

# Righteous Violence: The Ethics and Politics of Military Intervention

Tony Coady and Michael O'Keefe (Editors)

Reviewed by Dr Tom Frame

When and where is it right for individual states or multinational coalitions to interfere in the affairs of sovereign nations? This has become a critical question for governments and their advisers. Whereas sovereignty was once an impenetrable barrier, it is no longer considered an insurmountable obstacle to forceful action. UN Secretary General Kofi Annan contends that military interventions which pursue the positive humanitarian goals of the UN Charter are, in fact, more justifiable than inactivity in the face of genocide and gross injustice:

As we have seen in Bosnia and Herzegovina and elsewhere, of all UN activities, military interventions in international armed conflicts are particularly fraught with vexing choices and questions. But we also saw in Rwanda in 1994 ... inaction has grave perils of its own ... It seems to me far better to accept the risk of error or failure than to remain on the sidelines; there is no purity in the abstract, and only disgrace and worse in retreat toward some imaginary safe harbour.

Although there is a great deal of debate about when and where intervention is justified, consensus appears to be slowly emerging. British Prime Minister Tony Blair asserted that the 1999 NATO campaign on behalf of the Kosovars shifted the balance between human rights and state sovereignty. In his speech at Chatham House on 28 January 2000, the late British Foreign Secretary Robin Cook said intervention in the affairs of a sovereign state was justified 'when faced with an overwhelming humanitarian catastrophe and a government that has demonstrated itself unwilling or unable to halt and prevent it, the international community should act'. On 20 September 1999 as East Timor was collapsing into civil chaos, Kofi Annan spoke of the need to 'forge unity behind the principle that massive and systematic violations of human rights—wherever they take place—should never be allowed to stand'.

But the question remains: precisely when and exactly where is resorting to force justified? Indeed, is it ever obligatory as Kofi Annan implies? *Righteous Violence* takes up these issues and offers some very helpful perspectives.

Edited collections are hard work to produce especially when the chapters started out as scholarly papers delivered at a university workshop. As the editor of two such works, I know first hand the difficulties of getting writers to adhere to a commissioning brief and then to meet publication deadlines. Contributions usually vary in quality, consistency and relevance. Professor Tony Coady (Melbourne University) and Dr Michael O'Keefe (La Trobe University) have assembled an international panel of thinkers, drawn from the disciplines of philosophy, strategic studies, political science and law, who have managed to produce some engaging and complementary essays. I especially appreciated Moya Collett's lively discussion of the political and legal legitimacy of third-

party intervention in the Ivory Coast's civil war, and (ex-ARA Lieutenant Colonel) Paul Muggleton's frank assessment of the legality of NATO air strikes against Serbian forces in Kosovo.

The book is divided into two parts. The first examines philosophical problems; the second practical dilemmas. The essays reflect idealist and realist positions applied to a range of recent conflicts and calamities, with contrasting views of the moral significance and legal standing of national boundaries and state sovereignty. Although none of the contributors are pacifist, they are clearly committed to finding non-military solutions to instances of injustice and suffering. Although they set the moral threshold for using force at different levels, they seem to be agreed on a small number of extreme situations that justify armed intervention.

I would propose seven general grounds for intervention: serious violations of humanitarian law; systematic violation of civil liberties; absence of the rule of law; lack of administrative institutions; famine and drought; failure of a de facto government to comply with its agreements; and, failure of a party to a conflict to negotiate in good faith. To which some of the contributors have also added: deliberate mass deportation of 'unwanted people' and a state's failure to demonstrate its renunciation of terrorism.

As the authors are experts in their respective fields, I was surprised that they had all overlooked *Necessity, Proportionality and the Use of Force by States* by Dr Judith Gardam of the Adelaide Law School which appeared as part of the *Cambridge Studies in International and Comparative Law* in 2004. This is a first-class work which offers many insightful perspectives on armed intervention and International Humanitarian Law.

*Righteous Violence* is both enlightening and entertaining notwithstanding its tragic subject matter. Although the authors did not set themselves the ambitious goal of defining the conditions in which intervention is justified or legitimated, they have certainly shown the complexity of the moral and legal questions encountered in such situations and thereby prevented anyone from thinking there are simple or straightforward answers. *Righteous Violence* is highly recommended. ♦

Tony Coady and Michael O'Keefe (editors), *Righteous Violence: The Ethics and Politics of Military Intervention*, Melbourne University Press, Melbourne, 2005, Softcover, 193pp. plus notes, bibliography and index, RRP \$434.95.

Dr Tom Frame is the Anglican Bishop to the Defence Force. His book, *Living by the Sword? The Ethics of Armed Intervention* was published by the University of NSW Press in 2004 and reviewed in the Winter 2004 issue of 'Defender'.

