

Syria and the Logic of Military Intervention: Perspectives from the Thought of Michael Walzer and Michael Ignatieff

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Governments and armies engaged in massacres are readily identified as criminal governments and armies under the Nuremberg Code of "crimes against humanity." Among the various forms of intervention, humanitarian intervention comes closest to what we commonly regard, in domestic society, as law enforcement and police work. At the same time, however, it requires the crossing of an international frontier, and such crossings are proscribed within the legalist paradigm unless authorized by the society of nations.

Humanitarian intervention thus forces an intervening state to enter, to some degree, into the legalist paradigm and its rules regarding the principle of noninterference in internal affairs. Many lawyers prefer to adhere to the paradigm in which no state can legitimately fight an aggressive war or intervene in the domestic affairs of other states. Thus, they deny both the (occasional) need for intervention and the legal recognition of that need.

Yet humanitarian intervention, which involves military action on behalf of oppressed people, rightly belongs not in the realm of law but in that of moral choice, which nations, like individuals, must sometimes engage. The moral world of war is shared not because we arrive at the same conclusions as to whose fight is just or unjust, but because we acknowledge the same difficulties on the way to our conclusions, and face the same problems of sovereignty and noninterference.

The capacity of international agencies and regional associations to respond to threats of aggression and massacre is probably even less developed than their capacity to respond to actual aggression and massacre, and thus we must acknowledge the possible legitimacy of alternative forms of intervention in domestic affairs. Does collective security depend on collective recognition or on shared history? Intervention must be understood, I argue, in terms of collective history and the need to reestablish a set of minimal conditions for human rights.