the *Wisconsin International Law Journal* were hugely instrumental in helping to put together the conference. Generous funding for the conference came from a number of sources on campus, including the Global Studies Program, the International Institute, and the Global Legal Studies Initiative. A particular thanks should be extended to Steve Smith and Natalia Aiello of the Global Studies Program, Dean Aili Tripp of the International Institute, and Pam Hollenhorst of the Global Legal Studies Initiative. In addition, the Political Science Department and the African Studies Program co-sponsored the symposium. Finally, many thanks to Emily Thompson and the other staff members of the *Wisconsin International Law Journal* who helped shepherd the papers from the conference to the final published product.