Humanitarian Intervention & International Society
State Practice between Order and Justice

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School of Management,
Economics, Law, Social Sciences,
and International Affairs
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and Political Economy

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from
Germany

Approved on the application of

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St.Gallen, May 28, 2019

The President:

Prof. Dr. Thomas Bieger
Preface

Despite forgoing a really long list of all the people to whom I owe a great debt of gratitude for multiple reasons, I would still like to thank my supervisor, Prof. James W. Davis, Ph.D., first and foremost for his patience, but also for his trust and the subtle assurances to see the project through. Additionally, a wholehearted ‘thank you’ goes to my second advisor, Prof. Thomas Biersteker, Ph.D., for his feedback on both the research proposal and the final thesis, as well as to Prof. Dr. Bardo Fassbender for serving as the third member of my dissertation committee.

In addition, I would like to express my gratitude for my family’s understanding of me disappearing down the rabbit hole and hiding out behind books far away in the Swiss mountains for several years while life continues for everyone else. This is especially true for both of my sisters who completed major ‘projects’ of their own in the last years. Other than that, I am forever in debt to Sabine Beutlhauser. Without her, I would not have stayed in school in the first place, let alone graduated. Most of who I am, I owe to her.

Of course, I am immensely grateful to everyone who enriched my time at the University of St. Gallen. This includes a big ‘thank you’ to all my current and former colleagues, especially everyone within the Department of Political Science, but does certainly not stop there. I will abstain from pointing out the usual suspects, but without you, I would have never managed in the first place. I would like to thank half of you for the engaging discussions and emotional support while blaming the other half for the great time I had. My highest appreciation, though, is reserved for those complicit in both. Got to love you. This explicitly includes all of you not in St. Gallen as well. Cheers to all of you and thank you for your suchness and for sharing your thoughts.

Special thanks go to Hugo Marcos Marne for taking the time to share both his ‘pragmatic optimism’ and his invaluable ‘data-handling’ skills on such short notice, and to everyone who ever commented on one of the earlier drafts. My most authentic and sincerest gratitude belongs to Sué González Hauck for both her authoritative ‘legal advice’ and her invaluable everything. In fact, I am convinced that I would not have been able to complete this project without her. Obviously, all the better parts have benefitted from insightful suggestions and the expertise of others, whereas all remaining errors and argumentative weaknesses are still all mine and mine alone.
In order to spare you any further sentimentality, I would like to provide some introductory remarks on the submitted thesis instead. The following chapters reflect only a fraction of my thoughts and musings on the topic as developed for the better half of a decade. They remain unfinished, unpolished, and wantonly simplistic. This is the result of both my limited capacity of addressing all relevant dimensions in a structured fashion and the unlimited complexity of the multitude of questions touching upon the continuous evolution of world order. I tried to include more female authors as well as voices from the global south, but as a quick analysis of the bibliography will reveal, I nevertheless failed to achieve even modest results in terms of proportionality.

I would like to point out that the first chapter summarizes the whole thesis, and each chapter begins with a summary of the respective chapter’s argument. If you are intent on plowing through the entire treatise, I suggest to read the chapters in order, including and starting with the abstract. Throughout the document, there are three types of footnotes fulfilling three separate but related purposes. The first type provides supplementary information or explanations on the respective topic or issue mentioned in the main text. The second type contains additional references to similar but more detailed arguments in the literature supporting the claims made in the main text. And the third type lists examples of specific sources illustrating the position elaborated on in the main text. In total, the purpose of all three types of footnotes consists in adding to and serving as an expanded literature review within each chapter.

Despite the strong focus on existing literature, I tried not to hide behind theoretical dogma but to advance a narrative that avoids the illusion of objective evaluation. The aim was to base all judgments on premises that are made as explicit and transparent as possible. Accordingly, I would like this thesis to be understood as an honest attempt at an analysis from within a specific theoretical approach that contains no claims on a general truth.

Sebastian Plappert

St. Gallen, December 2018
Abstract

This dissertation aims at answering the question whether the global international society is slowly but steadily accepting universal responsibilities for all its individual citizens or whether we are forever bound by an essentially insurmountable pluralism of values: are we on our way to a cosmopolitan world society or are we trapped in an international system dominated by national self-interest? The thesis concentrates on humanitarian intervention as a benchmark for the evolution of the current international order and examines both the varying degrees of state engagement in humanitarian emergencies beyond the respective states’ jurisdictions and the legitimization efforts thereof. It does so to provide the means for examining in what fashion factors potentially responsible for the variation in state responses to humanitarian emergencies have changed over time.

In order to do so, the thesis develops a conceptual framework based on English School scholarship. Conceptualizing the balance between justice and order inherent in international society as a combination of both pluralist and solidarist values simultaneously allows evaluating state behavior accordingly. Solidarism is operationalized in terms of coercive engagement, and pluralism as the degree of adherence to the international rule of law. State practice indicates how far and in which direction international society has been developing. Correlating combinations of potential causal factors with the degree and type of engagement in humanitarian emergencies illustrates which combinations are linked to a communitarian and/or a cosmopolitan understanding of international society in different periods.

The resulting behavioral patterns of state responses to humanitarian emergencies from 1815-2015 reveal the absence of a linear trend from a ‘BoP’ mentality to the implementation of the ‘R2P’ idea. Employing the terminology and conceptual apparatus of the English School tradition, this study breaks with such linear and one-dimensional notions of progress in international relations altogether. While progress of and within international society is conceivable in principle, it must be understood as a combination of ‘thicker’ versions of both pluralism and solidarism rather than as a move from pluralism to solidarism.
Kurzbeschreibung


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<td>AFISMA</td>
<td>African-led International Support Mission in Mali</td>
</tr>
<tr>
<td>AU</td>
<td>African Union</td>
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<tr>
<td>BCE</td>
<td>Before Common Era (formerly BC)</td>
</tr>
<tr>
<td>BINUCA</td>
<td>UN Integrated Peacebuilding Office in the Central African Republic</td>
</tr>
<tr>
<td>CAR</td>
<td>Central African Republic</td>
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<tr>
<td>CE</td>
<td>Common Era (formerly AD)</td>
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<td>CEMAC</td>
<td>Central African Economic and Monetary Community</td>
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<td>CIO</td>
<td>Center for Systemic Peace</td>
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<td>CIRI</td>
<td>Cingranelli-Richards (dataset)</td>
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<td>CNN</td>
<td>Cable News Network</td>
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<td>COW</td>
<td>Correlates of War</td>
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<td>CSP</td>
<td>Center for Systemic Peace</td>
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<td>ECCAS</td>
<td>Economic Community for Central African States</td>
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<td>ECOMOG</td>
<td>Economic Community of West African States Monitoring Group</td>
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<td>EU</td>
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<td>FA</td>
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<td>FAR</td>
<td>Rwandan Armed Forces</td>
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<td>FDP</td>
<td>Forcibly Displaced Populations</td>
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<td>FOTP</td>
<td>Freedom House Freedom of the Press</td>
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<td>FRELIMO</td>
<td>Front for the Liberation of Mozambique</td>
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<tr>
<td>FRELIN</td>
<td>Revolutionary Front of Independent East Timor</td>
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<td>FRY</td>
<td>Federal Republic of Yugoslavia</td>
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<td>HRC</td>
<td>Human Rights Council</td>
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<td>International Court of Justice</td>
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<td>ICISS</td>
<td>International Commission on Intervention and State Sovereignty</td>
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<td>IDMRC</td>
<td>Internal Displacement Monitoring Centre</td>
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<td>IDP</td>
<td>Internally Displaced Person</td>
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<td>IICK</td>
<td>Independent International Commission on Kosovo</td>
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<td>Integrated Network for Societal Conflict Research</td>
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<td>IPS</td>
<td>Institute for Palestine Studies</td>
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<td>IR</td>
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<td>Islamic State of Iraq and al Shaam/the Levant (Da’esh)</td>
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<td>International Trade Dataset</td>
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<td>JMC</td>
<td>Joint Military Commission</td>
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<td>KLA</td>
<td>Kosovo Liberation Army</td>
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<td>Acronym</td>
<td>Description</td>
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<td>LURD</td>
<td>Liberians United for Reconciliation and Democracy</td>
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<td>MINUSMA</td>
<td>UN Multidimensional Integrated Stabilization Mission in Mali</td>
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<td>MISCA</td>
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<td>MNLA</td>
<td>National Movement for the Liberation of Azawad</td>
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<td>MONUC</td>
<td>UN Mission in the Democratic Republic of Congo</td>
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<td>MPD</td>
<td>Madison Project Database</td>
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<td>MPLA</td>
<td>Popular Movement for the Liberation of Angola</td>
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<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<td>ODF</td>
<td>Operation Deliberate Force (Bosnia/Herzegovina)</td>
</tr>
<tr>
<td>OMIB</td>
<td>OAU Observation Mission in Burundi</td>
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<tr>
<td>ONUB</td>
<td>UN Operation in Burundi</td>
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<tr>
<td>ONUMOZ</td>
<td>United Nations Operation in Mozambique</td>
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<td>OUP</td>
<td>Operation Unified Protector (Libya)</td>
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<tr>
<td>PRIO</td>
<td>Peace Research Institute Oslo</td>
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<tr>
<td>PTS</td>
<td>Political Terror Scale (dataset)</td>
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<tr>
<td>R2P</td>
<td>Responsibility to Protect</td>
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<tr>
<td>RENAMO</td>
<td>Mozambican National Resistance</td>
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<td>RPF</td>
<td>Rwandan Patriotic Front</td>
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<tr>
<td>RUF</td>
<td>Revolutionary United Front</td>
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<tr>
<td>SIPRI</td>
<td>Stockholm International Peace Research Institute</td>
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<td>UCDP</td>
<td>Uppsala Conflict Data Program</td>
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<td>UDT</td>
<td>Timorese Democratic Union</td>
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<td>UK</td>
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<td>United Nations</td>
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<td>UNAMET</td>
<td>UN Mission in East Timor</td>
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<td>UNAMID</td>
<td>UN and African Union Mission in Darfur</td>
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<td>UNAMIR</td>
<td>UN Assistance Mission for Rwanda</td>
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<td>UNAMSIL</td>
<td>UN Mission in Sierra Leone</td>
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<td>UNAVEM</td>
<td>UN Angola Verification Mission</td>
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<td>UNDP</td>
<td>UN Development Program</td>
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<td>UNGA</td>
<td>UN General Assembly</td>
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<td>UNHCR</td>
<td>UN High Commissioner for Refugees</td>
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<td>UNITA</td>
<td>Union for the Total Independence of Angola</td>
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<td>UNITAF</td>
<td>Unified Task Force</td>
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<td>UNMIL</td>
<td>UN Multinational Force in Liberia</td>
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<td>UNOCI</td>
<td>UN Mission in Côte d’Ivoire</td>
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<td>UNOSOM</td>
<td>UN Operation in Somalia</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>UNPROFOR</td>
<td>UN Protection Force</td>
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<td>UNSC</td>
<td>UN Security Council</td>
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<tr>
<td>UNSG</td>
<td>UN Secretary-General</td>
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<td>UNSMIS</td>
<td>United Nations Supervision Mission in Syria</td>
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<tr>
<td>USA/US</td>
<td>United States (of America)</td>
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<tr>
<td>USSR</td>
<td>Union of Soviet Socialist Republics</td>
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<tr>
<td>QCA</td>
<td>Qualitative Comparative Analysis</td>
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<tr>
<td>WB</td>
<td>World Bank</td>
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<td>WRP</td>
<td>World Religion Project (dataset)</td>
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<tr>
<td>WTO</td>
<td>World Trade Organization</td>
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</table>
Nichts bessers weiß ich mir an Sonn- und Feyertagen
Als ein Gespräch von Krieg und Kriegsgeschrey,
Wenn hinten, weit, in der Türkey,
Die Völker auf einander schlagen.
[…]
Herr Nachbar, ja! so laß ich’s auch geschehn,
Sie mögen sich die Köpfe spalten,
Mag alles durcheinander gehn;
Doch nur zu Hause bleibt’s beym Alten.

—Johann Wolfgang von Goethe, *Faust. Eine Tragödie*¹

Let us not waste our time in idle discourse! (*Pause. Vehemently.*)
Let us do something, while we have the chance!
It is not every day that we are needed.
Not indeed that we personally are needed.
Others would meet the case equally well, if not better.
To all mankind they were addressed, those cries for help still ringing in our ears!
But at this place, at this moment of time, all mankind is us, whether we like it or not.

—Samuel Beckett, *Waiting for Godot*²

* Dialogue between bourgeois citizens (Der Tragödie erster Theil. Vor dem Thor, 1808: 60-1).
† Vladimir’s monologue addressing Pozzo’s pleas for help, followed by Vladimir’s and Estragon’s stoic continuation of their wait for Godot as the most obvious and only course of action (Act II, 1965 [1952]: 2.526).
1 Introduction

This dissertation is an inquiry into the practice of humanitarian intervention and its implications for the international society of states. The reaction to humanitarian emergencies serves as an observable indicator for the international society’s understanding of international order. The first chapter introduces the puzzle of selective state practice in the face of humanitarian emergencies as a benchmark for the moral evolution of international society. It provides an overview of the arguments presented in the following chapters. Essentially, this thesis argues that state behavior has not changed significantly over the course of the last 200 years. The justifications and perceptions states hold have changed drastically, but their actual responses to humanitarian emergencies continue to oscillate between pluralist notions of upholding the respective international order on one side, and solidarist values of assuming global responsibilities for fellow humans on the other.

The thesis addresses the shortcomings of the available analysis of humanitarian intervention and provides a historically grounded conceptualization of humanitarian intervention and its legitimization. Drawing on English School theorizing, I argue that the empirical data does not support the assumed progression from an atomistic state system towards a cosmopolitan world society. Moreover, I question the general narrative of a linear progression from a pluralist society of states towards a solidarist international society. Both pluralist and solidarist values continue to coexist within international society without canceling each other out. Examining the responses to humanitarian emergencies illustrates the varying influence of allegedly constant conditions on state practice over time. I demonstrate how the behavior of states between 1815 and 2015 has oscillated between pluralist concern for ‘order’ and solidarist concern for ‘justice’.

After spelling out the research question in the first section (1.1), the next section (1.2) elaborates on the complex puzzle humanitarian interventions pose for both theoretical explanations and empirical analysis, locating the identified problems in the wider field. The third section (1.3) explains the subsequent objectives of the analysis, summarizing the issues this thesis intends to

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1 For a detailed discussion of the English School and its conceptual approach to international affairs, see Chapter 6.

2 I use both ‘order’ and ‘justice’ as ‘labels’ for the sum of abstract perceptions of very different views on what the terms denote. In the following chapters, I refrain from the use of single quotation marks for ‘justice’ and ‘order’, except when referring to the terms themselves. On the use of justice and order as concepts and on concepts more generally, see Chapter 7.1.
address as well as setting forth the conceptual assumptions underlying the following analysis. The fourth section (1.4) points out the purpose of this study and its wider relevance, both for theory development and empirical application. The final section (1.5) presents the outline of the thesis, briefly summarizing the following chapters.
1.1 Research Question

The present study is interested in the presumed moral progress of international society and its resort to coercion to attend to humanitarian emergencies. It addresses the gap in the literature on selective state behavior by empirically examining how the international community has responded to extreme cases of large-scale human suffering and by observing how that behavior changed over time. Therefore, the first part of the research question asks whether and how both state responses to humanitarian emergencies and the relevance of specific factors assumed responsible for the variation of state behavior change over time. The second part of the research question asks whether the existing international society has become more solidarist or whether it does hold on to a pluralist world order.

It does so to determine whether the international society is developing towards a cosmopolitan world society or not. Answering the first part of the question allows evaluating the hypothetical explanatory strength of existing approaches for specific periods in order to determine the relevance of specific conditions over time and to verify the claim of a changing perception of the non-intervention principle concerning humanitarian interventions. The answer to the second part of the question introduces a framework for evaluating state practice – the collective behavior of states representing an international society – according to solidarist and pluralist values, and traces the changing standing of justice and order over time.

Neither part of the two-pronged question aims at establishing or testing causal inferences. Instead, the question explores how we should or even can understand the changing international order. Accordingly, the expectation of deriving at definite or conclusive answers lies beyond the scope of this thesis. Despite the inherent vagueness of the resulting answers, I believe posing such questions is worth pursuing as an end in itself, or in the words of Robert Putnam (2003: 252): “Better an approximate answer to an important question than an exact answer to a trivial question”.
1.2 Puzzle

The dilemma of how to respond to human suffering and atrocities features prominently in the contemporary political debate both in academia and in policymaking.\(^3\) Does solidarity with the victims trump questions of upholding the international order, or are concerns for order even more important to generate an idea of justice in global affairs? Questions like that are closely connected to the idea of progress in international relations and to the evolution of international society.\(^4\) The ongoing crises in Syria, Libya, Congo or Mali,\(^5\) naming only a few of the latest instances of humanitarian emergencies, bear witness to countless suffering with thousands dead and millions displaced. Especially the recent but now constant flow of refugees\(^6\) from Syria demonstrates the significance and implications of humanitarian emergencies for the international community.

Humanitarian assistance and aid work have been able to alleviate some of the suffering, but remain impotent when the authorities of the afflicted territory are responsible for or are tolerating the violence and are opposing external interference. Yet it remains highly controversial for third parties to engage forcibly in ongoing atrocities in such scenarios. Advocates for intervention stress the international community’s responsibility towards suffering civilians. Opponents, however, refer to self-determination and to the incalculable consequences of forceful interference.

Whereas natural disasters, famines or epidemics entail serious grievances and hardship in their own right, man-made complex emergencies are perceived as being even worse. Humans inflicting harm on fellow humans adds a moral component absent in natural occurrences. Organized massacres, mass atrocities, ethnic cleansing, the systematic displacement and eradication of civilian populations, and, finally, genocide, are all universally condemned as appalling acts of human cruelty.\(^7\) Still, the world is continuously confronted with exactly these man-made disasters inflicting human suffering.

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\(^3\) See e.g. Lawson/Tardelli (2013: 1233), who state that “[t]here are few issues more pressing to contemporary world politics than intervention”.

\(^4\) See e.g. Watson (1992).

\(^5\) For case descriptions, see Chapter 7.4.3.

\(^6\) For a general examination and definition of what the term ‘refugee’ comprises, see e.g. Maley (2016).

\(^7\) See e.g. Power (2013), Bellamy (2012).
Notwithstanding the deviating causes of different humanitarian emergencies, the international community faces the same dilemma of how to deal with *de facto* authorities responsible for the human suffering of their own population: Does it witness the human tragedy unfold, inertly watching people die, or does it confront the authorities in charge, resorting to force if necessary? The dilemma lies in the fact that both choices come at a price. Violently enforcing immediate policy-changes challenges the international order,\(^8\) raises questions about self-determination,\(^9\) and, by undermining the principle of non-intervention, may lead to even worse results in the long run.\(^10\) Doing nothing, on the other hand, results in dire consequences such as destabilization of entire regions and massive refugee flows, not to mention the injustice and moral burden of yet another ignored atrocity.\(^11\)

The latest attempts at addressing the problem of ‘order versus justice’ culminated in the formulation of the ‘Responsibility to Protect’ doctrine as a precondition for legitimate state sovereignty (Neumann 2001a: 41).\(^12\) In particular, it is the principle of non-intervention and the re-interpretation of its implications that take center stage in this discussion.\(^13\) The practice of intervening for humanitarian reasons represents the strongest indicator for the acceptance or rejection of universal values and for the actual state of justice and order in international society. Heralded as a newly emerging set of norms, the so-called R2P is supposed to mark a distinctive break from a previous understanding of absolute non-intervention.\(^14\) Accepting this set of norms is assumed to indicate a solidarist understanding pushing for humanitarian intervention, which is replacing the pluralist view of rejecting such action. Consequently, the R2P framework is perceived as both a contemporary phenomenon and a genuinely new approach to deal with the problem of humanitarian intervention and the principle of non-intervention.\(^15\) How far states

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\(^8\) See e.g. Byers/Chesterman (2003), Hilpold (2001), Chesterman (2001), Brownlie (1998).

\(^9\) See e.g. Welsh (2013b: 55f), Walzer (1980).


\(^11\) The situation in Syria and its repercussions again serve as the immediate example. See e.g. Bellamy (2018a), who argues against the false promise of doing nothing, both in general and in the Syrian example.

\(^12\) For the commission report on the Responsibility to Protect, see ICISS (2001a), for the collection of materials referred to in the report, see ICISS (2001b).

\(^13\) See Chapter 2.3.


\(^15\) For a comprehensive engagement with the R2P principle, see e.g. Bellamy/Dunne (2016) or Loges (2013).
accept these responsibilities is critical for the type of international society\(^{16}\) of which they are members.\(^{17}\)

Despite the legal ambiguity and potential costs, states have been responding to humanitarian emergencies. Their degree of engagement, however, varies from case to case. Whereas some crises trigger full-blown and forceful military interventions, others are merely acknowledged by expressing regret.\(^{18}\) This selectivity or inconsistency in state behavior responding to humanitarian emergencies refers to the lack of “principled treatment of comparable cases” (Damrosch 2000: 405), which arises from the general expectation that “conceptually alike cases will be treated alike” (Franck 1990: 143).\(^{19}\) However, the widely perceived dichotomy between “military humanitarian intervention” on one hand and “doing nothing” on the other hand seems to exaggerate and crudely simplify the extent of selectivity (Chesterman 2001: 236; Bellamy 2003a).

The empirical puzzle of state selectiveness in the choice of responses gains further weight by the lack of a robust theoretical explanation thereof. Some scholars propose to interpret such behavior as an indication of major changes in the conception of sovereignty.\(^{20}\) Others refute the possibility of such changes and attribute the behavior to various but mostly material factors.\(^{21}\) We are supposed to either experience moral progress – however sluggish or hesitant – towards a world order based on solidarist values or are doomed to perpetual stasis and the pluralist framework we currently inhabit. Both proponents and opponents of humanitarian intervention stress the allegedly centuries-old principle of non-intervention. Advocates\(^{22}\) eagerly welcome a new era, where finally “sovereignty is no longer sacrosanct” and cannot pose anymore as an excuse for committing atrocities falling into a state’s domestic jurisdiction (Chopra/Weiss

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\(^{16}\) International society refers to “a group of states, conscious of certain common interests and common values, [who] form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions” Bull (1977: 13). See Chapter 6.2.


\(^{18}\) See e.g. Boulden (2006), Power (2002b).


\(^{20}\) Sovereignty is “constantly undergoing change and transformation” and can be defined “in terms of the interactions and practices of states” Biersteker/Weber (1996: 10). State practice, however, is observable. For this thesis, the major interest lies not in sovereignty itself, but in the principle of non-intervention, which is considered an integral part of the traditional conception of sovereignty. See e.g. Karp (2008), Krasner (2001c; 1999), Hehir (1995).

\(^{21}\) This includes the vast majority of realist and liberal arguments that are based on rational choice decision-making. See Chapter 3.1.

1992: 1). Critics\textsuperscript{23} vocally caution against destabilizing the international order by deviating from long-established practice and giving up on the freedom from external interference. What both positions have in common is that they are based on the underlying notion of Westphalian sovereignty.\textsuperscript{24} This includes the assumption that before the emergence of the R2P any violation of the non-intervention principle was merely an exception from an otherwise static conceptualization of that principle.

It has been argued that, instead of being a mere international treaty, the UN Charter displays a strong “constitutional disposition” that has only been confirmed and strengthened over time (Fassbender 1998b: 529). Indeed, the United Nations was brought into existence to maintain international peace and security,\textsuperscript{25} its primary purpose being balancing justice and order, reconciling fundamental human rights and international stability.\textsuperscript{26} On one hand, it upholds the principle of non-intervention in the domestic affairs of its members and prohibits the use of force,\textsuperscript{27} but on the other hand, it is virtually the embodiment of an ever closer and increasingly solidarist international society.\textsuperscript{28} If this notion of solidarist responsibility is indeed efficacious, we should be able to observe behavioral deviations from previous state conduct under otherwise similar conditions.\textsuperscript{29}

However, it is not clear that the R2P demarcates a shift in state behavior towards solidarism. Humanitarian interventions have taken place even long before the endorsement of the R2P in 2005 by the United Nations General Assembly.\textsuperscript{30} In fact, various theoretical approaches are offering a whole range of different reasons leading to or hindering humanitarian intervention. So far, no convincing and empirically supported theoretical explanation for selective engagement of states in humanitarian emergencies has emerged. Neither rationalist approaches pointing to the power of security or economic considerations, nor mainstream constructivist


\textsuperscript{24} The Westphalian model of sovereignty is commonly accepted as representing the strongest form of the principle of non-interference.

\textsuperscript{25} See Charter of the United Nations (1945), Article 1(1).

\textsuperscript{26} See Charter of the United Nations (1945), Preamble.

\textsuperscript{27} See Charter of the United Nations (1945), Article 2(4) and Article 2(7).

\textsuperscript{28} Fassbender (2009b) provides a detailed argument on the evolution of the UN Charter representing the continuing advancement of international society. For a general discussion of constitutionalism, see also all other contributions in Dunhoff/Trachtman (2009) or Lang/Wiener (2017).

\textsuperscript{29} The R2P, for example, demands decisive reaction to humanitarian emergencies due to the international community’s responsibility for the suffering population.

\textsuperscript{30} See A/RES/60/1 (2005: §§138-9).
theories stressing the effect of humanitarian norms, “can fully account for the variation in responding to humanitarian crisis” (Binder 2008: 4).

The most puzzling aspect of this conundrum is the debated possibility of progress on the one hand, and the alleged lack or proof thereof in actual state conduct on the other. The debate about whether the international order is in decline or developing towards a different type of international order remains hypothetical at best. Arguments denying progress towards more solidarity stand against arguments clearly defending a morally progressing international society, both pointing towards corresponding examples of state behavior.31 The varying responses to humanitarian emergencies so far have done little to help settling this debate. Combined, the empirical puzzle of state selectiveness in the choice of responses and the lack of a robust theoretical explanation render humanitarian intervention a compelling and surprisingly underspecified research object. They are the most obvious manifestation of the tension between justice and order in international relations.

31 See e.g. Jackson (2000) defending the existing, pluralist conception of world order, and Hurrell (2007) observing an increasing solidarist interconnectedness potentially transforming the pluralist order.
1.3 Approach

This thesis has three main objectives. First, it advances the illustration of English School theorizing on the evolution of international society through the practice of humanitarian intervention. Second, it utilizes the School’s conceptual framework to gain further insight into the practice of humanitarian intervention. Third, it attempts to ground the theoretical debate on the evolution of international society empirically by examining actual behavior of states responding to humanitarian emergencies.

Given the puzzle outlined above, resorting to the English School seems like an obvious choice precisely because this approach “is not just another paradigm to throw into the tedious game of competing IR theories. It is, instead, an opportunity to step outside that game and cultivate a more holistic, integrated approach to the study of international relations” (Buzan 2001: 472). The English School’s strong emphasis on historicism and its tripartite distinction between international system, international society, and world society, this thesis argues, provide the means to avoid the shortcomings manifest in most of the existing literature on humanitarian intervention. Its understanding of international society balancing the striving for order with the demand for justice provides the conceptual tools to examine both state practice and the moral dilemma of how to respond to humanitarian emergencies.

Instead of referring to the phenomenon of humanitarian intervention to illustrate English School theorizing, this thesis applies the English School’s concepts to the examination of the practice and the legitimization of coercive third-party interference in humanitarian emergencies. Thereby, the main challenge is to avoid “both grand theory (abstraction without application) and abstracted empiricism (behaviouralist quantifications of human action)” for their own sake and instead engage in a reflexive conversation between both, theory and the phenomenon under

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32 Historicism refers to “a mode of historical enquiry that recognizes the specificity of events within their temporal and spatial contexts and rejects transhistorical categories that render history as exhibiting isomorphic properties” (Hobson/Lawson 2008: 422). On historicism in IR, see e.g. Little (2009), Hurrell (2001).

33 Little (2000: 399) refers to the three traditions “drawn first by Wight (1991) [in 1957] and then later embellished by Bull (1977[…])” as “the English School’s triptych”.

34 See Chapter 3.

35 Practice is understood here as the totality of actual behavior. Although a detailed examination of individual state practice – their internal processes and justifications – would indeed increase the analysis’ reach, practicability forbids such an endeavor in this work due to the limited space and time available. Therefore, in this thesis, I refer to state practice as an indicator for international society, representing the combined behavior of individual states collectively acting as an international society.

36 On the differentiation between types of interventions, see Chapter 4.
study (Lawson 2007: 405). Following Kurt Lewin’s (1952: 169) dictum that “[t]here is nothing more practical than a good theory”, the English School serves as a theoretical approach whose aim is not “to know more and more about less and less”, but instead to make sense of the empirical material through the lens of theory (Skocpol 2003: 412). The goal is to adapt the English School’s concepts and to apply them across time and space, connecting the abstract representations with the corresponding empirical behavior.37 Accordingly, this thesis picks up on the notion “that the vocabulary of pluralism and solidarism can be adapted to address questions and issues that are undertheorized or largely neglected in English School theory” (Bain 2014: 168). It does so by structuring the conceptual framework, focusing on empirical cases, and comparing them over time.

The arguments advanced in the following chapters build on the view that the idea of sovereignty entailing responsibilities is not new, and that, to the contrary, responsibility has always been an integral part of any form of sovereignty.38 Justice and order are the major dimensions applicable to any form of political community. As soon as one deals with political entities in relation with other such entities, varying perceptions of duties, rights, and responsibilities come into play. This breaks with the greater part of contemporary IR scholarship that is based upon the apparent preference for current developments and the resulting neglect of larger historical trends. Whereas mainstream scholarship attempts to demonstrate “that rules and norms, such as sovereignty, have independent effects—that they can cause things to happen” (Navari 2009b: 54), this thesis examines whether and how state practice reflects or changes norms and rules. The specific focus lies on the principle of non-interference. Consequently, this thesis focuses on responses to humanitarian emergencies over an extended period of time by adopting an outside perspective on state behavior.39 Such an approach may best be described as a descriptive, historically informed, qualitative cross-case comparison of the practice of humanitarian intervention.40

37 This summarizes the main goal of what Charles Mills (1959), arguing for the historical grounding of the classical social scientific method, calls ‘the sociological imagination’.
38 See e.g. Glanville (2014b; 2011d), Osiander (2001b).
40 For further elaboration on the chosen approach, see Chapter 7.1. On the definition and role of practice, see e.g. Navari (2010). See also supra note 35.
The term for the phenomenon under investigation – ‘humanitarian intervention’ – refers to a range of responses to humanitarian emergencies and is already well established and widely used in academic and in public discourse alike.\textsuperscript{41} Humanitarian emergencies are man-made disasters. They are being committed or willingly tolerated by the local authorities and result in large-scale human suffering and in substantial threats to life and limb of specific peoples or communities. This research project focusses on coercive humanitarian interventions. Possible coercive responses range from rhetorical condemnations to sanctions and from limited military engagement to forceful military interventions.\textsuperscript{42} Each of these measures can be applied unilaterally or multilaterally, signifying varying accordance with the general idea of the rule of law the international society relies on to legitimize its conduct.\textsuperscript{43} A higher level of engagement indicates the growing influence of solidarist norms, whereas the level of adherence to the international rule of law emphasizes the preeminence of pluralist values.\textsuperscript{44}

Essentially, this thesis is a plausibility probe in the Ecksteinian sense,\textsuperscript{45} a test drive of an English School approach based on empirical observation, combining neo-positivist and interpretivist understandings of Social Science. It begins to explore the theoretical implications for ‘testing’ the English School’s arguments empirically in a serious and systematic manner. But this thesis aims to be more than just a plausibility probe of such an approach; it is also a first step towards theory-building. I use the empirical data on responses to humanitarian emergencies to evaluate the English School’s narrative of progress in international society. I advance the claim that the relationship between order and justice is crucial to understanding whether international society is evolving and in which direction. I argue that neither justice and order nor pluralism and solidarism are mutually exclusive. Instead, the evolution of international society is based on both solidarist and pluralist values. The notion of progress towards solidarism is not only theoretically flawed, but also not supported empirically.

\textsuperscript{41} Unfortunately, the term has been used inconsistently, sometimes even with contradictory meaning. For an overview, see e.g. Rinke et al. (2014).
\textsuperscript{42} See Chapter 4.
\textsuperscript{43} See Chapter 5.
\textsuperscript{44} See Chapter 7.4.1.
\textsuperscript{45} See Eckstein (1975: 108-13).
1.4 Relevance

This dissertation engages with an acute and current issue in international affairs. Humanitarian emergencies will not cease to exist and neither will the dilemma of coercive humanitarian intervention. Refugees fleeing their homeland due to unaddressed humanitarian emergencies resulting in enduring civil wars and political instability for decades are not a local problem. The relationship between order and justice is of global importance. The particular balance of order and justice has direct effects on the international society of states and, therefore, all of humankind. International order strongly depends on how the use of force is employed and for what reasons. The current mainstream literature in IR, Political Science, and related disciplines projects an overall positive bias towards progress in international affairs, especially in bemoaning the lack thereof. Taking a step back to reevaluate the evolution of international society contributes to the grounding of idealistic aspirations within existing research strands.

This study provides answers to the question of whether solidarist responsibilities are a new development, whether the international society progresses towards solidarism or not, and which conditions are linked with either development. It does so by tracing changes in state practice over time, comparing idealized abstractions of potential conditions for state behavior across cases. Moreover, the present thesis proposes an alternative perspective on the issue of humanitarian intervention as a representation of a larger issue, the evolution of international order. Providing a useful reexamination of widely held assumptions about central concepts as well as a potential “corrective to the tendency of scholars in IR to misapply abstract, timeless variables to ill-fitting contexts” (Lawson 2006: 416), this thesis’ contribution lies in widening the understanding of the practice of humanitarian intervention and in changing how we define our present understanding of progress in international society.

Accordingly, the present work aims at contributing to the literature on humanitarian intervention as well as at promoting an analytical utilization of English School concepts. Existing research on humanitarian intervention reveals the subject’s complexity as well as its conceptual inconsistencies.46 The majority of articles on the topic are either single case studies or abstract conceptual discussions, dominated by legal and normative theorists. The small number of empirical research and cross-case comparisons addressing the research question at hand so far illustrates this gap. Explanations based on single variables fall short of accounting

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46 The term ‘humanitarian intervention’ refers to the general phenomenon, whereas ‘coercive humanitarian intervention’ describes the object of study in this thesis.
for the varying degree of selective state engagement in humanitarian emergencies. Omitting earlier cases of humanitarian intervention only further distorts the results of such analyses. Moreover, all studies are operating within the framework of major research traditions in International Relations. Therefore, they necessarily exhibit the theoretical limitations of their respective underlying assumptions.\textsuperscript{47}

Resorting to the English School approach allows for stressing the importance of historical context and contributes to correcting the prevailing understanding of humanitarian interventions as a contemporary phenomenon. It points out a way to circumvent the gridlock between material conditions and ideational factors consistently explaining the degree of third-party intervention across time, and, therefore, the discrepancy between justice and order. Moreover, the attempt to apply English School theorizing in a structural, analytical framework contributes to the effort of connecting the School to mainstream Political Science. At the same time, this thesis poses a ‘test’ to the English School’s conception of progress. Given that this thesis operationalizes the School’s theoretical concepts and applies them empirically, it attempts to push for measurability and the formulation of testable hypotheses. In order to promote international society as a useful analytical concept, it requires further operational practicability. Although international society entails a whole range of institutions and issue areas, measuring state responses to humanitarian emergencies is a first step in that direction.

Additionally, this thesis contributes to an interdisciplinary account of the issues of humanitarian intervention and the defining characteristics of the international normative order. It includes an exercise of translation between the disciplinary vocabularies of International Law and International Relations. Rather than treating International Law literature as a resource for extracting binary answers on the legality or illegality of humanitarian interventions, this thesis aims at embedding the argumentative patterns in international legal scholarship in the larger theoretical framework. The overall analysis, however, remains clearly within the scope of the Social Sciences and supports its theoretical argument with empirical evidence in that sense. It provides the basis for the verification and, more importantly, for the confutation of claims derived from both within and outside of an English School perspective. In contrast to the majority of existing research, this thesis accounts for a combination of factors instead of single variables as well as their variation over time. The cross-case comparison increases the results’ external validity and provides a first draft for further research on humanitarian interventions

\textsuperscript{47} See Chapter 3.
organized along the lines of the English School’s conception of international society. The contribution to both the research on humanitarian intervention and the English School is the possibility to generate and engage with a multitude of additional hypotheses and more specific theories.

The results of such an analysis point out the changes of configurations of factors responsible for the variation in state responses to humanitarian emergencies over time and how influential they are in different historical periods. Specific factors linked to a solidarist agenda may not have had that connection throughout time. Both the effect and the meaning of factors change over time. A concrete example is the fact that these results help to put the R2P debate into perspective, both for advocates and for its critics. From a policy-oriented perspective, this project empirically supports the argument of the R2P doctrine being essentially “old wine in a new bottle” (Marks/Cooper 2010: 86), implicating that its current invocation is neither especially dangerous nor the longed-for solution to humanitarian emergencies.48

48 See e.g. Glanville (2013b: 87-88).
1.5 Outline

Following this short introduction, Chapter 2 aims at embedding both the research question and the issue of humanitarian intervention in the broader discussion of international order. The current international order is commonly referred to as the ‘liberal world order’, emphasizing the influence of liberal values as imposed by Western states since the ascent of the modern state-system. Essentially a normative label, the liberal international order is perceived to represent progress in international relations that needs defending against its decline. Such assessments resort to a cosmopolitan idea of justice as a benchmark for progress. Emphasizing the role of moral legitimacy for an international order engenders the emergence of an international society. Therefore, the conception of international order as an international society as advanced by the English School provides a lens through which justice and order can be observed as interacting with each other in a mutually constitutive manner rather than being radically opposed as expressions of competing visions of international relations. The tension between justice and order, which is characteristic of this mutually constitutive relationship, can best be illustrated in reference to humanitarian intervention as an indicator for relationship between the two.

Chapter 3 provides an overview of existing literature on humanitarian intervention. It offers a systematization of the theoretical assumptions explicitly or implicitly underlying existing studies on humanitarian intervention. The increase in orientation gained from this theoretical exercise allows to assess the literature on humanitarian intervention in various specific fields of academic inquiry and permits the identification of gaps. In particular, the chapter differentiates between theoretical and empirical shortcomings, including works in International Relations, International Political Theory, and International Law. The examination of the existing literature on humanitarian intervention then concludes with an exposition of the problematic role of history in the majority of existing IR literature.

Chapter 4 offers a historically contingent conceptualization of humanitarian intervention composed of three main elements, namely the existence of a humanitarian emergency, the response of a third actor interfering in the affairs of the actor exercising authority in the direct context of the humanitarian emergency, and a clearly expressed intention to alleviate human suffering with this response. Extracting potential explanations for humanitarian interventions from theoretical approaches presupposes an explicit and distinct clarification of the term used to capture the phenomenon under investigation. The main goal of this conceptualization carried
out primarily in operational terms consists in developing a concept offering a level of abstraction that accounts for more than just a snapshot of a limited timespan but that also offers enough detail to differentiate between empirical instances of the concept throughout a period of 200 years. The manner in which the presented conceptualization tries to achieve this in a way that is conducive to answering the research question at hand is by focusing on coercive humanitarian intervention and by differentiating individual cases of humanitarian intervention according to the degree of coercion (diplomatic or military) and the mode of legitimization (unilateral or multilateral).

Chapter 5 differentiates between legitimacy as the relatively fixed property ascribed to a rule or institution and legitimization as the process in which states pursue legitimacy of their actions in the eyes of the international society. An examination of the possibilities to legitimize states’ actions in reference to moral considerations leads to the identification of cosmopolitanism and communitarianism as the two major moral frameworks relevant to international relations, without being able to offer criteria for deciding between the different outcomes warranted by these frameworks. Both solidarist and pluralist positions are legitimate insofar as they are morally defendable. Additionally, as the analysis of international law in its development across the time period relevant for the present study shows, a legal perspective is equally unable to provide a basis for the legitimization of states’ responses on its own, given that decisions on legal questions require a previous commitment to one of the aforementioned moral positions. The focus is thus shifted from the inherent normative quality of a specific judgment to the process of deriving value judgments from specific values, rules, or laws. The main argument consists in illustrating how states pursue legitimacy of their responses to humanitarian emergencies not through compliance with specific rules but through adherence to the idea of the rule of law. The still abstract but formalized ideal of the rule of law thus replaces the vague and essentially contested notion of international legitimacy. As a result of this conceptual shift in understanding the legitimization of responses to humanitarian emergencies, different degrees of legitimization can be expressed in terms of varying state adherence to the ideal of the rule of law.

Chapter 6 engages with the English School tradition and, more specifically, with the English School concepts of solidarism and pluralism as characteristics of the international society to develop an analytical framework for the empirical analysis in Chapter 7. In line with the argument presented in Chapter 2 on the relationship between justice and order, the argument in Chapter 6 diverges from the dominant narrative according to which solidarism and pluralism
are mutually exclusive. Instead, the argument presented in this chapter builds on more recent scholarship conceptualizing institutions as displaying a dual quality marked by both pluralist and solidarist elements. The original contribution contained in this chapter is based on the claim that the existing literature correctly identifies the ambiguities inherent in the key concepts of the English School but lacks a more rigorous conceptualization, which permits to draw practical conclusions from this theoretical insight. In an attempt to address these shortcomings, Chapter 6 presents an issue-specific, two-dimensional conception of order and justice in international society. This conception does not deny the possibility of moral progress but merges competing visions based on either cosmopolitan or communitarian values into a single framework.

Chapter 7 offers a comparative analysis based on the previous conceptualizations of solidarism and pluralism, of engagement in humanitarian emergencies, and of adherence to the rule of law. The empirical analysis connects the previously examined theoretical claims and empirically explores existing theoretical arguments. It does so by selecting cases based on the existence of a humanitarian emergency, thus presupposing as little as possible about the normative framework in which these emergencies occur. The response to humanitarian emergencies is then evaluated in reference to pluralist and solidarist visions of international society. The operationalization of solidarism consists in an approximation through the level of engagement in the face of humanitarian emergencies. Pluralism, in turn, is operationalized in reference to levels of adherence to the idea of the rule of law. The conceptual approach chosen as the basis for this study results in the need for a unique dataset on coercive humanitarian intervention. The dataset generated for this study was compiled by combining the data available from existing databases with the existing body of literature on humanitarian intervention and humanitarian emergencies and with historical examination of each case. This data-based and historically informed approach convened in a dataset of 44 cases comprising varying types of coercive responses to humanitarian emergencies from 1815 to 2015.

Chapter 8 provides a summary of the theoretical and empirical findings, placing the present study within the context of the broader field of International Relations, evaluating the strengths and weaknesses of the approach chosen, as well as considering the implications for further research. It highlights the lack of linear progress from a pluralist international society to a solidarist international society, relativizing overconfident accounts of moral progress in international relations. The conclusion emphasizes the lasting continuity of state behavior despite the changing understanding of international order.
2 Order, Justice, & Humanitarian Intervention

This chapter provides preliminary background information on the understanding of international order, international society and the issue of humanitarian intervention. It considers a small sample of contributions to the ongoing discussions about the evolving international order and pinpoints the major positions. On the one hand, international order is perceived to be in decline due to the weakening predominance of Western liberalism. On the other hand, liberal values are still taken as the standard to assess the moral standing of world order. Both progress and decline are understood in regard to the idea of a liberal world order. Insofar as international order is an essentially normative construct, the concept of an international society serves as a more comprehensive description of both material and ideational elements comprising international affairs. The current international society is a result of the emergence of states and their efforts to establish and legitimize some sort of order among themselves. Accordingly, both order and justice are of central importance for a holistic understanding of international relations.

The practice of humanitarian intervention is one of the most controversial aspects of that order, with the ‘Responsibility to Protect’ being used as the contemporary label for an already existing debate. In this discussion, humanitarian intervention serves as the strongest indicator for the relationship between justice and order in international affairs. The chapter aims to place the issue – responses to humanitarian emergencies – within the ongoing discourse on the progress of international order.

In order to do so, the first section (2.1) provides a short overview of the general discussion about the evolving international order. The second section (2.2) aims at identifying how the notion of justice ingrained in the international order is expressed in the concept of a society of states. Finally, the third section (2.3) points out why humanitarian intervention is the strongest indicator illustrating the tension between justice and order.
2.1 Evolving World Order?

A discussion of international politics is a discussion of international order. Broadly understood, ‘international order’ refers to “systemic configurations of political authority.” International orders are comprised of “multiple units of authority, with their own realms of jurisdiction, organized according to some principle of differentiation” (Reus-Smit 2013b: 1058). These units of authority are, in turn, “composed of various subgroups, organizations, communities and many individuals, sufficiently cohesive to have actor quality (i.e., to be capable of conscious decision-making), and sufficiently independent to be differentiated from others and to have standing at the higher levels” (Buzan/Little 2002: 212). Among the various types of political entities, the state has slowly emerged as the dominant form of politically organized community in world politics. 51 Understood as territorially bounded entities, states are the fundamental units or building blocks for the majority of theories aimed at explaining international relations. 52 Referring to the conduct of politics on the global level as ‘international relations’ perfectly illustrates the central role states play in our understanding of world politics as relations between states. Accordingly, the international order is commonly described as the sum of “regularized patterns of behavior among states” (Finnemore 2003: 85).

Explanations of the origins of the current international order and of its evolution commonly trace the rise of the so-called West, usually beginning with the formation of the early European states up to the current hegemony of the United States, often combined with a flashback to the assumed Greek roots of Western civilization (Rengger 2000: 4f). 53 Contemporary analyses of international order concentrate on the role of the United States as the only ‘superpower’ 54 after 1990 and ponder the consequences of its relative decline; 55 especially in regard to the rise of

51 On the potential diversity of units, see e.g. Buzan/Little (2002: 211-4). For a critique of IR theory focusing on states as the dominant form of political entities for theory, see e.g. Wallerstein (1996).
52 On the role of states in IR theory, see e.g. Schuett (2015), Hobson (2000), Buzan/Little (2002: 207-8).
What all the major propositions share, albeit to a different degree, is the idea of development in terms of progress. International order is presented either as progressing or as in decline, depending on the assumed point of view. Both positions, however, cater to the idea that progress is possible in the first place. In order to diagnose decay, one has to acknowledge first that change is possible and second that such an evaluation is necessarily normative.

The implicit assumption of international order developing towards the better – setting aside for the moment what exactly is meant by that – provides the starting point for evaluating the international society of states. In the field of International Relations and in Political Science more generally, this bias becomes apparent in the focus on ‘peace research’, or ‘democratization’, or in the literature on ‘global governance’. Although the idea of linear progress based on the accumulation of knowledge no longer dominates the Social Sciences, the literature on international order continues to conflate analysis of what ‘is’ with how it ‘ought’ to be. Naturally, the issue here is not the necessarily inherent normativity of all such analyses, but the lack of explicitly setting apart the (normative) criteria for the evaluation from the evaluation itself. Accordingly, the current international order serves as the benchmark from which deviation is judged as either positive or negative, depending on whatever values the international order is based upon in the first place. Without a point of reference, both progress and decline are reduced to value judgments bare of actual meaning because both merely describe change from the status quo. However, the idea of an at least potentially progressing international order remains the unquestioned baseline for the examination of the existing international order.

The current “mode of inter-state order is considered to be ‘liberal’ in that states are taken to be able to overcome constraints of international anarchy and achieve collective ends, facilitated by institutions that enhance cooperation” (Koivisto/Dunne 2010: 619). If the domestic preference generation influences foreign policy strategy, values and interests of politicians, interest groups,
and society at large shape both the perception and the configuration of international order.\textsuperscript{60} The assumed rise or demise of a liberal world order, especially in tandem with the role of the United States, manifests itself in the make-up of international institutions and in the form of global governance (Sørensen 2006b: 350-3).

Whereas the current presidency of Donald Trump fuels the debate about the imminent end of the liberal world order,\textsuperscript{61} the international reaction to Saddam Hussein’s invasion of Kuwait in 1990 has been heralded explicitly as the beginning of “a new world order” back then by no other than President George H. W. Bush (1990: 91) himself.\textsuperscript{62} The end of the Cold War had seemed as if the major ideological debates in favor of liberal democracy and capitalism had been settled, testifying to Francis Fukuyama’s (1989: 16) prediction of “a world that has reached the end of history [and] is far more preoccupied with economics than with politics or strategy”.\textsuperscript{63} The international community’s unanimous actions against Iraq were perceived as signifying the lack of alternatives to the ever more liberal world order. Questioning this assumed ‘liberal moment’,\textsuperscript{64} Samuel Huntington’s (1993c: 22) response imagined a “clash of civilizations”, pinning a Western liberal order against rival perceptions of international order.\textsuperscript{65} Whereas Fukuyama evokes the image of a world order based on universally generalizable liberal values, Huntington stresses the fundamental differences of opposing perceptions preventing a universal liberal order.\textsuperscript{66}

For all the apparent dichotomy between Fukuyama’s and Huntington’s position,\textsuperscript{67} their arguments are essentially only two sides of the same coin. Both resort to the same underlying logic that perceives an order based on liberal norms and values as superior to other conceptions.

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\textsuperscript{60} For a summary of the basic assumptions of this ‘liberal’ line of thought, see Chapter 3.1.


\textsuperscript{63} For the elaborated argument, see Fukuyama (1992). For a defense of the initial argument against critics, see e.g. Fukuyama (1995). For further clarification, see Fukuyama (2010).

\textsuperscript{64} Robert Latham (1997) uses this expression in the title of his book, “The Liberal Moment”, in which he presented a liberal explanation for the making of the postwar international order dominated by the United States.

\textsuperscript{65} For a defense of the rather vague conception of civilization, see e.g. Huntington (1993a). For the detailed argument, see Huntington (1996). For a comprehensive critique, see e.g. Salter (2002).

\textsuperscript{66} Huntington (1993c: 40; 1996: 71) argues that “ideas of individualism, liberalism, constitutionalism, human rights, equality, liberty, the rule of law, democracy, free markets, [and] the separation of church and state” are liberal Western values that have little resonance elsewhere, regardless of their desirability.

Their dispute revolves around the probability of a liberal world order prevailing or not. Either we continue to advance towards an ever more liberal order or we stumble and falter into a multifaceted disorder. Obviously, both Fukuyama and Huntington provide more elaborate and fine-grained arguments to support their respective position. However, both base their reasoning on a similar assumption of progress defined in the terms of a liberal order. Fukuyama most visibly equates liberal democracy with the idea of progress, whereas Huntington merely rejects Fukuyama’s optimism, nevertheless adopting the underlying idea of progress defined in the terms of liberal values. Even lamenting the decline of a liberal world order implicitly assumes and presupposes the notion of progress as a benchmark from which decline can be assessed.

“The liberal international order has always depended on the idea of progress” and the notion of such an order progressing or declining pervades throughout the entire literature (Niblett 2017: 17). Moreover, the assumed progress or “crisis of liberal order is in many ways the fundamental problem for international theory” since internationalist liberal values were “first articulated in late 17th-century European political thought” (Koivisto/Dunne 2010: 619 [emphasis in original]). The belief that “the ideological controversies of the past have given way to a general agreement on the basic values of human rights, democracy, and market economy” and the mutual reinforcement of economic success and liberal values features prominently in contemporary international law, which emphasizes free trade, human rights, and democratic governance (Fidler 2000: 147, 411).

Even self-proclaimed pessimists warning against imminent decline do so in reference to what has been achieved so far. Benjamin Barber (1995: 3), for example, evokes the image of “Jihad vs. McWorld”, representing progress as the struggle between traditional identities and

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68 Nevertheless, both authors faced an enormous amount of critical responses on both theoretical and empirical grounds. In hindsight, their arguments may seem too simplistic or, meanwhile, even passé, however, they are still considered relevant for the discussion of the current international order by many – at the very least in terms of referencing both positions to prelude a debate, just as I have done here. Unfortunately, this is not the place for a detailed discussion and evaluation of both authors’ arguments because the obvious question “whether Huntington’s culture clash or Fukuyama’s pax democratia is the world’s most plausible future” is irrelevant for the current line of argument (Kurtz 2002: 43).

69 For a collection of suggestions on how to highlight and capture progress in international relations more explicitly, see e.g Adler/Crawford (1991).

70 See e.g. Patomäki (2007: 579), who argues that the secular post-Middle Ages European problem of order gave rise to the question of how “to have an organised and relatively peaceful society in the absence of God and his commands”. The liberal world order can be understood as an answer to that question.

71 See also Ikenberry (2009), Bowden/Seabrook (2006).
economic globalization. Fareed Zakaria (1997: 22) went even further, arguing that the beginning demise of liberal democracy around the world advances the establishment of “illiberal democracy” replacing the current order. In contrast, David Rothkopf (1997) praised the decline of cultural differences, anticipating one global culture based on the Western example, whereas Anne-Marie Slaughter (1997: 183, 185; 1995) argued that “the real new world order” constitutes a transgovernmental mode of international governance, “expanding the community of liberal democracies” based on legal inter-state agreements. Robert Kaplan (2000) pointed out that democracy is essentially value-neutral and provides a pathway for both liberal progress and illiberal decline, depending on economic and geopolitical circumstances.

However, all these arguments are raised from within an unprecedented position of “apparent triumph of global market capitalism and liberal dominance” (Zhang 2014: 486). Despite the repeated calls for a new and open-ended world order (Slaughter 2004), the debate has been revolving around the question of progress of the existing international order.

Exceptions may be found among those, who perceive the international order as a direct result of the balance of power. Given that, from this point of view, all states necessarily have the same immutable and predetermined interests, the resulting international order displays only minimal variation. However, since the most powerful actors shape the international order according to their interests, an established international order essentially serves the purpose of these actors over those of weaker actors (Mearsheimer 1994: 11). The fundamental structure remains the same, but the specific arrangement of norms and rules set by the dominant actors may vary in accordance with the distribution of capabilities. Despite emphasizing continuity in international relations, even self-proclaimed realists differentiate between different types of international order and contemplate the changes following the decline of the United States as the current global hegemon (Sørensen 2006b: 347-50).

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72 See also Held/McGrew (1998), Held (1995).
73 For more examples, see e.g. the collection of contributions in O’Meara et al. (2000).
74 On the balance of power, see e.g. Schweller (2016), Kaufman et al. (2007), Little (2007), Paul (2004), Sheehan (1996). For a summary of the basic assumptions of this ‘realist’ line of thought, see Chapter 3.1.
Accordingly, the more recent debate shifted to the role of emerging powers and their influence in reshaping the existing international order.\textsuperscript{77} The current international order is undeniably the result of power relations between states, but it maintains itself by the means of an existing network of institutions, which was formed around the idea that some liberal values are universal.\textsuperscript{78} Perceptions of progress or decline of the existing international order refer to changing ideas of what the relevant rules and norms are.\textsuperscript{79} This includes the international security structure, the global economic order, or the role of individuals and human rights (Patrick 2016: 11-9).

On the one hand, arguments are advanced in favor of the prevailing dominance of the liberal world order, emphasizing the enduring stability of existing liberal institutions in a more diverse world.\textsuperscript{80} On the other hand, there are various counter-arguments predicting the failure of the liberal international order and the demise of the world’s current governance structure.\textsuperscript{81} Still others contemplate the coming illiberal order and draw up varying examples of such a development towards alternative forms of regional or tribal forms of global governance.\textsuperscript{82} Additionally, the end of the ‘American world order’ has been described as a chance to develop a less hegemonic international order, allowing for a multi-order world.\textsuperscript{83}

John Ikenberry is a prominent example of a liberal theorist whose work both describes the liberal order’s rise and, more recently, bemoans its demise.\textsuperscript{84} Essentially, he argues that the liberal world order faces a crisis of authority, most visibly in the dwindling leadership of the United States (Rampton/Nadaraja 2017: 444). Others have noted that “the dilemma of liberal states is that they continually have to attempt to persuade other states of the superiority of their


\textsuperscript{78} For an overview on the discussion of the universality of liberal values for the liberal world order, see e.g. Sørensen (2011: 28-65).

\textsuperscript{79} On the role of ideas in the perception of world order, see e.g. Legro (2007).


\textsuperscript{83} See e.g. Acharya (2018; 2014b), Chebankova (2017), Stuenkel (2017), Flockhart (2016), van Langenhove (2011). On the limits of the current scholarship on international order and the lack of (cultural) diversity of existing conceptualizations of international order, see e.g. Reus-Smit (2017).

values” and that the narrative of “crisis is an ongoing and internal or natural feature of a pluralist society of states” (Koivisto/Dunne 2010: 622). In other words, the dispute over the legitimacy of specific institutions or practices testifies to both the resilience of the liberal order and to its potential for transformation.
2.2 Justice in World Order?

The debate about the rise and potential decline of international order revolves less about material capabilities than around the normative perception attached to certain arrangements following from changes in the distribution of power. Most of the positions above do not restrict themselves to a ‘neutral’ description of change as a thing-in-itself; ⁸⁵ instead, the various positions impose some sort of directional frame over the changing international order. What some bemoan as decline, others hail as progress, or at least as an opportunity for progress, but more often than not without specifying what it is exactly that qualifies as such. It is fair to assume that, for example, the United States’ relative decline in power is not in itself ‘good’ or ‘bad’, but, if the case, just a fact that can be used to describe international affairs. This does not invalidate the importance of power, however defined, but it indicates at the limits of international order as a concept. Of course, such a position is based on a specific perspective on how to determine what power is, how to measure it, and so on. ⁸⁶ However, the point here is that speaking of ‘decline’ implies an at least implicit conception of progress. Moreover, “any evaluative statement that uses progress as the benchmark of choice must be treated as a normative mode of speaking of the world” (Skouteris 2016: 940). The belief that improvement has occurred but is now stagnating, or even at risk of regression, presupposes a moral framework that allows assessing the current state of affairs against a previous one.

Andrew Linklater (2017: 382-3), for example, argues that in an “unparalleled change in the relationship between violence and civilization in world politics” the Western states have “created the outlines of a cosmopolitan legal and political sphere that links two interrelated

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⁸⁵ Kant (1985 [1794]: 75) refers to ‘things-in-themselves’ as a conceptualization of objects that invoke a cognitive imagination independent from subjective empirical observation, claiming that “we indeed, rightly considering objects of sense as mere appearances, confess thereby that they are based upon a thing in itself, though we know not this thing as it is in itself, but only know its appearances, viz., the way in which our senses are affected by this unknown something. The understanding therefore, by assuming appearances, grants the existence of things in themselves also, and so far we may say, that the representation of such things as form the basis of phenomena, consequently of mere creations of the understanding, is not only admissible, but unavoidable.” The German original states that “wenn wir die Gegenstände der Sinne, wie billig, als bloße Erscheinungen ansehen, so gestehen wir hiedurch doch zugleich, daß ihnen ein Ding an sich selbst zum Grunde liege, ob wir dasselbe gleich nicht, wie es an sich beschaffen sei, sondern nur seine Erscheinung, d.i. die Art, wie unsre Sinnen von diesem unbekannten Etwas affiziert werden, kennen. Der Verstand also, eben dadurch, daß er Erscheinungen annimmt, gesteht auch das Dasein von Dingen an sich selbst zu, und so fern können wir sagen, daß die Vorstellung solcher Wesen, die den Erscheinungen zum Grunde liegen, mithin bloßer Verstandeswesen nicht allein zulässig, sondern auch unvermeidlich sei” (Kant 1794: 104-5).

principles—the Stoic value that every human being has a prima facie duty to refrain from harming all others, and the Kantian conviction that all people should unite to ensure that assaults on human rights in any part of the world are universally condemned and prevented wherever possible”. Representing a wider sympathetic literature, Linklater expounds a theoretical account of a developing cosmopolitan standard that has civilized state conduct in the international system of states at its core. The restraint of violence serves as an indicator for what Hedley Bull (1984e: 12) referred to as growing “cosmopolitan moral awareness”. The general assumption that underlies these approaches is both a normative and an empirical claim about international order progressing towards a more solidarist, cosmopolitan international society where democratic human rights embody “a new competing idea of legitimate statehood in international society and is taken as the appropriate test for recognition for full membership” to the society of states (Zhang 2014: 687). The grand narrative of an evolving international society is presented as one of a progressing international order based on “the Kantian assumption that a universal conception of justice exists, or can be established” (Dunne/Devetak 2017: 690, 692). In this narrative, “the universality of human rights is clearly linked to […] the progress of the liberal world order” (Duncombe/Dunne 2018: 35).

This value foundation of the present international order is most explicit in “the pursuit of ethical purposes beyond ourselves” (O’Hagan 2013: 119). Already in the late 1970s, Hedley Bull (1977: 305) noted that “[t]he future of international society is likely to be determined, among other things, by the preservation and extension of a cosmopolitan culture” that embraces a common set of universal values. The idea of a potentially progressing international order is grounded on “a strong belief in the holy trinity of the global market economy, promoting liberal democracy and human rights” (Johansson 2014: 53). Of course, the initial optimism and “even idealistic prognoses for the post-Cold War era” have given way “to more cautious and even pessimistic conclusions” (Haggard 2013: 4), but arguments both for and against progress or decline of the liberal order continue to base their analysis on the proliferation of liberal values.89

87 See e.g. Reus-Smit (2013a), Devetak (2007), Bellamy (2003a), Wheeler (2000b). See also Chapter 5.1 and 6.3.  
88 For a broader discussion and critique of Linklater’s argument in particular, see e.g. Dunne/Devetak (2017). For an illustrated counter-argument, see e.g. Duncombe/Dunne (2018: 37f).  
89 Additional examples include the importance of individual human rights or the growing compassion for the suffering of strangers.  
90 On the explicit linkages between the liberal order and liberal values such as individual human rights and democracy, see e.g. Hafner-Burton (2013), Risse et al. (2013), Sørensen (2011: 66-87), Beetham (1997). For a recent attempt at deriving a framework to evaluate states according to their institutionalization of human rights, see e.g. Wolfsteller (2017).
The institutionalization of human rights and the protection of individuals are proclaimed characteristics of a liberal world order that “rests on a commitment to the dignity and freedom of individuals” (Deudney/Ikenberry 2018: 18).91 The ascendency of individual rights and their expression in “international practice […] remains contested outside of the Western liberal democratic heartland, and even within this heartland, practice has not always followed discourse” (Barkin 1998: 249).92 Stephen Hopgood (2014: 11, 18) even invokes the “endtimes of human rights” due to “the greater diversity of values, beliefs and faiths judged legitimate” challenging the liberal cosmopolitan perception of international order.93

However, it is precisely for this reason that “the condition of humanitarianism provides a good indication of the state of the liberal world order” (Duncombe/Dunne 2018: 26). “The level of global support for the concept of human rights, and for the norms set down in the major international legal instruments, is clearly important” and “consensus about international human rights norms is often taken to be the measure of whether ideas about individual rights matter” (Reus-Smit 2013a: 195).94 Individual rights are so deeply implicated in the making of international order that “the idea that every human being has certain equal and inalienable rights and is thus entitled to equal concern and respect from the state” serves as the moral benchmark for the evaluation of justice in the international order (Donnelly 2013: 51).

The expansion of “a worldwide system of international law designed to identify and protect a growing number of basic human rights” is an empirically established fact, but there is considerable disagreement as to whether the promotion of human rights necessarily constitutes indeed ‘a step forward’ (Hafner-Burton/Tsutsui 2005: 1374; 2007).95 Critical voices have pointed out how the idea of an emerging moral standard against which state behavior is evaluated can be used “to impose a liberal globalized civilization on the world today” (Fidler

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92 The recent departure from refugee protection in the United States is an example for a move away from cosmopolitan liberal values. See e.g. Coen (2018). The situation in Europe is even less encouraging. On the contested nature of humanitarian ideals around the world, see e.g. Dwyer (2016), Kent (2013), Eldridge (2013). For a general overview, see e.g. Donnelly (2013).
93 For the detailed argument, see Hopgood (2013). For a discussion of Hopegood’s claims, see the contributions in Lettinga/van Troost (2014). For a critical engagement with the future role of human rights, see e.g. the contributions in Hopgood et al. (2017) and Moyn (2018).
94 On the enduring hope in the progressive power of human rights, see e.g. Sikkink (2017). On the role of human rights at the center of legal theory, see e.g. Cassese (2012), Fassbender (2003).
Invoking the so-called ‘standard of civilization’, a “historically discredited, legally bankrupt and politically and morally embarrassing concept”, brings to the forefront how the European Powers created double standards for state behavior, differentiating between themselves and the ‘barbarian’ non-Europeans (Zhang 2014: 674, 679-82).

The concept is closely connected to the European idea of international society expanding from ‘Early Christendom’ to ‘Western culture’ to a global ‘standard of civilization’ in the late 19th century, in each step becoming slightly less exclusive (Philips 2012: 13-14). During this process, the European powers imposed their legal standards and moral norms on non-Western countries for their own benefit (Alexandrowicz 1973: 6), compelling these countries to become ‘civilized’ in order to be treated as members of their conception of international order (Fidler 2000: 389).

The current international order is in large parts a direct continuation of its predecessor, including the inbuilt idea of racial and cultural superiority that gave rise to European colonialism. Even the “changes in international law […], such as the rejection of the ‘standard of civilization’ as a driving force of international law, have been more apparent than real” (Fidler 2000: 389). The evolving moral standards shaping the international order still reflect the normative position of the powerful Western states. The substance of a ‘standard of civilization’ very much remains the same (Buzan 2014b: 585), only today, ‘uncivilized’ refers explicitly to “nations, states and societies without the Enlightenment ideals of freedom, human rights, and democracy” (Zhang 2014: 688). The growing “body of international human rights law” is supposed to recapture, although “in a substantially purified form, the morally appealing idea of adherence to shared standards of justice as a condition for full membership in

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international society” (Donnelly 1998: 13). The constituent parts of an international order are not automatically members of such an international society. International order may refer to the regularities in the conduct of international politics, but its rules and norms are the result of interacting political entities in an international society that extends beyond the mere ordering of units.

The notion of an international society serves a prominent role in English School theorizing on international affairs. This conceptualization emphasizes the importance of both order and justice in the international realm. A specific order becomes apparent in the patterned regularity of interstate relations that exist despite the inherently anarchic structure composed of independent sovereign states. But international order refers to more than just the arrangements of states according to their material capabilities (Sørensen 2008: 6-9), it implies the existence of “intentionality”, a shared purpose and willingness to uphold the existing international order (Rosenau 1992: 5). To speak of an international order presumes “a sense of common interests in the elementary goals of social life; rules prescribing behavior that sustains these goals; and institutions that help to make these rules effective” (Bull 1977: 63).

Understood as such, international order simultaneously describes a specific pattern of interstate relations and attributes purpose to such interactions, both expressed in the body of rules and norms that govern the relations between the key actors in the international environment. It captures the specific interplay of actors, behavioral norms, and rule-making institutions, which regulate the conduct of international affairs. International order is the result of an international society whose main actors “recognize their common interest in maintaining these arrangements” (Bull/Watson 1984: 1). International society both reflects and shapes the peculiarities and characteristics of international order.

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104 For a discussion of the limits and benefits of a modern ‘standard of civilization’ and its function for the international society of states, see e.g. Aalberts (2014), Bowden (2014), Buzan (2014b), Zhang (2014).

105 For a detailed examination of how the Great Powers set the rules for inclusion in and exclusion from the international society, see e.g. Simpson (2004). On the effects of a Eurocentric conception of IR, see e.g. Kayaoğlu (2010b).

106 On the importance of international society for the English School, see e.g. the contributions in Bellamy (2005a) and in Roberson (2002), or Dunne (1998; 1995). See also Chapter 6, and especially Chapter 6.2.

107 Other conceptions of international order ignore social or moral dimensions, concentrating only on the distribution of (material) capabilities. See e.g. Mearsheimer (1995: 91), Waltz (1979: 73–101). For a historical account of international order, see e.g. Hall (1996). For a conceptual analysis, see e.g. Knutsen (1999). For a theoretical evaluation, see e.g. Rengger (2000).
The concept of an international society of states captures both the striving for order and the question of justice. Conceptually, international society is based on an existing system of separate, bounded political entities, but it perceives them in a societal relationship with each other, capable to form a community.\textsuperscript{108} Although the international community,\textsuperscript{109} as for example in form of the United Nations Organization, assumes the role of an actor in the eyes of a global public, it is the underlying society of states that creates and maintains this particular international order in the first place.\textsuperscript{110} In doing so, it balances the need for stability and order with the demand for justice. On the one hand, the state serves as the primary source of social order, both within its borders and, in conjunction with others, for the international society as a whole.\textsuperscript{111} The so-called “pluralist view of the primacy of order over justice” stresses the role of separate states, each with their own conception of justice, as the foundation of international order (Hurrell 2014: 151). On the other hand, states are in constant interaction with other states, and their interactions are based on a shared set of social norms and moral values. This so-called solidarist conception of international society emphasizes the idea of universal justice for individuals, transcending state boundaries.\textsuperscript{112}

Although order is usually perceived as prior to justice, the “international society as such, through such nearly universal organs as the United Nations and its Specialized Agencies is formally committed to much more than the preservation of minimum order or coexistence: it espouses ideas of interstate and international justice, and of individual or human justice” (Bull 1971: 277). Even pluralist conceptions of international society emphasize the role of states as the bearer and provider of rights for their respective population, thereby treating order both as a fact and a value (Harris 1993: 728f). The concept of an international society defining the character of international order entails concern for both order and justice. Arguments for the self-determination of states are met with the cosmopolitan idea of global individual rights. The responsibility of states for their own citizens is contrasted with the international community’s responsibility for humanity as a whole. Differentiating between solidarism and pluralism allows to emphasize the “moral dilemma between the pursuit of order and the pursuit of justice in an

\textsuperscript{108} On the usage of international society as an ideal type, see e.g. Keene (2009).

\textsuperscript{109} Common usage refers to ‘the international community’ as the assumed community of states. The international community of, say, political scientists, on the other hand, is comprised of political scientists. On the notion of an international community, see e.g. Peltonen (2014), Bliesemann de Guevara/Kühn (2011), Kovach (2003).

\textsuperscript{110} On the moral agency of institutions and collectivities such as states or the UN, see e.g. Erskine (2004; 2001).

\textsuperscript{111} Hedley Bull’s (1977) primary goal was to theorize the existence of order. See e.g. Holsti (2009) for an evaluation.

\textsuperscript{112} This does not answer the question of which conception of justice prevails, though.
anarchical international society” (Zhang 2016: 96). The question of justice in international order is deeply ingrained in the varying conceptions of world order and, therefore, in its assumed progress or decline. Indeed, the relationship between order and justice is a central aspect of both the practice and the study of international relations.\textsuperscript{113}

\textsuperscript{113} For order and justice as a central theme in International Relations, see e.g. the collection of contributions in Foot et al (2003).
2.3 Why Humanitarian Intervention?

The tension within the international order between the promotion of universal cosmopolitan values and their rejection is most evident in the contemporary debate about the “theory and practice in constructing norms and principles associated with the responsibility to protect” (Zhang 2014: 691). The R2P doctrine “holds that sovereign states are responsible for the welfare and protection of the population living within their jurisdiction and that they are accountable for discharging this responsibility both internally to their own population, and externally to the international community” (Vincent/Wouters 2008: 3). This entails that if states fail to live up to their responsibility and gravelly mistreat their own population, they forfeit their status as sovereign states.

The apparent emergence of the R2P doctrine as a moral norm, its advocates claim, testifies to the increasing prevalence of cosmopolitanism in world politics. The cosmopolitan logic underpinning the solidarist conception of international society “is grounded within a moral purpose that perceives the protection of distant others from the excessive violence of their governments” as both desirable and necessary to defend the existing international order (Duncombe/Dunne 2018: 38). If “the rights of individuals are to be taken seriously in world politics” (Dunne 2013: 245), the international society has the moral duty to act on behalf of the mistreated. This duty includes, but is not limited to, the use of force against the authorities responsible for the excessive suffering of civilians under their protection, legitimizing so-called humanitarian interventions. Accordingly, a solidarist position differentiates “between the

114 For the exact same argument, see e.g. Duncombe/Dunne (2018: 35), Thakur (2010), Bellamy (2009b). On the general dilemma of reconciling cosmopolitan ideals with the existing state system, see e.g. the contributions in Tinnevelt/Verschraegen (2006).
115 For a general overview and evaluation of the R2P, see e.g. Kurtz/Rotmann (2016), Bellamy (2014b; 2010b 2009c; 2008), Loges (2013), Badescu (2011), Evans (2008a; 2008b), Weiss (2006). For the most comprehensive treatment up to date, see the collection of contributions in Bellamy/Dunne (2016).
118 Duncombe/Dunne (2018: 38) refer to this position of liberal ordering as “internationalism”.
120 Humanitarian intervention refers to any coercive measure of a third party interfering in a humanitarian emergency against the will of the targeted political entity’s authorities. See Chapter 4. On the coercive use of
norm of ‘saving strangers’ on the one hand and self-serving non-interventionism on the other” (Duncombe/Dunne 2018: 39).

Critics of a duty to intervene refer to the potential danger of such practice undermining the international order’s pluralist foundation, namely the legal equality of sovereign states. Not only are there regional and cultural differences in both interpretation and application of the R2P doctrine, but there are serious doubts as to whether the principle is an emerging norm, let alone a valid legal rule. Especially the debate over the use of force in such instances illustrates why humanitarian interventions are one of the major dilemmas of international order: “[n]owhere are our common vulnerabilities as clear or challenges to the boundaries of moral responsibility more evident than in humanitarian crises” (O’Hagan 2013: 119). The respect for basic human rights “can easily be used as a criterion not only for conditionality regarding membership [in the international society of states], but also for suspending the right of non-intervention that states enjoy as a corollary of sovereignty” (Buzan 2014b: 586).

Insofar as the R2P addresses the dilemma of how to respond to human suffering and atrocities committed by sovereign states within their own borders, it is just the latest manifestation of legitimizing the use of coercive force (Glanville 2014b: 224-5). The discussion merely highlights the well-known fact that “the sovereign state stands as both the principal guarantor

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122 On the sovereign equality of both non-liberal regimes and liberal democratic states, see e.g. Roth (2012). For an argument in favor of cosmopolitan norms enhancing sovereignty, see e.g. Benhabib (2007).


126 On the R2P as a tool of oppression, see e.g. Orford (2013), Cunliffè (2010), Mamdani (2010), Chandler (2004).
of individual security and the principal threat" thereof (Reus-Smit 2013a: 211).\textsuperscript{127} However, this debate directly affects our understanding of international order.\textsuperscript{128} From a cosmopolitan perspective, the R2P doctrine is a development towards a cosmopolitan world order that comprises the whole of humanity (Papamichail/Partis-Jennings 2016). It acknowledges the need for global security arrangements that go beyond the state (Burke 2013), even if that calls for ‘cosmopolitan intervention’ in the name of exactly that humanity (Gilmore 2015).\textsuperscript{129} Advancing the idea of a cosmopolitan UN force (Pattison 2008a), calls for a pragmatic solidarist approach to international security that emphasizes the role of responsibility in a cosmopolitan world order (Bellamy/McDonald 2004).\textsuperscript{130}

Critics have pointed out that the ‘cosmopolitan state’ has a ‘dark side’ that pushes towards enforcing solidarist humanitarian values and imposes some sort of liberal imperialism (Chandler 2004).\textsuperscript{131} Resorting to violence is arguably a contradiction of cosmopolitan morality (Fine 2006). The difficulty of reconciling cosmopolitan thought with the coercive use of force feeds into the debate of how to react in cases of humanitarian emergencies (Hunt 2017). It raises concerns over a new ‘standard of civilization’ as a gateway for the powerful to use the pretext of universal justice to order international society to their liking. On the other hand, such a standard may be unavoidable in order to conceptualize international society in the first place (Buzan 2014b). Thereby, the issue of the use of force in responding to humanitarian emergencies provides the strongest indicator for the apparent tension between the “traditional pluralist view of international society and the emerging avant-garde solidarist vision of international society” (Zhang 2014: 691). Moreover, “intervention has been deployed in two apparently contrasting ways: as a tool of ‘order transformation’ and as a means of ‘order maintenance’” (Lawson/Tardelli 2013: 1237). Either way, “[h]umanitarian intervention connects to debates about the sources of change that may lead towards world society because of the way that it raises the political significance of a universal human community” (Williams

\textsuperscript{127} For the original argument, see e.g. Buzan (1983).
\textsuperscript{128} On how the R2P discussion affects world order, see e.g. Dunne (2015), Peltonen (2011).
\textsuperscript{130} For an argument advancing a pragmatic understanding of solidarism, see e.g. Bellamy (2002). On the complex relationship between cosmopolitanism and responsibility, see e.g. Krieg (2016).
\textsuperscript{131} On the cosmopolitan idea and role of the state, see e.g. Glenn (2016), Brown (2005). On the ‘dark side’ of solidarist humanitarianism, see e.g. Barnett (2011), Kennedy (2011). On the trajectory of illiberal legacies of internationalist, cosmopolitan thought, see e.g. Jahn (2018; 2005).
2005: 25). How states deal with the issue of humanitarian intervention is a major dimension of international order and the changes in the use of force indicate at the wider development of that international order (Finnemore 2003).

Accordingly, I set forth that the issue of humanitarian intervention illustrates the “tension between pluralist and solidarist conceptions of international society” in the most exemplary form possible (Wheeler 1992: 468), and thus “exposes the conflict between order and justice at its starkest” (Buzan 2014a: 11 [emphasis in original]). This is, first, because actual human lives are at stake in the most obvious and immediate way: people are dying, either due to inaction or as a side effect of an intervention. Second, humanitarian intervention captures the potential antagonism between the two camps in its most concrete and observable occurrence. Weakening the non-intervention principle for the pursuit of justice seems to be diametrically opposed to preserving the fragile order of states with competing values.132 Both positions express a different normative quality and refer to a specific but dissimilar understanding of justice and order.133 The resort to force for solidarist values is the strongest expression of prioritizing justice over order. Inversely, abandoning large numbers of suffering civilians to their deadly fate for the greater good of securing international stability is the strongest expression of prioritizing order over justice. “Humanitarian intervention has, therefore, become literally the battleground for the pluralist/solidarist debates in the first decade of the 21st century” (Zhang 2016: 96).

132 See e.g. Ramsbotham (1997: 446), who reflects on “the question of humanitarian intervention […] representing the] conflict between concepts of sovereignty, order and non-intervention on the one hand, and human rights, justice and intervention on the other”, or Tesón (1988: 4), who argues that “[t]he first horn of the dilemma opens the door for unpredictable and serious undermining of world order”, whereas “[t]he second horn of the dilemma entails the seemingly morally intolerable proposition that the international community, in the name of the non-intervention rule, is impotent to combat massacres, acts of genocide, mass murders and widespread torture”.

3 Studying Humanitarian Intervention

This chapter examines the existing literature on humanitarian intervention. Its purpose is to provide an overview of the field and to identify the major challenges and shortcomings. In order to do so, the chapter reflects on the theoretical basis on which the literature builds and surveys the available empirical studies attempting to answer questions related to those advanced in this thesis. The chapter aims at providing a perspective that links major theoretical positions relevant to the study of humanitarian intervention to an assessment of the gaps in existing empirical studies. Such a combined perspective is supposed to contribute to an analysis that goes beyond existing perspectives stemming from Political Science, Political Theory or International Law alone and that instead promises to close the identified empirical gaps. To avoid shortcomings of a purely empirical approach, however, attention must be paid to the historical context of state practice over time.

To do so, the first section (3.1) offers a basic but systematic overview of the theoretical assumptions underlying studies of humanitarian intervention. This is followed in the second section (3.2) by a brief categorization of different strands and fields of literature, which allows for the identification of gaps in the existing research on humanitarian intervention. The third section (3.3) then engages with the problematic role of history in large parts of the IR literature.
3.1 Theoretical Divide

The existing body of literature on humanitarian intervention draws on a variety of established strands of International Relations theory. Varying key assumptions provide for a plurality of theoretical positions available for approaching the puzzles at hand. Actor behavior follows from specific, identifiable conditions. Empirical research resorts to these paradigms, either explicitly or implicitly, in order to make sense of actual events. An examination of humanitarian intervention that assumes a certain theoretical perspective carries forward both the strengths and the limitations of that approach. The following section only sketches the most essential elements of the major perspectives and omits deeper discussion or alternative lines within one approach for the sake of simplicity. Instead of detailing specific theoretical approaches, I present only idealized summaries of three abstract positions that serve merely as starting points for more specific explanations. The distinction between rationalistic approaches on the one hand and reflectivist or constructivist approaches on the other serves as a first demarcation line (Keohane 1988: 379).

Rationalistic explanations assume actors to be rational agents maximizing their interest. Accordingly, rationalistic studies are largely conducted in terms of cost-benefit analysis (Barnett 2006: 253). Interests are exogenously given, determined by the anarchical structure of the international realm. Since they follow a logic of consequences, “actors choose among alternatives by evaluating their likely consequences for personal or collective objectives” (March/Olson 1998: 949). Within the rationalistic camp, there are two major schools of thought, (Neo-)Realism and (Neo-)Liberalism. Both share the aforementioned underlying logic, yet they diverge in terms of their general outlook and the conclusions drawn from the lack of a hierarchical order in international affairs.

Realist approaches hold the assumption of intervention being “an instrument of foreign policy used to promote the interests of individual nations” (Feste 1992: 1). They assume that states, as the main actors, are primarily interested in security maximization and, therefore, engaged in zero-sum games about relative gains (Waltz 1979: 72). Classical realists believed “that states, like human beings, had an innate desire to dominate others, which led them to fight wars” (Walt 1998: 31). All states have the same immutable and predetermined interests. Their overarching

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134 Within constructivism a distinction can been made between what has been called ‘Soft Constructivism’ as the modernist mainstream kind of constructivism and ‘Radical Constructivism’. Soft constructivism introduces norms as additional variables in otherwise rationalist arguments, whereas radical constructivism focusses on the constitutive role of language. See e.g. Adler (2002; 1997), Adler/Barnett (1998).
goal is their own survival; all other interests are subordinated. Accordingly, a “realist theory of international politics” avoids “equating the foreign politics of a statesman with his philosophical or political sympathies deducing the former from the latter“ (Morgenthau/Thompson 1985: 6).

Neorealists arrive at similar conclusions but are less interested in human nature. Instead, their focus lies on the anarchical structure and the resulting constraints of the international system comprised of states (Mearsheimer 1995: 91). The international system is structured independently of the attributes of particular states; rather, it reflects the distribution of capabilities among all states (Waltz 1979: 79-101). Changes in the balance of power may result in changes in the international system’s polarity.\(^\text{135}\) Essentially, the structure of the international system determines a rather limited range of actions for states to choose from (Schweller 2010: 145).\(^\text{136}\) Since state behavior is a function of power, international organizations are merely reflections of power distribution among states, too (Mearsheimer 1994: 11). Thus, for realists “institutions serve at the whim of the great powers or hegemons to be used, abused, or ignored as needs dictate” (Lawson 2006: 411). References to “justice, fairness, and tolerance” may be useful because they “can be used instrumentally as moral justification for the power quest, but they must be discarded the moment their application brings weakness. The search for power is not made for the achievement of moral values; moral values are used to facilitate the attainment of power” (Speakman 1942: 18). Norms and rules are irrelevant insofar as they only follow from the egoistic interests of the most powerful actors.\(^\text{137}\)

According to this logic, states engage in interventions in order to influence the distribution of power.\(^\text{138}\) Quantitative studies suggest a negative correlation between the military strength of a potential target country and the likelihood of military intervention.\(^\text{139}\) Therefore, it is argued, such interventions occur only when core national interests are at stake, either in the form of a direct security risk or in terms of relative benefits (Franck/Rodley 1973: 304). With no strategic interests at risk, however, realist approaches fall short of accounting for interventions in humanitarian emergencies. Since state interests are given, expectations of changing state

\(^{135}\) Waltz (1979) differentiates between a bipolar, multipolar, or unipolar system, each resulting from a specific distribution of capabilities among states. On the function of polarity, see e.g. Rosencrance (1966). For a critique of polarity, see e.g. Hopf (1991). For a defense of polarity, see e.g. Waltz (2000a).

\(^{136}\) For a summary of this argument, see e.g. Waltz (2000b).


\(^{139}\) See e.g. Mullenbach (2005), Fortna (2004), Gilligan/Stedman (2003).
behavior are misguided. “At its core, neorealism is static, denying changes to the deep structure of the international system over time and place” (Lawson 2006: 406). Moreover, realist approaches claim to be free of normative evaluations. Classical realists have pointed out in passing how, if normative values are to play a role at all, it is in the form of an ethic of responsibility for the survival of the state, allowing people to organize their domestic affairs to their liking (Morgenthau/Thompson 1985). Based on a realist approach, neither humanitarian interventions nor change or variation in state behavior can exist in principle.

Also within the rationalistic camp, liberal theorists “give priority to the rational incentives for cooperation between individuals and states and to the shared values, principles and institutions that are supposed to foster such cooperation” (Ambrosetti 2010: 153). Complex interdependence in the international sphere reduces the security dilemma and emphasizes the importance of economic interconnectedness. States’ internal organization of individual welfare interests drives them to solve coordination problems otherwise preventing cooperation. This behavior results from the individuals’ interest in maximizing absolute gains in terms of a cost-benefit calculation. Various interest groups negotiating their preferences compete within the specific constraints of a particular state’s political system and economic ideology (Moravcsik 1997: 520f). On the international level, states remain the dominant actors (Czempiel 1993: 106f), but their domestic structure matters because their behavior follows from the results of internal competition (Risse-Kappen 1995: 17-25). The combination of individual preferences of domestic actors and their competition among each other determines states behavior on the international level.

In principle, individual preferences are necessarily rational and self-interested, but they include certain values and ideas of how to benefit the most. Liberal approaches share the assumption of liberal values and individual rights being inseparably linked with prosperity for the benefit of

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140 For examples of a realist argument in favor of a purportedly value-free analysis of sovereignty and/or an ethics of responsibility in the sense described above, see Moses (2013), Recchia (2007), Wesley (2005), Lebow (2003), Goldsmith/Posner (2002), Mason/Wheeler (1996). On the Classical Realist tradition and Hans Morgenthau’s position in particular, see e.g. Williams (2007; 2005).

141 For a more detailed analysis and historical contextualization of different strands of realist thought regarding humanitarian intervention, see e.g. Fiott (2013).

142 Within this thesis, ‘liberal theory’ refers to rational liberalism as an IR Theory only.

143 See e.g. Keohane/Nye (1977).

144 See e.g. Jervis (1999), Keohane (1984), Keohane/Nye (1972).


146 For an overview of liberal IR theories, see e.g. Jackson/Sørensen (2016: 105-38).
everyone (Sørensen 2006a: 256). Individuals prosper the most in democratic states that uphold liberal values. Democratic states rarely go to war with other democracies, if at all.\textsuperscript{147} Their primary goal is to increase their own and, respectively, their population’s welfare. Therefore, the proliferation of democracy and liberal values are in the rational self-interest of liberal democracies. The more democratic states there are, the more cooperation is possible, leading to further trade and growing interdependencies, which in turn will make wars ever more unlikely.\textsuperscript{148} International institutions ensure the flow of information and provide a forum for negotiations.\textsuperscript{149} They ensure that commitments are respected and help “create a climate in which expectations of stable peace develop” (Nye 1993: 9). Moreover, “such institutions create commercial linkages which undermine the effect of national institutions, […] call into question the state’s ability to act upon narrow nationalist economic interests, and increase its stake in the maintenance of a stable international order” (Koivisto/Dunne 2010: 619). For these reasons, liberal perspectives perceive wars and interventions as a waste of resources (Hasenclever 2001: 84). Conflict may not disappear completely, but, according to liberal assumptions, it will play out primarily in terms of economic competition between liberal democratic states and rarely involve military aggression.

Humanitarian emergencies, on the other hand, are perceived as a disruption in the process of welfare generation. They occur in autocratic or failed states lacking liberal values, illustrating the backwardness of illiberal regimes (Doyle 1986: 1162). In order to make the world a safer place, liberal democracies generally support the idea of humanitarian intervention, “promoting democracy and liberal values” abroad (Finnemore 2003: 56). However, the individual preconditions of a liberal world order, including free trade, democracy, and international institutions, cannot always coexist without tensions (Sørensen 2006a: 256). Particularly, negative rights in the form of rules of abstention may conflict with liberal internationalism based on positive rights. Overall, liberal theories tend to be partial to intervention, dependent on a favorable cost-benefit relationship. Given that such cost-benefit analyses are supposed to be carried out in a rationalistic manner and are supposed to be based on stable values, liberalism cannot explain selectivity in state behavior regarding humanitarian intervention.

\textsuperscript{147} On the democratic peace debate, see e.g. the contributions in Brown et al. (1996). For a critical update on the issue of democracies at war, see e.g. the contributions in Geis et al. (2006).

\textsuperscript{148} On the problem and possibility of combining separate liberal arguments, see e.g. Doyle (1986).

\textsuperscript{149} On the role of institutions see e.g. Keohane (1989).
Since liberal approaches assume states to engage in a practice of buck-passing in order to avoid costs, humanitarian interventions are unlikely without previous multilateral agreement (Hasenclever 2001: 87-8).\textsuperscript{150} Given that even multilateral interventions are very costly, unilateral initiatives are even less likely from a liberal perspective. Exceptions are only conceivable if the turmoil affects specific interests as for example the generation of welfare due to costs of refugees or lack of access to resources disrupting the global economy (Brock 2000: 124f). Therefore, liberal explanations are ill-suited to include reactions to humanitarian emergencies in areas that have close to no importance to the global economy or where no consensus on the appropriate course of action can be reached.

Realists and Liberals disagree about the role of international institutions and the feasibility of cooperation, but both of them take the sovereign state as a given and treat normative rules as instrumental means to an otherwise predetermined end.\textsuperscript{151} They assume that actors possess essential and pre-social properties (Reus-Smit 2002b: 131). Additionally, both approaches emanate from the belief that rule-following will only occur when the benefits of doing so outweigh the costs, following a consequentialist logic (Barnett 2006: 253).\textsuperscript{152} An analysis of humanitarian intervention from within these two paradigms must necessarily concentrate on rationalistically ascertainable factors causing behavior.

Although most scholars “treat neorealism and neoliberal institutionalism as the representatives of mainstream […] IR,” there is no doubt about constructivism being included “as the third prong in what can be considered a triumvirate” of main approaches in contemporary IR (Hobson/Lawson 2008: 417). While rationalistic approaches have proven to be very fruitful in explaining how and when states follow their interests, they say little about the underlying reasons and the formation of the prevailing international structure itself. Constructivist informed research, on the other hand, aims at endogenizing interests. Constructivist approaches perceive state behavior as following from social interaction and intersubjectively developed norms (Zehfuß 2002: 18f).\textsuperscript{153} Norms are “shared expectations about appropriate behavior held by a community of actors” (Finnemore 1996b: 22), which indicate “what appropriate behavior

\textsuperscript{150} For realists buck-passing is a strategy for shifting the balance of power, whereas for liberals it is a consequence of organizational quarrels of domestic politics and the development of preferences. See e.g. Mearsheimer (2002: 267f).


\textsuperscript{152} On alternative explanations, see e.g. Frank (1990: 43f).

ought to be” in a certain situation (Bernstein 2000: 467). These norms are themselves developed through social interaction in a common framework of already existing norms and rules. Via processes of socialization, states develop their not *a priori* given interests and form their identity (Jepperson et al. 1996: 5; 54).

In contrast to the previous two positions, the focus necessarily shifts from causal inference to tracing “permissive conditions for action” and constitutive effects (Finnemore 1996a: 158). The behavior of actors depends on how they perceive themselves and others in relation to themselves. However, a constructivist approach “does not, by itself, tell us anything about the expected content of foreign policies or international relations” (Jervis 1998: 976). Interests are based on a fabric of different but interwoven norms, some of them logically contradictory to others. That makes it very hard to verify a connection between norm and behavior (Klotz 1995: 61) because either way different outcomes are explained with the same explicans – be that norms, interest, identity or behavior (Wiener 2004: 189).

Concerning humanitarian intervention, constructivist-informed studies emphasize the “compliance pull” of humanitarian norms (Franck 1990: 43), which “are obeyed […] because they are seen as legitimate” (Florini 1996: 364). Constructivist scholarship seems to be entirely focused “on explaining states’ choices to follow the rules” (Hurd 2008: 22), while norm violations are not examined independently (Cardenas 2004: 220, 227). Since countervailing norms may constrain the impact of the norms under focus “any behavior can be explained with reference to some norm” regardless of the outcome (Kowert/Legro 1996: 487). Even despite their formal acceptance, norms can be ignored or violated. Due to this structural bias, constructivist-informed accounts of humanitarian intervention have a hard time explaining the variance in state responses to humanitarian emergencies. This criticism refers to the mainstream

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154 See e.g. Finnemore/Sikkink (1998) for the norm life cycle, and Risse et al. (1999) for the spiral model of norm emergence.


158 For a rare exception, see Wiener (2009; 2007a; 2007b; 2004).

159 e.g. the non-intervention principle.

160 e.g. humanitarian norms as subsumed in the R2P principle.

161 This argument is developed in detail by Sending (2002). For specific examples, see e.g. Klotz (1995), Price (1995), Finnemore (1993), Jackson (1993b).
or so-called ‘Soft Constructivism’, but not to the more radical strands of constructivist theorizing. The chosen research design, however, does not provide the means to engage with ‘Radical Constructivism’. Nevertheless, even a soft constructivist perspective on humanitarian intervention already offers additional pathways to examine state behavior. At the very least, it offers potential factors contributing to the decision-making process beyond the grasp of rationalist approaches. Accordingly, the focus is on changing values and identities leading actors to evaluate similar situations differently (Reus-Smit 2008).

162 ‘Soft Constructivist’ approaches, where specific norms or moral convictions are introduced as independent or intervening variables influencing behavior, provide the grounds for idealist positions. See supra note 134.
3.2 Empirical Gap

Although there are countless articles and studies on intervention,\textsuperscript{163} little attention has been paid to the underlying conditions explaining why states intervene in the first place.\textsuperscript{164} The vast majority of academic articles on the topic either concern themselves with moral evaluation and justification of humanitarian interventions\textsuperscript{165} or engage in discussions about their compatibility with international law and possible implementation,\textsuperscript{166} as well as potential implications for the future of peacekeeping and military intervention in general.\textsuperscript{167} Accordingly, many studies remain on a very abstract level contemplating the workings of social (or legal) norms – currently with primary focus given to the R2P idea – and their implications for the discipline of IR.\textsuperscript{168} The legal literature alone accounts for nearly half of all publications on human rights and intervention.\textsuperscript{169} Elaborate discussions on human rights and intervention in general abound, but are both too broad and not specific enough to address the aforementioned puzzle.

There are three major strands within the vast legal literature on humanitarian intervention. The first of these strands is mainly concerned with the legal evaluation of individual cases, largely ignoring both social context and implications regarding the international legal order more generally.\textsuperscript{170} The second strand of literature does focus on the international legal order as a whole, especially on the prohibition of the use of force as one of its pivotal rules, rather than delving into the details of the legality or illegality of intervention in specific cases.\textsuperscript{171} Even though this strand of literature avoids the shortcomings of narrower analyses of individual cases, it is still mostly based on positivist legal doctrine. Contributions belonging to the third

\textsuperscript{163} For a comprehensive collection of articles on humanitarian intervention, see e.g. Pattison (2014a).
\textsuperscript{164} Even fewer scholars empirically address the problem of nonintervention. See e.g. van der Maat (2011), Mullenbach (2005), Gilligan/Stedman (2003), Regan (2002).
\textsuperscript{168} Regardless of their primary discipline, both proponents and critics of the R2P or normative approaches to IR revolve around these ideas when writing on humanitarian intervention.
\textsuperscript{169} This is barely a surprise because International Relations and Political Science in general, are both still rather young disciplines, especially in comparison to International Law.
\textsuperscript{170} For examples of this type of legal engagement with the topic of humanitarian intervention, see e.g. Payandeh (2012), Hehir (2009), Wheeler (2000a), Simma (1999). For a critique of the tendency of international legal scholarship to focus too narrowly on individual cases, see e.g. Charlesworth (2002).
\textsuperscript{171} See e.g. Hurd, (2011), Hilpold (2001), Cassese (1999b).
strand of legal literature on humanitarian intervention adopt a critical stance based on postmodern thought. Their focus is on how international legal discourse produces and reproduces relationships on domination based on the ‘standard of civilization’. These critical and ‘third world’ approaches to international law have been prominent for a few decades now. However, they have not had a significant impact on mainstream International Law scholarship. The gaps that exist within scholarly contributions to the study of humanitarian interventions from a legal perspective do not only arise from a lack of dialogue between different perspectives on the topic. A blind spot in the legal literature is also generated more specifically regarding the conclusions that may be drawn for the character of international society, given that both legal doctrine and legal theory reflect both solidarism and pluralism, albeit hardly ever doing so consciously and in a reflected or theoretical manner.

Arguments about the legality of the use of force, and intervention in particular, are at the center of the legal discipline. Irrespective of whether legal scholars concentrate on single cases, discuss the legal order as a whole, or criticize the dominant legal discourse, they are interested in legal procedure, how the legal rules change over time, and how current law is applied. They are less interested in the social world beyond legal scripture. Simon Chesterman’s (2001) work is a case in point. In his comprehensive treatment of the right of humanitarian intervention, he traces its development in legal history, collecting and ordering cases of intervention, and subjects each case to a legal assessment. However, his analysis is solely “anchored in legal text, rather than state practice” (Trim/Simms 2011: 9). For him, cases are legal proceedings, not instances of a higher class of a phenomenon; his case selection is based on legal criteria, categorizing cases in terms of the applicability of specific laws and court decisions, not in terms of membership to classes of similar events. The treatment of cases in the legal tradition deviates substantially form such a practice in the Social Sciences. This comes as no surprise, but despite the impressive number of studies on humanitarian intervention, most of the legal literature is thus of limited use for the project at hand.

A large part of the continuously growing body of literature on humanitarian interventions in Political Science addresses the topic in the form of case studies that concentrate in detail on single instances of intervention. By now, a multitude of detailed examinations of all major interventions in humanitarian emergencies has been conducted – for the last decade mostly with

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reference to the R2P as the guiding analytical framework. Although a disproportionately high number of articles deals more with recent examples such as the crisis in Libya and Syria or with cases that received high media attention such as Darfur, almost all instances of international responses to humanitarian emergencies have been covered by several studies.

The majority of idiosyncratic research projects point towards unique conditions and mechanisms with little regard for the level of abstraction necessary for generalization, making no systematic attempts at reflecting their insights on the wider universe of potentially similar cases. Cross-case comparisons are rare and, if conducted, not explicitly designed for tracing the change of identified factors for the degree of coercive third-party interference in humanitarian emergencies. Rather, existing research concentrates on the comparison of only a few selected cases, oftentimes along the line of a very small set of very specific, predetermined variables, as for example the so-called ‘CNN-Effect’ or restricts itself solely to investigations of (internal) causal conditions for the United States’ military interventions. Usually, they tend to disregard potential patterns in the normative superstructure of the international society of states, and instead concentrate on specific cause and effect relationships in a very particular setting.

Although plenty of publications dealing with humanitarian interventions are available, most of them are of limited use for comparisons over time or across cases. It is rather telling that the majority of these studies organizes its cases in alphabetical order, and not chronologically. Moreover, the majority of those studies necessarily suffer from some form of selection bias. First, cases are perceived as a dichotomy of military intervention on one hand and complete inaction on the other. Second, only positive cases are examined, because inaction is hardly

173 This is obviously not the case for studies published before the emergence of the R2P.


176 See e.g. Damboeck (2012), Glanville (2011a), Mamdani (2010), Badescu/Bergholm (2009), Mills (2009), Bellamy/Williams (2006).

177 Other prominent examples are Somalia, Bosnia, or Kosovo. More examples on these and further cases can be found in the respective case summaries in Chapter 7.4.3.


identifiable. Actual state behavior, however, may vary greatly between those extremes. While there are studies aimed at determining the conditions for successful interventions in emergencies,\textsuperscript{182} none of them explicitly investigates the variation of response type in the behavior of states over time.

Considering the research interest at hand, the bulk of the literature on humanitarian intervention displays major shortcomings. This is primarily a consequence of diverging conceptualization. The term humanitarian intervention is applied inconsistently across the field (Reus-Smit 2013b: 1157f), forestalling the inclusion of earlier instances as well as impeding any meaningful comparison of cases and existing studies. Apart from the in-depth research of single instances, both the identification of the universe of cases and the selection of cases remain either problematic or lack utility.\textsuperscript{183} Despite examining a variety of potential causal factors, existing studies fail to take into consideration the scope conditions under which their explanations operate. This, however, impedes both generalization and long-term analysis. Consequently, it has been pointed out that in empirical terms “we actually know very little about the real extent and nature of selectivity because, thus far, the international response to humanitarian crises and gross violations of human rights has not been systematically investigated” (Binder 2009: 328).

Nevertheless, there is notable scholarly work picking up these particular issues. Apparently, there are no comprehensive studies on humanitarian intervention addressing all the raised shortcomings at once, but there are examples of those, who deal with some of the major concerns, placing special focus on one or the other issue. Due to the almost unlimited amount of literature on humanitarian intervention, I provide only three exemplary illustrations of possible avenues of investigation already taken, which come closest to the aim pursued in this study, and therefore, warrant individual mentioning.

First, and most importantly, there is Nicholas Wheeler’s (2000b) work, which examines the legitimacy of humanitarian interventions during and after the Cold War by comparing seven selected cases with regard to justification, motive, and outcome.\textsuperscript{184} Based on detailed analysis of public reasoning and UN deliberations, he investigates the international society’s attitude in each case. Thereby, he differentiates between a pluralist view focusing on order and a solidarist


\textsuperscript{183} At least for this particular research interest.

\textsuperscript{184} Wheeler’s work is still the most elaborate utilization of English School theory on the topic so far.
framework prioritizing justice. He argues that the use of force against states violating human rights has slowly gained international legitimacy. Essentially, Wheeler’s narrative argues in favor of the solidarist project based on his interpretation of the selected cases.185 The major strength of Wheeler’s work is the detailed analysis in each case developing convincing narratives and sound arguments, which enables him to point out the changes in the perceived legitimacy of humanitarian interventions. In simple terms, Wheeler draws the conclusion that the solidarist framework is better equipped to describe the process of increasing legitimacy for humanitarian intervention. His argument suggests a development from a pluralist system to an increasingly solidarist international society. Given that Wheeler covers only a very short period, contrasting three cold war cases with four cases in the 1990s, his evaluation is rather bold. Moreover, he presents his results without providing a conceptualization of humanitarian intervention. Focusing on specific processes across cases, in this case, the proliferation of solidarist values and the changing conception of legitimacy may illustrate some of the differences between cases but fails to provide the grounds for a systematic comparison. One could even argue that his apparent agenda of promoting a solidarist reading of progress in international relations drives his interpretation.186

A second noteworthy contribution to the particular research question at hand is Taylor Seybolt’s (2007) work that examines the conditions for success and failure of humanitarian military interventions. In a subsequent paper, he monitors the frequency of all types of military intervention before and after the implementation of the R2P (Seybolt 2009). There, he argues against significant changes in state behavior over time and challenges norm-based explanations of interventions. In contrast to Wheeler’s position, Seybolt’s results point towards external factors influencing state behavior. Changing perceptions of legitimacy are not the cause but the result of state practice. However, Seybolt does not differentiate between types of third party interferences, lumping together all forms of military intervention, but excluding coercive measures short of military force. Although primarily interested in the collection and categorization of conflict data for SIPRI, Seybolt (2016) elaborates on his earlier findings and argues in favor of the use of force as a means to react to humanitarian emergencies. Nevertheless, he emphasizes the prevailing pluralist conception of international order, including the prevalence of self-interest for state behavior, and cautions against the unrestricted

185 Many of Wheeler’s additional contributions cited in the following chapters display a similar inclination. See e.g. Wheeler (2005; 2002; 2001), Wheeler/Bellamy (2006), Wheeler/Morris (1996).

186 The same argument, albeit to a lesser degree, could be made about Alex Bellamy. See e.g. Bellamy (2015; 2014b; 2013; 2011; 2010a; 2009b).
use of force for humanitarian reasons. Based on his results indicating at the lack of significant change in state behavior, Seybolt (2016: 577) advocates stronger “organizational mechanisms and doctrine that will enable governments to act to end atrocities”. Instead of lamenting the selectivity of state behavior, Seybolt (2016: 577) points out that “we should expect progress to be unevenly distributed in terms of both the actors who adopt it and the manner in which they do so when a norm develops as rapidly as R2P has done”. In doing so, he associates the coercive interference in humanitarian emergencies with a solidarist conception of international society and implicitly assumes a beginning progression in that direction. His focus on empirical data, however, lacks a wider normative framework and provides no means to connect state behavior and legitimacy.

Additionally, there is the ongoing work of Martin Binder (2017; 2015; 2009; 2008; 2007), who maps UN responses to humanitarian emergencies from the 1990’s onward and differentiates between diverging types of humanitarian emergencies. He is primarily interested in identifying the most promising combination of causal conditions triggering UN intervention after the Cold War. Binder’s research makes use of QCA, a method allowing for determining necessary and sufficient conditions and combinations thereof. He concentrates on UN operations conducted between 1991 and 2004 (Binder 2015; 2009). His painstaking efforts to collect and transform data for each case into membership scores enables him to identify the most important conditions and link them with different types of UN engagement within the chosen timeframe. Adding further cases as he continues his work, Binder (2017) combines detailed case knowledge with the specifics of UN operations. He constantly amends and adopts his previous findings to reflect the changing environment of UN operations, establishing generalizable causal inferences between combinations of causal conditions (independent variables) and the outcome (dependent variable) to test a fixed set of preexisting hypotheses.

As laudable his efforts are, he chooses to remain on a very empirical level, allowing only very specific statements on very specific conditions and combinations thereof. Fully aware of his scope’s limitations, Binder refrains from abstract theoretical discussion on the implications for the international order or the wider field of theory development in International Relations. Accordingly, both his conceptualization and operationalization reflect the low level of abstraction that enables him to derive comparatively precise results, but confines his approach

187 For a similar attempt see e.g. Beardsley/Schmidt (2012), who contrast self-interest with crisis intensity.
188 His latest publication includes three recent cases, Côte d’Ivoire, Libya, and Syria, though. See Binder (2017: 203-40).
to the very small margins of modern day multinational UN peacekeeping and peacebuilding operations. The strong contextualization enhances both validity and reliability, but severely hampers the comparability across time. Moreover, his approach does not allow for tracing the change of conditions or combinations thereof over time, despite the fact that already incidents in the 1990s are hardly occurring under the same circumstances than those in the last decade.

Most of the literature included in the paragraphs above aims at rather specialized insights on a very particular field or question. The authors pointed out individually are no exception. However, in combination, their respective approaches yield the potential to reach beyond the limited scope of each approach on itself. Examining changing practices separately from the conditions supposedly responsible for the very same behavior that is studied unnecessarily curtails the scope of such an approach. Without an overarching framework that accounts for the connection between the varying relevance of potential conditions and the value system in which these conditions operate, changing state behavior cannot be embedded in the greater development of international order. Moreover, focusing on a short timeframe only detaches empirical studies from the greater historical context necessary to observe change in the first place. Thus, a research interest as outlined in Chapter 1 necessarily escapes studies designed as those mentioned above.
3.3 Role of History

With few exceptions, the current IR literature on humanitarian intervention focuses on the most recent interventions beginning in the 1990s. A few include interventions from the Cold War period, but publications dating back earlier than the end of World War II are rather rare. Studies that include pre-World War II events do so in passing only, either in the introduction or in a footnote, but not as part of the main analysis. Examples of historically oriented research are usually found in other disciplines, most obviously in History, but also in Political Philosophy and International Law. The focus on the R2P doctrine since its formulation in 2001 and subsequent UN endorsement in 2005 has exacerbated the existing imbalance towards recent cases only further. This overvaluation of contemporary events, which are perceived as unique and essentially unprecedented, is illustrated by the widely held belief “that any significance of pre-WW I practice is limited [..., and] any study of humanitarian intervention should treat pre-1945 examples with great caution” (Kratochvil 2006: 3-4). Others go even further by claiming that “[i]n the history of sovereignty one can skip three hundred years without omitting noteworthy change” (Philpott 1996: 43).

Accordingly, a lot of the earlier literature on humanitarian intervention treats non-interference as a timeless constant, but even contemporary writers commit the fallacy of “writing the present into the past” (Glanville 2014b: 4). “Despite their emphasis on the contingent and contested nature of sovereignty,” even constructivist theorizing is not immune to this fallacy (Glanville 2011d: 234). Daniel Philpott (2001b), for example, explicitly argues that the principle of non-intervention came under challenge for the first time only after the Cold War ended. Thereby, the emphasis falls again on the assumed existence of a distinctive break from

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a previous understanding of intervention. The latter notion seems to stem from one of the earlier and hitherto influential legal articles by Leo Gross (1948: 28; 34), for whom the peace of Westphalia “marks the end of an epoch and the opening of another”; an event that created a “portal which leads from the old into the new world”.

Whereas academic investigation about the social construction of sovereign rights – including the principle of non-intervention – has gained considerable traction already in the 1990s, the vast majority of contemporary research on humanitarian intervention still resorts to the traditional and ahistorical conceptualization of sovereignty. Stephen Krasner (2004a: 85), for example, as one of the most prolific writers on this matter, defines sovereignty as the “recognition of juridically independent territorial entities and nonintervention in the internal affairs of other states”. He does so despite having pointed out years earlier “that the Westphalian model has never been an accurate description” and should not be thought of “as some ideal or historical reality […, but treated] as a reference point or convention” (Krasner 1995: 115; 150). Indeed, the principle of non-intervention is not even part of the Westphalian treaties (Krasner 2001c: 34-8). Moreover, fully aware of “the Westphalian myth” (Osiander 2001b: 251), Krasner (1993: 235) argued that “the conventional view that the Peace of Westphalia 1648 marks a turning point in history is wrong” and “was not a clear break with the past”. Nevertheless, his theory of “organized hypocrisy” takes the gap between the principle of non-intervention and actual state behavior for granted (Krasner 1999: 20-25).

The resulting inconsistency becomes evident in the statement that “violations of the principles of non-intervention […] have been enduring characteristics of the international system” (Krasner 2001c: 23), yet they are still treated as exceptional anomalies deviating from an ahistorically derived conception of sovereignty that does not account for abiding practice. If this Westphalian model of non-intervention never existed in the first place, then the high frequency of observable breaches thereof hardly comes as a surprise. Nevertheless, this position

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197 On Leo Gross’ significant influence on subsequent scholars, see e.g. Beaulac (2000). For an overview of the discourse of the Piece of Westphalia in IR literature, see Schmidt (2011).
199 For a discussion of that problem, see e.g. de Carvalho et al. (2011), Teschke (2003).
represents the default starting point and mainstream line of academic investigation of humanitarian intervention.\textsuperscript{201}

This is only one example of the tricky relationship between History and International Relations.\textsuperscript{202} The possible pitfalls for IR scholarship are plentiful, reaching from completely ahistorical approaches to those that get lost in the depths of particularisms. At either end as well as in between the looming danger of falling victim to some form of presentism does not help with an already difficult task.\textsuperscript{203} Of course, “history without historicism provides a potentially rich stream of data, producing lessons and acting as test cases for deductively derived hypotheses” (Hobson/Lawson 2008: 423), but it ignores the fact that “even the most powerful social structures are historically particular, created by the actions of people in a particular time and space” (Lawson 2006: 405). Moreover, “[t]he facts speak only when the historian calls on them: it is [s]he who decides to which facts to give the floor, and in what order or context” (Carr 1987 [1961]: 11). Nothing is just out there, everything comes from somewhere, from some place and time, and as the example above demonstrates, translating particularities into generalities throughout time and space has consequences for subsequent research.

The problem of projecting the current conceptual understanding of non-intervention back in time causes contemporary research to evaluate previous state practice according to today’s standards. Therefore, the introduction of artificial boundaries between the past and today only distorts both the similarities and the differences of state practice over time.\textsuperscript{204} Instead, practice evolves out of a continuously evolving process, where rules are set by that practice (Wallace 2008: 8f). The main challenge of bringing History back into International Relations – as proposed in this thesis – lies in the simultaneous avoidance of both settling with presentist, transhistorical categories on one hand and getting lost in the historicist overemphasizing of contingency and the singularity of particular events. This seems to apply for Political Science research in general, but in particular for the examination of humanitarian intervention.

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\textsuperscript{201} This practice is not limited to the research of humanitarian interventions but applies generally to examinations of any kind of violation of sovereignty. Here, however, only the principle of non-intervention is of interest.


\textsuperscript{203} On the different forms of presentism, see e.g. Loison (2016).

\textsuperscript{204} This does not befall sovereignty and non-intervention alone, but is valid for basically all conceptualizations in the Social Sciences.
Only recently have scholars began to tackle this challenge by consciously analyzing the history of humanitarian interventions with regard to contemporary interpretations and to its implications for theories of international relations. So far, however, no consistent explanation for the varying degree of selective engagement in humanitarian emergencies is available. In particular, there are no studies addressing the aforementioned empirical and theoretical puzzle without omitting the long history of humanitarian intervention.

4 Conceptualizing Humanitarian Intervention

This chapter develops a conceptualization of humanitarian intervention and illustrates why only coercive humanitarian interventions are of relevance for the present study. The goal is to derive a stylized, almost ideal-typical understanding of humanitarian intervention.\footnote{An ideal type is “a conceptual construct which is neither historical reality nor even the ‘true’ reality. […] It has the significance of a purely ideal limiting concept with which the real situation or action is compared and surveyed for the explication of certain of its significant components” (Weber 1949 [1904]: 93 [emphasis in original]). The German original refers to an “Idealtypus” as a “Gedankenbild, welches nicht die historische Wirklichkeit oder gar die ‘eigentliche’ Wirklichkeit ist, […] sondern welches die Bedeutung eines rein idealen G r e n z begriffes hat, an welchem die Wirklichkeit zur Verdeutlichung bestimmter bedeutsamer Bestandteile ihres empirischen Gehaltes g e m e s s e n, mit dem sie v e r g l i c h e n wird” (Weber 1904: 68 [emphasis in original]). For the general usage of ideal types in the Social Sciences, and in Political Science in particular, see e.g. Davis (2005: 78-80).}

Ideal-typical concepts “are not meant to represent ‘actual history’ but to act as simplified maps of historical reality”, explicitly aimed at identifying “key features of historical events and processes,” highlighting “their most important features and, in turn,” examining “their salience in alternative arenas” and periods (Lawson 2012: 220). In order to minimize the projection of “modern political and normative questions onto historical periods where intervention was associated with a different – and less problematic – set of issues” (Lawson/Tardelli 2013: 1236), I conceptualize humanitarian intervention primarily in operational terms.

Therefore, I argue that humanitarian interventions are composed of three main elements: First, it presupposes the occurrence of a humanitarian emergency.\footnote{Since the terms humanitarian crisis and humanitarian emergency are used interchangeably throughout the literature, I will treat both terms as synonym, too, until further notice. See also supra note 319.} Otherwise, no reason for contemplating humanitarian intervention exists in the first place.\footnote{In other words, with no humanitarian emergency at stake, an intervention cannot be classified as humanitarian.} Second, humanitarian intervention describes the response of a third actor to that humanitarian emergency in the form of interfering in the affairs of the actor under whose authority the emergency is taking place.\footnote{This refers to states as the major political entities, but includes the de facto authority within a failed state ruling over the affected people in that state or territory.} Third, this response must address the actual situation on-site. Not all types of interference satisfy the requirements for state behavior qualifying as humanitarian intervention. To do so, third-party interferences must include a clear intention to alleviate human suffering. In principle, a humanitarian intervention’s primary purpose is to prevent or stop large-scale violations of what is subsumed today as fundamental human rights of foreign citizens within the jurisdiction of a separate political entity (Holzgrefe 2003: 18). The primary goal of this...
The chapter is to derive a historically informed conception of humanitarian intervention that is abstract enough to account for more than just a limited contemporary snapshot, but is simultaneously concrete and specific enough to identify and discriminate between actual empirical instances throughout the last 200 years.\textsuperscript{210}

After examining the historical evolution of humanitarian intervention as a response to human suffering, this chapter introduces coercive humanitarian intervention as the relevant response for answering the research question at hand. In order to distinguish between different types of responses to humanitarian emergencies, the phenomenon under investigation will be pinned down in three steps, as illustrated in \textit{Figure 1}. Each step concentrates on “the transhistorical characteristics that distinguish [humanitarian] intervention as a social practice” aimed at changing the target authority’s behavior of condoning or inducing the humanitarian crisis (Lawson/Tardelli 2013: 1236 fn. 9).\textsuperscript{211}

\textit{Figure 1: Conceptualization Strategy}

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\begin{verbatim}
\textsuperscript{210} Therefore, ‘human rights’ have to be understood as a general idea of rights protecting individuals from bodily harm rather than as a legal concept. See also supra note 317. For a similar endeavor, see the forthcoming chapter on humanitarian intervention in the Encyclopedia of the Philosophy of Law and Social Philosophy (Plappert [forthcoming]).

\textsuperscript{211} For examples of a similar approach, see e.g. Reus-Smit (2013b), Rosenau (1969), Young (1968).
\end{verbatim}
The first section (4.1) provides a short history of humanitarian intervention concentrating on the empirical practice rather than on linguistic or philosophical development. The second section (4.2) maps the different types of ‘humanitarian’ third-party interferences into the affairs of separate political entities. The third section (4.3) deals with varying kinds of crisis situations involving human suffering. It identifies the large scale of a crisis, its high intensity, and the fact that it is policy-induced as the three criteria a crisis has to meet in order to constitute a humanitarian emergency in the context of this thesis. Taking humanitarian emergency defined as such as a necessary condition for an intervention to count as a humanitarian one, the fourth section (4.4) extrapolates a minimal definition of humanitarian intervention. The chapter’s last section (4.5) finally differentiates between specific coercive response types in order to provide a measurable scale of state behavior. Only coercive\textsuperscript{212} measures are relevant to answer the research question because only those are potentially challenging to the existing international order. Therefore, only coercive humanitarian interventions are of interest for the research project at hand.

\textsuperscript{212} Coercive action are all activities taken in direct opposition to the will of the target polity’s de facto authorities.
4.1 A Short History of Humanitarian Intervention

The term ‘humanitarian intervention’ is widely used in reference to a broad range of different phenomena across time: Sometimes it is applied as an umbrella term for all forms of external interference in the internal affairs of a sovereign state for humanitarian ends, at other times it only refers to the use of force in acute humanitarian emergencies (Trim/Simms 2011: 2-7). This includes various forms of peacekeeping missions, requested assistance as well as the delivery of aid, and even diplomatic efforts or sanctions (Hehir 2010a: 11-16). Most often, however, the term is used specifically to describe military interventions without state consent for humanitarian ends (Seybolt 2007: 11-15).

The contemporary discussion of humanitarian intervention strongly reflects the experience of the early European states, even though the notion of resorting to coercive force for moral reasons is certainly not exclusively a European invention. Focusing on the European experience undoubtedly understates the importance of non-European contributions to current state practice, but “it is not Eurocentric to point out that the contemporary international order is a direct descendant of the European [state]-system that developed in the sixteenth and seventeenth century, and not of, for example, the Imperial Chinese tribute system or the politics of the Steppe” (Brown 2014: 353). Technological advances and social transformations in the early modern period enabled the Europeans to shape and to dominate the international system, competing only with each other. Consequently, the modern understanding of humanitarian intervention taking form in that period draws heavily on concepts derived from medieval European theology and philosophy (Trim/Simms 2011: 18-9). Moreover, the concept’s genealogy is as closely connected to the ideas of the Enlightenment as it is to colonial and

213 On the lack of clarity and the conceptual difficulties of various definitions of humanitarian intervention, see e.g. Franck/Rodley (1973: 305) whose statement that “a usable general definition of ‘humanitarian intervention’ would be extremely difficult to formulate and virtually impossible to apply rigorously” is still valid. For an overview of different conceptions, see e.g. Rinke et al. (2014). On humanitarian emergencies, see Chapter 4.3.

214 On the eurocentric conception of intervention and international politics in general, see e.g. Buzan/Little (2014), Roberson (2009), Keene (2002), Watson (1992), Bull/Watson (1984). For obvious reasons, the same applies accordingly to the discipline of IR. See e.g. Hobson (2014; 2012b), Pourmokhtari (2013), Acharya/Buzan (2009). For examples of non-Western approaches, see e.g. Suzuki et al. (2014).


imperial ideologies rampant in European thinking at the time. The proper terminology to characterize the ethical quandary of humanitarian intervention emerged just before the beginning of the 19th century, but the underlying considerations reach back much further than the current debate assumes.

At least since the early 16th century, European princes interfered in neighboring jurisdictions with the explicit intention to address the appalling mistreatment of parts of the population (Trim 2011b: 29f). The justification to end tyrannical misrule derived from the medieval conception of the common good in early modern Christendom (Trim 2013: 26-7). Protecting Christians from violent tyrannical oppression and punishing the perpetrators amounted to a God-given moral obligation (Alkopher 2007: 14-19). “The right to protect foreign populations was widely accepted” (Trim/Simms 2011: 21) and in accordance with Just War doctrine derived from St Augustine (354-430) and Thomas Aquinas (1225-1274), who in turn based their thoughts on Aristotle (384-322 BCE) and Seneca (54 BCE - 39 CE) (Heraclides 2012: 217-9). Classical Just War Theory refers to tyranny as a crime against all of Christianity. Extreme cases of violence or chaos could warrant the use of military force in a just war.

The scholarly debate had developed into a distinctly practical issue due to the Reformation and the subsequent fracturing of Christendom. The simultaneous rise of centralized political power transformed the relations between individuals and public authorities, as well as the relations of the ruling authorities among each other (Trim 2011b: 31-2). Religious persecution and

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218 On the origins of the idea of humanitarian intervention, see e.g. Klose (2016b), de Bolla (2013), Simms/Trim (2011), Swatek-Evenstein (2008), Chesterman (2001: 7-23).

219 Obviously, all origins are inherently contingent and open to the criticism of attempting “to capture the exact essence of things” and to assume “the existence of immobile forms that precede the external world of accident and succession”, whereas what “is found at the historical beginning of things is not the inviolable identity of their origin; it is the dissension of other things” (Foucault 1984: 78-9). Nevertheless, the following section starts with the first historically documented instances of a practice resembling the basic idea of intervening for humanitarian reasons, fully aware of its merely transitional position in the genealogical narrative of humanitarian intervention.

220 See e.g. Trim (2013: 21) or Trim/Simms (2011: 24) who argue that an analysis of humanitarian intervention “must incorporate the long-term history” beginning “in the late sixteenth century”. Only in the sixteenth century, the “notion of intervention began to have specifically military usages”, both in French and English (Trim 2013: 23 [emphasis in original]).


222 For details on additional early (and modern) proponents of Just War Theory, see e.g. the contributions in Brunstetter/O’Driscoll (2018).


224 On the role of the Reformation for the rise of the state, see e.g. Gorski (2003).
violent interference on behalf of communities of the same confession elsewhere became commonplace.\textsuperscript{225} One of the earliest legal treatises on the matter, the \textit{Vindiciae contra tyrannos},\textsuperscript{226} argues that all princes have a duty to defend the subjects of other princes against egregiously abusive tyranny and oppression (Trim 2011b: 36).

Prominent examples of an emerging practice “of intervention of one Christian State on behalf of the subjects of another Christian State” include “the interventions of Elizabeth, Cromwell, and even Charles II., on behalf of foreign Protestants” (Phillimore 1871 [1854]: 518). Between 1560 and 1590, Queen Elizabeth I. intervened in Scotland, France, and against the Spanish Habsburg rulers in the Netherlands, on multiple occasions (Trim 2011b: 41f).\textsuperscript{227} The “armed incursions of English armies or expeditionary forces” into Scotland made no attempts at conquest but aimed at “changing the existing regime’s policy” and at stopping the persecution of fellow Protestants (Trim 2013: 29).\textsuperscript{228} The grounds for intervention in France, “found both in public statements explaining and justifying intervention, and in internal government discussions, were […] the persecution, imprisonment, and mass murder of French Protestants” (Trim 2011b: 41).\textsuperscript{229} Again, the English intervention “did not seek to overthrow the [Catholic] Valois monarchy”, but to moderate what was perceived as tyrannical royal policy, for the sake of the brutally oppressed Huguenots (Trim 2011b: 42).\textsuperscript{230} The prolonged intervention against the “tyrannical misgovernment” and atrocities committed indiscriminately against the Dutch population under Spanish rule is another example testifying to the existing notion of extreme misrule and abusive tyranny forfeiting a ruler’s sovereign rights (Trim 2013: 35).\textsuperscript{231} Queen Elizabeth’s aim had not been to separate the Netherlands from the Habsburg monarchy (Trim 2011b: 51), but she felt “obliged to step in, on behalf of the Netherlands”, addressing “the

\textsuperscript{225} See e.g. Thompson (2011), Trim (2013: 26-41; 2011b), Krasner (2001c).

\textsuperscript{226} The \textit{Vindiciae contra tyrannos} was first published anonymously in Basel in 1579. For a modern translation, see e.g. Garnett (1994). For a short discussion, see e.g. Trim (2011b: 30-9).

\textsuperscript{227} On the foreign policy of Elizabeth I. concerning France, Spain, and the Netherlands, see e.g. MacCaffrey (1981: 157-430).

\textsuperscript{228} Trim (2013: 29) goes on to argue that “[t]he English government’s fear of chaos and disorder” leading to even more civil strife and massacres in the northern neighbor was certainly genuine, “but was parochial, inasmuch as, from their (Protestant) point of view” Catholic mistreatment of Protestants amounted to tyrannical rule, “whereas Catholics would have seen things differently”.


\textsuperscript{230} On the English reaction and moral obligation as motive for English intervention on behalf of the Huguenots, see e.g. de Carvalho/Paras (2015), Probasco (2011). On the Catholic perception of Protestants as a threat to France, see e.g. Roberts (2004). For an overview of the French wars of religion, see e.g. Benedict (2002: 147-63), Knecht (2000), Holt (1995: 50-122).

\textsuperscript{231} On the intervention in the Netherlands, see e.g. Trim (2013: 31-36; 2011b: 47-52), MacCaffrey (1997; 1981: 217-301).
resultant chaos” endangering “the stability of neighboring polities” (Trim 2013: 31).\(^{232}\) She rejected the Dutch offer to rule over the Netherlands twice, displaying no interest in territorial expansion (Adams 2004: 309, 315). However, “Spanish tyranny, atrocity[,] and oppression” had taken such proportions, that her government had “no doubt that intervention was a legitimate response to tyranny” (Trim 2013: 31, 35).\(^{233}\)

The division of the church and the ensuing conflicts gave rise to heated debates about the justification for the use of force. Especially protestant scholars discussed arguments both for and against intervention, aimed at protecting fellow Protestants (Thompson 2011: 88). They referred to arguments that Francisco de Vitoria (1483-1546)\(^{234}\) developed on the rightful treatment of indigenous inhabitants of the ‘New World’ (Trim 2011b: 23), including the duty to prevent human sacrifice (Abiew 1999: 33). Despite the earlier writings of both Francisco Suárez (1548-1617)\(^{235}\) and Alberico Gentili (1552-1608)\(^{236}\) on the issue (Meron 1991: 110), Hugo Grotius (1583–1645)\(^{237}\) is credited with producing “the first authoritative statement of the principle of humanitarian intervention” in the 16th century (Lauterpacht 1946: 46).\(^{238}\)

Drawing on earlier theological arguments, the dispute developed into a jurisprudential discussion about the authority of Christian monarchs under natural law (Heraclides/Dialla 2015: 20f). Natural law assumes a universal morality that is binding on all rational beings and that can be known by reason (Finnis 2011: 18).\(^{239}\) Interventions to uphold natural law are therefore

\(^{232}\) On the Dutch agitation turning public opinion against Spanish rule, see e.g. Trim (2011: 48-50), Pollmann/Spicer (2007). For a collection of original publications, see e.g. Kossmann/Mellink (1974).

\(^{233}\) Spain, on the other hand, intervened in Ireland on behalf of persecuted Catholics and, mixing confessional and geopolitical considerations, justified military force against the tyrannical rule of Elisabeth I. with concern about the “suffering and abuse of a foreign civilian minority” (Trim 2013: 53).


\(^{238}\) On the apparent myth of Grotius as the founding father of international law, see e.g. van Ittersum (2016), Haggenmacher (2012), Lesaffer (2003), Grewe (1984). On the Grotian tradition of international law as a retrospective invention of the 20th century, see e.g. Parry (2013).

\(^{239}\) For a detailed elaboration on natural law, see e.g. Murphy (2006). On the historical development of natural law theory, see e.g. Kainz (2004).
Accordingly, even Samuel Pufendorf (1632-1694), a staunch conservative, claimed that defending the oppressed is “not only a right but in some cases a duty” (Nardin 2002: 16). The formalization of arguments established a legal practice of justification that reflected the distribution of power among different actors on various levels of authority.

The common narrative refers to the Peace of Westphalia after the Thirty Years’ War as the onset of the modern state system based on territorial sovereignty (Simms 2011: 89f). The peace treaties of Münster and Osnabrück regulated the ongoing relations among overlapping political entities both within and outside of the Holy Roman Empire’s judicial system (Krasner 1993: 240-6). The combined body of treaties included an initial step towards the protection of religious minorities, granting both Catholics and Protestants the right to privately practice their religion within the Holy Roman Empire (Trim 2011a: 141). However, the so-called Westphalian concept of sovereignty, including a strict rule of non-intervention, is not referenced in any of the treaty documents (Glanville 2013b: 79f). On the contrary, the Peace of Westphalia “dictated a set of internal practices for much of the Holy Roman Empire” and, guaranteed by France and Sweden, provided “legitimation for challenges to German autonomy”, thereby contradicting the Westphalian model of sovereignty (Krasner 1995: 141). Interventions have been common exceptions from normal political practice both before and after 1648.

The Thirty Years’ War is the most obvious illustration of foreign powers interfering in the affairs of the Holy Roman Empire’s principalities for religious reasons, but examples of

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240 However, neither Grotius, nor any of his precursors thought about intervention as “an intermediate condition between war and peace, […] because their conception of international society was ‘solidarist’—they envisaged a universal community of humankind in which natural law applied to individuals as well as to states” (Ramsbotham 1997: 446 fn. 2).


242 For Pufendorf’s assessment of the meaning of sovereignty in the Constitution of the Holy Roman Empire after 1648, see e.g. Schröder (1999).

243 For an overview of early legal arguments, see e.g. Abiew (1999: 23-44).

244 For the relevance of the 1555 treaty of Augsburg for the Westphalian Peace, see e.g. de Carvalho et al. (2011: 740-2), Straumann (2008).

245 It has been argued that “the Westphalian treaties of 1648 were nothing less than a charter for intervention” (Simms 2011: 92), because “within the Holy Roman Empire, the treaties of Westphalia established new mechanisms to check tyrannical power” – “not only was sovereignty not absolute, but interventions actually were legally mandated” (Trim 2013: 39). For a legal evaluation, see e.g. Fassbender (2012; 1998a).


247 For a comprehensive history of the multiple dimensions of the Thirty Years’ War, see e.g. Münkler (2017).
interventions are found within the Holy Roman Empire throughout the entire 17th century.\textsuperscript{248} Afraid of the Catholic dominance in the Holy Roman Empire’s Imperial Aulic Council (Simms 2011: 93-4), Protestant declarations of interests “in favour of toleration and against persecution had to be made loudly and clearly” (Thompson 2011: 73). However, both Catholic and Protestant sovereigns intervened to dispose of tyrannical rulers of either confession (Trim 2013: 39-40). Historical records of appeals to the Imperial Chamber Court refer to several such instances up until its abolishment in 1806.\textsuperscript{249} The most prominent justification for intervention was to end the local misrule of despotic princes violently mistreating their subjects (Marquardt 2005: 55). Despite rampant confessional partiality, the practice of intervening in neighboring principalities served primarily to prevent the disruptive impact of despotism on the stability of the wider region (Simms 2011: 93-6). The sovereignty of local rulers was bound to a collective responsibility towards both the population and other sovereign princes (Tischer 2011: 43-6). However, interventions were not justified on grounds of individual rights of mistreated subjects; instead, the community of sovereign states reserved themselves the right to intervene on behalf of those subjects. Accordingly, the terminology in use did not refer to such measures as ‘interventions’, let alone as ‘humanitarian interventions’, but the basic idea “of a moral and legal responsibility for saving strangers” is clearly discernable (Boisen 2015: 279 fn. 7, on p. 295).\textsuperscript{250}

Over the course of the 17th and 18th century, the increasing juridification of politics refined and changed the meaning of core concepts such as sovereignty, legitimacy, and even humanity, reflecting the significant social and economic transformations taking place.\textsuperscript{251} The emergence of modern territorial states coincided with the onset of the industrial revolution and with the


\textsuperscript{249} For detailed examples, see e.g. Tischer (2011), Marquardt (2005), Troßbach (1986). For a list of interventions within the Holy Roman Empire between 1500 and 1800, see Marquardt (2005: 85-9). On the end of the Holy Roman Empire, see e.g. Wilson (2006).

\textsuperscript{250} Christian Reus-Smit (2013b: 1059) argues that “[w]hat matters in identifying ideas and practices of intervention is not telltale terminology, but the form of actors’ arguments (in particular, an emphasis on the justified transgression of established lines of differentiation between units of authority) and the nature of their practices”.

\textsuperscript{251} See e.g. Barnett (2011), Clark (2005), Onuf (2004), Finnemore (2003), Bartelson (1995), Wight (1972). See also supra note 215. For an extensive examination of the emergence of the modern (capitalist) world system, see e.g. Wallerstein (2011a [1974]; 2011b [1980]; 2011c [1989]).
beginning of national identity building in Europe (Spruyt 2002: 131-5).\textsuperscript{252} The consolidation of autonomous centralized states superseded hitherto existing overlapping claims of authority (Held 1995: 32-8).\textsuperscript{253} The resulting distinction between domestic and external affairs from then on allowed classifying interventions as legally unwarranted outside interferences (Krasner 1999: 20-40).\textsuperscript{254} Prominent proponents are Christian Wolff (1679-1754)\textsuperscript{255} and Emer de Vattel (1714-1767),\textsuperscript{256} both advancing the idea of non-intervention between states (Krasner 2001c: 17).\textsuperscript{257} Edmund Burke (1729-1797),\textsuperscript{258} on the other hand, argued for a duty to intervene in case of threats to international order and stability, based on the obligation “to preserve and maintain the moral basis of the Commonwealth of Europe for the sake of a shared European humanity” (Boisen 2015: 293). The expanding body of international law proceeded to specify the framework of proper political conduct in terms of a continuing discussion of evolving legal rules.\textsuperscript{259} These rules, however, only applied to the ‘civilized’ nation-states of Europe.\textsuperscript{260}

At the end of the 18\textsuperscript{th} century “most observers of international law held the opinion that international society as a whole recognized the existence of some minimum standards of humanity” (Knudsen 2009: 7). This so-called ‘standard of civilization’\textsuperscript{261} implied that the emerging humanitarian sentiment relating to the suffering of fellow humans did not apply to

\textsuperscript{252} The process of state formation in Europe has spawned an enormous amount of literature revolving around the importance of war and “changes in the military environment; economic perspectives that highlight the growth of trade and production; and institutionalist views that accentuate the particular features of territorial sovereignty” (Spruyt 2002: 129). See e.g. Bonney (1999), Ertman (1997), Spruyt (1994), Downing (1993), Tilly (1990; 1975), Poggi (1978), Anderson (1974), North/Thomas (1973), Strayer (1970). For a critical overview, see e.g. Kaspersen/Strandsbjerg (2017).

\textsuperscript{253} See e.g. Keene (2013), who specifically argues that the modern practice of intervention follows from the transformation from hierarchical relationships between political authorities into international anarchy between sovereign states.

\textsuperscript{254} See also Agnew (2005), Lake (2003), Weber (1992).

\textsuperscript{255} See e.g. Wolff (2017 [1749]), See also Kleinlein (2017), Pitts (2013: 142-45), Haakonssen (2012), Grunert (2011; 2005).


\textsuperscript{257} See e.g. Simms (2011a: 90-1), Knudsen (2009: 4-8), Nardin (2002: 58-64).


\textsuperscript{259} For a comprehensive and critical reflection on the role of international law in the 19\textsuperscript{th} century, see e.g. Anghie (2006; 2005), Koskenniemi (2001: 11-210), Yasuaki (2000). For a detailed account of the development of the early history of international legal thought, see e.g. Kadelbach et al. (2017).

\textsuperscript{260} On the role of Vitoria, Grotius, Pufendorf, Wolff and Vattel in the justification of colonialism, see e.g. Cavallar (2008). On the colonial origin of international law in general, see e.g. Kleinschmidt (2016), Anghie (2006; 2005; 1999; 1996), Bowden (2005), Yasuaki (2000).

everyone in the same way (Koskenniemi 2001: 127-135). The arguments advanced to establish the idea of non-intervention among European states simultaneously justified colonialism and military interventions abroad (Heraclides/Dialla 2015: 31f). The Western powers adopted “one kind of relationship, equality and mutual interdependence, as the norm in their dealings with each other, and another, imperial paramountcy, as normal in their relations with non-Europeans” (Keene 2002: 6). Mistreatment of Europeans or local Christian populations by a non-European entity were perceived as an affront against humanity, whereas the massacres of uncivilized heathens at the hands of European powers did not register as comparable atrocity (Koskenniemi 2001: 136-42). In other words, “[m]assacring Christians was a humanitarian disaster; massacring [e.g.] Muslims was not” (Finnemore 2003: 59).

Regardless of the blatant hypocrisy, the early 19th century also marks the beginning of a growing humanitarian sentiment. European conquest and exploitation gave rise to questions about the purpose and legitimacy of colonial rule, leaving the European powers pondering about their relationship with local populations and their treatment (Barnett 2011: 61). “The greater inclusivity of the category of ‘humanity’ that had begun to emerge by the 1800s” can be understood as both a consequence of and a reaction to European encounters with other peoples insofar as that the newly expressed “concern for distant strangers and the expansion of western empires” are two sides of the same coin (Skinner/Lester 2012: 732). The British efforts to shut down the international slave trade throughout the 19th century “combined the use of military and legal means” to create and enforce what could be called “an international humanitarian norm” (Klose 2016b: 93). The anti-slave trade campaign serves as a first concrete example of “a large number of [European] people” being outraged “over someone else’s rights. And most startling of all, the rights of people of another color, on another

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262 The criteria to differentiate between ‘barbarian’ outsiders and ‘civilized’ nations were closely linked to the central themes of modernity, in particular the evolving notions of industrial, social, political, and economic progress, and, therefore, rather vague, themselves constantly evolving and thus shunning clear thresholds (Buzan 2014b: 580). See e.g. Hobson (2012a), Suzuki (2009), Anghie (2005), Keene (2002), Gong (1984).

263 See e.g. van der Linden (2017), who examines the legal practice of conducting treaties between European states and African polities aimed at granting territorial or property rights to the Europeans.

264 On the term ‘massacres’ in the 19th century, see e.g. Rodogno (2012: 31-4). For more historical examples, even before 19th century, see e.g. Dwyer/Ryan (2012).


continent” (Hochschild 2005: 5 [emphasis in original]).\(^{267}\) It was around that time, too, “that ‘intervention’, ‘intervene’ and associated terms began to be used, at first occasionally, then regularly, to refer to coercive interference by a state in the affairs of another state carried out, at least nominally, for ethical purposes” (Trim 2013: 24).\(^{268}\) Despite the general acceptance of an implicit rule of non-intervention as a principle of foreign policy,\(^{269}\) the Vienna settlement after the Napoleonic wars asserted the right of the Great Powers “to intervene in the domestic affairs on behalf of a government facing a rebellion, or in the case of the collapse of a government’s authority” (Trim 2011a: 384). The ‘Holy Alliance’, a coalition between Austria, Prussia, and Russia, regularly intervened in particular to suppress revolutions and maintain the existing monarchical order (Bew 2011: 120-3). However, even these conservative interventions aimed at preventing misgovernment and at enforcing what the Continental powers deemed legitimate rule.\(^{270}\)

The first interventions expressly ‘on grounds of humanity’\(^{271}\) in the 19th century were undertaken by European states within the jurisdiction of the ‘uncivilized’ Ottoman Empire.\(^{272}\) These interventions served primarily as a means to uphold the balance of power between the European Great Powers,\(^{273}\) but they were aimed explicitly at alleviating the plight of suffering Christians (Rodogno 2012: 11-2). Over the course of the 19th century, ‘humanity’ transformed from something “one could create by bringing civilization to savages” to an inherent property of all human beings (Finnemore 2003: 71).\(^{274}\) The actual practice, the threat or use of force to address the suffering of a foreign population or a particular group thereof, remains essentially the same. What has changed dramatically is its justification. Confessional solidarity gave way to a more general conception of solidarity, extending beyond fellow Christians, which legitimized the use of coercive force to protect strangers (Trim 2011a: 387-8).\(^{275}\)

\(^{267}\) For the earlier debates in France about ending slavery during the revolutionary 1790s, see e.g. Hunt (2007: 160-7; 1996: 24-6), Sepinwall (2005).

\(^{268}\) See also supra note 627.

\(^{269}\) On the practice of non-intervention in the 19th century from a British perspective, see e.g. Vincent (1974: 70-102). On the general practice of intervention in the early 19th century, see e.g. Onuf (2004).

\(^{270}\) See e.g. Lawson/Tardelli (2013: 1237-8), Simms (2011).

\(^{271}\) For this and other similar expressions in use at the time, see e.g. Stowell (1921: 51f), Rougier (1910: 472), Hall (1880: 304), Wheaton (1866 [1836]: 113).

\(^{272}\) See Chapter 7.4.3 for the case summaries.


\(^{274}\) On the development of the concept and practices of ‘humanity’, see e.g. Klose/Thulin (2016).

\(^{275}\) See e.g. Green (2014b; 2011) on the changing attitude of the Great Powers towards the ‘Jewish Question’.
obviously Eurocentric conception of what was considered oppressive misgovernment and who was entitled to both judge and intervene, appeals to some standard of “civilized behaviour, despite dramatic changes in their substance, have been a constant feature of […] international relations” over the centuries (Donnelly 1998: 12).276

The two consecutive world wars undermined Europe’s dominant position, but the European model of sovereign nation-states prevailed as the global standard (Zhang 2014: 682). In the interwar period, the League of Nations imposed procedural restrictions on armed interventions but most famously failed as an instrument to prevent World War II.277 The newly founded United Nations Organization after World War II admitted only fully sovereign states as members.278 At the time the United Nations Organization was founded, “it was not evident to Britain and France that decolonization was necessarily to come at all, let alone at the speed at which it was ultimately to happen” (Pahuja 2011: 44).279 Even though this was not the intention at the time of its inception, the United Nations Organization and the liberal world order it represented, provided the framework under which the heterogeneous struggles for independence could be subsumed.280

Given their experiences, former colonies and other non-European nations readily embraced the concept of sovereignty, especially the principle of non-intervention (Kennedy 1996: 417–8).281 During the Cold War between the USSR and the USA, the tense geostrategic situation significantly restricted interventions for humanitarian motives (Bellamy 2003b: 506).282 Even the few instances of the use of force for humanitarian reasons were justified on the grounds of

276 For an analysis of the role of international law in upholding the ‘standard of civilization’, both explicitly and implicitly, see e.g. Aalberts (2014).

277 On the perception of the League of Nations as both success and failure, see e.g. Pedersen (2015; 2007), Northedge (1986), Bendiner (1975), Scott (1973). On the legal provisions included in the Covenant of the League of Nations imposing restrictions on the use of force, see e.g. Brownlie (1963: 55–65).

278 For the similarities between the two organizations, see e.g. Goodrich (1947: 5), who argues “that the United Nations does not represent a break with the past, but rather the continued application of old ideas and methods with some changes deemed necessary in the light of past experience”.


280 For a comparative overview of the anti-colonial struggles in their heterogeneity, see e.g. Holland (1985). For an exposition of how the liberal international order based on both state sovereignty and human rights provided a normative framework for decolonization and for post-colonial questions, see e.g. Jensen (2016), Burke (2010), Reus-Smit (2001), Wright (2001).


282 On the general increase of military interventions after the Cold War, see Pickering/Kisangani (2009: 595f).
self-defense.\textsuperscript{283} After the dissolution of the Soviet Union, the 1990s saw a series of humanitarian interventions with UN authorization,\textsuperscript{284} as well as renewed interest in the concept of humanitarian intervention.\textsuperscript{285} The NATO intervention in Kosovo in 1998/9 serves as an “important precedent supporting the legitimacy of unilateral humanitarian intervention” without UN authorization (Tesón 2009: 42).\textsuperscript{286} Again, predominantly Western powers intervened in what they deemed unstable or failed states.\textsuperscript{287}

In addition to decolonization, the rise of the idea of human rights as a legal concept in the international sphere was the second major development that shaped the post-World War II order.\textsuperscript{288} Jack Donnelly (1998: 14) points out that “[t]he decades following the Second World War […] saw the development of an extensive body of international human rights law that recaptured, in a substantially purified form, the morally appealing idea of adherence to shared standards of justice as a condition for full membership in international society”. In that sense, human rights replaced the already existing but abstract idea of ‘humanity’, which was prevalent in the nineteenth century.\textsuperscript{289} Additionally, under the current framework, human rights provide the entry-point through which arguments based on justice and morality can be reframed as


arguments based on positive law. The debate about humanitarian intervention is “now firmly grounded in a human rights culture associated with the juridical revolution in international relations, that is, humanitarian norms and developments in the protection of human rights” (Boisen 2015: 279). According to the dominant narrative, the establishment of human rights as part of the liberal world order has reshaped even the conception of state sovereignty and transformed it from an allegedly absolute right of protection against outside interference and intervention into a relative right that is contingent on how the state treats its own citizens (Glanville 2013b: 86).290

The concept of a ‘Responsibility to Protect’ is generally seen as a reflection of this shift from absolute state sovereignty to sovereignty as a forfeitable corollary of a state’s responsibility towards its own citizens.291 A Canadian initiative introduced this concept in 2001 in an effort to provide a framework regulating humanitarian intervention.292 The report aimed at shifting the discussion from a possible right to intervene to a state’s responsibility to protect its citizens and the subsequent responsibility for the international community to step in if a state fails to fulfill its duties (ICCS 2001: viii).293 A version that confirmed the UN Security Council as the only legitimate decision-making organ was endorsed by the UN General Assembly in 2005 (Wheeler 2005: 96f).294 It has been referenced in various UN Security Council resolutions and General Assembly discussions since then (Hehir 2011: 1332f). The practical implications of such an understanding are less than clear, though,295 and do not change the fact that responding to humanitarian emergencies is a decisively political act. Mixed results of such responses and the difficulties to differentiate between victim and perpetrator in complex crisis situations, let alone finding an agreement on such issues, continue to obstruct attaining Security Council authorization (Murphy 2013: 25). Insofar as “the overriding concern that states would use the pretext of humanitarian intervention to wage wars for ulterior motives” remains unaffected

292 See ICCS (2001a; 2001b). For comments on the ICCS report, see e.g. Evans/Sahnoun (2002), Welsh et al. (2002). For a comprehensive discussion, see e.g. Bellamy/Dunne (2016).
294 On the endorsement process and its implications, see e.g. Murthy/Kurz (2016), Bellamy (2006b).
(Goodman 2006: 107), the R2P does not solve the continuous tension between concerns for justice and the stability of the global order. Therefore, it is hardly surprising that engaging in humanitarian emergencies has been a rather selective activity.

The main challenge in trying to derive patterns from this historical sketch of humanitarian intervention consists in avoiding overemphasizing either continuity or discontinuity between early modern instances of the phenomenon and its present-day counterpart. Early interventions are clearly different from humanitarian interventions in modern times. Some of the most striking changes pertain to the questions of who deserves protection and how misgovernment is expressed (Trim 2011a: 386). Additionally, the definition of states has changed significantly over time. “Yet interventionary ideas and practices were as much a feature of these earlier orders as they are of the contemporary international order” (Reus-Smit 2013b: 1063). As a social practice, “intervention is not limited to an international order constituted by sovereignty, but is premised on a broader conception of individual rights and mutual recognition” (Lawson/Tardelli 2013: 1235). The phenomenon of humanitarian intervention is also not confined to instances in which states have explicitly employed the terminology of ‘intervention’. Rather than identifying ideas and practices of intervention in reference to the use of terminology, intervention has to be understood as “a practice that characterised international orders well before the nineteenth century” (Reus-Smit 2013b: 1059).

In that respect, there are good reasons to derive a relatively clear line of development, which links the early practice with contemporary state conduct (Trim 2011a: 386-387). Far from assuming teleological necessity, this short summary points out the evolution of an idea and a practice that obtain in the contemporary world. Put in abstract terms, the same “normative


298 Throughout the 19th, the 20th, and the early 21st century, some humanitarian emergencies have triggered strong responses, while others have hardly been noticed. See Chapter 3.2 and Chapter 7.4.3.

299 See e.g. Reus-Smit (2013b: 1059), who argues that “interventionary ideas and practices can exist with or without the signature terminology”, concluding that “[w]hat matters in identifying ideas and practices of intervention is not telltale terminology, but the form of actors’ arguments (in particular, an emphasis on the justified transgression of established lines of differentiation between units of authority) and the nature of their practices”.

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questions about intervention have been the subject of considerable debate for over two centuries” now (Lawson/Tardelli 2013: 1240). While the specific justifications for intervention differ across time, as well as the characterization of the relevant political entities and the immediate ethical standards in place assessing their behavior, a commonality across time consists in the fact that the idea and practice of how to respond to humanitarian emergencies can be framed in terms of the tension between justice and order. 300

Two main consequences may be derived from this for a conceptualization of humanitarian intervention: First, such a conceptualization must avoid creating isomorphic transhistorical categories and instead offer a framework that allows placing individual instances of reactions to humanitarian emergencies in their historical context. Second, a conceptualization of humanitarian intervention must also avoid overemphasizing the historical contingency and particularity of events, given that such an account would necessarily miss commonalities on the abstract level, which are necessary for any form of analysis in the field of Political Science. The difficulty thus lies in aptly differentiating between “[h]istorically defined scope conditions [that] are based on particular spatial and temporal parameters (e.g. a given argument may only apply to 17th century France)” and “abstract scope conditions [that] merely contain general specifications of conditions that could exist in many times and places” (Kiser/Hechter 1998: 797). In an attempt at reconciling these partly contradictory methodological demands, the following chapters aim at providing a conceptualization that allows for the identification of transhistorical patterns without purporting to present an ahistorical truth.

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300 On the use of justice and order as abstract, de-contextualized concepts, see Chapter 7.1.
4.2 Third-Party Interference

The first step in deriving a conception of humanitarian intervention that allows to categorize the international community’s responses to humanitarian emergencies consists in confining the phenomenon under examination. Generally speaking, the notion of humanitarian intervention refers to the phenomenon of interference of one agent in the affairs of another against the will of that second agent as a response to a humanitarian emergency. At first glance, ‘humanitarian’ and ‘intervention’ are two inherently conflicting terms. Whereas humanitarianism derives from a positive kindness and sympathy for human beings, intervention implies coercion and the use of force. Following Hans Morgenthau (1967: 424), interventions are an established foreign policy tool to wield influence beyond one’s own state borders. John Vincent (1974: 13) describes interventions as an “activity undertaken by a state, a group within the state, a group of states or an international organization which interferes coercively in the domestic affairs of another state. It is a discrete event having a beginning and an end, and it is aimed at the authority structure of the target state.” In contrast to a full-blown war between states interventions are not aimed at territorial gain or at the complete deconstruction of internal power structures (Parekh 1997: 53), but at a change of policy and behavior according to the intervening actor’s point of view (Finnemore 2003: 9). An intervention, therefore, brings forth “modifications of the behaviour of persons or groups in the target nation that would not have occurred if the intervening nation had not engaged in interventionary activities” (Rosenau 1969: 159). Even though the temporal limitation differentiates interventions from annexation or colonialization, the use of military force nevertheless falls into the broader category of warfare.

If such measures are undertaken for humanitarian reasons, they are described as “an act of intervention in the internal affairs of another country with a view to ending the physical suffering caused by the disintegrations or gross misuse of authority of the state, and helping create conditions in which a viable structure of civil authority can emerge” (Parekh 1997: 55). Moreover, “[h]umanitarian intervention is a short-term activity with limited political objectives

301 That are primarily states, being the dominant form of bounded political entities over the last centuries, groups of states, or international organizations comprised of states. Even though non-state actors are conceivable, too, no empirical cases have become manifest yet. On the potential diversity of units, see e.g. Buzan/Little (2002: 211-4).

302 The target does not have to be a fully functional state, but needs to have some sort of authority over a specific people or populated territory.

303 On what constitutes a humanitarian emergency, see Chapter 4.3.

304 See e.g. Parekh (1997: 54), Rosenau (1968: 165f).
[...] intended only to stop the worst suffering” (Seybolt 2007: 6). Others have framed the term as “coercive action taken by states, at their initiative, and involving the use of armed force, for the purpose of preventing or putting a halt to serious and wide-scale violations of fundamental human rights, in particular the right to life, inside the territory of another state” (Verwey 1998: 180). Again, special focus is put on the intention of “preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied” (Holzgrefe 2003: 18). Therefore, humanitarian intervention refers to the “use of force for the purpose of protecting the inhabitants of another state from treatment so arbitrary and persistently abusive as to exceed the limits within which the sovereign is presumed to act with reasons and justice” (Stowell 1921: 349).

Additional definitions refer to humanitarian intervention as “the threat or use armed force by a state, a belligerent community, or an international organization, with the object of protecting human rights” (Brownlie 1974: 217), as a “coercive action by one or more states involving the use of armed force in another state without the consent of its authorities, and with the purpose of preventing widespread suffering or death among the inhabitants (Roberts 2000: 5), or as an “action taken against a state or its leaders, without its or their consent, for purposes which are claimed to be humanitarian or protective […] including all forms of preventive measures, and coercive intervention measures – sanctions and criminal prosecutions – falling short of military intervention” (ICISS 2001a: 8). Such definitions concentrate on the potential intervening actor, the lack of consent, or the possible measures available to address human rights abuses. Further definitions require “the ‘international community’ [...] to intervene in the domestic affairs of one of its members for humanitarian reasons, which can provisionally be defined as ‘primarily in the interests of the local inhabitants’” (Brown 2002: 135 [emphasis in original]).

Emphasizing the role of the local population, humanitarian intervention can be understood as “the proportionate transboundary help, provided by governments to individuals in another state who are being denied basic human rights and who themselves would be rationally willing to revolt against their oppressors” (Tesón 2005b: 1). Accordingly, humanitarian interventions are described as “[m]ilitary action taken by a state, a group of states or non-state actor, in the
territory of another state, without that state’s consent, which is justified, to some extent, by a humanitarian concern for the citizens of the host state” (Hehir 2010a: 20).

Based on the above discussion, we can say that the pivotal characteristics of a humanitarian intervention are the presupposition of a severe humanitarian crisis, the temporal limitation, the general intention of an external agent to alleviate the suffering, and the participation of local authorities or their unwillingness to respond. This last characteristic would render any humanitarian intervention a coercive measure.

In the literature the term ‘humanitarian intervention’ is commonly used for referring to military intervention, emphasizing the full use of armed force, as well as an umbrella term for all forms of interference in humanitarian emergencies including peacekeeping missions, requests of assistance as well as the delivery of aid, sometimes excluding sanctions and diplomatic efforts, sometimes not. Since the term is already used widely both in academic literature and in public discourse, this thesis does not depart with the term either. However, in order to use the term, further categorization is inevitable and necessary for analytical clarity.

Classifying the previously mentioned elements into necessary and optional attributes points towards three conditions standing out as the most primary and concept-defining dimensions: the occurrence of a humanitarian crisis, the involvement of an external agent and the presence of a humanitarian intention of that agent. The term ‘intervention’ necessarily includes the temporal limitation, differentiating the intervention from other forms of interferences. The term ‘third party interference’ is introduced to serve as a label that encompasses all conduct of an external agent acting beyond its own jurisdiction. This does not necessitate territoriality but


306 As mentioned above, this is a defining aspect of an intervention, allowing for distinguishing it from annexation, colonization or full occupations. See e.g. Edelstein (2004: 52f).

307 The de facto local authority opposing interference can be a government, rebels, militias, warlords or even criminal gangs - “in particular those who are responsible for the humanitarian crisis” (Pattison 2010: 26).

308 On the role of coercion, see e.g. Nardin (2004: 250, 258f), Welsh (2003b: 56).


310 See e.g. Pattison (2010: 24), Seybolt (2007: 38), Vincent (1986: 104). For a comprehensive collection of the term’s alternating definitions, see e.g. Rinke et al. (2014).

311 This refers all types of political entities that can be distinguished as separate from the target entity and is not under the authority of the target’s jurisdiction. The most obvious examples are states, coalition of states, or international organizations. Statehood is not necessarily a precondition for a political entity to possess agency.

312 See supra note 306.
could be based on functionality as well (Reus-Smit 2013b: 1058). However, ‘third party interference’ assumes a transformative transgression into the affairs of a separate political entity.\textsuperscript{313} Naturally, the absence of an external agent has to be classified as non-interference.

Humanitarian intentions,\textsuperscript{314} which need to be distinguished from humanitarian motives,\textsuperscript{315} are pivotal to differentiate humanitarian intervention from third party interference for goals other than alleviating human suffering (Nardin 2006b: 10). While the intention is the expressed purpose of an action, the motives as the underlying cause of that action remain hidden. The motives for a particular action are not easily accessible, if not impossible to obtain. Such an endeavor would require extensive probing and personal interviews with the decision-makers involved in a particular decision – without any guarantee of uncovering the true motives. They are part of the most inner thoughts and private considerations of individuals, oftentimes not even consciously accessible to the individual actors themselves. The intention of an action, on the other hand, can be deduced from the action taken. Thereby, the stated goals can be compared to the observable actions taken and evaluated according to their potential effects.\textsuperscript{316} That does not imply that humanitarian interventions necessarily lack material or self-interested motives, but that addressing the crisis must be an essential part of such an endeavor. This, however, is crucial here, because there cannot be a humanitarian intervention without a humanitarian emergency – either unfolding or imminent – without reducing the term to absurdity.

\textsuperscript{313} Due to the territorial organization of the modern state system, third party interferences are usually territorial. However, this is an empirical fact, not a necessary element of the concept. See e.g. Reus-Smit (2013b), who advances an argument for rejecting territory as a conceptual element of intervention. On the, nevertheless, state-centric structure of the modern world system, see e.g. Schuett (2015), Hobson (2000), Wallerstein (1996).

\textsuperscript{314} An agent’s intention counts as humanitarian, if the anticipated goal includes the betterment of suffering people by implementing basic human rights. See e.g. Pattison (2010: 161-9).

\textsuperscript{315} The intention to interfere in a humanitarian emergency might stem from purely selfish motives as well as from genuine humanitarian motives. See e.g. Pattison (2010: 156-61).

\textsuperscript{316} On the importance of differentiating between intention and motives, see e.g. Pattison (2010: 154-6), Tesón (2005a: 5-8), Bellamy (2004b). For a detailed examination of intention and how to separate motive and intention, see e.g. Lawrence (1972), Wilkins (1971), Jenkins (1965), Anscombe (1957). For a practical example of differentiating between motive and intention in criminal law, see e.g. Kaufmann (2003).
4.3 Humanitarian Crisis

Humanitarian emergencies are commonly defined as specific events that are characterized by large-scale human suffering and violations of what we classify today as basic human rights and pose substantial threats to the health and safety of specific individuals, communities, or peoples (Natsios 1997: 6-14). Moreover, humanitarian emergencies are “sudden, unpredictable event[s] emerging against a backdrop of ostensible normalcy, causing suffering or danger and demanding urgent response” (Calhoun 2010: 30). A humanitarian emergency is “a profound social crisis in which large numbers of people unequally die and suffer from war, displacement, hunger, and disease owing to human-made and natural disasters” (Väyrynen 2000: 49). The majority of such emergencies are the result of armed conflict, civil wars, and ethnic disputes or violent consolidations of power after governmental changes, affecting large populations oftentimes at the brink of extinction (Keen 2008: 1-11).

Unfortunately, there are no objective thresholds for evaluating when a situation becomes a humanitarian emergency. Thus, Nicholas Wheeler (2000b: 34) argues that such an emergency exists “when the only hope of saving lives depends on outsiders coming to the rescue”. Although this suggestion essentially begs the question of how to determine which events or acts qualify as humanitarian emergencies, it emphasizes the importance of perception. Both concepts, ‘humanitarian’ and ‘emergency’, are social and cultural constructs reflecting a specific understanding of the world (Calhoun 2010: 29). The appropriate response and the preceding crisis’ classification as a humanitarian emergency are essentially the results of a

317 Although the literature explicitly mentions the violation of human rights as a legal concept, this expression needs to be understood as a contemporary label that refers to the general idea of grave mistreatments causing severe suffering for the affected population. Therefore, I refer more generally to severe human suffering instead. However, given that I restrict the period of observation to the time between 1815 and 2015, the usage of ‘human rights’ and their violation would be warranted due to the established fact that the basic idea of human rights already existed at that time. Accordingly, the French revolution resulted, among other things, in the Déclaration des droits de l’homme et du citoyen de 1789, which was based on the US Declaration of Independence (1776), which in turn proclaimed “these truths to be self-evident, that all men are created equal and endowed by their creator with certain unalienable rights including life, liberty, and the pursuit of happiness”. More expressions of the same idea can be found in the English Bill of Rights of 1689 or the Magna Carta of 1215. Even earlier examples of rights for individuals can be found in ancient Egypt or ancient Babylonia or, inscribed on the so called Cyrus Cylinder in 539 BCE, in ancient Persia. See e.g. Lehners (2014: 25-7), Lauren (2003: 1-36). For the corresponding case selection, see Chapter 7.2. On the transhistorical adaption of concepts, see Chapter 7.1.

318 For an overview of the causes of humanitarian emergencies, see e.g. Stewart (2000). For a detailed examination of specific causes, see e.g. Keen (2008). For the role of political causes in particular, see e.g. Holsti (2000), Nafziger et al. (2000), Auvinen/Nafziger (1999; 1997).

319 Emergency is used as the preferable synonym for both crisis and disaster, because it emphasizes the temporal dimension of such events.
The discursive process of “catastrophization” (Ophir 2010: 60f). The fact of an actual crisis – leaving aside the difficulties of definition for the moment – taking place is less important than its constitution as an object of discourse that revolves around the distinction between “scarcity, malnutrition, famine and starvation, the assessment of deteriorating living conditions, [and] the definition of events as ‘humanitarian emergencies,’ ‘catastrophes,’ or ‘natural disasters’” (Ophir 2010: 63). The discursive quality itself is “the condition for the possibility of its observable appearance and conceptual configuration” that allows invoking “an imaginary threshold that separates a state of disaster […] from the protracted disastrous conditions” (Ophir 2010: 63-4). The perception of specific events as humanitarian emergencies is the result of a discursive process that determines the relevance of accounting for some ‘facts’ or ‘indicators’ but not for others. Thus, the label of ‘humanitarian emergency’ can only be applied, if an event has been identified as such.

An integral property of humanitarian emergencies, as understood for this thesis, is their political dimension: they are not natural occurrences but politically or socially induced (Albala-Bertrand 2000c). Therefore, natural disasters such as earthquakes or famines are deliberately excluded from the scope of this thesis – despite the large scale and severity of human suffering involved in them. Natural disasters lack the agency component of deliberate human action. However, deliberate neglect of authorities to address the consequences of a natural disaster amounts to a politically induced crisis. Both natural disasters and humanitarian crises can have severe consequences and are collectively referred to as ‘complex humanitarian emergencies’ (Väyrynen 2000: 43). However, only atrocities committed by local authorities or their active toleration are considered as policy-induced crises and, therefore, relevant to this thesis.

Not all policy-induced crises instantly qualify as humanitarian emergencies. In order to highlight the extreme and exceptional nature of such events, Michael Walzer (1977: 252-55) deemed it necessary to refer to such crises as ‘supreme emergencies’. A supreme emergency, he argues, has two necessary components: the first is the immediacy of the danger and the

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320 The notion of ‘catastrophication’ is understood analogously to the conception of ‘securitization’ as advanced by the so-called ‘Copenhagen School’. The core idea is that occurrences are not disasters on their own merit; they are only understood as such due to a (preceding) process of discursively determining which acts or events, and to which degree, are of relevance for the concept to apply. On ‘securitization’, see e.g. Buzan/Wæver (2003; 1997), Buzan et al. (1998), Wæver (1996; 1993), Wæver et al. (1993). For an overview, see e.g. Buzan/Hansen (2009: 212-221), McDonald (2008), Hysmans (1998).

321 For details on the difference between policy-induced emergencies and natural disasters, see e.g. Ophir (2010: 60), Albala-Bertrand (2000a; 2000b).

second is its nature. The danger has to be very close and the crisis “must be of an unusual and horrifying kind” (Walzer 1977: 253). Thus, the defining criteria for identifying humanitarian emergencies are, in addition to originating from human agency, a substantial number of affected people, the intensity or severity of human suffering within a short timeframe, as well as the crisis’ exceptional nature.

To qualify as a (supreme) humanitarian emergency, a crisis needs to attain a considerable (but unspecified) degree of seriousness and magnitude, and be an immediate consequence of a specific event or action (Heinze 2009: 44f). If only individuals or small parts of a population are affected, the suffering, however severe, is not to be classified as a humanitarian emergency because of its small scale. The same holds true for widespread and systematic violations of what we perceive to be human rights today, even if they come short of endangering life and limb. It is important to distinguish between “what we might call the ordinary routine of abuse of human rights that tragically occurs on a daily basis and those extraordinary acts of killing and brutality” that constitute a humanitarian emergency (Wheeler 2000b: 34). Consequently, the suffering must result from a sudden change of policy. The state of emergency strongly deviates from the normal state of affairs in that particular area. Thus, the sudden occurrence or escalation of a crisis is an essential element of high intensity.

Of course, even immediate emergencies rarely occur out of thin air; “there are usually early warnings, and at least some observers see enough long-term patterns to make emergencies predictable” (Calhoun 2010: 32). However, Craig Calhoun (2010: 32) notes that humanitarian emergencies “typically become visible through refugees or the internally displaced, whose movements, perhaps accompanied by bodies besides the road, signal some upset of normal existence”. Despite known tensions or long-existing enmity between political factions, ethnic groups, or religious denominations, as well as fragile socio-economic conditions or political oppression, only the sudden eruption of violence amounts to a discernable crisis. “This sense of suddenness and unpredictability is reinforced by the media” that usually consigns only marginally “worsening conditions […] to the back pages of newspapers and specialist magazines”, if they make the news at all; thus, if sudden spikes of violence and vast numbers of refugees hit the headlines, “they seem to have come almost from nowhere” (Calhoun 2010:

323 Calhoun (2010: 30) refers to emergencies as being “sudden, unpredictable, brief, or at least very urgent, and exceptions to some sort of normal order”.

324 For details on the reasons for omitting the term “Crime against Humanity”, see e.g. Vernon (2002: 231f). See also Luban (2004).
Examples include ethnic cleansing, systematic rape, torture, mass exterminations, massacres, genocide, and, in the context of a civil war, the deliberate, large-scale targeting of civilians.

For this thesis, the term humanitarian emergency only applies to crises that meet all three conditions discussed above. A humanitarian emergency is the result of human agency (1), it involves a large scale of suffering (2), and the suffering is of high intensity (3). Figure 2 illustrates the interplay of these three conditions. Accordingly, humanitarian emergencies are understood as just one specific type of complex humanitarian emergencies.

*Figure 2: Types of Complex Humanitarian Crises*

Since there are no agreed upon minimal requirements for any of the identified criteria, it is the international community that defines each crisis on a case-by-case basis. Presumed objective, hard criteria, as for example the number of deaths or refugees, are a first step but of limited
use.\textsuperscript{325} The estimates of quantifiable indicators vary quite considerably, not only due to different methods of data collection but also due to the difficult situation on the ground. (Stewart 2000: 5-6). Often enough, the available data is based on shaky projections or guesswork. Moreover, “[t]o operationalize means to determine what one should monitor, count, and take into account in order to frame the question of the threshold”,\textsuperscript{326} but the threshold is always ambiguous “because it is never certain whether identifying, determining, or declaring the threshold is a matter of recognizing a fact” or setting a moral standard – “even the choice of a unit of measurement (a state or a region) for determining some possible standard is questionable” in that regard (Ophir 2010: 72). Therefore, it is indeed problematic to resort to allegedly objective criteria and random thresholds as for example the number of casualties or of refugees to ascertain if cases qualify as a humanitarian emergency or not (Krüger et al. 2013: 247f).\textsuperscript{327}

Accordingly, the available numbers can only serve as a proxy or one factor among others. Only close scrutiny of each potential case and interpretative examination of both scale and intensity over a coherent and relatively short period of time allows for approximate categorization.\textsuperscript{328} Eventually, an informed decision has to be made for each instance of large-scale and high-intensity human suffering. Retrospective surveys and historical research provide the necessary body of literature allowing for identification of serious complex humanitarian emergencies that are considered policy-induced humanitarian crises. Only those are treated as potential grounds for humanitarian intervention.

\textsuperscript{325} For a detailed attempt at operationalizing different aspects of complex humanitarian emergencies based on the number of deaths, the number of refugees, the number of underweight children, and by child mortality, see e.g. Väyrynen (2000: 60-72).

\textsuperscript{326} One example is that cases of systematic rape or torture, while uncontrovertially falling within the range of humanitarian emergencies, would not be accounted for due to the difficulty of obtaining the necessary data.

\textsuperscript{327} On the challenges of estimating civilian casualties, the potential biases at play, and available strategies to enhance data reliability, see e.g. the contributions in Seybolt et al. (2013). For an example of a predictive model to estimate civilian deaths, see e.g. Checchi (2010). On the matter of interpretation of mortality data in humanitarian emergencies, see e.g. Mills et al (2008), Woodruff (2006).

\textsuperscript{328} See e.g. Wheeler (2000b: 33f) for a similar conclusion.
4.4 Humanitarian Intervention

Summarizing the previous sections, I define humanitarian intervention as containing three necessary elements: First, it presupposes a humanitarian emergency. Second, it describes the response to said humanitarian emergency of a third party who is not the actor under whose authority the emergency is taking place. Third, the external response must include humanitarian intentions towards the affected population in the target area and address the actual situation on-site. Mapping the possible types of political interference in Figure 3 reveals the necessity of all three properties (humanitarian crisis; external actor; humanitarian intention) to be positive in order to constitute a humanitarian intervention.

Figure 3: Types of Political Interference

Humanitarian interventions are responses to humanitarian emergencies. Humanitarian emergencies are man-made disasters. They are committed or willingly tolerated by the local authorities and result in large-scale human suffering and in substantial threats to life and limb of specific peoples or communities (Fassin/Pandolfi 2010). The majority of such emergencies are the result of armed conflict, civil wars, and ethnic disputes or violent consolidations of
power after changes government. Examples include ethnic cleansing, systematic rape, torture, mass exterminations, massacres, all of which can amount to genocide. Natural disasters such as earthquakes or famines lack the agency component of deliberate human action. However, deliberate neglect of authorities to address the consequences of a natural disaster amounts to a politically induced crisis. The defining criteria for identifying humanitarian emergencies are, in addition to originating from human agency, a substantial number of affected people and a high intensity or severity of human suffering within a short period of time (Heinze 2009). If only individuals or small parts of a population are affected, the suffering, however severe, is not to be classified as a humanitarian emergency because of its small scale. The same holds true for widespread and systematic violations of what we currently refer to as basic human rights that come short of endangering life and limb. However, there are no generally accepted criteria as to where to draw the line. Proclaiming a case of human suffering a humanitarian emergency is therefore already a political act and a starting point for heated discussions.

Additionally, a humanitarian intervention requires the interference of an actor other than the one under whose jurisdiction the emergency is taking place. The main actors are usually states or groups of states acting through international organizations. They interfere in the internal affairs of other sovereign entities against their will (Vincent 1974: 8-12). Therefore, any measure taken is necessarily a coercive interference. In order to distinguish interventions from cases of annexation, colonization or occupations, the third-party interference must be temporally limited (Seybolt 2007: 38-45). Some form of interference takes place as soon as the domestic affairs of an autonomous political entity (such as a foreign state) are deliberately targeted. This includes changes to specific tariffs, monetary sponsoring, sanctions, or the delivery of aid, as well as the deployment of military personnel. In order to speak of an intervention, the chosen measures have to take effect in the target area. The external response must be aimed at a change of the target’s behavior. This can be done directly or by pushing the responsible authorities to comply. Accordingly, an intervention needs to be aimed at the de facto authorities disrupting or altering their current policies (Rosenau 1968: 167-170).

Finally, humanitarian interventions encompass corresponding intentions. Humanitarian intentions differentiate humanitarian intervention from third-party interference for goals other than addressing severe human rights violations. A genuine humanitarian intervention needs to be justifiable on humanitarian grounds and display clearly identifiable humanitarian goals. This

329 For a feminist critique of justifying causes for humanitarian intervention, see e.g. Cudd (2013).
does not exclude material or self-interested motives, but the intervener’s intention to address the humanitarian emergency has to be established (Pattison 2010). An agent’s intentions are humanitarian if the anticipated goal includes alleviating the people’s suffering. “Motives”, argues Michael Ignatieff (2003a: 23), “are not discredited just because they are shown to be mixed”. As long as humanitarian goals are a primary concern and the measures taken are aimed at improving or preventing an unfolding humanitarian emergency, the intentions are to be classified as humanitarian ones (Holzgrefe 2003: 18). Yet, the empirical appraisal of humanitarian intentions is a highly politicized matter. It opens up a debate on both what humanitarianism refers to and whose interests are at stake.

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330 For similar arguments, see e.g. Weiss (2007: 7), who reasons that “motives behind humanitarian interventions are almost invariably mixed […] but not all political motivations are evil”; or Wheeler (2000b: 133), who concludes that “the existence of non-humanitarian motives undermines the humanitarian credentials of […] an action only if these undermine a positive humanitarian outcome”.

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4.5 Coercive Humanitarian Intervention

Such a minimalistic conception of humanitarian intervention has the advantage that its fundamental simplicity includes the overwhelming majority of different definitions utilized in existing research.\(^{331}\) However, humanitarian intervention understood in such a broad manner still leaves plenty of room for misinterpretation or concept stretching and is of little use for the current research project. Since this thesis’ interest is in coercive interference of third parties in humanitarian emergencies only, defining humanitarian intervention is not sufficient. The moral dilemma that the issue of humanitarian intervention poses, exists only when the third party’s response occurs against the will of the target authority. Therefore, the next step is to further break down the still broad conception of humanitarian intervention and arrive at a more precise sub-classification. Adding optional attributes as secondary categories allow distinguishing between different types of humanitarian interventions.

All humanitarian interventions necessarily share the previously mentioned attributes, but they still differ along various dimensions. The most significant ones are the mode of legitimization, the use of military force, and the degree of coerciveness. The intervening third party might act unilaterally or in accordance with other actors, either with or without the approval of an international body such as the UN. It might resort to military force or to diplomatic pressure, either in accordance with or against the local authorities.\(^{332}\) It seems noteworthy to point out that “[s]ending troops into a physical territory is not what makes an intervention an intervention: it is that the deployment was against the will of an existing political and legal authority” (Reus-Smit 2013b: 1060). All actions taken against the explicit will of the target area’s authorities are coercive measures. Additional distinguishing features result from the specific conditions on the ground and the intervention’s scope in each case. Different configurations of those factors constitute different types of humanitarian interventions.

The most discussed instances of humanitarian intervention are coercive interventions, especially if military force is applied. This type of engagement is the most controversial, but also the most prominent form of humanitarian intervention. The use of force for humanitarian reasons is already problematic in its own right, but the lack of consent of the target’s authorities

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\(^{331}\) See Chapter 4.2. For an overview of definitions in use, see e.g. Rinke et al. (2014).

\(^{332}\) See e.g. Stowell (1921: 317), who remarks that “[s]ince interference may result from menace as well as from the employment of actual force, it is important to distinguish between counsel offered in a friendly spirit, and similar ‘advice’ which carries with it a threat of execution by force”.
greatly adds to the controversy (Welsh 2003b: 56). The common equation of humanitarian intervention with the coercive application of military force for humanitarian reasons emphasizes the prominent role coercive force plays in the discussion. It is the coercive use of force that poses the most substantial legal and ethical challenges. Thus, the majority of studies and ensuing debates focus solely on the coercive use of military force as humanitarian intervention, separating it from consent-based interventions.

However, when an external agent responds to a humanitarian emergency with the intention to halt or dampen human suffering, that agent could resort to military force or to diplomatic means. This agent acts either on its own accord or after a conjoint decision and in both cases either in accordance or against the will of the target area’s authorities. Accordingly, external agents willing to interfere decide between different types of possible responses. Their choices include the use of military means, the degree of coercive force, and the mode of legitimization. These three dimensions apply to all previously identified types of political interference. With regard to the research question at hand, this thesis will focus on coercive responses of external agents to humanitarian emergencies.

Accordingly, this thesis differentiates between responses to humanitarian emergencies resorting to the deployment of the military – either coercively against the authorities in the target area or in accordance with those authorities following an invitation, responses to humanitarian emergencies short of deployment of the military – coercive or not, and responses conducted to confront the obstructing authorities in the target area, including both military and non-military activities, again, each either coercively or not. The resulting intersection constitutes coercive humanitarian military intervention understood as uninvited forceful military endeavors in both

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335 See e.g. Bellamy et al. (2010: 14f), Chesterman (2001: 25).


337 I refer to legitimacy merely as a procedural category differentiating between unilateral and multilateral responses, excluding issues of moral evaluation. See Chapter 5. On the use of legitimacy in IR, see e.g. Mulligan (2005), Clark (2003), Hurd (1999).

338 Non-military activities are all diplomatic measures targeting a specific behavioral change by the authorities responsible for the crisis, e.g. rhetorical condemnation, sanctions, or threats. On the use of sanctions to address mass atrocities, see e.g. Farrall (2016).
its limited\textsuperscript{339} and substantive form\textsuperscript{340}, conducted against the target authorities’ opposition. Further subsets include either only diplomatic measures\textsuperscript{341} or only military operations conducted in accordance with the de facto authorities.\textsuperscript{342} Of course, any of these measures can be taken unilaterally or multilaterally, resulting in seven modes of interference illustrated in Figure 4.

\textit{Figure 4: Types of Humanitarian Intervention}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{humanitarian_intervention_diagram}
\caption{Types of Humanitarian Intervention}
\end{figure}

\textsuperscript{339} Military operations with little risk of casualties for the intervening agent, e.g. no-fly zones or safe havens.
\textsuperscript{340} Military operations with high risk of casualties for the intervening agent, e.g. deployment of ground troops and actual combat missions (‘boots on the ground’). See also supra note 706.
\textsuperscript{341} Positive or supportive diplomatic measures contradict the humanitarian intention necessary to be considered a form of humanitarian intervention.
\textsuperscript{342} See Ramsbotham/Woodhouse (1996: 113), who draw exactly the same conclusion by differentiating between coercive military intervention, coercive non-military intervention, non-coercive military intervention, and non-coercive non-military intervention. However, they are omitting both legitimation and the occurrence of a humanitarian emergency.
Apart from unilateral humanitarian aid, four distinct types of coercive humanitarian intervention are identifiable. If permission to intervene is granted by the de facto authority of the targeted area, such an interference is disqualified as a coercive measure. Since only coercive measures (potentially) violate the principle of non-interference, this examination will leave aside other forms of interference. Thus, this leaves us with diplomatic measures such as sanctions, and the use of military force, both either as unilateral or as multilateral actions. Whereas the step from coercive diplomatic measures or sanctions towards military force represents a stronger response with a higher level of engagement, the step from unilateral action to multilateral measures illustrates a state’s commitment to the existing legal order and its established proceedings, as illustrated in Figure 5.

Figure 5: Response Types

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343 Since the focus is not on non-coercive interventions providing humanitarian aid, both uni- and multilateral interventions of that type are excluded from the further analysis.

344 Coercive humanitarian responses are marked in red in Figure 4.


346 On the specific interpretation of legitimacy and the commitment to a legal order, see Chapter 5. On the legitimacy of multilateralism in particular, see e.g. Kreps (2008), Doyle (2006), Keohane (2006), Farer (1993).
Previous conceptualizations of possible forms of humanitarian interventions and resulting response types in the literature are quite similar but differ in detail and focus. Oliver Ramsbotham and Tom Woodhouse (1996: 113) and Martin Binder (2007: 15-20) also distinguish between two levels of coercive intervention, differentiating between coercive military and coercive non-military measures. Binder (2007: 14-15) additionally differentiates between unilateral, multilateral, and transnational interventions, the latter including non-state actors. John Vincent (1986: 104) comes up with three levels of possible escalation because he does not differentiate between the limited use of military force and full military interventions. With regard to the research question at hand, the response types derived above are still simple enough for clear categorization, but detailed enough to properly illustrate variation. Therefore, this thesis refers to humanitarian intervention only in the sense of coercive humanitarian intervention. This conception captures not only the essence of how humanitarian intervention has been understood, right from the early 19th century up to today, but provides the basis for the subsequent analysis: All types of coercive humanitarian intervention can be distinguished along two dimensions, the level of engagement and the mode of legitimization. Whereas engagement refers to the behavior of states in terms of what they do, legitimization refers to state behavior in terms of how justified their actions are in the eyes of the international community.

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348 Binder does not refer to these types in his later work, though. See e.g. Binder (2017, 2015; 2009; 2008).
349 On the role of non-state actors, see e.g. Lubell (2010), Clapham (2006).
350 See Chapter 7.
351 See e.g. Stowell (1921: 51-62), who provides a collection of definitions of humanitarian intervention from the early 19th century, and Heraclides (2014: 54), whose summary of international law perspectives ends up with similar criteria.
352 See Chapter 7.4 for the conceptualization’s operationalization.
5 Legitimizing Humanitarian Intervention

This chapter argues for a conceptualization of legitimization as the process of ascribing legitimacy to state responses to humanitarian emergencies. It differentiates between legitimacy as “a property of a rule or rule-making institution” (Franck 1990: 24), and legitimization as the pursuit of legitimacy in the eyes of the international society of states.\(^{353}\) Thereby, the inherently normative status of legitimacy is ascribed to the procedural quality of deriving at value judgments rather than to the moral value of the judgment itself.\(^{354}\) On an abstract level, legitimacy refers to the justification of political power. Thus, in contrast to merely effective authority, the legitimate exercise of authority is a normative question. Put into somewhat more concrete terms, the question of legitimacy asks “whether some practice or institution accords with a particular set of criteria according to which it, or its legitimacy, will be judged” (Mulligan 2005: 351). Instead of dispensing moral judgment, political legitimacy refers to the conformity to the idea of established rules or laws framing decision-making processes.

Therefore, this chapter proposes a rather narrow and purpose-driven conceptualization of legitimacy as a characteristic of political decision-making. Essentially, I argue that responses to humanitarian emergencies derive political legitimacy not through compliance with specific rules, but through adherence to the idea of the rule of law. Hence, I adopt a formalist, ‘thin’ model of the rule of law that refers to the relation among sovereign states, because, regarding humanitarian interventions, states are (still) the most relevant actors on the international level. Instead of evaluating the legitimacy of state behavior, I refer to legitimization as the attempt of a state to legitimize its behavior. As a result, different degrees of legitimization are distinguishable in terms of varying state adherence to the rule of law ideal.

Given that the emphasis of the present study is not on moral or legal analysis of humanitarian intervention, but on its role within English School theorizing of international society, the following sections cannot provide an exhaustive or definite examination of legitimization. Instead, I will briefly sketch the argument for replacing the vague and inherently ambiguous notion of legitimacy with the nevertheless abstract but formalized ideal of the rule of law. In order to make that argument, this chapter proceeds in three steps, following a descending order


\(^{354}\) On the procedural and normative dimension of the legitimate use of force, see e.g. Hurrell (2005).
of abstraction. The first section (5.1) presents a simplified categorization of the moral dilemma of humanitarian intervention. The second section (5.2) examines the legal classification of coercive humanitarian intervention between 1815 and 2015. The third section (5.3) finally introduces the rule of law as an appropriate substitute for legitimization for the purpose of this study.
5.1 Moral Justification

The moral legitimacy of humanitarian intervention derives from a situation’s ethical evaluation, determined by the availability of convincing justification for or against such interventions. Humanitarian interventions are morally legitimate if they can be justified by valid arguments based on logical and consistent reasoning. Nevertheless, the issue of humanitarian intervention poses a serious moral dilemma. Saving the lives of innocent people by stopping abusive governments from gravely mistreating their own population is certainly desirable. However, the use of military force to this end is tantamount to war disrupting the global order and can cause enormous suffering, including the loss of human lives. For these reasons, some reject humanitarian intervention, while others think it is permissible, and still others believe it to be obligatory. In each case, the normative reasoning is based on human life as the fundamental value worth preserving. Both advocates for and opponents of humanitarian intervention invoke the common good and confer moral value on the well-being of individuals (Heinze 2009: 15f). Essentially, the ensuing debate revolves around conflicting normative claims of how to justify harming or killing people in order to save other people.

Arguments for or against the legitimacy of humanitarian intervention arise from diverging ethical commitments and varying theoretical assumptions about the international system. The literature on humanitarian intervention alone provides a great variety of possible classifications of moral positions. Potential ethical divides are drawn between source, object, weight or scope, referring to a range of principled theoretical approaches of justice, including utilitarianism, natural law, social contractarianism, legal positivism, or global liberalism, each further subdivided into more specialized positions.


360 For a comprehensive account of major ethical positions in international relations, see e.g. the contributions in Nardin/Mapel (1992). For suggestions of binary classifications, see e.g. Heinze (2009), who differentiate between statist and universalist positions, Smith (1998), who differentiate between realist and liberal positions,
For the sake of simplicity and in lieu of engaging in an exhaustive discussion of multiple different definitions and dimensions of moral legitimacy, I settle for a merely crude and perfunctory differentiation of moral positions, detailed enough only to point out the dilemma’s direct connection to the theoretical framework presented in Chapter 6.\footnote{See especially Chapter 6.5.} Therefore, I start with the observation that the most central difference between various ethical positions consists in the disagreement of what one takes to be the morally relevant unit at the international level. On one hand, there are those who argue that the only morally relevant units are individuals.\footnote{Such arguments support a cosmopolitan perspective. For an overview of cosmopolitan arguments, see e.g. Held (2010), Brown/Held (2010), Brock (2009), Fine/Boon (2007), Brock/Brighouse (2005), Pogge (1992).} The morality of any action, system or institution ought to be assessed through the lens of individuals both as actors and as subjects. On the other hand, there are arguments based on the belief that the principal subjects of international morality are states.\footnote{Such arguments derive from a communitarian perspective. For an overview of communitarian arguments, see e.g. Etzioni (2014; 1998), Etzioni et al. (2004), Tam (1998), Bell (1993).} The corresponding “notion that writings on international political theory can be classified on the basis of a divide between cosmopolitan and communitarian approaches is now quite widely accepted” exactly because “there is a difference at a fundamental level over the question of the source of value and meaning in international political life between theories that locate this source in the community and those that look either to the individual or to a wider notion of humanity as a whole” (Brown 2010b: 72). Both perspectives, however, permit humanitarian intervention in principle on an abstract and theoretical level but disagree on the criteria and on the threshold of when and how to intervene, if at all (Doyle 2011: 78).\footnote{See e.g. Walzer (2004: 69), who defends the principle of nonintervention but concludes that “nonintervention is not an absolute moral rule”. For an examination of the recurring arguments, both for and against intervention, see e.g. Laberge (1995), Adelman (1992b), Smith (1989).}

A cosmopolitan\footnote{The term’s origin dates back to Diogenes of Sinope, who, allegedly, answered the question of where he came from by declaring himself a “kosmopolitês”, a term that translates into “a citizen of the world” (Nussbaum 1997: 28-29, 28 fn. 11 on p. 53). See also Brown (2000: 7-8). For the original source, see Diogenes Laërtius, Lives of Eminent Philosophers, IV 3, e.g. in Laërtius (1925: 65).} perspective focusing on individuals emphasizes the inherent solidarity among all human beings and the resulting responsibility of everyone towards everyone else, regardless of culture or state boundaries.\footnote{See e.g. Delanty (2012), Brown/Held (2010), Linklater (2007a), Held (2005), Archibugi et al. (1998), Beitz (1979). For an opposing view see e.g. Miller (2004; 2000).} Moral values are universally valid and apply to all

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\footnote{See especially Chapter 6.5.}

\footnote{Such arguments support a cosmopolitan perspective. For an overview of cosmopolitan arguments, see e.g. Held (2010), Brown/Held (2010), Brock (2009), Fine/Boon (2007), Brock/Brighouse (2005), Pogge (1992).}

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\footnote{See e.g. Delanty (2012), Brown/Held (2010), Linklater (2007a), Held (2005), Archibugi et al. (1998), Beitz (1979). For an opposing view see e.g. Miller (2004; 2000).}
humans alike (Pogge 2008: 356).\textsuperscript{367} States are merely a means to an end, just like inter- and supranational institutions, namely ensuring equal rights for individuals as the morally relevant participants of the existing global order (Held 2010: 120f).\textsuperscript{368} From that it follows that “peoples have a duty to assist other peoples living under unfavourable conditions” (Rawls 1999b: 37), protecting them from harm or even changing the global economic and political order for the sake of global justice (Pogge 2001: 14-22). Thus, there is no right to non-intervention for states. Sovereignty is contingent upon a state’s treatment of its population (Caney 2005: 232). A violently oppressive government fails the global community due to its appalling human rights performance.\textsuperscript{369} National borders or sovereignty claims pose no constraint on the universal reach of global justice (Tan 2004: 19-20). Instead, the global world community is jointly responsible for ensuring the inviolability of universal rights of all people (Pogge 2008: 54-6, 98-9). Even coercive humanitarian interventions are justified if they are conducted to address severe human rights violations.\textsuperscript{370}

From a cosmopolitan perspective, humanitarian intervention on behalf of the suffering amounts to a positive moral duty for those capable to interfere (Bagnoli 2006: 126-33).\textsuperscript{371} Proponents of this position evoke the writings of Immanuel Kant (1740-1746), especially his so-called philosophical sketch Zum ewigen Frieden (1991 [1795]), as a point of departure for cosmopolitan arguments and the ideal of world community.\textsuperscript{372} They are united through their

\textsuperscript{367} For a more detailed justification, see e.g. Caney (2005b), Pogge (2002; 1992). For a critique of universal human rights, see e.g. Brown (2010c).

\textsuperscript{368} See also Beitz (1994) or Pogge (2008: 175f), who further differentiate between ‘institutional’ and ‘moral’ conceptions of cosmopolitanism, either aimed at developing cosmopolitan institutions or at deriving at general obligations. For a critical view of individual rights beyond the nation-state, see e.g. Chandler (2003).

\textsuperscript{369} See e.g. Hirsh (2012), Archibugi (2004b), Tesón (1992).

\textsuperscript{370} On the difficulties of reconciling the use of force with cosmopolitan ideals, see e.g. Smith/Fine (2008). On the Kantian permissibility of coercion, see Roff (2013).


\textsuperscript{372} They do so despite the fact that “Kant explicitly upholds the principle of nonintervention” (Hurrell 2013b: 198), proclaiming in his fifth preliminary article that “[n]o state shall forcibly interfere in the constitution and government of another state” (Kant 1991 [1795]: 96). The German original states that “[K]ein Staat soll sich in die Verfassung und Regierung eines andern Staats gewalttätig einmischen” (Kant 1795: 11). His principles are based on the precondition of states being republic states to qualify for such treatment, though. For arguments classifying Kant as a cosmopolitan thinker after all, see e.g. Kleingeld (2011), Nussbaum (1997), Mertens (1996: 329-34), Donaldson (1992: 143-4), Wight (1987: 223-4), Bull (1977: 25-6). These arguments go beyond the pamphlet mentioned above and refer to the entirety of Kant’s work. In addition to his major philosophical works, see e.g. Kant (2006 [1784-1798]) for a topical collection of his shorter writings on politics, peace, and history.
shared core belief in the idea of the liberal rights of individuals as the most basic premise for international ethics.\(^\text{373}\)

Communitarian arguments, by contrast, focus on the moral value of communities and on their autonomous right to social development.\(^\text{375}\) As a political theory, communitarianism is an invention of the 20th century, but the “belief that there are certain social prerequisites for sustainable constitutional government has a long pedigree in Western political thought, reaching [at least] as far back as Aristotle” (Recchia 2007: 545).\(^\text{376}\) Based on the Aristotelian ideal of a local community that is socially bound by shared rules and values, communitarianism emphasizes the traditions and habits of people living in specific times and places.\(^\text{377}\) Social groups are shaped by their shared moral culture and express themselves through the formation of political communities (Benhabib 1992: 23-38). Drawing on Ferdinand Tönnies’ classic but ambiguous dichotomy between Gemeinschaft and Gesellschaft to conceptualize “the transition from community to society” (Robertson 2003: 70), and Émile Durkheim’s attempts to place “the dignity and rights of the individual in the moral idiom of social traditions and commitment to a common good” (Cladis 1989: 276), communitarian thought emphasizes the social fabric of


\(^{374}\) The term’s origin is attributed to John Goodwyn Barnby, a British social activist promoting an utopian blend of early communist and socialist ideas of cooperative community in the 1830s and 40s (Armytage 1961: 196). In November 1841, Barnby published The Outlines of Communion Association and Communitarianism (1841), “set up the Universal Communitarian Association and issued a monthly journal, The Promethean, or Communitarian Apostle” (Garnett 1972: 24 fn. 79 on p. 38). ‘Communitarianism’ and ‘communitarian’ became labels for “both the ideology of those who planned communities and actual community experiments themselves” before both terms intermittently “passed into oblivion” after the last experimental community dissolved in 1845 (Garnett 1972: 24-25).

\(^{375}\) Modern communitarian thought evolved out of a critical engagement with Rawls’ A Theory of Justice (1971), defending the social embeddedness of individuals against an universal and individualistic conception of the self (Bell 2005: 215f). For a collection of major articles from both liberal and communitarian writers, see e.g. Avineri/De-Shalit (1992). For a detailed account of the debate, see e.g. Mulhall/Swift (1996), Caney (1992); for a summary, see e.g. Etzioni (2014: 242-5), Morrice (2000: 233-40). For an attempted synthesis contextualizing universal ideas of justice, see e.g. Forst (1994).

\(^{376}\) For an “Aristotelian view of the political community as guardian of the common good and educator to virtue” (Collins 2004: 47), see e.g. Aristotle, Nicomachean Ethics, Book I 1094a-1094b, 1098a, 1129b; Book VIII 1160a, 1162a; or Politics, Book I 1252a-1253a; Book II 1260b, 1261a-b, 1263b; Book III 1276b, 1280b-1281a, 1282b; Book IV 1295b; Book VII 1324a, 1325a, 1328a. For a detailed discussion of Aristotle’s understanding of community, see e.g. Riesbeck (2016), Ranger (2013), Trott (2005), Collins (2004).

communities organically arising out of the shared beliefs and practices that groups of people hold in common.\textsuperscript{378} Sovereign nation-states are the international equivalent of those communities,\textsuperscript{379} each of them representing a specific and self-developed set of norms and values.\textsuperscript{380} Various cultural and geographic settings give rise to different conceptions of justice, and, by creating obligations only for those within the respective state, impose limits on the scope of justice.\textsuperscript{381} Each community bears responsibility for its members and the modern state is the best available means to safeguard the well-being of its citizens (Hoffmann 2001: 277). The state’s moral value derives from its fit with the community within its borders (Walzer 1980: 210f).\textsuperscript{382}

Humanitarian interventions, in contrast, violate the idea of states regulating their own affairs, constituting a paternalistic act of moral imperialism.\textsuperscript{383} Therefore, outside interference lacks moral justification. On the contrary, risking the lives of their own citizens for saving strangers abroad violates the primary moral value states hold (Miller 2007b: 7-8).\textsuperscript{384} The only exception to justify humanitarian intervention are large-scale human rights violations that are so abhorrent and obviously in violation of the people’s most basic interests, that the fit between state and community can no longer be assumed (Walzer 1980: 212-16).\textsuperscript{385} Proponents of this view refer to John Stuart Mill’s \textit{A Few Words on Non-Intervention} (1987 [1859]) as outlining a communitarian position highly skeptical of humanitarian intervention (Brown 1992: 71).\textsuperscript{386}

\begin{itemize}
\item See Tönnies (2001 [1887]) and Durkheim (1984 [1893]). For the genealogy of Tönnies’ conception of community and society, see e.g. Bond (2013, 2009). For an empirical example, see e.g. Putnam (2000), who examines the decline of civil community in the USA.
\item For the insufficiency of equality as a cosmopolitan argument and the importance of national communities, see e.g. Miller (2007a; 2005a). For a critique of Miller’s argument, see e.g. De Schutter/Tinnevelt (2011). For a cosmopolitan defense of national identity, see e.g. Tan (2004).
\item There are, however, major debates over different models of community, including the nation-state. See e.g. Dahbour (2005). One of the issues revolves around the lack of empirical homogeneity of peoples and the discrepancy between communities and states. See e.g. Miller (2000), Parekh (1997: 60-1), Habermas (1993).
\item See e.g. Nagel (2005), Sandel (1998), Walzer (1994b).
\item For a discussion of Walzer’s approach see e.g. Nardin (2013), Bellamy (1998), Beitz (1980), Doppelt (1980), Luban (1980). On the morality of borders, see e.g. Miller (2010).
\item For an opposing view on the moral standing of states, see e.g. Beitz (2009).
\item For the critique and his response to this argument, see Walzer (2002).
\item Despite his general opposition to intervention, Mill supported reactionary interventions aimed against revolutions, though. See e.g. Varouxakis (1997). For a different, at times rather cosmopolitan reading of Mill’s work, see e.g. Doyle (2015; 2013; 2009). Others have invoked Samuel von Pufendorf’s \textit{On the Duty of Man and Citizen} (1991 [1673]) or Thomas Hobbes’ \textit{Leviathan} (1996 [1651]) to argue for the primacy of the state
\end{itemize}
Their arguments draw from a wide range of underlying perspectives, but they all “uphold the importance of the social realm, and in particular of community, though they differ in the extent to which their conceptions are attentive to liberty and individual rights” (Etzioni 2003: 224).

The academic debate among political theorists has moved on to various, more specialized questions, the majority of them within the liberal cosmopolitan paradigm, but the dilemma of humanitarian intervention remains unsolved. The current dominance of cosmopolitan positions within Western academia does not translate to actual international relations among states. Given that the moral legitimacy of humanitarian intervention is most visible in contrasting cosmopolitan and communitarian positions, international political theory continues to sort and evaluate arguments accordingly.

Both perspectives make use of deontologist and consequentialist arguments. A deontologist line of reasoning focusses on what is intrinsically right as a matter of principle. Moral obligations are derived purely from a priori existing rights. Arguments for or against humanitarian intervention are either based on individual human rights or refer to self-determination and to the principle of non-intervention as basic rights of communities. Both sides defend their position by reference to individual duties, virtue, natural law, or even divine

387 In contrast to the enthusiastic identification with cosmopolitanism, only few contemporary theorists adopt a communitarian label, despite arguing within the communitarian tradition of criticizing cosmopolitanism and challenging liberal individualist assumptions. Communitarian arguments against liberal cosmopolitanism include statist, realist, nationalistic, relativistic, pluralistic, traditionalist, culturalist, post-colonialist, postmodernist, and republican perspectives, all of them essentially questioning the cosmopolitan justification of universal values. For a summary and typology, see e.g. Jones (1999). Accordingly, Shapcott (2010: 10) prefers the term ‘anti-cosmopolitanism’ over communitarianism because “[n]ot all communitarians are anti-cosmopolitan” by default. See e.g. Shapcott (2010: 50-86; 2008: 186-94; 2001). For prominent examples of communitarian arguments that are not in contradiction with cosmopolitan tenets, see e.g. Anghie (2005), Etzioni (2004), Hardt/Negri (2000).


389 For an example of opposing ontological and consequentialist arguments, see e.g. Tesón/van der Bossen (2017). For a comparison of both types of arguments, see e.g. Clarke (1999). For an example of a consequentialist justification for cosmopolitanism, see e.g. Singer (1979).

390 The most famous proponent is Immanuel Kant. See e.g. Kant (2007 [1785]). For modern proponents, see e.g. Dworkin (2011; 1985), Scanlon (1998), Nagel (1978).

391 For a discussion of Kant’s deontological approach to international affairs, see e.g. Donaldson (1992: 150-5).

commands. If an action is not in accord with the moral rules derived from these rights, it is not morally justified. A consequentialist evaluation of humanitarian intervention measures its moral legitimacy by its outcome. An action or inaction is moral if it results in more ‘good’ than harm (Heinze 2009: 33-56). Hence, consequentialists may argue about the greater number of saved lives of individuals or emphasize the consequences of a more or less stable global order based upon states (Heinze 2005: 172-8). Although there is no inherent connection, the majority of cosmopolitan arguments refer to deontological reasoning, whereas communitarian positions predominantly stress consequentialist arguments.

The just war tradition combines deontologist and consequentialist concerns and offers a catalog of criteria including just cause and right intention as well as the probability of success and the proportionality of means and ends. The moral evaluation of humanitarian intervention depends on how well all the criteria are met. The Responsibility to Protect follows a similar approach to find the middle ground between communitarian and cosmopolitan positions. It includes contractarian elements in order to account for both deontologist and consequentialist arguments, based on “the idea of agreement as the ultimate basis for normative ethics” (Kagan 2018: 242). However, neither of these frameworks circumvents the previous discussion. Critics of humanitarian intervention point out the difficulties of determining what exactly qualifies as a reason to intervene or who should decide when to intervene. They decry the endless possibilities for abuse by the powerful (Welsh 2004b). Even the proponents of humanitarian intervention disagree on how severe human rights violations have to be to warrant

For an overview and examples of the various deontological positions, see e.g. Darwell (2002c).

The most famous proponents are Jeremy Bentham and John Stuart Mill. See e.g. Bentham (1996 [1789]) or Mill (2010 [1870]), respectively. For a modern proponent, see e.g. Singer (1979).

For an overview and examples of consequentialist positions, see e.g. Darwell (2002a). For a critical evaluation, see e.g. the contributions in Scheffler (1988).

This may well stem from a cognitive error falsely converging independent positions due to their main proponent being the same person, e.g. Kant as the main representative of deontological ethics and figurehead for cosmopolitan arguments and Mill as a proponent of utilitarianism and simultaneous defender of communitarian reasoning.


For a critique of Just War Theory and its proposed criteria, see e.g. Williams (2012), Brown (2007), Slomp (2006), Kamm (2004).


Essentially, contractarianism still relies on a deontologist foundation because the resulting moral rules are “binding by virtue of the very fact that they would be agreed upon” (Kagan 2018: 241 [emphasis in original]). For a prominent proponent, see e.g. Rawls (1999b; 1971) or Scanlon (1998). For an overview and examples of contractarian arguments, see e.g. Darwell (2002b).
violent interference, or how many lives need to be saved to justify the sacrifice of others. There is no consensus on the relevant criteria nor on how to determine specific thresholds. Opponents of humanitarian intervention, in turn, proclaim that the failure of agreement highlights the lack of universal morality. Whether humanitarian interventions are seen as morally permissible or not, eventually depends on the assumed perspective and the combined implications of each line of reasoning.

Even this brief summary already indicates that moral argument offers no defining criteria for the project at hand. The fact that this summary buys into the narrative of International Political Theory as a European or Western approach without questioning the assumed continuity of political thought from ancient Greece to modern times does not invalidate the resulting conclusion. Obviously many other narratives are conceivable, focusing on non-Western traditions of political thought instead of relying exclusively on one artificially unified European perspective, but the underlying dilemma of how to justify one’s decision nevertheless endures. Short of an irrefutable access to absolute truth, it becomes apparent, that the moral legitimacy of humanitarian intervention is not a property that can be discovered and bestowed upon activities objectively. Moral evaluation of state behavior is not sufficient to determine the legitimacy of such behavior. Moral legitimacy derives out of argument and is itself constantly in dispute. “An actor might reasonably characterize his or her actions as moral if they were consistent with their favoured moral philosophy” because no independent measure of legitimacy exists (Reus-Smit 2007: 160). Therefore, an action can be argued to be immoral from one perspective but moral from another. Time and context both influence actors and observers alike. The moral legitimacy of humanitarian intervention lies in the eye of the

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401 Given the present study’s particular research interest and its historical focus, it seems appropriate to concentrate on Western political theory, especially because European powers both imposed their idea of an international system and determined the practice of humanitarian intervention. On the European bias shaping international relations and political thought, see e.g. Hobson (2012a) or more generally Amin (1989).

402 On African political thought, see e.g. Kiros (2013), Martin (2012). On the Chinese history of political thought see e.g. Kim (2018), Hsiao (2015). On Indian or Hindu political philosophy, see e.g. Rathore (2017), Dalton (2011). On the Islamic political theory, see e.g. Bowering (2015), Black (2011). For an overview of non-Western political thought, see e.g. Kapust/Kinsella (2016), Shilliam (2010).

403 See e.g. Chakrabaty (2000), who simultaneously questions and defends the role of European assumptions as the default understanding of the Social Sciences, History, and Political Theory, both for Europe and the postcolonial world. He argues that Western thought “is both indispensable and inadequate in helping us to think through the various life practices that constitute the political and the historical” (Chakrabaty 2000: 6).

404 Including additional perspectives will only inflate the problem elaborated on above.

405 Even elaborate attempts at embedding cosmopolitan values in morally constitutive communities cannot circumvent this problem; they have to take a stand at some point or end up with an infinite regress. See e.g. Erskine (2008) for the detailed argument.
beholder. This does not imply that morality is arbitrary, but it underlines the difficulty of finding an appropriate measure of moral legitimacy transcending the intersubjective understanding of the contemporary debate.\textsuperscript{406} Without committing to a specific moral framework, it is futile to categorize responses to humanitarian emergencies along ethical criteria. Since moral conceptions of humanitarian intervention are exactly what is in dispute, moral arguments alone will not provide a solution to the problem of establishing and differentiating between levels of legitimization efforts.

\textsuperscript{406} Far from embracing moral relativism, this position does not question the validity of specific moral arguments and the general possibility to argue for and to derive moral positions superior to others. This, however, is the battleground of moral philosophers and way beyond the scope of this study.
5.2 Legal Justification

A legal justification of humanitarian intervention is based on the conformity of such an intervention with the applicable international law. In the pure sense of the term, legitimacy refers to an action, practice or claim as lawful or being in accordance with the law (Mulligan 2005: 256-6). Legally speaking, an intervention is legitimate as soon as such an action does not violate existing law, regardless of its purpose or underlying motivation. Such an understanding necessarily equates legitimacy with legality.

Two strands of arguments have been invoked throughout the history of modern international law to assess the legality of humanitarian interventions. The first strand is derived from Just War Theory in the context of the natural law tradition. It addresses the question of the legality humanitarian intervention as an isolated issue to be resolved in accordance with principles of justice. The second strand of arguments relies on positive law and mostly takes the form of justifications for exceptions from the principle of non-intervention and from legal restrictions on the use of force. Different periods in the evolution of the law on humanitarian intervention are characterized not only by changing interpretations of the concepts and principles invoked by each strand of arguments but also by the relative prevalence of one strand over the other.

As positivism established itself as the standard methodology in international legal scholarship during the nineteenth century, arguments relying on natural law became less prominent, albeit without ever vanishing completely (Heraclides 2014: 28; Koskenniemi 2006: 131). In the mid-nineteenth century, the principle of non-intervention had already been firmly established as a principle of international law (Rodogno 2016a: 6). Christian Wolff and Emer de Vattel are generally credited with introducing this principle as part of a system of international law based on a legalist approach.

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407 For a detailed discussion of the difference between legitimacy and legality in international law, see e.g. Brunée/Toope (2010).

408 On natural law, see supra note 239.

409 Simon Chesterman (2001: 7) argues that the origins of humanitarian intervention as a legal concept “must be seen in the tension between the belief in the justice of a war waged against an immoral enemy and the emerging principle of non-intervention as the corollary of sovereignty”.

410 See Wolff (2017 [1749]: Chapter I, Section 257).

411 See de Vattel (2008 [1758]: Chapter I, Section iii §37).
on state sovereignty and state consent, and nineteenth-century publicists unanimously cite non-intervention as part of the body of international law.

Despite the general agreement on the existence of a principle of non-intervention as a principle of positive international law, the contours of this principle remained vague. The accounts of the most influential international legal scholars in the nineteenth and early twentieth century suggest that the concept of intervention includes any measures that may encroach on the independence of another state. This includes not only acts of war but also covers a range of diplomatic acts. In light of the multiplicity of phenomena treated under the label of ‘intervention’, Percy Henry Winfield (1922: 130) starts his historical account of the topic by stating that “[t]he subject of intervention is one of the vaguest branches of international law”.

The task of assessing clearly whether humanitarian interventions were regarded as legal or illegal during the nineteenth and early twentieth century is further complicated by the incongruences that stem from the ‘standard of civilization’ engrained not only in the doctrine of intervention but more generally in the discipline of international law as it emerged in the second half of the nineteenth century (Koskenniemi 2001: 47-53). Accordingly, “the infringements of non-intervention, humanitarian or otherwise, were more acceptable if ‘civilized’ states intervened in ‘non-civilized’ countries” (Heraclides 2014: 30).

In addition to the difficulties in ascertaining the legal meaning of the term ‘intervention’, the principle of non-intervention in the nineteenth century existed in tension with the absence of legally binding restrictions on the use of force. While expressions such as liberum jus ad bellum or liberté à la guerre were coined in later periods (Fassbender 2004: 243 fn. 20), they aptly describe the law at the time in the sense that there were no explicit rules of positive international law restricting the right of sovereign states to go to war (Brownlie 1963: 19). Justifications for going to war were generally considered to be questions of either morality or politics, which did not encroach on the legal freedom of states. This coexistence of the principle of non-intervention as a principle of positive law with the freedom of states to wage war led to a legal situation that seems paradoxical from a present-day point of view, namely that encroachments on the sovereignty of another state short of war were subject to legal restrictions while arguably

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413 See e.g. Oppenheim (1905: 181-91), Hall (1880: 240-47), Wheaton (1866 [1836]: 110); Phillimore (1871 [1854]: 314-46). For an extensive examination of the history of the idea of non-intervention, see e.g. Vincent (1974: 19-141).
414 See e.g. Oppenheim (1905: 181), Hall (1880: 240), Wheaton (1866 [1836]: 110).
the greatest possible interference with another states’ sovereign rights – war – was not subject to such restrictions (Heraclides 2014: 27).

Hence, “in the absence of a clear distinction between intervention and war any regulation of the former could be circumvented by resort to the latter” (Chesterman 2001: 8). The lack of neat distinctions between the topics of intervention and jus ad bellum as well as between legal and ‘extra-legal’ justifications for the use of force can best be illustrated by Henry Wheaton’s (1866: 97) assessment of the French involvement regarding the United States’ fight for independence, when he concludes that “[t]he acknowledgment of the independence of the United States of America by France, coupled with the assistance secretly rendered by the French court to the revolted colonies, was considered by Great Britain as an unjustifiable aggression, and, under the circumstances, it probably was so”. The nonexistence of decisive criteria to distinguish between intervention and war, as well as the absence of clear prescriptions of positive law distinguishable from ‘extra-legal’ considerations of politics or morality, particularly regarding humanitarian interventions, led influential writers such as William Hall or Lassa Oppenheim to the conclusion that the question of whether an intervention was justified or not was not a legal question at all.415

The founding of the League of Nations marks the beginning of a process of erosion of the ‘right of war’ (Brownlie 1963: 19). The League Covenant imposed the obligation of member states to resort to peaceful means of settling disputes before resorting to war.416 This obligation, imposing – at least in theory – procedural hurdles on the right of states to wage war, still implicitly recognized war as a means of settling disputes. The provisions of the League Covenant, therefore, did not fundamentally alter the relationship between the freedom of states to resort to war as the rule and restrictions on this freedom as the exception (Fassbender 2004:

415 See Oppenheim (1905: 186-7) and Hall (1880: 247), respectively. For an overview of legal practitioners arguing in favor or against the legality of intervention and the principle of non-intervention during the 19th century, see e.g. Heraclides/Dialla (2014: 57-73).

416 Article 11 (1) Covenant of the League of Nations: “Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the secretary General shall on the request of any Member of the League forthwith summon a meeting of the Council”, Article 12 Covenant of the League of Nations: “The Members of the League agree that, if there should arise between them any dispute likely to lead to a dispute likely to lead to a rupture they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision, or the report by the Council. In any case under this Article the award of the arbitrators or the judicial decision shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute”. On the legal provisions included in the Covenant of the League of Nations imposing restrictions on the use of force, see e.g. Brownlie (1963: 55-65).
This structure did not change until the adoption of the UN Charter, which reversed the relationship between rule and exception. The general prohibition of the use of force is now the rule with comprehensive scope and any legal possibility of states to resort to force must be framed as an exception from this rule (Simma 1999: 2-3).

Accordingly, within the UN framework, coercive humanitarian intervention refers to an exception from or a breach of the principle of non-intervention or the prohibition of the use of force, or both (Nardin 2002: 57). Essentially, there are four identifiable approaches to coercive humanitarian intervention in contemporary international law. The first position simply rejects coercive humanitarian interventions as an independent justification for the use of force. Coercive force is only permissible for self-defense or with explicit Security Council authorization under Chapter VII of the UN Charter (1945). The second position perceives coercive humanitarian interventions without Security Council authorization as illegal but morally legitimate in extreme cases. The extraordinary circumstances of humanitarian emergencies provide justification for temporary breaches of the principle of non-intervention and of the prohibition of the use of force. The existing legal framework remains affirmed, though. A third position argues for an emerging norm of customary international law under which coercive humanitarian intervention is developing into an exception in its own right to both the principle of non-intervention and the prohibition of the use of force. The fourth position proclaims coercive humanitarian interventions as legally justifiable under the existing UN framework, pushing for formalized rules on when and under what circumstances humanitarian intervention is permissible.

The prohibition of the use of force is contained in Article 2(4) UN Charter, which calls upon all member states to refrain from the use or threat of force against the territorial integrity or political independence of another state. The principle of non-intervention is expressed in Article 2(7), which prevents the United Nations and its members from intervening in matters of domestic jurisdiction of a member state. As recognized by the International Court of Justice in its Nicaragua Judgment, the principle of non-intervention and the prohibition of the use of force contained in Article 2(4), but had to

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417 For a similar approach, see e.g. Hurd (2011: 298-307).
418 This categorization is based on Gray (2018), Weller (2015), and Simma et al. (2002).
419 In its Nicaragua Judgment, the International Court of Justice had to assess the legality of the United States’ support of the Nicaraguan Contra rebels against the (Sandinista) government. The United States had only accepted the jurisdiction of the International Court of Justice with the reservation expressed in the so-called Vandenberg Amendment, according to which the Court was not allowed to rule in disputes under a multilateral treaty where not all parties to the treaty were parties to the case. The UN Charter being a multilateral treaty, the Court could therefore not apply the prohibition of the use of force contained in Article 2(4), but had to...
force are part of customary international law (ICJ 1986: 14, 94). Not only have states accepted the prohibition of the use of force as binding, it largely reflects established state practice.\textsuperscript{420} The same holds for the principle of non-intervention. In addition, the prohibition of the use of force has the status of a \textit{jus cogens} norm (Weller 2015: 165f).\textsuperscript{421} A \textit{jus cogens} norm is a fundamental principle of international law that is accepted by the international community of states as a norm from which no derogation is permitted.\textsuperscript{422}

Arguments for the legality of humanitarian intervention construe exceptions from the principle of non-intervention or from the prohibition of the use of force or generate justifications for breaches of one or both of these principles (Stahn 2014: 32-4). One line of argument excludes humanitarian interventions from the ambit of the principle of non-intervention and from the prohibition of the use of force (de Jonge Oudraat 2000: 421-27). Human rights have been recognized by the Universal Declaration of Human Rights (UDHR) of 1948 as the foundation of justice and peace in the world. By now, most of the UDHR provisions have the status of customary international law due to their recognition in other treaties, declarations, or in national jurisprudence. The obligation of states to respect human rights is not only an obligation of the respective state towards the people under its jurisdiction but also an obligation towards the international community (Hoffmann 2001: 275-7). Thus, the argument goes, humanitarian emergencies involving gross violations of human rights do not fall within the domestic jurisdiction of the respective state in the sense of Article 2(7).\textsuperscript{423}

Similarly, it is possible to argue that even humanitarian interventions involving military force are excluded from the ambit of Article 2(4), because, in these cases, the use of force is not directed against the territorial integrity or political independence of any state (Fonteyne 1974:


\textsuperscript{421}Brownlie (1998: 489) even refers to the prohibition of the use of force as “the least controversial” example of a \textit{jus cogens} norm.

\textsuperscript{422}For a discussion of the \textit{jus cogens} status of the prohibition of the use of force, see e.g. Weller (2015), Green (2011), Linderfalk (2007), Danilenko (1991), D’Amato (1990a).

253). Instead, it is argued, Article 2(4) only prohibits the use of coercive force if its application is inconsistent with the purposes of the United Nations.\(^{424}\)

While these arguments are widely accepted regarding the principle of non-intervention in the cases where intervention does not involve coercive force, they are met with more resistance with respect to the prohibition of the use of force.\(^{425}\) This stems from the fact that the International Court of Justice has already rejected these arguments in the Corfu Channel Case in 1949 (ICJ 1949).\(^{426}\) The established rationale behind this rejection is that excluding humanitarian intervention from the ambit of Article 2(4) would undermine the system of collective security put in place by the UN Charter (Brownlie 1963: 338).

Therefore, additional arguments have been made to reconcile the prohibition of the use of force with the concept of humanitarian intervention. The first type of argument justifies coercive humanitarian interventions with reference to already existing exceptions (Knudsen 1997: 156). The most important exception from Article 2(4) is the collective action authorized by the UN Security Council under Chapter VII.\(^{427}\) Collective action under Chapter VII has to satisfy the requirements of Article 39, stipulating a “threat to the peace, breach of the peace, or act of aggression”. According to the consistent practice of UN organs, humanitarian emergencies fit the requirement of a threat or a breach of the peace (Atack 2002: 285). The problem remains, however, that the Security Council often fails to act, even if the conditions of Article 39 are met (Glennon 2003).\(^{428}\)

The second type of argument tries to establish coercive humanitarian intervention as an independent exception from Article 2(4).\(^{429}\) Opinions diverge as to the specific requirements of such an exception because existing formalized law provides no references.\(^{430}\) Instead, the legal basis of such an exception is the established state practice of partaking in coercive humanitarian

\(^{424}\) See e.g. Tesón (2005b), Glennon (2002), D’Amato (1990b).

\(^{425}\) For a detailed discussion, see e.g. Orford (2003), Simma (1999).

\(^{426}\) The judgment in the Corfu Channel Case was the first judgment of the International Court of Justice. In its judgment on the merits, the Court held Albania responsible for the fact that mines in the Corfu Channel in Albanian waters had caused severe damage to British warships and led to the death of forty-four sailors – despite neither territorial integrity nor political independence having been affected. See e.g. Bancroft/Stein (1949), Jones (1949), Wright (1949), Bishop (1948), Feaver (1948), Munro (1947).

\(^{427}\) On the Security Council’s powers and their limits, see e.g. Fassbender (2000).


\(^{429}\) See e.g. Henkin (1999), Chopra/Weiss (1992), Franck (1970).

interventions as customary international law (Hurd 2011: 304-5). Proponents of the R2P framework most vocally invoke this line of legal reasoning, but so far, commitment to the R2P idea has been mere rhetoric. The existence of sufficiently consistent state practice accepted as law, however, has been continuously rejected (Chesterman 2001: 84-6). Moreover, the recognition of such an independent exception faces serious challenges due to the supremacy of the UN Charter over other international agreements and due to the *jus cogens* status of the prohibition of the use of force (Fassbender 2009b: 86f).

Although international law contains contradictory elements, “as a whole it remains highly protective of the domestic jurisdiction of states” (Doyle 2011: 73). Legal practice continues to treat coercive humanitarian interventions without authorization by the international community as deviations from international law (Hurd 2011: 301), but the issue is not as clear-cut as it seems. Essentially, the stance on humanitarian intervention is a question of choice and perspective for those addressing the issue (Stahn 2014: 34). That is because “references to ‘the correct legal view’ or ‘rules’ can never avoid the element of choice (though it can seek to disguise it) […]. In making this choice one must inevitably have consideration for the humanitarian, moral, and social purposes of the law” (Higgins 1994: 5). On the contrary, the “refusal to acknowledge political and social factors cannot keep law ‘neutral’, for even such a refusal is not without political and social consequences” (Higgins 1976: 85). Insisting on a positivist understanding of law ignores both its embeddedness in context and the evolution of existing rules over time. Since “the assessment of so-called extralegal considerations is part of the legal process, just as is reference to the accumulations of past decisions and current norms”, legality cannot be determined objectively (Higgins 1976: 85). This fact is especially obvious in the legal discussion on humanitarian intervention, where political, moral, and legal arguments are indistinguishable (Koskenniemi 2002: 173-5). Although “[c]ontemporary cases suggest that there is merit in a ‘middle way’ between strict adherence to norms and legalization

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431 For a detailed argument for the incorporation of humanitarian intervention as an established principle in customary law, see Fonteyne (1974).


433 On the detailed arguments, see e.g. Cassese (1999a; 1999b).

434 See also Hurd (2011: 300-1). On the supremacy of the UN Charter, see e.g. Liivoja (2008). For an opposing view, see e.g. Green (2011).

435 See e.g. Murphy (2009), Byers/Chesterman (2003), Stromseth (2003).

436 On the importance of interpretation of international law both as an academic discipline and professional practice, see e.g. Allan (2016), Bianchi et al. (2015), Hosseinnejad (2015), Venzke (2012). On the interpretation and change in the law of humanitarian intervention, see e.g. Franck (2003).
of ‘humanitarian intervention’” (Stahn 2014: 34), that only further dilutes what is left of the concept of positivist legalism. Essentially, “the constant tension between a formalistic normative mode which is far removed from social realities and a cynical acknowledgement of power politics relations which overlooks the powerful moral and political drive of legal commitments” revolves around the respective method of legal interpretation, however, “[a]t the same time, interpretive methods need to rely on political realities and societal values to have a bearing on normative outcomes” (Bianchi 2009: 675-6).

In conclusion, legality cannot determine the legitimacy of humanitarian intervention beyond purely legal argument. A full understanding of legitimacy cannot simply be derived from conformity with existing legal rules. The idea of an action being legal already reaches beyond mere rule following. The subjects of international law are in constant argument about the issue of legality. What is considered legal depends on time, context, and the discussions’ participants. Therefore, legality is not an objectively ascertainable fact, but a continuous process of reaching provisional agreements. Legitimacy only follows from broad acceptance of this process. Even in hindsight, the legality of an action remains in dispute, especially in complex and controversial cases such as humanitarian intervention. Such an understanding of legality, however, does not correspond to the idea of legitimacy as a property of an action. Participating in legal argument provides the foundation for legitimizing one’s actions. Instead of insisting on legality, legitimacy derives from adherence to the general idea that distinguishes international law from mere rules. Legitimacy presupposes the broad acceptance of the idea of creating law to organize international affairs. Adherence to the core idea of international law necessarily goes beyond what mere legality demands because legitimacy is not an inherent consequence of following the letter of the law. Since the process of establishing legality is already in need of legitimization, legal classification will not provide a solution to the problem of establishing and differentiating between levels of legitimacy.

437 This, however, should not be understood as a flaw or failure of international law. See e.g. Hakimi (2017: 1), who argues for the role of international law being a means for actors “to hone in on their differences and disagree – at times fiercely and without resolution”, claiming that “conflict does not necessarily reveal deficiencies in international law because enabling it is inherent in the project of international law”. For a Kantian defense of international law as a continuous project towards an moral ideal, regardless of its actual realization, see e.g. Koskenniemi (2009).

438 See e.g. Bjola (2005), who draws on Habermas’ theory of communicative action to argue for deliberative legitimacy for the use of force.
5.3 The Rule of Law

The rule of law is a political ideal based on the inherent moral value of law as the arbiter of order both domestically and internationally. The concept is as popular as it is elusive, and while it serves as “a major source of legitimation for governments” its essence remains ambiguous and disputed (Tamanaha 2012: 232). In rather vague and abstract terms, the rule of law embodies the belief that law is not merely an instrument of the powerful. Instead, it refers to the existence of a general framework of public norms, comprised of general rules, which operates according to recognized standards of procedural fairness, based on a principle of legal equality. The essential claim of the rule of law idea is that it assumes the “supremacy of the law” over both government and subjects (Dicey 1959 [1885]: 168). Hence, the exercise of power by people in authority should occur “within a constraining framework of public norms, rather than on the basis of their own preferences, their own ideology, or their own individual sense of right and wrong” (Waldron 2008: 6). Thus, invoking the rule of law, as opposed to the so-called rule of men, implies that law is separate and distinguishable from mere politics.

The historical origins of this idea can be traced back to Ancient Greece and Rome, arising from the efforts to restrain the powers of a sovereign over its subjects (Tamanaha 2004: 7-14). In its modern version, the rule of law evolved from the domestic legal system of Great Britain. Major milestones in limiting the exercise of power by the king are the Magna Carta.

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439 See e.g. Waldron (2002: 151), who explains in detail why “the Rule of Law is an essentially contested concept”, or Fallon (1997: 6), who refers to the rule of law as having “evaluative as well as descriptive elements, and its correct application cannot be fixed simply by appeal to ordinary usage. In more concrete terms, the ‘true,’ ‘best,’ or ‘preferred’ meaning of the Rule of Law depends on the resolution of contestable normative issues; disagreements are therefore to be expected”. On the general notion of essentially contested concepts, see e.g. Gallie (1956). On the use of concepts in this thesis, see Chapter 7.1.

440 On the importance of procedure, see e.g. Waldron (2011b). For a critique, see e.g. West (2011).

441 For a comprehensive examination of the rule of law, its components, and its usage, see e.g. Waldron (2008), Tamanaha (2004).

442 The ‘rule of men’ is associated with the unfettered power and arbitrariness of authoritarian rule. See e.g. Tamanaha (2012: 243-6). On the complex relationship between authority and reason for the ideal of the rule of law, see e.g. Grant (2017).

443 See e.g. Plato, The Republic, 293b-305d, 427a, or The Laws, 715d; and Aristotle, Politics, Book III 1282b, 1286b, 1287a. For detailed discussions, see e.g. Miller (2010), or Burge-Hendrix (2013) and Frank (2005), respectively.

444 See e.g. Cicero, De Legibus or De Republica. For a detailed discussion, see e.g. Miller (2014).

445 In continental Europe, the rule of law has been associated more closely with the state. The German term Rechtsstaat refers to the constitutional state; the French term État de Droit is closely linked to the distribution of powers. See e.g. Schmitt (2008 [1928]) and Kelsen (1978 [1934]) or Montesquieu (1989 [1748]), respectively.

446 For a detailed account on the role of the Magna Carta for the rule of law idea, see Tamanaha (2004: 25-7).
in 1215 or the adoption of the Bill of Rights Act in 1689 after the Glorious Revolution (Chesterman 2008: 334-6). Simon Chesterman (2008: 336) quotes Albert Dicey\textsuperscript{447} as the legal authority who invokes the rule of law in its domestic context akin to a political system based on “regulating power, implying equality before the law, and privileging judicial process”. Accordingly, the minimum requirement or core definition of the rule of law boils down to the idea “that government officials and citizens are bound by and abide by the law” (Tamanaha 2012: 233).\textsuperscript{448}

Its content or interpretation, however, differs with regard to the distinction between formal and substantive meanings of the rule of law.\textsuperscript{449} Among legal scholars, this core definition corresponds with a ‘thin’ theory of the rule of law, which focuses on the formal, positivist aspects of limiting the exercise of power by the state.\textsuperscript{450} Formal conceptions pass no judgment over the actual content of the law (Tamanaha 2008: 13). Instead, they are concerned with whether “the formal precepts of the rule of law were themselves met” (Craig 1997: 467). A ‘thick’ definition of the rule of law, on the other hand, adds substantive normative notions to the formal conception and includes references to fundamental rights “understood in terms of human rights, specific forms of organized government, or particular economic arrangements” (Chesterman 2008: 340). Proponents of this understanding argue that a meaningful idea of law is necessarily and inextricably a moral one.\textsuperscript{451}

Both positions define the ends of a spectrum of ‘thicker’ or ‘thinner’ conceptions of the rule of law, but whereas the narrow core definition “represents a common baseline that all of the competing definitions of the rule of law share”, ‘thick’ conceptions differ widely (Tamanaha 2008: 4).\textsuperscript{452} The ‘thin’ core conception of the rule of law serves as a basic safeguard intended to preserve the autonomy of individuals against the authority of the state. ‘Thick’ substantive versions include various additional normative components resulting in a rich variety of different manifestations of the rule of law too diverse to be reconciled. Accordingly, arguments have

\textsuperscript{447} See Dicey (1959 [1885]: 171).

\textsuperscript{448} For an early position on the problem of how the creator of law can be bound by the law she sets herself, see e.g. Hobbes (1996 [1651]: 127, 184, 224-8), for a modern discussion, see e.g. Waldron (2011a: 317-22), Tamanaha (2012: 237-40).


\textsuperscript{450} See e.g. Raz (1979; 1977), Fuller (1964), Hart (1961; 1958), Dicey (1959 [1885]).


\textsuperscript{452} For a similar argument, see e.g. Peerenboom (2004), Chesterman (2008), Tamanaha (2012).
been made “to maintain a sharp analytical separation between the rule of law” and claims for “democracy and human rights” because essentially “the rule of law is an ideal that relates to \textit{legality}” (Alter 2010: 236, 234 [emphasis in original]). This implies, that individuals who violate the rules do so knowing what the rules comprise, how their violation will be assessed, and what consequences they will have to expect.

Regardless of formal and substantive or ‘thinner’ and ‘thicker’ versions of the rule of law, the principle’s application to the international sphere entails at least three additional meanings.\footnote{This partition has been put forward in Chesterman (2009: 2-3; 2008: 355-6).} First, it can be understood as the ‘rule of international law’ promoting the rule of law within states, privileging international law over domestic law.\footnote{See e.g. Nollkaemper (2011b).} Hereby the EU serves as an obvious example for the gradual adoption of a rule of international law for its member states (Alter 2010). It has been pointed out, though, that this is an exception rather than the rule.\footnote{See e.g. Kumm (2003), Bogdandy (2004).} Moreover, the EU reserves for itself the right to review measures adopted by the UN Security Council before implementing them within EU law.\footnote{See e.g. Kokott/Sobotta (2012), Bogdandy (2004).} Arguments for the supremacy\footnote{For the notion of supremacy of international law over national law, see e.g. Peters (2009b).} of international law over national law are especially common in the context of promoting human rights and democracy,\footnote{See e.g. Ratner et al. (2009), Simmons (2009), Ferdinandusse (2006), Jayawickrama (2002).} however, as with the EU example, this understanding represents a minority position rather than the current status quo.\footnote{See e.g. Hafner-Burton/Tsutsui (2007), Hathaway (2002).}

The second meaning of the rule of law describes the idea of a ‘global rule of law’ that encompasses all individuals directly instead of through the institutions of individual states. This view finds its expression in the literature on the rise of global governance displacing traditional state authority.\footnote{See e.g. Rijpkema (2013), Krisch/Kingsbury (2006), Kingsbury (2005).} However, there are serious doubts about the mere existence of something resembling a ‘global demos’ (Klabbers et al. 2009: 23). Even if the idea of a ‘global demos’ were accepted in principle, there seems to be not enough indication to justify such an assumption empirically.\footnote{See e.g. List/Koenig-Archibugi (2010), Hurrell (2007), Loughlin/Walker (2007), Kingsbury et al. (2005).}
The third understanding of the rule of law refers to the ‘international rule of law’ as the application of the principle to the relations between states as both the subjects and the creators of international law (Waldron 2011a: 327f). Thereby, “international law approximates a system of public order between states as legal orders in their own right” (Crawford 2003: 10). This is typically the meaning most closely attached to the idea that states legitimize their behavior by reference to the general idea of international law. Since sovereign states are the main actors in international relations so far, the first two accounts are not as convincing as the last (Chesterman 2008: 356-7). Hence, I refer to the international equivalent of the domestic rule of law as applying to the relations among states.

In its domestic manifestation, however, the rule of law addresses the problem of public authority by placing “limits on the exercise of state power and […] creating] a stable set of known rules that apply equally to all citizens” (Hurd 2015: 366). At the international level, the same idea is still less explored, questioning both its role and its application. The problem of whether and how to apply the rule of law to the conduct of international affairs depends on one’s perception of the structure of the international system. Either one conceives a horizontally structured system of states as sovereign equals, or one presumes a vertically structured system where the international community exercises authority hierarchically over states akin to the domestic system.

The conception of the international arena as a horizontal system of sovereign states is clearly the dominant view, but there are arguments for the existence of an international legal community transcending and surpassing the authority of individual states (Klabbers et al. 2009: 23). Moreover, despite the immense diversification of international law into specialized and independent sub-branches, legal scholars have argued for the idea of law as a “coherent and

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463 For diverging conceptions of the rule of law in international affairs, see e.g. Chesterman (2008), Waldron (2006), Brownlie (1998). On the vague but nevertheless expanding role of the rule of law within the UN framework, see e.g. Fassbender (2018).
464 See e.g. Brownlie (1998) or Crawford (2012: 16-17), who ascertains that “the widening range of international obligations has both enhanced the rights of states and given them more obligations to fulfil. But they have not altered the character of the state nor the basis for the obligation to comply with international law. The standard international legal relation remains that bilateral right and duty between two states. […] There is no legal manifestation of the ‘international community’ […].”
465 This position is especially prominent in the German legal community. For examples, see e.g. Payandeh (2010a), Paulus (2001), Tomuschat (2001: 72-90; 1993: 209-40), Mosler (1980).
466 See the literature on the fragmentation of international law, e.g. Jakubowski/Wierczyńska (2016), Young (2012), Koskenniemi (2007), Hafner (2004), Koskenniemi/Leino (2002).
meaningful whole” (ILC 2006: 208). So-called constitutionalists even go as far as to argue that the body of international law represents a hierarchically structured system resembling a constitutional setting. All these approaches hint at the idea that the difference between domestic and international (law) might be vastly overstated.

Yet the uncritical assumption that domestic legal principles can be translated directly to the international sphere may leave the rule of law principle bereft of all meaning or question whether international law even qualifies as law “in the true sense of the term” (Kelsen 1952: 18). The role of the rule of law in international law, the argument goes, is not analogous to the role it plays among people in a domestic society, because each derives from different, unique historical and political foundations (Hurd 2014: 40). The domestic analogy fails insofar as the rule of law idea distinguishes between a legal and a political domain in order to increase individual freedom under a sovereign authority (Hurd 2015: 366-7). At the international level, the rule of law addresses the opposite concern. Instead of protecting the interests of natural persons against the authorities, the challenge lies in limiting the autonomy of the subjects “in order to preserve international society itself” (Hurd 2014: 41).

The rule of law principle’s application to the international sphere coincides with the emerging sovereign state system and the dissemination of international law itself (Koskenniemi 1990; 2011: 4). Accordingly, the application of the rule of law at the international level “is conditioned by […] the absence of legislative power such as exists in internal legal systems, and the correlative need for many decisions to be made by consensus if they are to be made at all” (Crawford 2003: 10). States are not only subjects to international law; they are simultaneously legislators of the international order and its officials. Bereft a world government, “international law has few executive resources of its own. It depends on its individual subjects—sovereign

467 See e.g. Crawford (2013: 356), Kingsbury (2005), Kelsen (1978).
469 See e.g. Koh (2004), Krisch/Kingsbury (2006), Bogdandy (2008). The view that relations between states can be legally described as similar to the legal relationships between individuals in domestic private law remains pervasive in international legal thought. See e.g. Crawford (2012), Goldsmith/Levinson (2009), Lauterpacht (1927; 1933).
470 Consider for example the paradox of how the process of international rule making itself cannot be governed by law. See e.g. Hart (1961: 213-37), who argues that international law lacks a basic norm as general criteria of validity for the combined body of rules that a system of law would require for the rule of law to take effect. For possible solutions to that problem, see e.g. Tamanaha (2012: 237-40), Waldron (2011a: 317-22).
471 See e.g. Austin (1832), for whom international law is merely positive morality, or Dicey (1959 [1885]: 23), who argued that international law consists of “rules of public ethics, which are miscalled international law”. For modern proponents of this position see e.g. Goldsmith/Posner (2005). Others argue that this position has become all but irrelevant by now. See e.g. Chesterman (2008: 357-8), D’Amato (1985a).
nation-states—for the enforcement of its provisions and the integrity of its rule” (Waldron 2006: 24). If “there is no sovereign above the sovereign […] compliance must be conceived and explained by decentralized self-enforcement” instead (Goldsmith/Levinson 2009: 1840).

The issue of enforcement, however, is not of importance for this argument nor for the differentiation between domestic and international law. The claim that international law “is not enforced and is, therefore, both ineffective and not real law […] is based on a limited and inaccurate understanding of law enforcement” (Hathaway/Shapiro 2011: 258). Even in domestic law, the enforcement of rules depends on the specific relation of different branches of government to each other. Essentially, courts and judges act merely as “subdivisions of government, lacking the powers of purse and sword that might be used to coerce the compliance of other government officials and their constituents” (Goldsmith/Levinson 2009: 1831). Public law is not enforceable in the same way as laws concerning ordinary citizens, especially when matters of the fundamental order of society are involved (Hathaway/Shapiro 2011: 281).472 In this regard, domestic “constitutional law shares with international law the challenge of coercing the compliance of powerful political actors—or the inability to do so” (Goldsmith/Levinson 2009: 1831). Therefore, international law operates in a similar fashion to essential parts of domestic law.473

The major difference between the domestic and the international sphere is the lack of a centralized hierarchical institution in the latter. Since there is no higher authority above states that could be held accountable for its actions, the rule of law cannot be applied to a governance structure akin to domestic society – regardless of enforceability.474 Instead, on the international level, states retain their autonomy even when entering agreements because they themselves continue to shape and bend the rules of their own making, both through argument and practice. International law is a dynamic process of interpretation, argumentation, and negotiation. Even if the rule of law principle applies to all states, it does not follow that the rules spelled out in international law apply to all states equally.475 Instead, the rule of law refers to the obligation

472 Hathaway/Shapiro (2011) continue to argue for different types of enforcement excluding physical force or questioning the necessity of it originating from within a state.

473 This is the basis for constitutionalist arguments in international law. See e.g. Fassbender (2009a; 2009b), Bogdandy (2008: 397-413). In order to compare this position with the EU’s hybrid multilevel approach of law implementation encapsulating both national and international law, see e.g. Cannizzaro et al. (2011), Wessel (2009; 2008).

474 On the coerciveness of international law, see e.g. D’Amato (2000).

475 This violates the tenet of equality before the law central to the common understanding of the rule of law within states. For a similar line of argument, see e.g. Hurd (2015: 376-90; 2014: 40-42).
to base state behavior on the ideal of the rule of law as a principle from which to derive legitimate decisions. The obligation to adhere to the rule of law derives from the shared belief in the rule of law as a guiding principle of how to organize international affairs.\footnote{Tamanaha (2012: 246-7, 2008: 10-1) draws the same conclusion for the domestic sphere. See also Rawls (1999a: 546f).} Therefore, in the international realm, the rule of law serves as a response to the absence of a centralized authority. It responds “to the externalities, inefficiencies, and other implications of the formally decentralised and atomised arrangement of authority that is characteristic of the sovereign state system” (Hurd 2015: 366-7).

Moreover, “[a]t the international level, a relatively ‘thin’ conception seems both most likely to gain widespread acceptance across cultures as well as being more precisely attuned to the distinct problems confronting law at the international as opposed to domestic level” (Chesterman 2009: 3). In its minimal definition, the rule of law excludes normative objectives that reach beyond the basic idea of law as a means to create and sustain international order. It does not prescribe a particular kind of order.\footnote{See e.g. Rawls (1999a: 118), who argued, “[t]his concept imposes, by itself, no limits on the content of legal rules.”} Human rights or democracy “are separate elements that focus on different aspects of a political-legal system” than the rule of law (Tamanaha 2012: 324). Despite the claims for a ‘thicker’ understanding of the rule of law to bring about a juster international order,\footnote{See e.g. Keith (2015), who discusses the role of the rule of law in the United Nations Millennium Declaration (A/RES/55/2 2000) and the World Summit Outcome (A/RES/60/1 2005).} the principle’s strong appeal derives from its formal conception. It provides the most basic framework for an international community (of states) to form. More substantive ideas of the rule of law are dependent on its ‘thin’ conception to build upon, and, therefore, subordinate to it. Since I am interested in variation of state behavior, it seems reasonable to adopt a ‘thin’ and formalist model of the rule of law that refers to the relation among sovereign states. The adherence to this core conception of the rule of law serves as a baseline to categorize states responding to humanitarian emergencies.
6 The English School Tradition

This chapter develops the analytical framework for the comparative analysis in the following chapter. It provides an overview of the English School approach to international relations and argues for a specific understanding of international society.

The English School tradition refers to pluralism and solidarism to conceptualize an international society of states. Usually understood as mutually exclusive, international society is either dominantly solidarist or pluralist. Recent literature emphasizes the dual quality of institutions displaying both solidarist and pluralist qualities. Due to the English School tradition’s methodological fuzziness, however, empirical assessment of pluralist or solidarist tendencies is virtually neglected. My essential claim is that the available literature correctly identifies the English School’s conceptual ambiguities, but falls short of drawing the practical conclusions.

The current development in that debate consists of abstract discussions of ever finer theoretical details of its origins, or it displays the tendency to reduce the English School’s approach to a merely descriptive tool for historical narratives. The limited analytical utility stems from a lack of empirical correspondence of solidarism and pluralism beyond conceptualization. The juxtaposition of order and justice in international society is not helpful for untangling pluralism and solidarism or clarifying the transition from international system to international society and to world society empirically.

Addressing exactly these shortcomings, this chapter argues for a more rigorous conceptualization of international society. It advances an issue-specific two-dimensional conception of order and justice in the international society that does not dispute the idea of moral progress but merges different lines of argument into one coherent framework. I show that the inherent tension between cosmopolitan and communitarian values most visible in the balancing of justice and order does not confine international society to either a pluralist or a solidarist form. Instead, I argue for an orthogonal understanding of solidarism and pluralism that allows for distinguishing between different types of international society. This approach’s benefit consists in simultaneously accounting for the inherent morality of both solidarism and pluralism, their combined role for the type of order of international society, and its potential transformation towards world society. A two-dimensional conceptualization of international society allows tracing its development in terms of both pluralist and solidarist institutions as well as in regard to the English School’s understanding of progress.
In order to do so, the chapter engages with a discussion of the English School tradition, first by exploring its methodological point of departure (6.1), and second by outlining its underlying conceptionsal framework (6.2). This serves as the foundation for the critical engagement with the relationship of solidarism and pluralism constituting international society in the third section (6.3). After examining both the classic and the recent pluralism/solidarism debate, the fourth section (6.4) elaborates on the embedded theoretical contradiction and possible reinterpretation of progress within international society. The final section (6.5) presents an improved conceptualization of international society. It treats both solidarism and pluralism as orthogonal dimensions of international society and not as mutually exclusive or opposite ends of a spectrum.
6.1 Methodological Considerations

The English School represents a fully-fledged position of thinking about international relations and features prominently in the major textbooks on International Relations. It “purports to offer an account of IR which combines theory and history, morality and power, agency and structure” (Dunne 2010a: 136 [emphasis in original]). These aspirations constitute the shared foundation and starting point of English School theory. Whether or not the English School provides a theory in the first place depends on the perspective one adopts. The mainstream US American perspective demands “that a theory strictly explains and that it contains – or is able to generate – testable hypotheses of a causal nature” (Buzan 2004: 24 [emphasis in original]). According to this perspective, “the English School is less a theory that provides falsifiable hypotheses to be tested (or that have been tested) than a vague approach to thinking about and conceptualising world politics” (Copeland 2003: 427). From a British or European perspective, however, the term refers to “anything that organizes a field systematically, structures questions and establishes a coherent and rigorous set of interrelated concepts” (Buzan 2004: 24). However, the School’s controversial understanding of theory comes with a unique set of implications.

A major characteristic of the English School is its explicit “methodological quietism” (Spegele 2005: 97). Even though a variety of publications have been addressing English School methodology by now, such considerations are rarely built into empirical analyses conducted by English School scholars. The English School offers a unique historical understanding of international relations, but “it does not explicitly stipulate how the theoretical propositions may be applied” (Rønnefeldt 1999: 148). That does not mean that the English School tradition rejects Social Science methods, but that its methodology revolves more broadly around the question of how to achieve its cognitive goals. It has no natural ties to any particular Social Science method. Instead, its methodological pluralism opens up pathways for various ways to examine international relations. As a consequence, “simply figuring out what its methods are is [already]...

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479 Labelling this approach the ‘English School’ can be traced back to Roy Jones (1981: 1-2), who used the term to call for the School’s closure. The name was subsequently accepted both by self-proclaimed members and by critics of the English School (Suganami 2003: 253-7).


481 For more details on the European perception of IR, see e.g. Acharya/Buzan (2009: 5-8), Little (2003), Wæver (1998a; 1998b), Hollis/Smith (1990), Smith (1985).

a challenge” (Finnemore 2001: 509), because “it has no distinctive methodology” (Holsti 2009: 127). Since the international realm is composed of various layers of both material and ideational structures, English School scholars have referred to a broad range of methodological approaches in an inconsistent fashion (Bellamy 2005: 12). Following Tim Dunne (2008: 275f), two major lines of inquiry are distinguishable despite this epistemological pluralism.483

First, there is the classical approach, “that derives [insights] from philosophy, history and law” (Bull 1966a: 361). Hedley Bull (1966a: 361) argued that by following the “strict standards of verification and proof […] very little of significance […] can be said about international relations”. Whereas Wilson (2009: 167f) denies that a focus on method is an appropriate way of characterizing English School approaches at all, Jackson (2009: 21f) considers the School’s neglect of methodology to be one of its greatest assets. He argues that the study of international relations is a “craft discipline” involving deep familiarity with the material and the practices, which cannot be “taught through textbooks and classroom exercises” (Jackson 2000: 91-2). Understood as a non-explanatory interpretative approach, the English School is much closer to normative Political Theory than Political Science.484 Its conduct is based upon expository analysis, which “involves observation, discernment, interrogation, diagnosis, and explication” (Jackson 2000: 81), and aims at an understanding of international society from within (Dunne 2005: 163). Therefore, research in the field of international politics should be conducted in the form of an interpretative approach. Nevertheless, any such endeavor “should undoubtedly attempt to be scientific in the sense of being a coherent, precise, and orderly body of knowledge, and in the sense of being consistent with the philosophical foundations of modern science” (Bull 1966a: 375).

The second wing in contemporary English School theorizing aims at developing a structural theory, that is not in opposition to positivist epistemology (Buzan 2004: 23f). With regard to the classical approach, “it is difficult to figure out what exactly the School is trying to explain, what its causal logic is, or how one would go about measuring its core independent (causal) variable, ‘international society’” (Copeland 2003: 427).485 Addressing this critique, Barry Buzan (2004) defines the English School’s main goal as the identification of patterns in the

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483 Buzan (2004: 12) refers to three types of understanding the English School approach – ideas in the mind of statesmen, ideas in the mind of theorists, and externally imposed concepts defining the structure of the international system. However, both the first and the second type refer to internally held ideas, whereas only the third type differentiates significantly in terms of its externality from the former two types.

484 For more detail on that point, see e.g. Jackson (2009).

485 For a detailed response to Copeland’s (2003) attack, see e.g. Little (2003).
history of international order, allowing for comparison of different forms of international society over time. This line of argument pushes for a structural theory that focusses on analytical comprehensiveness and enables describing and theorizing about the empirical world on the basis of both observation and understanding of actors (Buzan 2005b: 184). In that sense, an analytical English School approach is positivistic.

This understanding of positivism, however, is not based on strict rules and laws as in the natural sciences. In contrast, Buzan (2004: 14) declares that the structural English School approach is about “finding sets of analytical constructs with which to describe and theorise about what goes on in the world, and in this sense it is a positivist approach, though not a materialist one”. Such a view “associates positivism with any method” that allows for “analyzing the recurrent and repetitious patterns” in history (Little 2000: 404). The major assumption underlying this view of international relations is the possibility to identify the “set of externally imposed concepts that define the material and social structures of the international system” (Dunne 2005: 162f). As a pragmatic mode of inquiry (Adler 2005: 180), where observation serves as a proxy for phenomena that are usually not directly observable, the structural English School approach privileges an “analytical representation of international society over a hermeneutic engagement with what actors have believed” (Dunne 2005: 163). However, even a structural approach does not abandon historical interpretation of beliefs and understanding of major actors. Instead of an attack on classical, normative English School theorizing, this analytical approach should be seen as an equally important “structural sibling” (Buzan 2005b: 185). Moreover, practices observed from an analytical point of view are still measured against a normative benchmark informed by the core conceptualizations of international society. Choosing one or the other approach is not a matter of preferences but depends on the particular research question one pursues (Buzan 2005b: 192-193).

Either way, the “goal is not the acquisition of a skill, or technique, or practical capability. Rather the goal is general understanding or a general appreciation of ‘the relation of things’” (Wilson 2009: 185). Both positions share the rejection of “the notion that an international society can be produced by forces that exist outside of individual human agents, such as ‘the balance of power’ or ‘globalisation’ understood as processes that happen irrespective of human intention” (Navari 2009b: 44). Accordingly, the focus of English school scholarship falls necessarily on the ‘Understanding’ side of Martin Hollis’ and Steve Smith’s (1990) attempt at distinguishing

486 e.g. norms, motives, beliefs, etc.
between ‘Explaining and Understanding International Relations’. However, it is “simply not the case, for example, that interpretative or hermeneutic approaches represent the only way of getting at shared rules, norms and institutions” (Hurrell 2001: 490). Summarizing Richard Little’s (2009: 85) “methodological positioning” of the English School, Cornelia Navari (2009a: 4) concludes that “methodological pluralism is a necessary consequence, and a necessary requisite, of the English School approach”, because its conceptual understanding both allows and requires the application of “different methods to different levels of analysis and to different forms of social structure” (Navari 2014: 209). Therefore, the English School’s “methodological pluralism” is not only “[o]ne of the distinctive features of the school”, but it “opens up pathways for various research designs” from various angles (Wilson 2009: 185).

Given that the English School revolves around different “ways and means of proceeding in the making of knowledge-claims”, Peter Wilson (2009: 185-6) argues that “[a]pproach’ is a much more appropriate term, for it suggests a general outlook, the employment of a certain set of concepts, the advancing of a certain set of propositions, and the assumption of a certain style or character of argumentation”. Despite the school’s apparent methodological plurality, existing studies share a common set of characteristics central for their (self-)identification as following the English School’s broad approach. Among these, the general lack of interest in causal analysis, the emphasis of historical context, and the unique interplay between abstract concepts and empirical events, are of particular prominence.

As an essentially non-explanatory approach, the English School does not resort to specific Social Science methods to identify causal inferences. Instead, it connects events and outcomes with the main actors’ aims and intentions. The goal is to uncover patterns in the practice of the main actors, not causes of their behavior. Accordingly, practices are understood as “patterned actions that are embedded in particular organized contexts and, as such, are articulated into specific types of action and are socially developed through learning and training” (Adler/Pouliot 2011: 5). This alignment follows from the English School’s conviction that “the study of International Relations is about uncovering actors’ understandings of international politics and the ways in which these understandings have been gathered into intelligible patterns, traditions, or ideologies” (Hurrell 2001: 493). Therefore, most studies advanced from self-declared members of the English School “investigate the institutions which sustain certain shared understandings by lending them the additional weight of being institutional facts” (Neumann

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487 For a detailed discussion, see e.g. Navari (2009b).
such an approach is based on the assumption that “a society constituted by rules must be produced by rational subjects with intentions” (Navari 2009a: 4). However, “the focus is less on theoretical understanding of how particular institutions or regimes emerge and develop; and more on assessing the overall character of institutionalization in world politics, the normative commitments of different varieties of institutionalism, and the adequacy of existing institutions for meeting practical and normative challenges” (Hurrell 2001: 491). Therefore, it is not surprising, that “causal analysis does not have much purchase for English School scholars” (Navari 2009a: 4).

Studies emanating from the English School tradition are usually much closer to History or International Law than they are to Political Science or the Social Sciences in general. In contrast to both International Law and History, though, the focus lies on the search “for analytical explanations of the various domains and sectors and how these all hang together” (Dunne 2005: 158). Studies within the English School tradition are generally interested in “how historical narratives of how the international social structure has evolved/changed” (Dunne 2005: 158). In order to do so, the main goal consists in “identifying critical moments in historical development [...] and plotting their consequences” (Navari 2014: 213). Such an approach requires “embracing the nuance, subtleties, and complexities of world politics without abdicating the over-arching goal of finding meaningful [...] trends within processes of world historical development” (Lawson 2006: 405). In other words, adopting an English School perspective implies, that “history is investigated rather than postulated” (Neumann 2001b: 503). Although “the English School has the most intimate association with history of any of the major approaches to international relations”, and “there is certainly an underlying historical sensibility to English School theory, there is no consistent philosophy of history or historical method that can be clearly associated with the approach” (Lawson 2012: 209). Historical context is central to the understanding of international relations, but the study of history is not a substitute for the analysis of international affairs.

Additionally, the English School provides a unique set of concepts to the analysis of international relations. It differentiates between international system, international society and world society in order to distinguish different actors and mechanisms at play on the different

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488 For a discussion of causation in IR beyond purely positivist doctrine, see e.g. Suganami (2013; 2010), Kurki/Suganami (2012), Kurki (2008; 2006).


levels constituting international affairs as a whole. Simultaneously, each level is linked with a normative outlook on how to look at the world – international system with ‘realism’, international society with ‘rationalism’, and world society with ‘revolutionism’. These levels “are not simply competing normative assessments of world politics”, but are assumed to coexist in the outside world, “operating within a single complex reality” (Little 2009: 90). Andrew Linklater (1990a: 10) went even further, linking ‘realism’ to a positivist approach because it revolves around the “recurrent and repetitive patterns of international relations”, ‘rationalism’ to hermeneutics “because it analyses the language and culture of diplomatic practice and the conventions which states obey as members of an international society”, and ‘revolutionism’ to critical theory because it stresses that “a series of interlocked crises may bring about the transformation of the modern international system”.

Thinking about international order in purely abstract terms, the English School tradition aims at identifying the essential elements of each level in order to theorize about their interaction. Adding both a normative and an empirical dimension allows “to test the utility of the ‘international system’ as a transhistorical theoretical toolkit” against specific temporal and spatial contexts (Lawson 2012: 209). Thereby, “the past matters because of the changing, contested, plural, and completely unstraightforward nature of the concepts with which we map the international political landscape” (Hurrell 2001: 493). This aim mirrors the pragmatist use of “reason and empirical evidence to arrive at consensual understandings about intersubjective phenomena” (Adler 2005: 180). Both meaning and evaluation of certain concepts, practices, and objects evolve over time. Ascribing to the notion that “[o]nly when we consider both practice and its justification can we grasp the continuity and change […] without succumbing to the fallacy of structural persistence or to largely platitudinous generalizations” (Kratochwil 1995: 22), the English School provides a set of conceptual tools precisely to do that.

Advancing the English School tradition “might involve interdisciplinary work, but it also means appreciating that historical and legal approaches to the subject have their own integrity and internal logic and cannot easily be cherry-picked to suit the immediate purposes of the political scientist” (Hurrell 2001: 490). Given that much attention has been devoted to the School’s conceptual origins and the concept of international society in particular “it becomes increasingly apparent that the methodological orientation of the ES, like its research framework, is also much more complex than is generally recognised” (Little 2009: 100). However, despite

491 A more detailed account and discussion of the key English School concepts follows in the subsequent chapters.
a strong tendency to reflect on both its concepts and its own historical development,\footnote{Copeland (2003: 431) accuses the English School of being mainly engaged in self-centered naval-gazing, because its proponents “seem more interested in establishing the history of the School […], in discussing different ways of conceiving the core concepts […], or in providing exegetical points on the founding fathers […]. Such efforts may be important for the development of theory, but they are not theory themselves”.} the English School remains “an underutilized research resource” (Buzan 2001: 472).\footnote{For a similar stance more than a decade later, see e.g. Murray (2014: 92).} Although the English School continues to present itself as a thriving field of IR literature, “it is essential to carry out empirical research in conjunction with attempting to develop a theoretical understanding of international action” (Little 2009: 100). Its major strength lies in the fact that as a larger approach, the English Schools allows for a variety of fundamentally different research designs, providing multiple pathways of how to shed light on the linkage between the empirical and its conceptual framework.
6.2 International Society

The English School tradition focusses on the prominence of order in the face of anarchy in the international system. Order implies a specific pattern of human activity that leads to a particular, purposeful arrangement of social life.\(^{494}\) On the international level, order refers to the framework of rules, values, and institutions\(^{495}\), as well as the form of interaction between various agents.\(^{496}\) This understanding of order presupposes the existence of an international society\(^{497}\) and differentiates between pluralist and solidarist types of order. Solidarism and pluralism are the core concepts of English School scholarship\(^{498}\) used to characterize an international society. Solidarism focusses on states embracing shared moral norms underpinning international law and their role for the order of international society.\(^{499}\) A pluralist conception of international society emphasizes the instrumental function of order maintained by cultivating political differences and distinctness as the foundation for a common legal framework regulating state conduct.\(^{500}\)

The pluralism/solidarism debate within the English School revolves around the moral dilemma between a need for order and a demand for justice.\(^{501}\) Striving for justice risks undermining the existing international order, securing order and stability more often than not stifles the pursuit of global justice.\(^{502}\) The apparent tension between order and justice is present in terms of both moral desirability and analytic utility for making sense of international relations (Bull 1971: 269).

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\(^{494}\) See Bull (1977: 3-4).

\(^{495}\) The term ‘institution’ refers to “an established custom, law, or relationship in a society or community” (Hanks 1986), and is relatively fundamental and constitutive of both “actors and their patterns of legitimate activity in relation to each other” (Buzan 2004: 167). See also Bull (1977: 40, 74).


\(^{497}\) International society refers to “a group of states, conscious of certain common interests and common values, [that] form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions” (Bull 1977: 13).

\(^{498}\) For the role of the English School in International Relation Theory, see e.g. Buzan (2014a; 2001), Dunne (2008), Linklater/Suganami (2006), Little/Williams (2006), Little (2000).


\(^{501}\) See e.g. Hurrell (2014; 2003). As elaborated on in Chapter 1.3, this thesis treats both order and justice as abstract concepts that serve as transhistorical containers and are not bound to a specific form or interpretation of a specific temporal and spatial context. The English School, however, advances specific conceptions of both order and justice, namely solidarist and pluralist ones. On the usage of concepts as containers, see also Collier/Mahoney (1993), Sartori (1970). On the corresponding understanding of history, see e.g. Hobson/Lawson (2008).

\(^{502}\) See e.g. Bull (1977: 74-94, 1971: 269-76). For a detailed discussion, see e.g. the contributions in Foot et al. (2003). On moral dilemma in general, see e.g. Statman (1995).
The former refers to the ongoing discussions in the field of Political Theory and Political Philosophy theorizing normative arguments for international justice and world order. In essence, scholars are asking how a just world society should look like and how pluralist or solidarist principles are indeed furthering global justice. The latter refers to the empirical problem of figuring out how state action, institutions, or international organizations actually promote order and justice. Here the question is how these concepts can help us to understand the empirical world. This thesis picks up on the second task and engages with the literature by political scientists self-identifying as working within the English School tradition of international relations. These scholars resort to solidarism and pluralism as a means to formalize the justice/order juxtaposition.

Classical English School scholarship depicts the relationship between pluralism and solidarism as fundamentally conflicted and mutually exclusive. There is no inherent or inevitable incompatibility between order and justice in general, but concrete demands for global justice necessarily imply the destruction of the very rules and institutions of the current order (Bull 1977: 83-9). In principle, however, the existing pluralist order could develop into a solidarist international society.

Recent contributions are questioning the dichotomous character of the pluralist/solidarist divide (Zhang 2016: 96-9). Instead, both pluralism and solidarism are perceived as ideal types defining “the ends of a spectrum along which movement is possible” (Buzan 2001: 479). According to this viewpoint, the international society contains elements of both pluralism and solidarism, distributed over different issue areas. This allows for distinguishing between ‘thicker’ solidarist and ‘thinner’ pluralist types of international society.

Both positions, however, normatively charge pluralism and solidarism unequally and remain almost exclusively on an abstract, theoretical level. They perpetuate the still persisting incongruity between solidarism and pluralism on normative grounds. In accordance with the

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504 On ideal types and ideal-typification, see supra note 206.

505 See e.g. Buzan (2004: 45-50, 56-7, 149; 2014a: 85-6).

506 ‘Thick’ and ‘thin’ refer to the density of institutions within international society. A ‘thick’ international society is characterized by a high level of international institutions across various issue areas, whereas a ‘thin’ international society is characterized by the low degree of institutionalization. See e.g. Buzan (2004: 48-9).

507 Usually solidarism is associated with moral progress and, therefore, perceived as normatively superior to pluralism. Critics pointing out the pluralists’ consequentialist ethics, however, argue for the superior morality
English School’s methodological incommensurability, no measurable progress has been made to overcome existing conceptual indeterminations. Critics have long challenged English School approaches precisely for that reason.\(^{508}\) They refer to the lack of “robust rules of evidence to untangle the interplay among” pluralism and solidarism, and question “how, empirically, one categorizes cases as one type versus another” (Finnemore 2001: 510, 512). The major problem in form of answering the question of “how do you know an international society (or international system or world society) when you see one” remains unanswered (Finnemore 2001: 509).

The common point of departure for the English School is the fact that it revolves around the conception of international relations “as a never-ending debate between three philosophical and political traditions” (Rønnfeldt 1999: 143).\(^{509}\) Wight (1991: 5-24) refers to these three traditions as realism, rationalism,\(^ {510}\) and revolutionism. Bull (1977: 23f) builds upon Wight’s work but codifies these traditions according to representative figures differentiating between a Hobbesian, a Grotian, and a Kantian perspective on international relations.\(^{511}\) Whereas Hobbesian Realism emphasizes power politics among states interacting in an international system, Kantian revolutionism focuses on individuals and non-state organizations as the global demos constituting a world society.\(^ {512}\) An international system where states are solely motivated by considerations for self-interest lacks common ideas of justice or binding rules; only through limited interaction do they behave “as parts of a whole” (Bull 1977: 9, 23). Here, order is merely the unintended result out of coercive power. A world society, on the other hand, assumes a global community of humankind, “which exists potentially, even if it does not exist actually” (Bull 1977: 24). Replacing the state system with a cosmopolitan society based upon the “transnational social bonds that link […] individual human beings” directly transcends the mere rules


\(^{509}\) For the historical development of the English School see e.g. Vigezzi (2005), Suganami (1998), Dunne (1998), Waever (1998b: 85f).

\(^{510}\) Rationalism in the English School is not to be confused with the rationalism Robert Keohane (1988) refers to, when differentiating between rationalistic and constructivist approaches.

\(^{511}\) These labels derive from the respective authors’ basic positions as outlined in their writings. See e.g. Hobbes (1996 [1651]), Grotius (2005 [1625]), and Kant (1991 [1795]). On Hobbes’ conception of coercive order, see e.g. Jade (2018). On Grotius’ thoughts in IR, see e.g. Jeffery (2006b). On Kant’s conception of the ‘international’ and of international order, see e.g. Molloy (2017), Franke (2001).

of coexistence towards cooperation (Bull 1977: 24). Common institutions are built by individuals on the grounds of common values and interests that are shared globally.

English School theorists are not satisfied with how realist and revolutionist positions depict the story of international relations. Instead, they argue in favor of adding the Grotian conception for a more comprehensive narrative.513 Oftentimes labeled as via media,514 the idea of states forming an international society refers to “a group of states (or, more generally, a group of independent political communities) which not merely form a system, in the sense that the behaviour of each is a necessary factor in the calculations of the others, but also have established by dialogue and consent common rules and institutions for the conduct of their relations, and recognise their common interest in maintaining these arrangements” (Bull/Watson 1984: 1). On the one hand, states follow their interest in terms of power, but on the other hand, they “recognize the existence of rights and duties in their relation with each other” (Wheeler 1992: 465). Consequently, states have a choice to either strengthen or weaken the normative foundations whereupon the society of states exists. Power and self-interest remain central themes. However, “[t]he importance of law does not rest on the willingness of states to abide by its principles to the detriment of their interests, but in the fact that they so often judge it in their interest to conform to it” (Bull 1977: 140). For a society of states to exist, a common core understanding of justice and a shared agreement about the intrinsic value of order are prerequisites.

The ideas pointed out in the three traditions are always present simultaneously and influence the practice of world politics, albeit to varying degrees. World society, international society, and the international system are coexisting levels structuring global politics. Although international society emerges out of an international system, the system continues to exist and exerts its influence on international affairs. Figure 6 illustrates how the three perspectives complement each other.515 The realist perspective emphasizes power and national responsibilities, rationalism gives priority to international responsibilities and order, and cosmopolitan revolutionism stresses universal humanitarian responsibilities and justice.516 Instead of setting the three perspectives against each other, they form a complete and interlinked

513 For the detailed argument, see e.g. Cutler (1991), Kingsbury/Roberts (1990), Bull (1966b), Lauterpacht (1946). For a critique of the notion of a Grotian tradition see e.g. Jeffery (2006a).


516 See Jackson (2000: 196-78).
picture of international relations only in combination. A core element of the English School approach is the holistic idea of all three traditions being “in continuous coexistence and interplay” (Buzan 2001: 476). Of special interest are, therefore, the connections between international system, international society, and world society, and the processes responsible for transformation among them (Williams 2005: 21).

Figure 6: The Three Traditions

English School scholars have been primarily interested in the formation of international society because it is perceived to be the predominant image of modern international relations under anarchy. In the international system, order describes merely any methodical arrangement among any social phenomena. World order, on the other hand, goes beyond international order and encompasses all of humankind in all forms of social organization (Bull 1977: 3-21). International order can only exist among states or independent political communities with similar functions. This understanding of order as “a pattern of behavior that sustains the elementary or primary goals of social life” necessarily presupposes an international society, because order in this sense only arises from a shared interests in those goals; “by rules which

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518 It has been referred to as ‘The International Society Tradition’ especially for that reason. See e.g. Jørgensen (2010: 102f), Vigezzi (2005:33-4), Suganami (2002). See also supra note 509. For an early critique, see e.g. Brown (1995). For a more recent argument against focusing too much on international society, see e.g. Dunne/Little (2014).
prescribe the pattern of behavior that sustains them; and by institutions which make these rules effective” (Bull 1977: 51). This common understanding of international order sparked the early research on international societies.

The core principles necessary for an international society of states to form – limitation of violence, property rights and sanctity of agreements – derive from states realizing their common interest in order and rules in the form of institutions (Bull 1977: 52, 63-71). These institutions are not formal organizations, but “rather a set of habits and practices shaped towards the realisation of common goals” (Bull 1977: 71).519 No international society must necessarily develop the same institutions, but some seem to be more important than others (Wight 1979: 111-2). Whereas Bull (Bull 1977: 71) suggests the balance of power, international law, the diplomatic mechanism, the managerial system of the Great Powers, and war, others put forward sovereignty, non-intervention, territoriality, colonialism, and the dynastic principle (Buzan 2004: 167-76).

These primary institutions are crucial for the specificity of an international society because they are “constitutive of actors and their patterns of legitimate activity in relation to each other” (Buzan 2004:167). They define who the main actors are and determine the basic rules of conduct for the respective international society.521 Only a few highly abstract primary institutions are self-contained; the majority are derivatives of these abstract primary institutions.522 Secondary institutions are the concrete manifestations of those derivative’s principles in form of regimes or embodied organizations. Therefore, “one needs to distinguish between changes in and changes of primary institutions” (Buzan 2004: 182 [emphasis in original]). Either way, these institutions define the international society of states. Regardless of which institutions emerge, they all serve to maintain the resulting international society and mediate discrepancies between order and justice.523

519 For a discussion on the understanding of institutions, see e.g. Laust (2014; 2011), Knudsen (2013), Holsti (2002), Reus-Smit (1997), or more fundamentally, e.g. Searle (1995).

520 For more suggestions, see e.g. Holsti (2004), Jackson (2000: 102-12), Mayall (2000: 149f), Wight (1979: 11).


522 For examples, see e.g. Buzan (2004: 161-204).

6.3  Pluralism and Solidarism

The conflicting relationship between justice and order within international society corresponds with two conceptions of international society: a pluralist and a solidarist form.\(^{524}\)

A pluralist conception of international society emphasizes the instrumental function of order maintained by cultivating political differences and distinctness as the foundation for a common (positivist) legal framework regulating state conduct (Buzan 2001: 478). Given that “states are the only subjects of international law”, the legitimacy of an international legal framework derives from state consent to it; “hence, individuals enjoy rights insofar as they are concessions granted by the will of the state” (Bain 2014: 160).

This perspective builds on the communitarian conviction of profound normative and cultural diversity in world politics.\(^{525}\) Principles of justice emerge within the context of a specific coherent community, but cannot claim universal range (Brown 2002: 92-3).\(^{526}\) Ideas of global justice are necessarily always contextual (Miller 2007a: 263), and must acknowledge the relevance of borders between communities (Nagel 2005: 113-47).\(^{527}\) A society of states has to accept the inherent normative pluralism. Pluralists are rather skeptical when it comes to universal principles, but despite their competing views of morality, states are still able to agree on the fundamental value of order (Linklater 1990b: 20). Without continued efforts to uphold order, international society will cease to exist. Therefore, all members of an international society, but especially the Great Powers, have a moral duty not to break up international society by forcing their own values upon others. For international society to flourish, matters of individual justice are best served by appropriating them to the respective state.\(^{528}\) Consequently, a pluralist position denies that there is, or even should be a right of humanitarian intervention (Wheeler 1992: 468). For pluralists,\(^{529}\) the absence of an agreement about the nature of a good life and the status of human beings entails the normative desirability of a politically and culturally diverse international society to ensure its stability (Williams 2005: 22).


\(^{525}\) For a brief overview of communitarian thought, see Chapter 5.1.

\(^{526}\) See also Walzer (1977).

\(^{527}\) See also Miller (2005a; 2004).


Solidarism focusses on states as representing individuals with certain rights and duties under international law (Bull 1966b: 68), embracing the shared norms underpinning the international society (Buzan 2001: 478). This position resorts to individualist and universalist assumptions of cosmopolitanism,\textsuperscript{530} deducing that human beings have a general moral obligation to oppose injustice and prevent suffering even beyond their own community (Shapcott 2010: 15; Lu 2002: 263). That encompasses human rights and different aspects of economic and social justice (Caney 2005b: 102-147), which are prioritized against a statist order and mere stability (Pogge 1992: 58). The theoretical assumption of individuals agreeing to a “universal standard of justice and morality against which the actions of states may be judged” (Cutler 1991: 48) is based on the solidarist commitment to natural law, which “designates individuals rather than states as the ultimate members of international society” (Bain 2014: 160). Given that states are tasked to care for the wellbeing of their citizens, solidarity between the states of an international society expresses itself in the growing body of (humanitarian) international law and the willingness to enforce these standards (Wheeler 1992: 468).

This allows not only for varying degrees of political convergence but necessarily leads towards a more interventionist understanding of international order (Buzan 2001: 478).\textsuperscript{531} For solidarists,\textsuperscript{532} “the emergence of limited, universal ethical consensus is possible, desirable and even present on some questions” (Williams 2005: 22), such as dealing with humanitarian emergencies “that shock the moral conscience of the world” (Walzer 1977: 107).\textsuperscript{533}

Following Hedley Bull (1966: 66-8), the difference between the two positions is that a pluralist international society is “united in the respect of certain minimum purposes secured in positive agreements”, whereas a in solidarist international society “right reason illuminates a unity that transcends whatever may be the subject of voluntary agreements underwritten by state consent” (Bain 2014: 160). Neither perspective solely focuses on either order or justice. In contrast, both pluralism and solidarism represent a particular view on the relationship between order and justice. Instead of dismissing one or the other, they differ in their evaluation on how the balance between order and justice should be set up for an international society to prosper. This ongoing

\textsuperscript{530} For a brief overview of cosmopolitanism, see Chapter 5.1.

\textsuperscript{531} See also Buchanan/Keohane (2004: 4-5); Evans/Sahnoun (2002: 101).


\textsuperscript{533} For an extensive discussion of both solidarism and pluralism, see Buzan (2014a: 81-167), Williams (2005), Knudsen (2000), Wheeler (1992).
debate between pluralists and solidarists “is undoubtedly one of the central questions in the intellectual history of the English School” (de Almeida 2003b: 144).

Classical English School scholarship534 displays a clear preference for pluralist values. In his seminal work on the anarchical society, Hedley Bull (1977) argues for “a fundamental contradiction between pluralist principles for the maintenance of international order and solidarist principles for the pursuit of human justice” (Knudsen 2016: 106). Accordingly, pluralism and solidarism have been presented “as two competing streams of thought in the history of ideas, as well as two alternative models for the organization of international society” (Zhang 2016: 105). The majority of English School literature treats the relationship between pluralism and solidarism as mutually exclusive (Bain 2014: 165; Hurrell 2014: 147). This divide becomes eminent in the common phrasing of “pluralism versus solidarism” and has been considered as “one of the principal axes of difference in the English School” (Dunne 2008: 275).

In analytical terms, international order arises when an international system gives rise to a pluralist international society. Figure 7 illustrates the classical view’s understanding of that disposition.

**Figure 7: Classical View of Pluralism vs. Solidarism**

<table>
<thead>
<tr>
<th>International System</th>
<th>International Society</th>
<th>World Society</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-societal state of nature based on power</td>
<td>Pluralism</td>
<td>Solidarism</td>
</tr>
<tr>
<td>Cosmopolitan society among individuals</td>
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Further transformation creating a world society is only possible if pluralist values are replaced by solidarist values. The solidarist advocacy of justice is presented as a progressive and transformative position (Bellamy/McDonald 2004: 308f). Its supporters consider it morally superior to a pluralist order of international society because of its potential development towards world society.535 In contrast, the pluralist defense of order is associated with a


conservative and reactionary point of view (Hurrell 2007: 57f). A pluralist international society is only one step away from the orderless\(^{536}\) international system from which it emerged. This, however, is perceived as a major accomplishment worth preserving by pluralists.\(^{537}\) Any deviation towards more solidarism risks undermining the ‘thin’ fabric of international society and jeopardizes the continued existence of international order.

The classic view holds that international history on balance appears to reflect the dominance of pluralist conceptions of international society.\(^{538}\) This is further supported by the argument stating that order “is prior to other goals, such as that of justice” (Bull 1977: 93).\(^{539}\) A pluralist order is desirable because it is the precondition for the realization of other values, and it is achievable because it rests upon minimalist criteria of consensus about the most basic characteristics of international society (Buzan 2014a: 90).\(^{540}\) Justice and order are not inherently or necessarily contradictory. On the contrary, they might even coincide. Pluralism and solidarism, however, are set up as opposing concepts, reflecting values that emphasize different conceptions of order and justice. In the classical conception of order and justice in the international society, pluralism and solidarism are essentially mutually exclusive.

The more recent contributions to English School scholarship increasingly argue that pluralism and solidarism are not necessarily mutually exclusive, both in normative and conceptual terms.\(^{541}\) Rather, they should “be seen as endpoints on a continuum with many possible combinations, or as two sets of principles and institutions that can be (and historically have been) combined and mixed in the political organization of international society” (Knudsen 2016: 106).

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536 Order in the international system represents merely an arrangement or pattern of actors and their scarce interaction, because it lacks the sense and consciousness of a common purpose necessary for order to develop, which is how the English School defines order following Hedley Bull (1977: 4, 51).


539 For an opposing view, see e.g. Almeida (2003b: 145-50), who argues that Hedley Bull’s later writings “are considered to represent a solidarist turn in Bull's thought”; testifying “a considerable evolution […] from a straightforward defence of pluralism and rejection of solidarism […] to a much richer and more thoughtful consideration of pluralism and solidarism”.

540 Namely some sort of limitation of violence, rudimentary respect for property rights and a basic acceptance of the adherence to agreements. See e.g. Bull (1977: 18-9).

These arguments draw on the interdependence of order and justice. It is hard to imagine a just society without order or an orderly society bare of any notion of justice. The fact that international society naturally appeals to both order and justice, indicates some sort of balance between the two. This balance does not follow from pluralist and solidarist values canceling each other out. Instead, pluralism and solidarism must to some degree coexist and simultaneously shape international society (Bain 2007). Moreover, “pluralism and solidarism, as defined by Bull, are in essence differing judgments about the extent of solidarity or potential solidarity present in the existing international society” (Suganami 2002 [emphasis in original]). Accordingly, pluralism and solidarism are not necessarily opposing ideas, but rather two sides of the same coin (de Almeida 2006: 68). The previously assumed incompatibility of pluralism and solidarism is based upon the failure to differentiate between cosmopolitan solidarist rhetoric and solidarism in practice.

Whereas solidarist rhetoric “draws upon cosmopolitan values of individual rights and the universal community of humankind” (Zhang 2016: 100), solidarism in an existing international society is “dependent on the ideational and material support of core states in international society” (Dunne 2008: 279). Eventually, solidarism aspires to cosmopolitan values, but in practice, it is certainly not “the bogeyman that threatens the international order” by undermining the society of states (Buzan 2014a: 116-9). To the contrary, “the road to common humanity lies through national sovereignty” (Hurrell 2007: 149). Bare of a world society, “universal duties to humankind can be best discharged through the mediating agency of the state” (Parekh 2003: 13). Solidarism in the international society is not synonymous with a liberal cosmopolitan world society because implementing and defending cosmopolitan principles in an international society is ultimately performed by states. Such state-centric solidarism focusses on common beliefs fostering cooperation and convergence among states, not individuals.

Due to the empirical fact that states play an indispensable role in promoting solidarist values, the pluralism/solidarism divide should be understood “as a debate rather than a taking of mutually exclusive positions” (Buzan 2014a: 93). International society is not either fully pluralist or fully solidarist but displays characteristics of both. Pluralism necessarily rests on some elements of solidarism, such as the commonly shared appreciation for order and its essential institutions; solidarism, in turn, necessarily develops its universal standards from an existing pluralist framework. Even strongly pluralist notions of justice and order leave room for

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solidarist values to persist simultaneously. An international society of states is necessarily composed of both pluralist and solidarist institutions. Therefore, “[d]etermining whether contemporary international society, as a whole, is either pluralist or solidarist remains a fraught, if not futile, exercise” (Weinert 2011: 21 [emphasis in original]).

Barry Buzan (2014a: 16, 83–87, 89–167) argues, that solidarist and pluralist values are not only compatible and interdependent but to a large degree co-dependent and co-evolving.\footnote{For a similar line of reasoning see e.g. Zhang (2016: 101-2), Reus-Smit (2004b: 275), Hurrell (2003: 31-2), Wheeler (2000b: 309).} He is primarily interested in the practical evolution of solidarism alongside established pluralist institutions. Therefore, he treats pluralism and state-centric solidarism as equal and morally neutral within international society for analytical reasons. Both are “interlinked sides in an ongoing debate about the moral construction of international order” (Buzan 2014a: 113). International society is constantly reassessing the balance between justice and order in terms of readjusting its institutions.

Imagined as such, this evolutionary process includes transformation within, as well as the transformation of primary institutions. Tracing “the rise, demise and changing interpretations and practices of primary institutions”, therefore, accounts for the evolution of both pluralist and solidarist institutions “and their intimate linkage” (Zhang 2016: 98). Depending on the amount and type of existing institutions international society’s social fabric varies in its density of rules and norms. The more institutions exist, and the more norms and rules are shared and accepted, the higher is the density of international society. Each institution concerns itself with interwoven but analytically separate issue areas. Splitting up international society into issue areas allows examining pluralist and solidarist values at play in each institution separately.\footnote{See also Buzan (2005a; 2005b; 2004), Buzan/Wæver (2003).}

This, however, does not address the question whether state-centric solidarism’s normative ambition resulting from liberal cosmopolitan values is nevertheless transforming the international society of states into a world society (Zhang 2016: 100). The co-existence of pluralist and solidarist institutions within international society does not refute the claim that only a densely solidarist fabric of international society has the potential to transform into a cosmopolitan world society. A ‘thick’ international society displays a broad range of shared norms and institutions deeply embedded in interaction processes. It emphasizes cooperation on a wide range of issues and the realization of shared values. In contrast, a ‘thin’ international
society is characterized by a low degree of shared norms and limited institutional reach. It is mainly focused on solving coordination problems allowing for orderly coexistence (Buzan 2004: 49). Figure 8 illustrates the updated view on the relationship between pluralism and solidarism.

Figure 8: Updated View of Pluralism & Solidarism

<table>
<thead>
<tr>
<th>International System</th>
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<th>World Society</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-societal state of nature based on power</td>
<td>Thin Pluralism</td>
<td>Thick Solidarism</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cosmopolitan solidarity among individuals</td>
</tr>
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</table>

The more solidarist values and institutions emerge, the ‘thicker’ is the fabric of international society and the higher is the potential to develop into a truly cosmopolitan world society. The less solidarist values and institutions exist, the ‘thinner’ is the fabric of international society and the further away are we from a cosmopolitan world society. Setting up international society as a spectrum reaching from ‘thin’ pluralism to ‘thick’ solidarism stresses the simultaneous existence of partially contradicting values. Instead of characterizing international society as either pluralist or solidarist, such a conception allows differentiating between different degrees of social density. Thereby, it emphasizes the possible development within international society that links international system on one end with world society on the other end.

In contrast to the classical account, solidarism and pluralism are not mutually exclusive. ‘Thick’ and ‘thin’ conceptions coexist within international society without necessarily cancelling each other out. However, the relationship between pluralism and solidarism remains essentially diametrical. Although different degrees of ‘thickness’ softens the transition from a pluralist to a solidarist conception of international society, and vice versa, conceptually, pluralism and solidarism represent opposing ends of international society. Figure 9 illustrates the possible types of international society following from a diametrical understanding of solidarism and pluralism. The ‘thickness’ of international society ranges from thin pluralist values or institutions to a thick solidarist society, with thick pluralism preceding thin solidarism.
Accordingly, the three traditions of looking at international relations are not only simultaneously existing but separate perspectives; instead, they are sequentially connected, starting with an international system advancing from power maximization towards security seeking, which in turn lays the foundation for a ‘thin’ pluralist international society of states. Increasing density of rules and norms are following from emerging solidarist values, resulting in a ‘thick’ solidarist international society. World society only emerges out of a ‘thick’ pluralist international society when the social fabric of norms and rules becomes so dense that its institutions transcend individual states. All three levels are still understood as “different environments of action, different social realities (structures in the contemporary parlance), which exist in a dynamic relationship with one another” (Navari 2013: 15), but now their unequal moral standing becomes even more apparent.

Figure 10 illustrates this updated view on the three traditions. Since world society “takes individuals, non-state organizations, and ultimately the global population as a whole as the focus of global societal identities and arrangements”, it represents a liberal ideal of “universalist cosmopolitanism” (Buzan 2014a: 13).
Within this trinity, international society is of central importance for two reasons. First, it incorporates the dominant form of modern international relations. States are interacting against the background of a – more or less – common set of shared rules. As soon as the most basic pluralist order emerges and up to a fully developed solidarity among states international society comes into play. Second, international society connects the international system with world society and defines the direction of potential moral progress. At the ‘thin’ pluralist end of the spectrum, collective action motivated by values is difficult and rare. Towards the ‘thicker’ solidarist end, however, even the enforcement of norms and rules is becoming generally accepted. Therefore, solidarism maintains the claim of moral superiority insofar as progress towards world society remains one-directional. Progress remains closely associated with solidarist values. World society, after all, is based on the universal implementation of liberal cosmopolitan values and appears to mark a normative endpoint. This conception spans from an

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imagined Hobbesian state of nature on one extreme to the liberal utopia of a true end of history on the other end.\textsuperscript{546}

\textsuperscript{546} In contrast to Fukuyama (1992), this understanding is not limited to the disappearance of ideology other than liberalism, but also encompasses both its culmination in the global ascendancy of cosmopolitanism and the simultaneous dissolution of the nation-state.
6.4 Progress in International Society

Current English School scholarship continues to concentrate on international society, first as separate from a mere international system, and second, as distinct from a global world society. The image of an international society is believed to be the most appropriate conceptualization of how international affairs among states operate. So far, the concept of world society serves primarily as a conceptual counterweight to an international system in defining international society. Precisely for this reason, it remains woefully underspecified. Nevertheless, it serves as the pinnacle of normative progression towards universal cosmopolitanism (Williams 2014: 132). Although commonly understood as an unattainable ideal that primarily serves as a moral signpost for our aspirations, world society is the epitome of moral progress in English School theorizing.

The general understanding of moral progress refers to successful efforts of improving the conditions that allow for a good life. Ideas of what constitutes a good life may vary across time and space, but since there is no universally accepted, teleologically predetermined final moral benchmark, moral progress is inherently open-ended. Any comparison of a subsequent state of affairs with a preceding one suffers from a lack of universally accepted criteria against which it could be judged. Even if we accept that the promotion of well-being and the limitation of suffering contribute to the moral betterment of inter-human relations, we are no closer to agree on who is part of the entitled group, and who remains excluded. Therefore, moral progress can only be understood as an ongoing process of discussion based on emerging ideas and experienced practice challenging established moral conduct. The results may vary or only be temporary, constantly in the process of being amended or updated.

Widely accepted empirical examples of moral progress, as for instance the regulation of violence, the abolition of slavery, or the changing attitudes towards women, homosexuals, and

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547 Buzan (2004: 11) refers to world society as “the Cinderella concept of English school theory”, because it received so “little attention and almost no conceptual development.”

548 See e.g. Harris (2010), Jamieson (2002: 318).

549 See e.g. Reus-Smit (1999), who traces the changing moral purpose of states from antiquity to modern times. For the varying conception of progress through time, see e.g. Nisbeth (1980).


551 See e.g. Linklater (2007b).

552 On the benevolence of communities as a condition to be considered moral, see e.g. Rorty (1998; 1996: 13).

553 On the detailed argument for moral claims as an ongoing process of deliberation, see e.g. Dworkin (2011).
members of different races, share one essential common quality: regardless of the specific moral claim, any form of moral progress involves the continuous expansion of the moral sphere to include more and more members of our species (Singer 2011: 114; 120-124). Any enlargement of the moral circle of concern expands already existing obligations, both positive duties to help and negative duties to prevent harm, to those previously excluded. This is certainly neither a linear development, nor a one-way street, and “moral progress within one domain may be accompanied by moral regression in some neighboring domain” (Moody-Adams 1999: 170). Over the long run, however, the expansion of the moral sphere seems to correlate with greater well-being and with more opportunities for an increasing number of people to strive for whatever they agree on constituting a good life. If the promotion of well-being and the limitation of suffering towards others defines a moral community, the “expansion of benevolence to incorporate those once considered outside that community is the surest indicator of progress” (Barnett 2011: 13).

The English School adopts the idea of moral progress for its conception of international affairs and conceives the historical development of an international society as a progression towards the better. The means by which this progressive evolution of international society advances is the gradually widening and deepening of international law that regulates the societal conduct of states acting in concert with each other and who are collectively interested in the flourishing of international society. An expanding body of rules and regulations that states comply with increases the international society’s legitimacy, indicating at the progression towards a ‘thicker’ fabric holding the society of states together. Although the legality of state action is an insufficient indicator for legitimacy, the English School’s understanding of progress is based on the belief that “international law has an inherent progressive value for humankind, along the Kantian mantra that internationalism signifies a desirable move towards a superior state of social development” (Skouteris 2016: 944). The assumption is that international law ultimately

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554 As a logical continuation, Peter Singer (2011: 120) includes other species as well. See also Singer (1975).
555 On the difference between positive and negative duties, see e.g. Lichtenberg (2010), Scheffler (1995).
556 For a discussion of duties and responsibilities humans have for each other, see e.g. Scanlon (1998), Smiley (1992).
558 This naïve but widespread assumption prompted Martti Koskenniemi (2001) to refer to the discipline of International Law as ‘The Gentle Civilizer of Nations’.
559 See e.g. Friedmann (1964: 60f), who describes the development of international law from a “law of co-existence to a “law of co-operation”.
560 See Chapter 5.2.
fosters the wellbeing of individuals through the regulation of state conduct. Obviously, such an understanding of progress implies a preexisting belief in the value of human life, or life in general, and the rejection of an unchangeable, natural or God-given order. These minimal conditions, however, are themselves already expressions of an inherently normative position.\textsuperscript{561} Therefore, moral progress in English School theorizing is grounded in the pluralist principle of establishing order based on common rules and norms, but simultaneously strives for the solidarist ideal of satisfying some universal standard of justice.

The direction of progress is assumed to point from international system towards world society, and within international society from the ‘thin’ pluralist end towards ‘thick’ solidarism. Although perceived as empirically unlikely, such a transition would represent “a forward movement in human affairs and a step towards greater justice in international relations” (Bull 1984e: 244). The efforts of conceptualizing the English School’s theoretical foundations, however, point out, that matters are not that simple or one-sided (de Almeida 2003a: 298). The main reason for associating solidarism with moral progress is the underdetermined equation of world society with liberal cosmopolitanism as the normative ideal to which solidarist international society aspires (Williams 2005). However, the recent discussions on the relationship between pluralist and solidarist values within international society questions the mutual exclusion of solidarism and pluralism.\textsuperscript{562}

As suggested in the previous section, a solidarist conception of international society exists separately from solidarism in world society. Within international society, both pluralist and solidarist values are expressed through the state. Despite the lack of a precise conceptualization of world society,\textsuperscript{563} a consensus exists that world society is not just a fully solidarist form of international society (Stivachtis/McKeil 2018: 2-6).\textsuperscript{564} Instead, world society “comprises all the

\textsuperscript{561} See Chapter 5.1.


\textsuperscript{563} See e.g. McKeil (2017: 42) who argues “the English School’s persistent use of the language of a world society as a category for the political world beyond the society of states is incoherent” and impractical “to comprehend how profound a change in identities and ordering principles the emergence of a world society entails”, concluding that the existing literature fails to “provide a clear understanding of what a world society is or could be, [aimlessly restating] only its vague contours in the theoretical abstract”; or Buzan (2018), confirming recently that “[w]orld society is still an unclear and vague concept”.

\textsuperscript{564} The debate around conceptualizing world society has gained traction only recently. For suggestions on different conceptions of world society, see e.g. Weinert (2018; 2017), Williams (2014; 2005), Pella (2015, 2013), Clark (2007). For examples of attempts at capturing specific world societies empirically, see e.g. Stivachtis (2018), Stroikos (2018), Costa Buranelli (2018), Weinert (2018; 2017), Buchner/Eckl (2015).
non-state social structures visible within humankind as a whole” (Buzan 2018: 129). Despite its unfounded “conflation with solidarist institutions of international society” in most of the literature, world society is supposed to reflect “an ensemble of discrete societies, each defined in part by and populated with distinctive programmatic initiatives founded upon tailored normative aspirations, cognitive commitments, and shared understandings” (Weinert 2018: 37, 29). In that sense it transcends the international society, both politically and normatively. Broadening the scope of what constitutes a society beyond states, introduces not only additional actors, but changes the terms of how those different actors relate to each other across various levels. While international society declares “states legally equal to each other, it makes them superior to both people and non-state actors of all kinds” (Buzan 2018: 129). Even the ‘thickest’ international society remains a society of states and continues to perpetuate the hierarchical dominance of states. Solidarism among states does not translate into a solidarist cosmopolitan world society.

If, as pointed out in the previous section, solidarism within international society is indeed understood as state-centric, and, therefore, separate from world society, it no longer follows that moral progress rests on an ‘ever-thicker’ solidarist international society. Once this assumption is questioned, the decoupling of solidarism from world society has implications for both international society and world society.565 World society is not necessarily cosmopolitan insofar as it represents “the dialogue, negotiation and pursuit of universal ethical community”, because a “pluralist modus vivendi” (Williams 2005: 32-3) may be much better suited to “deliver on the goods of toleration and open-mindedness towards diversity as well as recognition of the significance of communal memberships” characterizing the aspired world society (Cochran 2014: 198). The separation of solidarism from world society transcends the “normative conception of world society as representing the becoming of a Kantian cosmopolitan community, thereby making analytical room for non-liberal world societies” (Adler 2005: 173). It disperses with the idea of a cosmopolitan world society naturally following from a ‘thick’ solidarist international society of states. Moreover, it follows that world society “cannot be normatively grounded only on the liberal conception of the individual” (Zhang 2016: 98). The reason is that “the normative content of world society is fragmented and multiple, rather than singular and universal”, and, not last due to the multitude of different types of actors, exists in various overlapping pockets “separate from the structures of the society of states” (Buzan 2018: 128). Moreover, “world society is not to be found by aggregating all

565 For a similar arguments, see e.g. Williams (2014), Hurrell (2013a), Weinert (2011), Welsh (2011a).
transnational relations or all human beings into one conceptual bundle, but in the persistent efforts to cognize and construct a world in all of its specificity” (Weinert 2018: 29).

World society reflects, at the very least, both pluralist and solidarist conceptions of society among different actors.566 “[G]iven its primordial ethical diversity”, one could even argue that “world society is inherently pluralist” (Zhang 2016: 98). Additionally, neither solidarism nor world society is necessarily conjoined with liberal cosmopolitanism.567 Separating “the notion of solidarism from liberalism and embed it in other types of collective understandings” (Adler 2005: 174) fundamentally changes how the concept of a world society relates to international society. Instead of weakening English School theorizing, this ‘flaw’ opens up the possibility of investigating the role of pluralist values in the transformation of international society. If world society does not naturally evolve from solidarist values, pluralism and solidarism are, analytically speaking, of equal normative value. At least within a state-centric international society, pluralism and solidarism cease to pose normative anti-poles, and both can alternately drive or hinder development towards world society. Progress towards world society is therefore not limited to overflowing solidarist values but can evolve out of pluralist values as well.

Irrespective of whether there is indeed such a thing as moral progress in global affairs or what the underlying reasons thereof are, conceptually it is part and parcel of English School theorizing.568 Figure 11 illustrates the above-mentioned implications for the relationship of solidarism and pluralism within the English School’s conceptualization of international relations. Within the English School’s proposed framework, moral progression towards world society cannot be bound to ‘ever-thicker’ solidarism, but is equally possible via the ‘thin’ pluralist end.

566 On world society having both solidarist and pluralist conceptions, see e.g. Wilson et al. (2016), Weinert (2015; 2011), Williams (2015, 2014; 2005).

567 For an extensive argument on the misplaced entanglement of Kantian cosmopolitanism with liberal theory, see e.g. Ion (2012).

568 See e.g. Mayall (2009; 2000).
Barry Buzan’s efforts at refining the conceptual foundations of English School theory aim for a solution to exactly this line of argument. He proposes to focus on the connection between international society and world society. However, world society is no longer understood as a monolithic unit but presents itself as varying in degree among various dimensions. Instead of concentrating on differences in the structural relationship among interacting units, Buzan differentiates between distinct types of units. As long as states are the main actors, Buzan (2004: 120) speaks of “interstate societies”, which includes the Hobbesian, the Grotian, and the Kantian perspective of interstate relations. Additionally, world society is categorized into “interhuman societies” and “transnational societies” (Buzan 2004: 118-128). He stretches the international society to incorporate both the Hobbesian and the Kantian perspective alongside the Grotian view. Instead of encompassing the entirety of international relations under anarchy, the three traditions reflect different stages of international society. Whereas a ‘thin’ pluralist international society corresponds with a Hobbesian view, a ‘thick’ solidarist international society practically coincides with a Kantian perspective, which leaves the middle ground for...
the Grotian point of view.\textsuperscript{569} Figure 12 sketches Buzan’s suggested modifications for English School theorizing.\textsuperscript{570}

Figure 12: Buzan’s Update on the Three Traditions

Following Buzan (2004: 158-60), an interstate society exists as soon as state-like agents are aware of other such agents and account for them in their own behavior. Such a naturally pluralistic international society may develop solidarist values through increased interaction. The more pluralist values are marginalized by solidarist ones, the broader will the range of shared values be, which in turn allows for generating similar forms of governance among states. This development, however, can go both ways, alternating between the extreme poles of merely bellicose interaction on one end and the formation of a confederate political entity substantial enough to create significant intergovernmental organizations on the other end. Both ends of the international society’s spectrum, however, display elements of both solidarism and pluralism. Whereas pluralist values prevail over solidarist ideas at the ‘thin’ end, the sheer amount of

\textsuperscript{569} Previously only the Grotian perspective has been understood as coinciding with international society.

\textsuperscript{570} Based on the visualization in Buzan (2004: 159).
shared solidarist values dominates over pluralist remnants at the ‘thick’ end. Accordingly, international society gives rise to either a fully fragmented interhuman society on the pluralist/Hobbesian side or into a purely medieval transnational society on the solidarist/Kantian side. Nevertheless, all three types of societies – interstate, interhuman, and transnational – continue to exist simultaneously, albeit to varying degrees.

Breaking down world society and distinguishing between an interhuman and a transnational dimension illustrates the complexity and potential diversity resulting from moving beyond international society towards stateless forms of political conduct. Therefore, many different forms of world society, each organized along different dimensions and values are conceivable. Moreover, each of the separate stages displays a different level of internalization, varying in depth between coercion, calculation, or belief (Buzan 2001: 103f). Transformation towards world society at both ends of the pluralist/solidarist spectrum of interstate society is dependent on the degree of internalization. A ‘thick’ confederate interstate society based on coercion is as likely to turn into a hierarchically structured world state, as it is to transform into any sort of world society. The same logic applies to the pluralist end, where the disintegration of interstate society does not necessarily result in interhuman or transnational societies either. Both dimensions of world society, interhuman and transnational, are present at any stage of the process and in principle independent from an interstate society. Even a strict hierarchical order allows for imagined communities and different forms of transnational networks to exist simultaneously.

Concentrating on different types of international society and decoupling the transformation into world society from the concept of moral progress within international society circumvents the problem of moral progress in English School theorizing, but it does not address the issues raised above. The attempt at separating moral progress within international society from the idea of progress of international society – understood as progressing from a mere international system into an international society and finally a world society – fails to account for the relationship between pluralism and solidarism in a consistent manner. In order to illustrate the problem, it seems helpful to refer to Watson’s (1992) metaphorical pendulum, adding different forms of hierarchical order to the picture, as done in Figure 13.572

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571 Buzan follows Wendt’s (1999: 247-54) suggestion of modes of internalization.

572 Watson (1992) traces different forms of political order from early pre-state societies to modern international society, concluding on the role of sovereignty for the modern state. See also Buzan/Little (2009).
According to Watson, the stronger the hierarchical order, the less pluralist it is, and the more solidarist values take root. A hegemony may already defy anarchy and establish a hierarchical order. It could easily develop into a suzerainty over vassal territories, a dominion over (only by name) semi-autonomous polities, an all-embracing empire, or into a global world state.\textsuperscript{573} 

\textit{Figure 14} illustrates how neatly the transitions from anarchy to hierarchy and vice versa fit with the previous conceptualization. Not only is the emergence of a ‘thick’ understanding of solidarism possible both within interstate societies, but the same directionality can be assumed for hierarchical orders as well. Including ‘sub state’ societies in this conception of international order does not replace interhuman or transnational societies. On the contrary, both interhuman

and transnational societies exist simultaneously alongside interstate or ‘sub state’ societies. The notion of, for example, imagined communities of individuals coexisting with coalitions of transnational actors is as conceivable in an anarchical society of cooperative states as in the hierarchical organization of an empire. Moreover, these hierarchical subsystems may even incorporate or coexist with interstate societies.

*Figure 14: Anarchy & Hierarchy*

Extending the conception of international order beyond the exclusive focus on sovereign states as legal equals under anarchy takes account of the fact that “neither the European nor the global political systems has [sic] been purely anarchical, but have instead exhibited varying combinations of ‘sub-systems’ hierarchy alongside anarchy” (Hobson/Sharman 2005: 64).574 Therefore, such an amendment completes the picture of international order the English School imagines. Of course, including hierarchical societies makes “for a much more complex picture

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574 For earlier arguments, see e.g. Lake (2009; 2003), Paul (1999), Wendt/Friedheim (1996), Buzan et al. (1993).
than an unalloyed system of sovereign like units” (Hobson/Sharman 2005: 72), but it helps to avoid setting up the international society of states as “a provincialised-hierarchical conception of world politics that masquerades as the universal” (Hobson 2014: 558).\(^575\) Leaving aside the Eurocentric conception of what constitutes a state and how the idea of progress corresponds with the linear understanding of modernity,\(^576\) the assumed direction of progress within both interstate and ‘sub state’ societies points from a thin pluralist beginning towards the thick solidarist end. Both pluralism and solidarism connect international society with world society, either on the level of individuals or by the means of transnational actors, but the transition towards hierarchical forms of society are just as feasible.

Remodeling the range of possible political order under anarchy helps to illustrate the difficulties of reconciling the relationship of pluralism and solidarism with the idea of moral progress inherent in English School theorizing. The expanded conceptualization visualized above manages to account for the transitions between international society and world society, including interstate, interhuman, and transnational relations, under both anarchy and hierarchical order. It does so within the spectrum of coexisting pluralist and solidarist values, both of which are providing possible transformation points towards world society. The assumption of moral progress from international system to international society to world society remains intact. However, the inconsistency of moral progress within international society developing from ‘thin’ pluralism into a ‘thick’ solidarist society, and the progression from international society to world society being possible from both the ‘thin’ pluralist and the ‘thick’ solidarist end, persists.

Including hierarchical order, the conceptualization’s shortcomings are even more obvious.\(^577\) Instead of associating moral progress with solidarism, both pluralism and solidarism have to be treated as merely descriptive terms to avoid the mentioned inconsistency. Thereby, progress is reduced to change, which may or may not originate from both ends of the spectrum. Such an understanding of progress as a merely technical term results in the decoupling of moral value from any development regardless of its direction – be that towards pluralism or solidarism, or within world society. This, however, is fundamentally at odds with the basic outline of English School theorizing and how it is based on the very idea of moral progress. Given that both

\(^{575}\) On the inherent racism of an anarchical conception of international relations, see e.g. Henderson (2013).
\(^{576}\) See Chapter 2, especially 2.2.
\(^{577}\) See Figure 13 and Figure 14.
international society and world society are normatively charged concepts – international society captured in terms of solidarism and pluralism, and world society in terms of multiple cosmopolitan and communitarian networks of diverse actors – the choice between abandoning the normative dimension or facing the inconsistency between progress within international society and progress of international society is an impossible one. The reconceptualization elaborated upon above only illustrates the problem: Within international society moral progress remains one directional from ‘thin’ pluralism to ‘thick’ solidarism, but the transformation from international society to world society is not bound to the ‘thick’ solidarist end of international society either. Not only is the transition towards world society possible from the ‘thin’ pluralist end, but a solidarist international society may just as well develop into a hierarchical world state.⁵⁷⁸

Despite the recent individual efforts of carving out a conclusive and consistent conceptualization of progress in international society, English School scholarship as a research programme has so far failed to come up with an appropriate conception of world society, which would allow to disentangle both the conflation of state-centered solidarism within international society with the cosmopolitanism dimension of world society. Regardless of how exactly world society is understood to both operate on its own and connect to international society,⁵⁷⁹ the conceptualization must account for the inconsistency of pinning solidarism and pluralism against each other in an linear understanding of progress on one side, and the fundamental plurality of values, institutions, and actors, including both solidarist and pluralist conceptions, constituting the aspired telos of that same idea of progress on the other.

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⁵⁷⁸ See e.g. Andrew Hurrell (2007: 59f), who refers to the ‘Holy Alliance’ as “a good example of a conservative or reactionary form of state solidarism” clearly in opposition to cosmopolitan ideals, before making similar claims about the existence of “an Islamic form of state solidarism” undermining the liberal cosmopolitan order.

⁵⁷⁹ See e.g. Friedrich Kratochwil (2014), who examines the transforming role and status of law in world society.
6.5 An Analytical Framework

The key lesson of the previous elaboration on international society is that it evolved within a combination of pluralist and solidarist values, prompting the rejection of one-directional moral progress. Instead of “giving away to normative solidarists the normative superiority of an ethical universalism as the ideal situation”, pluralists point out that pluralism is “the defining feature of human life and possibly the universal feature that we all share as humans – that we are different” (Williams 2011: 1251). If development towards world society is possible at both ends of the spectrum, neither solidarism nor pluralism is necessarily associated with progress. Just as interstate society, both the interhuman and the transnational dimension contain solidarist and pluralist elements, too. World society is not necessarily either pluralist or solidarist. Any meaningful idea of solidarism among individuals is not feasible “in situations of extreme inequality and dependence”, where the voices of the poor or weak are ignored (Hurrell 2013a: 197). Territorial borders are not only geographical markers of authority but possess normative value “as important aspects of community-based accounts of the nature of the good life for humans” (Williams 2011: 1252). Such a position assumes, “that a pluralist and multipolar order is actually a morally better system than one in which power is heavily concentrated” (Hurrell 2013a: 196). Pluralist values are not replaced by solidarist ones; both continue to exist.

The realization “that solidarism may not be inherent in world society and that a pluralist world society is potentially ethically desirable”, disentangles both concepts from any implied, inescapable development from international society towards world society (Williams 2005: 19). Consequently, progress towards world society cannot be captured in terms of pluralist versus solidarist values. Within international society, both solidarism and pluralism are equally progressive or regressive, regardless of what exactly is considered as moral progress. Moreover, they are not mutually exclusive (Buzan 2014a: 165).

This insight, however, has not yet found its appropriate conversion into English School theorizing. It may seem as if, in principle, the possibility of coexisting pluralist and solidarist values is as accepted among scholars as is the normative value of pluralist ideas. Apparently, pluralism is no longer associated with regression, and solidarism is no longer the sole gateway to world society. Nevertheless, even the most recent conceptualizations of international or interstate society treat pluralism and solidarism as antagonistic values in terms of how relations

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580 For similar arguments, see e.g. Weinert (2011), Welsh (2011a), Miller (2007a), Williams (2006; 2005; 2002).
among states are organized. Even Buzan (2014a; 2004), who provides the most advanced and fine-tuned revision of English School concepts seems not to follow through with his own line of reasoning.\footnote{His current focus is on reconceptualizing world society. See e.g. Buzan (2018), Buzan/Schouenborg (2018).} Despite his focus on institutions instead of overall society and his insistence on the mutual dependency and coexistence of pluralist and solidarist values, he still treats solidarism and pluralism as opposing directions on the spectrum of ‘thin’ and ‘thick’ configurations of society. A ‘more’ of solidarist values necessarily results in a less pluralistic society and vice versa. Additional institutions based on solidarist ideas move international society to the left towards the confederate end of the spectrum; stronger emphasis on pluralist values pulls international society the right towards the ‘thin’ end of the spectrum.\footnote{See the illustration in both \textit{Figure 11} and \textit{Figure 12}.}

Such a conception fails to account for the co-dependence of pluralist and solidarist values for progress to become possible. Since progress from international society towards world society is theoretically possible from both ends of the spectrum, the inherent equation of solidarism with progress is not convincing – neither within international society nor as transformation towards world society. The mere existence of a pluralist international society already requires a minimum of solidarist values for a society to form in the first place. A solidarist conception of international society, on the other hand, is necessarily based on pluralist preconditions, because, again, otherwise societal organization is impossible.\footnote{See the discussion in Chapter 6.3.} Solidarism and pluralism not only coexist within international society, they are both necessary to conceptualize the very society of states they are supposed to characterize, and they do so independently from the conception of a world society. Accordingly, there is no contradiction entailed in removing solidarism and pluralism from the ends of their shared spectrum of the possible types of international society and place them at different ends of separate scales. Instead of conceptual opposites, solidarism and pluralism are then indeed two sides of the same coin – a coin whose value is derived both from its weight and from the purity of the precious metal of which it is made. Obviously, this crude metaphor is rather limited, but it conveys the idea of two dimensions measured separately on different scales before converging into a combined result reflecting the greater whole.\footnote{For an example of a similar approach to conceptualization, see e.g. Baldwin (2016; 2002; 1979), who differentiates between scope and domain as two separate but connected dimensions of his conceptualization of power.}
Within international society, solidarism and pluralism are better understood as orthogonal dimensions akin to weight and purity in the metaphor. As visualized in Figure 15, this understanding of international society is neither restricted to an either/or relationship of solidarism and pluralism, nor to a diametrical coexistence of solidarism and pluralism with different degrees of ‘thickness’ for each. Instead, both solidarism and pluralism determine the degree of social density within international society.

Figure 15: Orthogonality of Solidarism & Pluralism

Such an understanding of how solidarism and pluralism relate to each other allows advancing an alternative reading of progress in international society: It is not the ‘more’ of pluralism that hinders progress, but rather the simultaneous lack of solidarism. More solidarism, at the expense of pluralist values, increases the likelihood for a coercive empire, rather than a cosmopolitan world society. Instead of counting pluralist and solidarist institutions and setting them against each other, it appears that “some classical pluralist institutions, such as sovereignty and non-intervention, great power management, international law[,] and war, can be at once pluralist and solidarist” (Zhang 2016: 98). Solidarist values are not hijacking pluralist institutions but are added to continuously existing pluralist values. Instead, it is the minimal normative consensus by which international societies are held together that changes. This, however, is not at odds with a pluralist position; pluralism is necessarily based upon that consensus to begin with. Moreover, pluralist values are not automatically thwarting the advancement of solidarist values, but are providing a baseline for solidarist ideas to build on. In practice, for example,
“the obligation to collectively enforce the rules can be reconciled with the pluralist idea of states consenting to collective action under certain restricted circumstances” (Dunne/Devetak 2017: 697).

Taking this one step further suggests that not either solidarism or pluralism, but only solidarism and pluralism together pave the way towards moral progress. Excessive solidarism may lead to moral imperialism and eventually even replace international society with a coercive world state. Extreme pluralism may trap international society in an ever more fragmented state of affairs pandering unrestricted moral relativism. Both such ideal-typical developments are equally unlikely, and, more importantly, certainly not subsumable under moral progress as understood above. Instead, it is the reconciliation of these two concepts, which reduces the tension between justice and order. Not only justice and order are inextricably linked with one another, so are solidarist and pluralist values. Each set of values can develop separately and independently from one another, but for international society to evolve a balance has to be struck, “in which order and justice are ideally coincident, in which ‘what is’ (e.g. the rule) is ‘what ought to be’ (right)” (Mulligan 2005: 365). Only then, conceptually speaking, is progress towards world society possible.

Conceptualizing the relationship between solidarism and pluralism as outlined above requires pinning solidarist values on one axis and pluralist values on another. Low values on both axes are indicating at a ‘thin’ fabric of international society close to a mere international system. High values on both axes signal a ‘thick’ international society with a high number of institutions, both solidarist and pluralist. The parity of solidarist and pluralist values represents the balance between order and justice. This conception of international society allows to account for Hedley Bull’s (1984d: 18) notion that “order in international relations is best preserved by meeting demands for justice, and that justice is best realised in a context of order”, even if the reconciliation between justice and order may often not be possible and “terrible choices have […] to be made”. Therefore, transformation towards world society comes within reach only from the ‘thick’ end of international society, where neither pluralist preferences for order nor solidarist preferences for justice dominate the other. Figure 16 provides a visualization of how to think of the relationship between solidarism and pluralism within international society according to the conception elaborated upon above.
Whereas similar conceptions for the interhuman or transnational dimension of world society are conceivable, the focus here remains on the interstate dimension. As has been pointed out, world society does not simply differentiate between solidarism and pluralism but allows for a whole range of ordering principles. As soon as an international society ceases to accept national borders as defining characteristic in its political proceedings, a multitude of criteria come to the fore. World society involves such a variety of actors, including individuals, companies, networks, governing bodies, and many more, that the differentiation between solidarism and pluralism decreases in importance and is reduced to one factor among many others. Whereas delving deeper into possible conceptualizations of world society is certainly in demand, the present discussion argues only on the level of international society. The above proposition allows categorizing types of international society with vacillating degrees of solidarist and pluralist values, regardless of the type of world society potentially evolving.

In addition to overcoming the previously outlined contradictions within English School theorizing, this new framework prevents setting pluralist and solidarist institutions against each
other. Instead, it allows accounting for both types of values independently, but simultaneously, for the same institution. The more institutions exist, and the more of them display both strong pluralist and solidarist values the ‘thicker’ is the fabric of international society. The implication thereof is that an increasing body of accepted norms and rules strengthens and broadens the international society’s baseline. The eventual transformation towards world society may remain a utopian ideal, but the path in that direction becomes accessible for analysis. Progress towards any form of world society is, at least in principle, observable. Only in combination are solidarist and pluralist values advancing international society towards world society.

The proposed framework’s advantage over previous conceptions is the potential for its application in empirical research because it allows for a very simple, but simultaneous, orthogonal operationalization of solidarism and pluralism. Determining indicators for both pluralism and solidarism enables researchers to analyze and categorize single institutions that, collectively, make up international society. Mapping the development of international society according to both dimensions independently allows tracing its changes over time. Eventually, it can be used to examine claims of moral progress and to identify turning points in the evolution of international society. Such an approach increases the analytical value and relevance of English School theorizing for empirical research. For now, it provides the framework for the subsequent examination of humanitarian interventions. Instead of referring to the phenomenon of humanitarian intervention to illustrate the English School theorizing, this thesis applies the derived framework to the practice of coercive interference in humanitarian emergencies. As has been pointed out earlier, humanitarian interventions are understood as an example that illustrates the tension between justice and order inherent in international society.\textsuperscript{585} Therefore, the practice of humanitarian intervention serves as a first ‘test case’ for the proposed conception of solidarism and pluralism outlined above.

\textsuperscript{585} See Chapter 2.3.
7 Comparing Cases

This chapter presents the analysis of state practice in responding to humanitarian emergencies. It contains the operationalization of solidarism, approximated in the level of engagement in humanitarian intervention, and pluralism, approximated in the level of adherence to the rule of law. The major analytical work consists in the attribution and evaluation of the ‘fit’ between the empirical data and the conceptualizations derived from English School theorizing. The aim is to explore the theoretical arguments empirically. This task is set up as a cross-comparison of responses to humanitarian emergencies, concentrating on observable state behavior.586

Given the complexity of the phenomenon under research, it seems reasonable to account not only for single conditions but also for combinations of different conditions.587 Due to the limited number of cases and the focus on configurations instead of single variables, this examination is conducted in the form of a qualitative comparative analysis. Precondition for the cross-case comparison is sufficient knowledge about each identified case. With no established dataset covering all instances available, this project depends on the existing body of literature on humanitarian intervention, humanitarian emergencies, and historical analysis of each case. The combination of available databases used for the case selection and the case-specific literature convene in a unique dataset on coercive humanitarian intervention.

The outcome, as envisioned in this thesis, is the type of coercive response to humanitarian emergencies from 1815 to 2015.588 In order to avoid the overwhelming bias towards non-intervention, the strongest response of any state reacting serves as the outcome for that particular crisis.589 Possible outcomes vary in strength, reaching from rhetorical condemnation to full-blown military intervention, as well as from unilateral ignorance of international law to multilateral consensus.590 In order to determine the response type for each case this thesis resorts to detailed case knowledge derived from the literature on individual case history.

586 The second part builds upon the results of this part in Chapter 7.5.
587 For the significance of combinations of conditions in explaining complex social phenomena see e.g. Sørensen (2008), Ragin (2008; 2000; 1987).
588 For types of coercive humanitarian intervention, see Chapter 4.5.
589 Most actors do not actively respond to a humanitarian emergency, especially not when other states already do. See e.g. Regan (2002: 53).
590 See Chapter 7.4 for the detailed operationalization.
In order to do so, the first section (7.1) elaborates on the basic principles of the chosen approach and outlines the general logic of the methodical procedure to which I resort. The subsequent sections present the case selection (7.2), the set construction and dataset configuration (7.3), and the operationalization of both outcomes and conditions (7.4). The fifth section (7.5) finally summarizes the findings.
7.1 Historical-Qualitative Analysis

Adopting the artificial position of an outside observer, this thesis attempts to utilize empirical data to highlight the utility of International Society to account for change and variation in state responses to humanitarian emergencies. In order to advance such a project, this study conducts a specific variation of a structured and focused historical comparison that follows the logic of a qualitative comparative analysis (QCA). This method can be applied in either an inductive, exploratory model-building research design, as well as for a deductive, confirmatory, model-testing research design (Ragin/Schneider 2011: 153).

Essentially, the project at hand is a historically sensitive, qualitative analysis that focuses on state behavior as representing the international society’s understandings of values and rules. Based on Alexander George’s (2019: 213) efforts of deriving at a “method of structured, focused comparison”, this thesis “deals selectively with only certain aspects” of specific cases while simultaneously employing “general questions to guide the data collection and analysis” of these historically unique cases. Additionally, it combines the aim of generating insights from particular cases and actor behavior in each case with a ‘test’ of English School concepts presented in Chapter 6. More specifically, it applies the framework developed in Chapter 6.5 to empirical cases of humanitarian intervention. It does so because the practice of humanitarian interventions constitutes the strongest indicator for the apparent conflict between solidarist and pluralist values. Thereby, the English School serves as a hermeneutical starting point, but its conceptual assumptions are grounded by empirical analysis with the overarching goal to “link the broad currents of world politics with events on the ground” and vice versa (Lawson 2006: 410).

In order to do so, this chapter combines the aspirations of historical sociological approaches with a systematic comparative analysis. Historical context plays a role in the way in which the relevant concepts are understood in their relationship to each other and in their relationship to observable behavior. In principle, looking at state practice constitutes a way of linking complex context-sensitive concepts with a similar degree of complexity in observable phenomena. “Practice is a fundamental concept linking English School perspectives to International Law and, of course, linking theory in general to political reality” (Hurrell 2001:

591 See e.g. George/Bennett (2005: 67-72), George/McKeown (1985), George (1979: 212-4).
493). In lieu of a detailed examination of state practice for each individual state involved, I resort to the observable, behavioral expressions of state practice, applying a deductive approach of inferring precepts from behavior as the discernible result of practice.\(^593\) In that regard, my understanding of ‘state practice’ is essentially equivalent with state behavior.\(^594\)

Such an approach is based on a “diachronic understanding of the international realm, looking at how social action and social structures and the social facts engendered by the interaction between these two spheres inhabit a domain of both continuity and disjuncture” (Lawson 2006: 409). A diachronic understanding of international relations is already implied by the research question structuring the present study, which is mainly concerned with change in state behavior and in international order. In addition, a historical perspective can be fruitfully employed not only for a diachronic analysis of change, but it can also inform the (synchronous) analysis of international order at a given point in time. This is due to the context history adds to a synchronous analysis, first, from a methodological point of view, encouraging intellectual flexibility through enhanced self-awareness and, second, regarding the substantive aspects of the question under consideration. The former aspect means that “the acquisition of an historical perspective helps us to stand back from some of our current assumptions and habits of thought, and perhaps even to reconsider them” (Skinner 1996: 15), while the latter aspect includes the possibility offered by a historical contextualization “to learn that the moral predicaments and the same ideas have been explored before” (Wight 1991: 6).

In contrast, the search for causal inferences necessarily remains bounded within a specific intellectual framework. Therefore, the focus lies not on demonstrating or testing proclaimed causal inferences. Instead, this chapter resorts to a systematic and primarily descriptive comparison of state practice across cases to assess already existing causal claims of major theoretical positions over time.\(^595\) The additional task of ‘theory-testing’, however, addresses the proclaimed transhistorical effectuality of major conditions or combination of conditions in explaining outcomes. This is the aspect in which the present comparison of cases differs from a strictly historical analysis. The way in which this study aims at partially bridging the divide between historical and social science research is by employing transhistorical concepts that are

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\(^{593}\) For a similar approach, see e.g. Roberson (2009), who bases her analysis of the expanding international society’s role in Egypt’s legal reform on her observation of the self-conceptions of Egyptian legal officers involved in the processes.

\(^{594}\) See supra note 35.

\(^{595}\) On the role of ‘mere’ description for Social Science research, see e.g. Gerring (2012).
developed in a context-sensitive manner. Following Sartori (1970), concepts in this sense serve as ‘fact-storing containers’, i.e. empirical universals, “which are geared at unravelling the interplay between homogeneity and heterogeneity” (Lawson 2007: 353).

The focus on concepts follows from the assumption that “concepts are the most basic tools” available to us to derive a “perception of the world” and to relate “certain phenomena to each other”, allowing us “to make judgments about the relevance and significance of information, to analyse specific situations, or to create new ideas […] by stitching together only those elements that all nonidiosyncratic definitions […] have in common—thus combining a high extension (number of referents) with a low intension (number of attributes)” (Dingwerth/Pattberg 2006: 186-7). The greater the number of attributes, the more specific and concrete are the conceptual representations, but at the loss of a wide extension, allowing only to generalize over a very small number of incidents. Therefore, the task is either to reduce the number of attributes to increase the extension, or, starting at the other end, to adapt the extension to the number of attributes necessary for connecting the empirical with its conceptual representation.596

In order to do so, this thesis operates at multiple conceptual levels, climbing both “up and down the ladder of abstraction, testing whether [the proposed assumptions …] fit both with more general concepts as well as with the available empirical material” (Lawson 2006: 405).597 However, in a first step, I differentiate between concepts, conceptions, and conceptualizations. Following Ronald Dworkin (2011: 158f), I assume that there exists a difference between an abstract concept and the various, more specific conceptions the concept admits.598 Based on Walter Gallie’s (1956) notion of ‘essentially contested concepts’, John Rawls (1971) makes a similar but rather particular argument in his ‘Theory of Justice’ when he distinguishes between the general concept of justice and a particular conception of justice, before then defending his conceptualization of justice as fairness as the ‘best’ conception of justice.599 Such an argument

596 For an overview of this understanding of concepts, see e.g. Collier/Gerring (2009).
597 The term is Sartori’s (1970: 1040-6), who referred to the range between general abstractions (‘genus’), mid-level taxonomies (‘class’), and empirical analysis (‘species’). He refers to concepts as more or less general expressions of a class of empirical objects or phenomena, depending the inverse correlation of extension and intension. Pointing out that this correlation does not hold for concepts based on ‘family resemblance’, Collier/Mahon (1993: 846, fn. 5 on p. 853) refer to a “ladder of generality” instead. On the difference between generality and abstraction, see e.g. Blatter/Blume (2008: 342-3). On ‘family resemblance’ and the role of ‘fuzzy concepts’ in the Social Sciences, see e.g. Davis (2005).
598 For a detailed example of this distinction’s usage, see e.g. Dworkin (1986: 70-1; 1977: 103, 134-6, 226-7). On the use of this distinction outside the field of philosophy, see e.g. Lalumera (2014).
599 For this particular argument, see e.g. Rawls (2001). Rawls does not perceive of justice as an ‘essentially contested’ concept, but acknowledges its ‘contestedness’ in terms of finding the ‘best’ conception.
is based on the assumption that we can only make sense of a theoretical concept “by seeing its place in a larger network of them all”, especially if such a concept refers to values or value systems (Dworkin 2010: 474).

Accordingly, this thesis treats both ‘order’ and ‘justice’ as labels (‘concepts’) that capture still abstract perceptions of very different views (‘conceptions’) on what the terms denote. The abstract concepts of both order and justice are ‘empty signifiers’ insofar as that they are highly vague and unspecifiable, but not as far as lacking all correspondence to a generally shared imagination of what the concept attempts to address. As abstract concepts, both order and justice include different variants of various specific ideas or conceptions of how order and justice can be understood. In turn, each conception of justice and order may result from a different line of reasoning (‘conceptualizations’) leading to that specific conception. The concept ‘order’ comprises conceptions of order as patterns in random arrangements of units of any kind as well as the purposeful arrangement and interaction of said units in the pursuit of normative goals such as the continued existence of that order. A conception of order as a normative goal may be advanced on the basis of its consequences for the units or on the basis of an ontological moral value inherent to the conception of order. I refer to concepts as the abstract label for all the different conceptions, to conceptions as a particular understanding of the respective concept, and to conceptualizations in order to emphasize the processual character of a particular conception, usually in connection with a specific school of thought or author advancing the particular conception of the concept in question. Accordingly, the above conceptualization of ‘concept’ offers one particular conception of the concept of a ‘concept’. Additionally, I differentiate between degrees of abstraction between concepts on different levels of analysis. On the highest level of abstraction are the grand ideas about the conception of morality in international relations, albeit, for simplicity’s sake, stylized into the idealtypical

600 Accordingly, neither justice nor order are empty containers in a pure (Platonic) sense because as soon as these labels are used to refer to specific conceptions thereof, the labels themselves turn into conceptions of a yet again more abstract and even less particularistic concept ad infinitum. In short, pure concepts akin to empty containers are logically impossible. On the notion of ‘empty signifiers’, see e.g. Derrida (1973: xxxiv). On the use of ‘empty signifiers’ in Political Science, see Laclau (1996).

601 In that sense, Chapter 4 contains the conceptualization of a specific conception of humanitarian intervention. Of course, every concept is itself a conception of a more abstract and less particularistic concept, depending only on the scope of a particular perspective.

602 This is a separate issue from Sartori’s (1970: 1044) “ladder of abstraction”, which refers to a concepts generality independently of abstraction. See supra note 597. Moreover, “it is very doubtful whether Sartori’s ladder ever reached an ‘abstract’ level. This is because his hierarchical classification scheme just covered ‘observational terms’ and not ‘theoretical terms’” (Blatter/Blume 2008: 342).
notions of cosmopolitanism and communitarianism. Both cosmopolitanism and communitarianism are specific yet abstract conceptions of a moral framework. On the lowest level are the empirical representations of these abstract conceptions. Each step down from the highest level presents a more confined and more specific conceptual representation of the previous level above as illustrated in Figure 17 below.

Figure 17: Conceptual Level of Analysis

However, in contrast to Sartori’s understanding of concepts based on necessary attributes, these conceptual representations on the lower level are specific expressions of the higher level’s more abstract concepts, regardless of the number of shared attributes. On the contrary, the conception on the lower level of abstraction serves as a specific representation of only one attribute of the more abstract concept on the higher level. This assumed ‘conceptual correspondence’ between conceptual abstractions and empirical research, however, works both ways: the examination on the lowest level is assumed to allow for statements about the concept on the next higher level.

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603 On cosmopolitanism and communitarianism as ideology, see e.g. Zürn/de Wilde (2016).
604 See supra note 597 and 602.
Even within the context of an approach as outlined in the previous paragraphs, “[t]he choice of an [allegedly] objective referent – and preferably one that is measurable – is the most sensitive of social science undertakings, since it is not merely the quality of measurability that matters, but also selecting among the many characteristics of any ‘social fact’ those that most reflect its character” (Navari 2014: 217). However, “the attribution of observations to specific abstract concepts and to theoretical frameworks is neither easy nor can it be done in a clear-cut and purely technical manner” (Blatter/Blume 2008: 326-7). Neither concepts nor indicators, “to remind ourselves, are […] the thing itself, but rather indicate the thing, and connected with any social fact will be a wide choice of seemingly plausible indicators” (Navari 2014: 217). In that regard, “concepts are nothing more than linguistic expressions of mental constructs that generate some degree of shared meaning among individuals who use them” in their attempts at making sense of the world (Davis 2005: 61). The present attempt of trying to define theoretical concepts with reference to observable attributes is based on the notion that the meaning of such concepts cannot be determined in terms of a set of internal attributes or properties. Instead, their meaning derives from their respective embeddedness in a theoretical context.

The apparent tension between justice and order as reflected in English School theorizing is commonly understood as manifestation of either favoring order over justice or vice versa. Pluralist conceptions of international order stress the (moral) benefits of international stability, and, therefore, of order, whereas a solidarist perspective emphasizes the international community’s responsibility for individuals, reflecting its preference for justice. Both solidarism and pluralism are understood as two different conceptualizations of international society in terms of their underlying moral assumptions. Solidarism derives its set of values largely from a cosmopolitan moral framework, prioritizing the idea of justice over order. In contrast, pluralism tends to draw its value system primarily from a communitarian moral framework, prioritizing order over justice. Of course, both ‘justice’ and ‘order’ are essentially empty buzzwords or labels, but understood as abstract conceptual principles, they serve as idealized representations of the international society’s general moral alignment.

The solidarist idea of justice before order finds its strongest manifestation in the practice of humanitarian intervention. Even coercion is accepted as a mode of action in the solidarist pursuit of justice. The pluralist conception of order is reflected most clearly in the international

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605 On the Kantian notion of a thing in itself, see supra note 85.

606 For a detailed discussion of such an understanding of concepts, see e.g. Davis (2005), especially Chapter 4 and Chapter 5.
society’s efforts to attain legitimacy for each member’s action through negotiation and, ideally, consensus, even if the respective processes in place impede unified action. Instead of invoking moral truth, states have to justify their actions with respect to the minimal rules holding the international society together.

The present study understands these concepts not just as ‘fact-storing containers’ but also as containers that can be filled with other concepts. Rather than moving up and down a ladder of generality by removing or adding attributes to the concept, the relationship between different hierarchical levels of concepts is conceived here as a relationship of abstract representation. Representation, in turn, is not to be understood as complete correspondence. Instead, as displayed in Figure 18, the relationship between different levels of abstraction has to be understood as a relationship of illustration, in which a more specific concept illustrates the more abstract concept for a particular context.

Figure 18: Conceptual Representation

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607 This assumed conceptual correspondence is in no way based on any particular argument advanced in the philosophical debate on the correspondence theory of truth. Setting up abstract concepts as reflecting various conceptions of that concept and so on entails no postulation of truth claims about the empirical world as understood by proponents of either classical or modern proponents of correspondence theory. On the correspondence theory of truth, see e.g. Russell (1913; 1912; 1905) or, for modern examples, e.g. Rasmussen (2014), Vision (2009); Fumerton (2002).
Figure 18 above illustrates not only the relationship of conceptual representation as such but more specifically the way in which the level of engagement in cases of humanitarian intervention represents a solidarist model of international society whereas the level of adherence to the rule of law represents a pluralist notion. The level of engagement in humanitarian interventions can be seen as a representation of solidarism, because it is an expression of the notion that “states that massively violate human rights should forfeit their right to be treated as legitimate sovereigns, thereby morally entitling other states to use force to stop the oppression” (Wheeler 1992: 447; 2000, 12-13). The “failure of a government of a state to provide for its citizens’ basic rights might now be taken as a reason for considering it illegitimate” (Vincent 1986: 127, 123-8). Such arguments are based on a cosmopolitan idea of a just order requiring a morally appropriate response.

Adherence to the rule of law, on the other hand, can be regarded as an expression of the pluralist preference for order. “Pluralists locate the source of law in custom and treaty, and it is binding to the extent that states have given their consent, explicit or tacit, which is to confine legal inquiry to an empirical investigation that tracks the ebb and flow of what states actually do” (Bain 2014: 159). Arguments following this line of thought illustrate a communitarian conception of justice through order.

The system of conceptual representations illustrated in Figure 18, however, should not be seen as composed of two completely separate and independent conceptual spheres. Instead, the two conceptualizations overlap, with the concept of humanitarian intervention constituting not only the most concrete expression of the more abstract concepts and therefore the link to an empirical analysis but also serving as the link between the seemingly opposed but interdependent conceptual spheres. It serves as the empirical embodiment of the intersection between the respective representations of cosmopolitan and communitarian values, illustrated in Figure 19 below. This conceptual understanding allows including both dimensions in one unified framework. While reflecting the rejection of inherent mutual exclusiveness as presented in Chapter 6, this understanding nevertheless illustrates the differences between the two dimensions in terms of their respective conceptual representation.
The subsequent analysis of empirical cases of humanitarian intervention resorts to qualitative comparative analysis (QCA). QCA is an analytical technique that, simply put, combines quantitative and qualitative methodologies. It is based on Boolean algebra and was developed by Charles Ragin (1987) with the aim to test whether conditions and combinations of conditions are necessary, sufficient, or both for an outcome. In regard to the proposed research design, quantitative methods lack utility, because neither permanent causality, nor unit homogeneity, nor uniformity of causal effects can be assumed (Rihoux/Ragin 2009: 8-9). Moreover, the number of identified cases (n=44) is too small to allow for more than a very limited and, therefore, impractical statistical analysis. QCA, on the other hand, accounts for multiple causal combinations and helps to disqualify irrelevant combinations. Constituting a focused historical comparison, this study subsequently applies QCA as a method specifically designed to tackle the medium-n problem (Ragin 1987: 10f).

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608 A condition is considered necessary for an outcome, if the outcome is present in all cases where the condition is also present.

609 A condition is considered sufficient, if the outcome is present whenever the condition is present.

610 For a detailed explanation of QCA see e.g. Schneider/Wagemann (2012), Rihoux/Ragin (2009), Ragin (2008; 2004; 1994; 1987).

611 For the case selection yielding 44 cases, see Chapter 7.2.

612 See e.g. Lange (2013), Mahoney (2004), Mahoney/Rueschmeyer (2003).
In a first step, membership scores are determined for all conditions and the outcome, ranging from absent (0) to present (1). In its fuzzy-set variant, QCA allows for differentiation of degree instead of merely being dichotomous (Schmitter 2008: 29f). In a second step, truth tables are used to organize all resulting causal configurations that lead to a particular outcome in order to determine if the membership scores are either greater or lower than the outcome membership score (Ragin 2000: 230f). The former determines necessary conditions and combinations of conditions, the latter sufficient conditions and combinations thereof.

After examining all possible combinations, the software eliminates irrelevant factors for the outcome and ranks different, existing combinations of conditions, so called solution terms, according to their consistency and coverage. Whereas consistency indicates “the percentage of causal configurations of similar composition which result in the same outcome value”, coverage specifies “the number of cases for which a configuration is valid” (Roig-Tierno et al. 2017: 17). The consistency indicates the extent to which a specific combination of conditions lives up to the requirement of necessity and sufficiency. A low consistency of a configuration indicates its lack of support by empirical evidence and vice versa. The coverage of a specific combination of conditions indicates the extent to which this solution term explains the outcome. This process is based on the assumption of both conjunctural causality and causal heterogeneity (Ragin 2000: 40).

Application of QCA techniques enables data exploration in a systematic and compact fashion. Generating truth tables highlights similarities and differences between cases and allows falsification of theories whose expectations are empirically refuted. Contradictory configurations, however, may point towards additional conditions or towards the limitations of

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613 For the analysis of necessity, the formula for calculating consistency is $(X_n \geq Y_n) = \sum (\min(X_n, Y_n)) / \sum (Y_n)$, and the formula for calculating coverage is $(X_n \geq Y_n) = \sum (\min(X_n, Y_n)) / \sum (X_n)$, with n indicating the case, X representing a condition, and Y the outcome.

614 For the analysis of sufficiency, the formula for calculating consistency is $(X_n \leq Y_n) = \sum (\min(X_n, Y_n)) / \sum (X_n)$, and the formula for calculating coverage is $(X_n \leq Y_n) = \sum (\min(X_n, Y_n)) / \sum (Y_n)$, again, with n indicating the case, X representing a condition, and Y the outcome.

615 Different conditions rather than single conditions are responsible for a specific outcome. Binder (2008: 17) uses following illustration for conjunctural causality: “A*b*C→Y signifies that none of the three conditions A, B, or C alone produces the outcome Y, but that the combination of the presence of A and the absence of B and the presence of C are sufficient for the presence of Y. (The symbol * indicates logical ‘and’, the arrow signifies sufficiency)”.

616 The same outcome might result from different combinations of conditions simultaneously. Binder (2008: 17-18) provides the following illustration for causal heterogeneity: “A*b*C + A*d→Y would mean that the combination of the presence of A and the absence of B and the presence of C or the presence of A and the absence of D are sufficient for the presence of the outcome Y (the symbol + indicates logical ‘or’)”.

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such an approach. Furthermore, both initial hunches and ad-hoc theories can be addressed easily by manipulating the thresholds for membership scores accordingly. Eventually, this method is used to derive or to empirically support theoretical arguments as well as to provide the foundation for the development of hypotheses for future research in that matter.\textsuperscript{617}

\textsuperscript{617} See e.g. Schneider/Wagemann (2012), Ragin (2008; 2004; 1994).
7.2 Case Selection

The case selection draws on both, existing databases and an extensive literature review, resulting in a conservative sample of 44 cases. The list of cases is available in Table 1: Case Selection in Appendix A. Every case is “a single instance of an event or phenomenon” with one specific outcome (Odell 2001: 162). Moreover, all cases have to be “similar enough and separate enough to permit treating them as comparable instances of the same general phenomenon” (Ragin 1992: 1) Since each crisis might trigger various successive responses, only the strongest form of response is coded as the outcome of that case.618 The subsequent analysis is based upon the entirety of cases of coercive humanitarian intervention between 1815 and 2015. The selection process strictly follows the categorization outlined in Chapter 4.619 In order to qualify as a case of coercive humanitarian intervention for the current examination, a case has to meet three crucial conditions: the occurrence of a humanitarian emergency (1) and some sort of (coercive) response from a third party (2), which addresses the actual human suffering (3).620 Consequently, the resulting sample of cases includes only definite instances of humanitarian emergencies.

Since varying responses to humanitarian emergencies constitute the outcome, the reaction itself is not considered a valid selection criterion.621 However, with the occurrence of a humanitarian emergency serving as the unit of analysis, the universe of cases consists of all identifiable humanitarian emergencies and the corresponding reactions to them. The potential target has to be a bounded political entity whose de facto authorities are involved in the crisis.622 If that is not the case, no coercive third-party involvement is logically possible and observable. Moreover, a humanitarian emergency needs to be identified by at least one potentially reacting party in order to enable a response. Otherwise, agent behavior is unrelated to those events with no observable effects. Additionally, there needs to be a discernable international society of which potential political actors are members. A mere system of states lies outside the previously proposed framework.623

618 For possible response types and their operationalization, see Chapter 7.4.1.
619 For the conceptualization of coercive humanitarian intervention, see Chapter 4.5.
620 For the detailed explanation of all three conditions, see Chapter 4.
622 This refers to a state, but includes instances such as the Gaza territories and the newly formed ‘Islamic State’.
623 See Chapter 6.5.
The combination of the conditions spelled out above implies the existence of both bounded political entities that are self-consciously organized in some sort of international society and a notion of severe human suffering suddenly amounting to a humanitarian emergency. Even though pre-modern political entities have certainly been subject to similar dilemmas, there are at least three good reasons to exclude them from the analysis.\footnote{On pre-international systems of state-like political units, see e.g. Buzan/Little (2000: 115-33).} First, the scarcity and unreliability of available data impede clear identification of actors and authority structures below state level as well as differentiating between them.\footnote{For the difficulties of conceptualizing political entities below the state level, see e.g. Hampel (2015).} Second, comparing modern states and pre-modern political entities precludes the selection of units at the same level of aggregation and of roughly “the same formal status within the world social and political system” (Schmitter 2008: 275).\footnote{For an attempt at deriving an international system comprised of diverse political units in pre-colonial West Africa, see e.g. Pella (2015).} Modern territorial states are themselves already quite diverse. Thus, fruitful analysis on a global scale requires maintaining a high level of abstraction, because the state label may not hold ‘all the way down’. Third, neither the term nor the idea of ‘humanitarian intervention’ did exist before the 19th century (Trim/Simms 2011: 1-3).\footnote{According to Ellery Stowell (1921: 51 fn. 7) the exact term in English was coined only in the 1880s by the British lawyer William Hall (1880: 247 fn. 1). However, various similar formulations were already in general use. Richard Lillich (1973: 25) traces the earliest usage of similar expressions back to Henry Wheaton (1866 [1836]: 113), who referred to “the principles of international law authorizing […] an interference […] where the general interests of humanity are infringed by the excess of a barbarous and despotic government” in 1836. Antoine Rougier (1910: 468) claims that the French equivalent, l’intervention humanitaire, precedes the English expressions, being in use in different variations already before the turn of the century to describe the forceful protection of religious minorities. For an early discussion of the term’s historical genealogy, see e.g. Winfield (1922: 131-9).} Since the idea of humanitarianism only took foot in the late 18th century, any intervention in earlier periods hardly occurred out of genuine humanitarian sentiment (Everett 2014: 49-56).\footnote{See Chapter 4.1.}

Moreover, Ludwig Heeren (1846 [1809]: viii), who first introduced the notion of a society of states in his ‘Manual of the History of the Political System of Europe and Its Colonies’ in 1809, stating that “[a]n historian, […] who proposes to exhibit the various changes which have occurred in the reciprocal connexion[sic] of these [European] states, must consequently regard them as a society of independent individuals, variously related to each other”,\footnote{The German original states that “[d]er Geschichtsforscher, der den Wechsel der Verhältnisse zwischen den Staaten darstellen will, wird sie als eine Gesellschaft unabhängiger Personen ansehen müssen, die unter einander in vielfacher Beziehung standen” (Heeren 1809: iv).} dates the formation of a single European state-system necessary for an international society to emerge...
only to the very end of the 18th century. Although Heeren “did not make an explicit distinction between system and society” (Dunne/Little 2014: 92), he differentiates between a Northern and Southern European state-system (Heeren 1846 [1809]: 328-49, 364-73), fully merging only in 1797 when the French Revolutionary Wars affected all the Great Powers simultaneously (Heeren 1846 [1809]: 374f). Therefore, a reasonably conservative case selection that attempts to minimize the differences between the units of observation includes only cases occurring after the Congress of Vienna in 1815, where the modern state system as an international society had just been newly verified and the notion of intervening on behalf of suffering strangers had just emerged.

However, the identification of humanitarian emergencies in the time period from 1815 onwards still poses considerable difficulties. For starters, there is no dataset on humanitarian emergencies, and neither is the relevant sample of cases readily deducible from theoretical conceptualization alone (Seybolt 2009: 38-44). The difficulty lies in the fact, that not all humanitarian emergencies can be identified as such. This problem is dealt with by including ‘no response’ as part of the possible outcome’s variation. Selecting on the reaction to humanitarian emergencies necessarily includes all humanitarian emergencies – given they were indeed labeled as such, because theoretically ‘no response’ is a response type, too. Although analytically true, such cases will nevertheless resist identification, because no dataset containing all responses to humanitarian emergencies exists either.

Empirically speaking, however, there are no cases falling into the ‘no response’ category, because as soon as an event was acknowledged as a humanitarian emergency such a statement already involves rhetorical condemnation putting pressure on the responsible party. Therefore, selecting by the response, with the weakest form of response being emergency rhetorical condemnation, is the equivalent to selecting on the occurrence of a humanitarian emergency within a defined authority structure that either is involved in or rejects addressing

630 Contrary to the claim advanced by Dunne/Little (2014: 92), the German title of Heeren’s book, ‘Handbuch der Geschichte des europäischen Staatensystems und seiner Colonien’, refers to the European state system in the singular, just like the English translation. They mistook the German genitive for the term’s plural form.

631 Modern states are not necessarily fully formed nation-states comprised of one particular nation, but they are clearly defined political entities with identifiable government structures whose sovereignty is based on territoriality instead of e.g. religious or feudal allegiance.


633 See e.g. Pattison (2015: 936), who explicitly refers to “diplomatic criticism as a response to serious external aggression and mass atrocities” as independent action apart from additional measures.
the issue. Obviously, this excludes events that were not perceived as humanitarian emergencies, despite the severity or extent of human suffering.\footnote{On the identification of humanitarian emergencies, see also Chapter 4.3.} Therefore, the process of case selection only includes incidents of humanitarian emergencies that were recognized and explicitly labeled as such, while leaving aside other equally appalling emergencies that were not recognized as such, and did not trigger according responses. Given the lack of a dataset on both, humanitarian emergencies and responses thereof, the relevant cases are identified by combining two separate strategies.

First, existing datasets on conflicts made available by COW\footnote{See Reid Sarkees/Wayman (2010), Small/Singer (1982) for the Correlates of War Project (COW).}, PRIO/UCDP\footnote{See Pettersson/Wallensteen (2015), Themnér/Wallensteen (2014), Kreutz (2010), Harbom et al. (2008), Gleditsch et al. (2002) for the Peace Research Institute Oslo’s (PRIO) Centre for the Study of Civil War (CSCW) and the Uppsala Conflict Data Program (UCDP).}, ICB\footnote{See Hewitt (2003), Brecher/Wilkenfeld (2000) for the International Crisis Behavior dataset (ICB).} and IMI\footnote{See Kisangani/Pickering (2008), Pearson/Baumann (1993) for The International Military Intervention dataset (IMI).} as well datasets on the level of political violence provided by CIRI\footnote{See Cingranelli/Richards (2010; 2014) for the Cingranelli-Richards Human Rights dataset (CIRI).}, PTS\footnote{See Wood/Gibney (2010) for The Political Terror Scale (PTS).}, INCSR (FDP\footnote{See Marshall (2008) for the Integrated Network for Societal Conflict Research’s (INSCR) Forcibly Displaced Populations dataset (FDP).} and MEPV\footnote{See Marshall (2017; 2016) for the Integrated Network for Societal Conflict Research’s (INSCR) Major Episodes of Political Violence dataset (MEPV).} are each filtered and combined in accordance with the relevant criteria for a humanitarian emergency. As specified in Chapter 4, the minimum requirements for a humanitarian emergency are human agency within a specific authority structure, high intensity of suffering, and large scale. This implies ruling out third-party military interventions,\footnote{As provided by the IMI.} cross-border conflicts, and long-lasting disputes,\footnote{As provided by COW, PRIO/UCDP and ICB.} leaving only internal conflicts.\footnote{As provided by COW (all instances with more than 1000 battle deaths) and PRIO/UCDP (all instances with more than 25 battle deaths).} High intensity refers to the seriousness of the inflicted harm as indicated by a high degree of human rights violations\footnote{As provided by CIRI and PTS.} and the magnitude of internal political violence,\footnote{As provided by MEPV and ICB.} as well as the number of battle
deaths, ideally in proportion to the overall population. The scale of a crisis is accounted for by approximating the number of affected people, which stems from the combination of the number of people fleeing the crisis with the number of battle deaths in relation to other identified emergencies.

The problem hereby is that the available data sets are not sufficiently extensive to allow for identifying cases for the purpose of the research focus at hand. This is because all applied datasets cover varying timeframes and the resulting list of fully covered cases only accounts for instances between 1981 and 2005. There are two possible strategies to overcome this problem. First, we can broaden the range to 1951-2013 by relying only on MEPV and dropping the PTS score for the years not covered, as well as ignoring the missing COW data after 2007 and manually adding data on displaced persons before and after the FDP timeframe. This strategy, however, suffers both from omitting cases from before 1951 and from referring periodically to different datasets. Even when the timeframes overlap, different datasets provide different values for the same category.

The second strategy applied refers to an inductive approach of screening the relevant literature on both humanitarian emergency and humanitarian intervention and compiling a list of instances that fit the minimum criteria for humanitarian emergencies elaborated in Chapter 4.3. Although this strategy is necessarily less formalized, it provides a surprisingly concise list of potential cases. On average, all the major contributions in the field repeatedly refer to the same cases. This is especially obvious for the time from 1946 onwards because most selected cases are backed by referrals to UN deliberations and UNSC (1946-2015) resolutions, which are clearly indicating the fulfillment of the minimum requirements outlined before. Strict application of the categories defined in Chapter 4 on all instances referred to in the consulted

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648 As provided by COW, PRIO/UCDP and ICB.
649 Unfortunately, none of the existing databases provides the number of battle deaths per month as to indicate intensity with regard to the timeframe.
650 The number of refugees, of both internally and externally displaced persons, are provided by FDP and UNHCR.
652 The time frame is even shorter, namely 2000-2005, when insisting on consistently combining all datasets.
653 Data on internally displaced persons is also available online at IDMC (1998-2015) and, including external refugees, at UNHCR (1951-2014).
654 See e.g. any literature on the topic, but especially the one provided for in the bibliography. Depending on the chosen timeframe, the literature greatly overlaps in their respective selection and coverage of cases. Primary examples are e.g. Binder (2009: 337), Seybolt (2007: 46-93), Chesterman (28-34, 65-84, 130-57), Wheeler (2000b: 13), Scheffer (1992: 254 fn. 4 on pp. 254-8).
literature provides a list of cases, which is nearly congruent with the result of the first strategy for the overlapping time period from 1981 to 2003.655

As this considerably increases confidence in the second strategy, selecting cases for the periods not covered by existing datasets have been conducted exclusively by relying on this approach. Due to the higher in-depth knowledge of qualitative research, and the possibility of checking ambiguous cases manually against the criteria outlined before, this study gives preference to the second strategy. As the differences between the first and second strategy for the years between 1946 and 1981 are only slightly higher than for the period from 1981 to 2003,656 this study follows a conservative line of excluding potential cases. If there are doubts about sufficiently meeting any one of the necessary criteria, such instances are dropped. Only strict application of the categories defined above prevents from setting the bar too low and from including cases not exhibiting all the necessary characteristics. Narrowing the case selection in this way “increases the validity, i.e. the relevance of the data to be analyzed” and yields a population of cases that contains only the most clear-cut and agreed-upon instances of humanitarian emergencies (Binder 2008: 7). This is especially important with regard to the earliest cases of responses to humanitarian emergencies because they are taken from a very limited selection of sources.657 Since no suitable database exists to verify against,658 only instances covered in the existing literature are added.

This strategy, however, suffers from one important weakness: the risk of omitting potential cases. Due to possible selection bias, either while choosing the literature, or already embedded within the consulted literature, single instances possessing all necessary characteristics might not be identified as such.659 Although this definitely constitutes a serious flaw, it has only minor effects on the result.660 Moreover, any overlooked or additionally identified case can be added

655 Due to the limited restrictions available for filtering, the resulting list of strategy one includes more instances than are referred to in the literature consulted for strategy two.

656 The same preference is given as with the period between 1981 and 2003 before.

657 The reason here is the limited research available so far. For exceptions, see e.g. Klose (2016b), Glanville (2014b), Rodogno (2012), Simms/Trim (2011), Bass (2009), Swatek-Evenstein (2008), Finnemore (2003), Scheffer (1992), Fonteyne (1974), Franck/Rodley (1973).

658 COW dataset begins in 1816. Any case identified by qualitative literature is contained therein. Vice versa, any instance in the database has been checked against the categories outlined before and only excluded after further consultation of corresponding qualitative literature.

659 A ‘selection bias’ in the strict sense of the term occurs when “some form of selection process in either the design of the study or the real-world phenomena under investigation results in inferences that suffer from systematic error” (Collier/Mahoney 1996: 58-9). See e.g. Brady/Collier (2010: 305).

660 Since no causal argument is put forward, omitting one or two cases barely alters general trends.
to the analysis at any time. Although these weaknesses do not befall the first strategy, relying on datasets comes with its own set of problems. First, any threshold for scale and intensity is eventually arbitrary; “second, the availability and reliability of data are insufficient in many cases; third, most information on casualties […] or human right violations] is available only for nation-states, while humanitarian crises, even the most serious crises, are often limited geographically” (Hibbert 1971: 9). Various databases contain divergent or even contradictory values on the identical categories. Even well-established quantitative data sets like the COW project are based on secondary sources and historical interpretation (Haber et al. 1997: 37).

Consequently, even with more databases available, the results would not necessarily gain in validity.

Both selection strategies rule out instances occurring during the course of major inter-state wars, as well as cases of human suffering in colonial territories. Despite certainly meeting all of the criteria for being counted as humanitarian emergencies, strategy two excluded atrocities committed in colonies on the grounds of their lack of analytical value. Including colonies would distort the sample, because colonies were not recognized as members of the international system and colonial populations not as civilized enough to claim political rights. Neither the Russian massacres of Turks in Central Asia in the 1860s nor the mass killing of over 100,000 people in China during the Taiping rebellion ever came up as potential cases for the Great Powers to even contemplate outside interference (Finnemore 1996a: 303). “Neither did the massacres of Native Americans in the United States”, nor the “mass killings of colonial rulers in their colonies” (Evans 2005: 169). Colonial violence against indigenous populations was perceived as legitimate due to the “hierarchical and racialised conception of European civilisation and

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661 The same rules apply for included cases, which could be excluded if compelling evidence demands so.

662 For similar concerns, see e.g. Seybolt et al. (2013), Weidmann (2013), Ophir (2010: 72). On the strength and weaknesses of existing conflict datasets, see e.g. Eck (2012), Gohdes et al. (2012), Anderton/Carter (2011), Maoz (1988). Specifically on the interpretation of casualties, see e.g. Fazal (2014), Spagat at al. (2009), Obermeyer et al. (2008).

663 See Appendix B.

664 David Singer (1965: 69) tellingly refers to the “conversion of facts and information into a form suitable for scientific purposes” in his work on the COW data set as “data-making”, and not as data-collecting.

665 On the limits of gathering and using ‘humanitarian data’, see e.g. Read et al. (2016), Price/Ball (2014). For a general critique of big data use in IR, see e.g. Chandler (2015a).

666 The first strategy ruled out massacres in colonies due to the lack of a clear violation of non-interference because colonial territories were not regarded as anything even resembling a sovereign state.


668 See e.g. Shaw/Shaw (1977).
non-European barbarism” (Dunne/Devetak 2017: 629). Therefore, atrocities committed by colonial powers were not considered a matter for potential intervention on humanitarian grounds at all by the then-contemporary members of the international society. Questioning whether a sense of responsibility drives states towards humanitarian intervention is very different from asking what exactly constitutes humanity, or such responsibilities, with the latter part definitely not being within the limits of this thesis.

Combining both strategies, with a slight preference for the second, appears to be the most promising choice for addressing the present research interest. Implementing the case selection as outlined provides a sample of 44 instances of humanitarian emergencies as defined in Chapter 4. The limited number of cases follows from a strict interpretation of the predefined characteristics, which rules out response to humanitarian emergencies that occur with the target authorities consent.

Two cases identified inductively have no corresponding entry in major databases but are included on grounds of fulfilling all the criteria for humanitarian emergencies. The first case is the treatment of people of Jewish descent in Nazi Germany before the outbreak of World War II in 1939. Although the full horrors of the concentration camps had not yet unfolded, the systematic discrimination, expropriation, and imprisonment of people of Jewish descent clearly verify its classification as a humanitarian emergency. The first camp opened in 1933, primarily for political dissidents, but many more followed with the explicit goal to exterminate the Jewish population (Evans 2005: 85-90). The rising numbers of Jewish prisoners and their intended deaths by slave labor intensified already before Nazi Germany invaded Poland in 1939, starting World War II. The increasing hardship for people of Jewish descent living within German territory fulfills the criteria outlined above and is therefore included in the case selection.

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669 All the Great Powers constituting the international society in the 19th century were colonial powers. Atrocities committed against indigenous populations did not register as more than acts of violence, but not as acts of war, and certainly not waged among equals. See e.g. Keal (2017; 2003), Buchan (2005).

670 For the list of selected cases, see Case Selection in Appendix A.

671 The Australian-led intervention in the Solomon Islands in 2003, for example, is not included due to Australia acting with the explicit consent of the Solomon Islands’ authorities (Badescu 2011: 94). See e.g. Bellamy/Williams (2005:184-9), McDougall (2004), Wainwright (2003).

672 As has been pointed out before, periods of major international conflict such as the two world wars are excluded from the analysis.

673 See e.g. Wildt (2012: 227), Marrus (2007).
The second case consists of the atrocities committed in the formation of the self-proclaimed Islamic State from 2014 onward. Its brutality in establishing its authority over the population in the Levant, including the persecution and murder of dissenters, has caused tremendous suffering and streams of refugees from Iraq and Syria. The situation under the authority of ISIL or *Da’esh* has been categorized as a major humanitarian emergency in the literature.\(^{674}\) Due to its status as a non-state terrorist group, data on country-level is not available. Despite defying the restrictions available in the COW Project or any other conflict database, both the beginning holocaust in Nazi-Germany and the consolidation of the Islamic State are considered humanitarian emergencies in this analysis.\(^{675}\)

\(^{674}\) For an overview, see e.g. McCants (2015).

\(^{675}\) For information on both cases and details on the justification to include them, see the corresponding case summaries in Chapter 7.4.3.
7.3 Set Construction & Dataset Configuration

Closely following the lines of already established research, the possible factors leading to or preventing strong responses to humanitarian emergencies are derived from the theoretical assumptions of major strands of IR theory. Given the complexity of the issue at hand, including the decision-making processes leading states to intervene in the first place, this thesis adopts Michael Walzer’s (1977: 101) finding in ‘Just or Unjust Wars’ that there are “only mixed cases where the humanitarian motive is one among several” reasons to intervene. Therefore, the subsequent analysis assumes that “there is a mixture of motives for humanitarian involvement as the certainties of altruistic humanitarian intervention are often blurred with self-interested power pursuits” (Lyon/Dolan 2006: 50). Arguments developed within a certain theoretical framework, however, usually concentrate on a specific set of conditions, if not on individual conditions, responsible for the final action.676

Realist theories, for example, emphasize selfish strategic interests and military capabilities with regard to security issues. Therefore, these factors are considered as the relevant potential conditions for the explanation of coercive interventions in humanitarian emergencies – or as a matter of fact, of all interventions. Following Ragin (2000: 23), knowledge about each case is necessary to determine factors such as strategic interests, or the potential military strength of the opposing force in the target area or the crisis’ potential to affect international security. Due to the relative understanding of power and benefits, the estimated outlook of success plays an important role in determining strategic interests. Data on the number of military personnel, which serves as a proxy for military strength, is available from the COW Project’s NMC dataset for 1816-2007.677 Information on alliances is available from the COW Project’s Formal Alliance dataset from 1816 to 2012,678 and data on refugees fleeing the country is available from FDP and IDMC. The number of refugees serves as a proxy for effects on the security structure. In short, strong opposing forces and existing alliances are supposed to prevent intervention, whereas geostrategic interest and security concerns push for strong responses to humanitarian emergencies.

676 See Chapter 3.1.
677 See Singer (1988), Singer et al. (1972) for the National Material Capabilities dataset (NMC).
The same rules apply to liberal reasoning explaining humanitarian intervention.\(^{679}\) Focusing on economic benefits, the role of institutions, and potential costs, liberal theories expect responses to humanitarian emergencies to reflect the rational consideration of cost-benefit calculations.\(^{680}\) Therefore, potentially important conditions are the possible disruptions of trade and the economic costs generated by the crisis for the international community, as operationalized by the number of refugees fleeing the country.\(^{681}\) These numbers serve as a proxy for the general spillover effect for other states. Assumed factors preventing or diluting humanitarian intervention are institutional access of the target, the interdependence relationship between target and potential intervener, as well as a low outlook of success.\(^{682}\) Institutional access is approximated by membership to a relevant major institution as the WTO or the UN Security Council, whereas interdependence is measured in percentage of the global trade volume the target authorities hold. Since no database covers all the cases, again, consulting the literature on individual case history is essential.

Finally, the same applies to potentially important factors brought forward by constructivist-informed, idealist accounts. Supposedly triggering a stronger response towards humanitarian emergencies are the sheer extent of human suffering, as operationalized by numbers of internally displaced persons (IDPs)\(^ {683}\) and the death toll,\(^ {684}\) the level of attention a crisis generates in the media and among the public,\(^ {685}\) as well as perceived ethnic, cultural, or religious proximity between intervener and the suffering population. In contrast, perceived ethnic, cultural, or religious proximity between potential responder and the perpetrator is supposed to hamper the level of coercive engagement.\(^ {686}\) Again, detailed knowledge of each case is necessary to achieve meaningful condition values.

\(^{679}\) Within this chapter, the term liberalism refers not to a position within the spectrum of Political Theory, but exclusively to an approach within International Relations Theory.

\(^{680}\) See Chapter 3.1

\(^{681}\) Data available via the FDP and IDMC dataset.

\(^{682}\) Numbers of refugees and outlook of success are conditions referred to both by Liberal and Realist reasoning.


\(^{684}\) Available from FDP and IDMC resp. COW, ICB, and PRIO/UCPD for most cases.

\(^{685}\) Data on major newspapers is available from FACTIVA, but essentially each case is coded manually based on the respective literature.

The task of compiling a dataset on responses to humanitarian disasters for this analysis follows from the lack of a preexisting dataset on the topic suitable for the particular research question at hand. Therefore, the necessary data has to be extracted from various existing databases and the relevant literature on each case. In order to do so, each of the previously identified conditions has to be defined in such fashion, that empirical measurement becomes possible. Due to the limited number of cases, however, controlling for every potentially influential factor is not possible. Instead, the most promising factors have been derived from theoretical considerations. Three conditions are assigned to each of the three major theoretical positions, on which most more specific theories build. Each of the selected conditions is derived from a wider set of more specific factors and embodies an abstract representation of the assigned theoretical approach. These conditions are the ‘most-likely’ ones to be present in most of the different theories subsumed under a respective school of thought. Accordingly, the list of conditions – as displayed in Table 2: Set Construction in Appendix A – is only a very limited selection of potential causal factors, but arguably contains the most relevant ones. The selected conditions are examined more closely in the subsequent chapter.

Given that the task of deriving aggregate conditions for all cases is essentially an interpretative process, the data’s reliability is not very high, especially if there are no corresponding databases available. However, for the purpose of the argument advanced here, drawing strong causal inferences for each condition is not the goal. Instead, the anticipated result of step one is to determine which conditions and which combination of conditions are relevant for each case, without necessarily asserting their unique causal pull. Therefore, approximations of each value are already sufficient to generate workable results.

Nevertheless, this approach allows for testable hypotheses and for evaluating the importance of conditions and configurations thereof. A realist explanation expects a stronger response to

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687 A new dataset has been compiled at the Deutsche Stiftung Friedensforschung (DSF) only last year (Dembinski/Gromes 2017). This dataset combines the available data on humanitarian military intervention after World War II.

688 On the limits and pitfalls of relying on secondary source material produced by historians, see e.g. Thies (2002).

689 See Chapter 7.4.

690 See Chapter 3.1.

691 As a positive effect, including additional sources increases validity. For empirical examples successfully using similar strategies see e.g. Binder (2015: 7), van der Maat (2011: 206-8).

692 Relevant insofar as that a condition has some influence instead of just being redundant.

693 Obviously, these approximate values have to correspond to the empirical world as closely as possible. Moreover, they have to be specified as diligently and transparently as possible.
humanitarian emergencies if there are major geostrategic interests at stake, strong negative effects to security considerations, and the potential target is militarily weak. An explanation based on public welfare issues expects only multilateral reactions, with a stronger response when economic interests are negatively affected, and the potential target is lacking both economic leverage and access to major institutions. From a constructivist position, one would expect that the greater the extent of a crisis, as well as the more public attention is generated, the stronger should be the responses to large-scale human suffering. Depending on whether or not perceived cultural, ethnic, or religious proximity plays a role in leading to stronger responses, such a result would either support the importance of such factors or reject theories based on them.

694 Vice versa for weaker responses.
695 Again, vice versa for weaker responses.
7.4 Operationalization & Categorization

There are several ways to assign the membership scores for both outcome and conditions. Common to all of them is that the so-called raw-data collected in Appendix B provides the basis for the values of aggregate conditions, which is eventually recoded into membership scores. In any case, determining the aggregate conditions’ values requires an explicit justification for each individual condition. The qualitative anchors marking the thresholds for each individual indicator, and, therefore, in aggregation for each condition, derive from the set’s internal grouping based on the available data. This requires defining both outcome and conditions in empirically measurable terms. The outcome – the response to a humanitarian emergency – is captured first in terms of the degree of engagement\textsuperscript{696} and second in terms of adherence to the rule of law\textsuperscript{697}. Subsequently, the following section refers to every previously selected condition individually and points out their operationalization. Finally, all derived thresholds are summarized in Table 4: Categorization Scheme in Appendix A.

Of course, both the operationalization and the resulting categories are rather superficial, representing only vague approximations of conditions used in more detailed theories explaining state behavior. However, the goal is not to derive convincing causal combinations of conditions definitely responsible for specific state behavior in individual cases or to generalize about the causes for selective behavior in all cases. Instead, the chosen conditions serve as proxies for the more general theoretical positions mentioned above and remain rather abstract on purpose.\textsuperscript{698} This allows treating the theoretical traditions exactly as that: schools of thought that provide the tools to formulate theories that are more specific and can be used to examine or explain empirical phenomena. A high level of abstraction or generality increases the scope of each approach, thereby comprising many different theories operating on similar, most basic assumptions.\textsuperscript{699} Accordingly, the few selected conditions representing each school of thought allow only very general assertions about the corresponding approach’s utility for the explanation of state behavior. Therefore, the value intensity of corresponding conditions does not allow for evaluation of the respective abstract approach’s explanatory power. It only indicates whether the approximations of a school of thought’s abstract assumptions are

\textsuperscript{696} Based on Chapter 4.
\textsuperscript{697} Based on Chapter 5.
\textsuperscript{698} See Chapter 7.1 and Chapter 7.3.
\textsuperscript{699} On the idea of concepts as data containers and the so-called ladder of abstraction, see e.g. Collier/Mahon (1993) and Sartori (1970), respectively. For an overview on concept formation, see e.g. Mair (2008).
observed or not. A high value for those conditions that correspond to an abstract approach supports the notion that one could reasonably expect that more specific theories operating on assumptions held by this particular school of thought are possibly able to contribute to the explanation of a particular case. A low value for these conditions indicates the opposite, implying that formulating specific theories based on the corresponding school of thought’s assumptions will not be of much use in explaining state behavior for that particular case.

Subsection 7.4.1 presents the outcome’s operationalization, tending first to the level of engagement of responding to a humanitarian emergency, and second to the response’s legitimization in terms of adherence to the rule of law. Subsection 7.4.2 contains the subsequent operationalization of all potential conditions elaborated on in the previous section. Subsection 7.4.3, finally provides the summaries for each of the selected cases of reactions to humanitarian emergencies and the resulting membership scores of each condition for each case.

### 7.4.1 Outcome

In order to increase the informative value of this study’s results, both the outcome’s dimensions are divided into more than just two dichotomous categories. Instead of either diplomatic or military intervention on one side, and either unilateral or multilateral legitimization on the other, this thesis proceeds with providing a more fine-grained scale for each dimension. The following categories followed inductively from sorting through the entirety of cases. The outcome is classified into four categories, both for the level of engagement and the level of adherence to the rule of law, excluding the total absence of any response or the total absence of rules respectively.\(^\text{700}\) The response types in terms of engagement range from rhetorical condemnation, to diplomatic pressure, to the limited use of force, and, finally to full-blown military intervention. Concerning the adherence to the rule of law, the response types range from deliberate ignorance by a single actor, to unilateral exception, to multilateral exception, and, ultimately, to full adherence to the international rule of law of the actors involved. Due to this thesis’s case-oriented design of the comparison, cases are not predetermined by their outcome alone because case and outcome “coalesce in the course of the research through a systematic dialogue of ideas and evidence” (Ragin 2004: 127). The final classification follows from the available information on each case as summarized in Chapter 7.4.3 and illustrated in

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\(^{700}\) See Chapter 7.2 for the detailed justification.
the Outcome Summary in Table 3: Outcome in Appendix A. Neither the subdivision nor the eventual categorization of both outcome dimensions is definitive or empirically exhaustive. They are simplified representations of abstract concepts, introduced as a means to an end, namely the empirical categorization of the international society’s collective behavior.

7.4.1.1 Engagement in Humanitarian Crises

Differentiating between crisis acknowledgment and rhetorical expressions of condemnation from the actual implementation of policy measures such as sanctions or embargos, as well as allowing for two degrees of forceful engagement – the limited use of force and full-blown military intervention – generates four levels of escalation. Adding the choice of no response for logical reasons, results in five types of responses to humanitarian emergencies (0-4), as illustrated in Figure 20 below.

*Figure 20: Level of Engagement*

<table>
<thead>
<tr>
<th>Intensity of Response</th>
<th>Level 0</th>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
<th>Level 4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No Response</td>
<td>Rhetorical Outrage</td>
<td>Diplomatic Measures</td>
<td>Small/limited Intervention</td>
<td>Military Intervention</td>
</tr>
<tr>
<td></td>
<td>Coercive Diplomatic Measures</td>
<td>Coercive Military Measures</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Although no response is theoretically feasible, it is not a possible engagement type here, because such cases are ruled out already due to the case selection.701

Rhetoric condemnation refers to addressing and acknowledging the unfolding events as a humanitarian emergency. Adopting and using humanitarian language and referring to the events in question as humanitarian crisis or humanitarian emergency is enough to qualify as a speech act indirectly targeting the perpetrators.702 States expressing their concern in such a manner are

701 See Chapter 7.2.
702 On the definition and the role of speech acts, see e.g. Onuf (1989), Searle (1969), Austin (1962).
already ‘acting’, and the usage of this language implies a (negative) moral judgment of the situation and the responsible authorities, albeit a very weak one.\footnote{It is an observable action, nevertheless.}

Diplomatic pressure refers to active measures one or more states apply to influence the target authorities’ behavior. Speech acts only qualify for this category if they are directly addressed at the responsible target authorities and include some sort of threat or promise\footnote{For an extensive reflection on the use of threats and promises in international politics, see e.g. Davis (2000).} aimed at resolving the humanitarian emergency. Examples are specific policies such as travel bans or economic sanctions, or even the formal summoning of the ambassador, all with regard to the unfolding crisis.\footnote{See supra note 345. I do not differentiate between different kinds of sanctions such as targeted or so-called smart sanctions for the sake of simplicity of an already complex issue. On targeted and smart sanctions, see e.g. Biersteker et al. (2016), Wallensteen/Grusell (2012), Drezner (2011), Erikson (2011), Cortright (2002).} Each action, however, needs to be a coercive measure, clearly against the proclaimed interest of the target area’s authorities.

The third level already entails the use of coercive military force, albeit to a very limited extent. A limited intervention involves military personnel but lacks the mandate to actively engage in hostilities on the ground. Deployed troops are usually low in number and perform observatory roles. The use of deadly force is either limited to self-defense or restricted to specified safe havens. This category includes the use of airstrikes because of the low level of risks involved for the intervening party.

The final level of engagement refers to full-blown military interventions encompassing combat troop deployment. At least, the mandate allows forcefully protecting the civilian population, but it could also include actively going after and defeating the perpetrators. Commonly referred to as ‘boots on the ground’, this level of engagement assumes ground troops engaging opposition forces.\footnote{This expression serves as a shorthand for the official deployment of combat troops in the target area, excluding clandestine missions as well as peacekeeping or ceasefire monitoring operations. It conveys the belief that a successful operation cannot be achieved by airpower alone and requires the physical presence of troops in the target area. Although the metaphorical use of “boots”, first for naval recruits and later for soldiers in general, can be dated back to the 1890s, the exact expression has been ascribed to General Volney Warner, who is quoted in an article by John Cooley (1980), where he refers to the deployment of ground troops as a strong signal for the United States’ commitment. Both the tactics and the use of the metaphor of “putting boots on the ground” emerged in the context of analysing the British experiences with counter-insurgency in Malaysia in the 1950s and the United States’ reaction to guerrilla warfare in Vietnam in the 1960s. See e.g. Daddis (2014), Nagl (2005), Clodfelter (1989), Thompson (1969; 1966).}
Assigning the appropriate level for each crisis is dependent on the available information on each case. However, all four levels are clearly distinguishable by observation alone. Since all cases refer to past events, the results are in, and, therefore, attributable to the previously developed levels. If the response includes activities fitting more than one level, only the strongest response is taken into account. The necessary information is derived from case knowledge, or, if available, diplomatic notes and UN Security Council resolutions as indicated in the Outcome Summary in Table 3: Outcome in Appendix A.

7.4.1.1 Adherence to the Rule of Law

Additionally, this thesis refers to the rule of law as a second dimension of the response type. The adherence to the rule of law serves as an operationalizable representation of legitimization. Including the mode of legitimization as a characteristic of responses to humanitarian emergencies allows separating the level of engagement in the target area from the authorization process that gave birth to the response in the first place. Therefore, distinguishing between unilateral and multilateral response types is an obvious first step. However, the mode of legitimization for each coercive response is not restricted to either unilateral or multilateral action. Similar to the operationalization of state engagement in responding to humanitarian emergencies, I differentiate between five modes of legitimization based on the role of the rule of law in the decision-making process. Conceptually, legitimization is understood hereby as adherence to the rule of law ideal.

The rule of law refers not to the idea that legitimacy is bestowed on state action due to its compliance with international law. Instead, it evokes the ideal of a rule-based international society that acts in accordance with the general idea of international law as its own foundation. Arguments over diverging positions are expressed within the existing legal

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707 See Chapter 7.4.3.
708 See Chapter 4.5.
709 For an example of the perceived legitimacy deficit in contemporary international society and the importance of the procedural dimension, see e.g. Ralph/Gallagher (2015).
710 See Chapter 5.
711 See e.g. Búzás (2017: 857), who illustrates how “compliance with the letter of the law” can violate “the purpose of the law […] in an arguably legal fashion”. See also Búzás (2018) for an empirical example of law compliance undermining underlying norms.
712 See e.g. Cogan (2006: 193), who demonstrates that “noncompliance is an integral component of the international legal system” and can be used to develop new law, eventually strengthening the rule of law.
framework, all sides proclaiming to be in compliance with international law. Not compliance with specific rules but the respect for the idea of rule-based international conduct in form of consultation and collective coordination of behavior defines the level of legitimization. International law and its interpretation are inherently dynamic and transform over time, but the core definition of the rule of law idea remains the unchanged and stable foundation of the international society.

Therefore, this thesis introduces five levels of political legitimization (0-4), each capturing a different degree of adherence to the rule of law, as illustrated in Figure 21. They range from unilateral action with no regard for international law to unilaterally taken exceptions to the otherwise accepted legal order, to multilateral exceptions honoring the rule of law, and, finally, to the fully rule-abiding consensus of the international community. Despite being logically conceivable, the complete absence of rules is practically impossible as soon as political communities begin to acknowledge each other. This is definitely the case in the covered time frame. Unilateral rule-following is not included because it is logically impossible due to the inherent contradiction entailed in following the rules by deviating from them. Unilateral rule-following rules out all coercive measures to respond to humanitarian emergencies, because coercive measures have to be taken multilaterally to count as rule following. Full regard for the existing rule of law is by definition a multilateral endeavor.

Figure 21: Level of Adherence

<table>
<thead>
<tr>
<th>Legitimization of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 0</td>
</tr>
<tr>
<td>Absence of Rules</td>
</tr>
<tr>
<td>Level 1</td>
</tr>
<tr>
<td>Disregard &amp; Contestation</td>
</tr>
<tr>
<td>Level 2</td>
</tr>
<tr>
<td>Unilateral Exception</td>
</tr>
<tr>
<td>Level 3</td>
</tr>
<tr>
<td>Multilateral Exception</td>
</tr>
<tr>
<td>Level 4</td>
</tr>
<tr>
<td>Strictly Rule-Abiding</td>
</tr>
</tbody>
</table>

See e.g. Johnstone (2003), who examines the use of legal arguments in the justificatory discourse in the UN Security Council over Kosovo.

See e.g. Hurd (2017: 133), who concludes that “the international rule of law is not manifest in compliance. It is manifest in the universality of law as a source of justification and contestation. States cannot opt out in favor of some other logic of justification. There is simply no alternative” and states are aware of that.

See Chapter 5.3.
The complete absence of rules is an irrelevant category for this study because it is not applicable to any of the selected cases. Without a body of rules that is generally accepted as binding international law, no framework for organizing international relations among states exists. The origins of international law can be traced back to the Roman notion of a law of nations regulating peace treaties and alliances. The modern idea of international law is attributed to Hugo Grotius, who argued that the law of nations established legal rules binding European sovereign states in the 17th century. Since none of the covered instances of responses to humanitarian emergencies occurred before the 19th century, it is indisputable that some sort of international legal framework was in place in each case.

Accordingly, the first level comprises the disregard and contestation of the respective, existing legal framework. It refers to the actions of one state, following its proclaimed self-interest unilaterally and with no reference to common rules other than to defy their relevance. The acting state’s disregard for the rule of law represents its contestation of the binding character of international law questioning its validity for the use of force and coercive intervention.

The second level refers to state action as unilateral exception. In contrast to the first level, the acting state acknowledges the existing international legal framework, and especially the regulation of the use of force and coercive intervention. However, it chooses to disregard these rules for a specific case due to specific circumstances. The actor’s actions represent an exemption to the otherwise accepted body of international law. The acting agent does not question the general validity of the legal order.

The third level captures multilateral exemptions to the dominant interpretation of international law. As in the previous category, states are conscious of their potential violation of the existing legal framework, but they act as a coalition instead of unilaterally. Their actions are not necessarily intended to change the legal framework on purpose. Instead, the rule of law is upheld in general and the exemption refers to particular instances. The possibility of changing rules due to the actions of states is not ruled out, but irrelevant to the categorization process.

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716 The term ‘international law’ was first used by Jeremy Bentham in 1780. See Bentham (1970 [1789]). On Grotius’ significance for the international legal discipline, see supra note 237 and 238.

717 See Chapter 4.1.

718 On the possibility to transform the legal framework through unilateral action, see e.g. Hakimi (2014), Beyers/Chesterman (2003), Reisman (2000).

719 On the idea of legalized non-compliance as efficient breaches of international law in particular cases leading to the evolution of the underlying legal framework, see e.g. Posner/Sykes (2011).
Finally, the fourth level refers to multilateral responses to humanitarian emergencies that display a high level of adherence to the rule of law. Hereby, activities are necessarily multilateral, if not unanimous. States may still voice contrary positions or put forward suggestions for alternative courses of action, but eventually, they either act in unison or concur on a specific course of action. The resulting action may not be a multilateral response, but its authorization is necessarily based on a jointly reached decision. Insofar that international law is a dynamic process reflecting the negotiated consensus among states; their actions are even rule-abiding in a positivist understanding of international law. That does not imply, though, that the chosen course of action is in compliance with a particular rule or specific legal norm. Instead, a high level of adherence to the rule of law refers to the process of deriving a response to a humanitarian emergency within the existing legal system being in accord with the core definition of the rule of law as conceptualized in Chapter 5.3.

As with the level of engagement, assigning the appropriate level of adherence to the rule of law for each case depends on the available case information. All four levels are distinguishable by observation of the above-mentioned criteria. Again, if the response includes activities fitting more than one level, only the strongest response is taken into account. The information necessary to categorize behavior according to the four levels outlined above is derived from case knowledge, or, if available, diplomatic notes and UN Security Council resolutions as summarized in Table 3: Outcome Summary in Appendix A and elaborated on for each case in Chapter 7.4.3. Essentially, this process is the result of interpretation based on the conceptualization of the rule of law as a guiding principle for state conduct. The notion of the rule of law as the foundation of a legal system expresses itself in the general expectation of states justifying their actions with regard to the body of international law. In its most concrete embodiment, this belief in the rule of law translates into rule-following understood as the observable collation of state behavior and the expectations thereof implicitly agreed upon by the international society.

7.4.2 Conditions

The variation in the outcome is assumed to follow from varying combinations of the previously identified conditions. Each of the eight distinct conditions presented in the previous chapter represents a larger body of theoretical arguments on influential factors for or against humanitarian interventions. They are compiled out of a variety of different indicators. Each
condition is an aggregate of a few essential factors, for which I resort to specifically selected indicators. Not all conditions rely on the same number of components and indicators. If not indicated otherwise, all index-based indicators are treated as equal components of the aggregate condition. I determine four thresholds for each indicator based on the indicator’s measurements for all cases, differentiating between ‘very high’, ‘high’, ‘low’, and ‘very low’. Each threshold defines the necessary minimum for an indicator being assigned to the respective category. Accordingly, there are four categories for each condition. For a case to be assigned full set membership of a condition (Category 4), each of the respective indicators’ four thresholds have to be met for all selected components. The aggregate condition is assigned the value of the lowest component based on its indicator value. However, potential discrepancies between indicator values may necessitate balancing indicator values against each other to derive average values for the aggregate condition. If a condition is composed of three components and two of these components surpass the highest threshold and are assigned to Category 4, but the third indicator surpasses only the second and is assigned to Category 2, the aggregate condition in total is assigned to Category 3. The assigned thresholds for each component of all conditions are indicated in Table 3: Outcome Summary, the resulting categories for each condition and its indicators are depicted in Table 4: Categorization Scheme, both provided in Appendix A. The underlying raw data is available in Appendix B, whereas the case-specific information is available in Chapter 7.4.3 below.

7.4.2.1 Strategic Interest (G)

Although strategic interest is a rather vague and underspecified concept, it carries a lot of weight in realist arguments. Attempts to pin down strategic interest in a quantifiable manner are of mixed success at best. Usually, researchers resort to proxies such as geographical proximity, amount of resources or number of foreign military personnel stationed at the target area. For the majority of identified cases in this analysis, however, this information is not available. None of the cases involves a sitting Security Council member as a perpetrator. The number of refugees may be of strategic concern (Adelman 1992a: 74), but from a realist view only of secondary importance. One of the major aspects of strategic interest are concerns about changes

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720 See e.g. Schneider/Wagemann (2006: 767), for whom “summarizing different combinations of factors under the same concept […] is an example of a useful, though often neglected, practice”. For examples of the usage of such ‘master variables’ or ‘macro-variables’ to move up on Sartori’s (1970: 1040-6; 1984: 44-6) ladder of abstraction, see e.g. Rokkan (1999), Berg-Schlosser/De Meur (1997).
in the balance of power.\footnote{See e.g. Mearsheimer (2002), Waltz (1979; 1959), Morgenthau (1948).} Another relevant indicator is the control of specific locations due to their important role for the projection of military power or access to trade routes. Concrete examples are access to harbors, sea gates, or the proximity to resource-rich areas. Additionally to its vagueness, strategic interest varies from case to case and from actor to actor.\footnote{See e.g. Nye (1999), Finnemore (1996b).} The same area can be strategically important or not, depending on who evaluates what and when. Therefore, assigning objective scores for each case fails to capture the essence of what strategic interest intends to represent. Instead of referring to a flawed index, a numeric value for strategic interest is derived individually for each case, combining the information from available databases with the insights gained from consulting the relevant literature on the topic in each case. The eventually assigned category reflects only interests in support of intervention. Discernable interests opposing intervention are only relevant insofar as to derive a balanced assessment of total interests in support of intervention.

The information available from ICB and COW is therefore merely complementary to the qualitative assessment of each case. It includes the ICB geostrategic salience score, the ICB data on foreign military personnel stationed in the target area, and the COW military alliance types. The ICB salience score is a compound variable indicating a states’ relative significance for the location of a crisis in terms of its natural resources, distance from power centers, and the number and size of regions or political systems affected (Brecher at al. 2017: 47).\footnote{See also Brecher/Wilkenfeld (2000).} The COW Formal Alliance dataset differentiates between defense pacts (type 1), neutrality or non-aggression treaties (type 2), or entente agreements (type 3), with defense pacts the strongest and entente agreements the weakest form of alliance.\footnote{See Gibler (2013).} However, the data is incomplete and inconclusive. The ICB’s geostrategic salience score, for example, covers only 13 out of the 44 cases. The COW data on formal alliances contains no information about the victims enduring humanitarian emergencies.\footnote{See e.g. Gibler (2013; 2009).} Therefore, the category assignment for each case originates from the respective case summary and supporting sources.\footnote{See Chapter 7.4.3.} The final judgment is based on the assumption that external observation of an essentially subjective and relative condition from within each case is always incomplete, but possible and valid enough to warrant assigning

\footnote{\textit{\textsuperscript{721}} See e.g. Mearsheimer (2002), Waltz (1979; 1959), Morgenthau (1948).} \footnote{\textit{\textsuperscript{722}} See e.g. Nye (1999), Finnemore (1996b).} \footnote{\textit{\textsuperscript{723}} See also Brecher/Wilkenfeld (2000).} \footnote{\textit{\textsuperscript{724}} See Gibler (2013).} \footnote{\textit{\textsuperscript{725}} See e.g. Gibler (2013; 2009).} \footnote{\textit{\textsuperscript{726}} See Chapter 7.4.3.}
appropriate categories. It requires the researcher to take the perspective of each of the major powers and derive an aggregate solution on the structural level.\footnote{The focus on the Great Powers follows from the notion of Great Powers as “the great intervening parties of modern history” whose very definition is that they possess the capabilities to intervene, but are themselves secure from outside intervention (Bull 1984c: 1). For a similar understanding, see e.g. Owen (2002: 376), Aron (1966: 487).}

7.4.2.2 Military Strength (M)
This condition refers to the expected opposition to a humanitarian intervention. It ranks the military capabilities available to the target area’s de-facto authorities. The stronger the target area’s military, the common assumption is, the less likely is a humanitarian intervention. In order to derive a value for the military strength of the target area, this operationalization resorts to established indexes. The final allocation of values for each case follows from combining yearly military expenses, military personnel, total population, and the composite index of national capability (CINC); all available from the NMC database provided by COW.\footnote{For the National Material Capabilities (NMC) dataset’s codebook, see Greig/Andrew (2017).} The NMC military expenses contain the yearly budget for all military-related spending, translated into current year US Dollars.\footnote{The latest update was in 2017.} The data is supplemented by similar data from SIPRI, containing inflation-adjusted military expenditure in US Dollars at 2016 prices.\footnote{Information on the coding is available at www.sipri.org/databases.} Military personnel refers to the number of people employed by a state’s military in each year. Additionally, the total population of a state serves as a proxy for the military potential at its disposal. The CINC score aggregates six individually measured components of national material capabilities into one value for each state per year.\footnote{See Singer et al. (1972).} Its value ranges between zero (0) and one (1), indicating the share of all capabilities for each year. In contrast to the other indicators, it considers the relative value of each state per year over time. Combining these available indicators allows determining categories for military strength assigned to each case. The final score is derived from aggregating the four indicator values – CNC value, military personnel, military expenses, total population. Each threshold for each indicator serves as a necessary minimal threshold for the combined score. The result is then held against the information
derived from the relevant literature in order to confirm or adjust the score and assign each case to one of four categories.

7.4.2.3 Spill-Over (R)

Humanitarian emergencies may have additional negative consequences for neighboring countries or entire regions (Salehyan/Gleditsch 2006). The most common indicator for spillover effects from humanitarian emergencies is the number of refugees fleeing the affected area.

Refugees are only those who made it out of the original country and were counted as such. Internally displaced people are not included, because this condition’s focus lies on external effects beyond the state in crisis. Available sources are the FDP and the official numbers published by the UNHCR. The FDP index covers the period from 1964 to 2008, the UNHCR publishes new data every year also from 1964 onwards. Since the number of refugees reported differs from database to database, I decided to use their average value. Cases before 1964 are evaluated individually, based on the available literature. Almost all conflicts and ensuing humanitarian emergencies produce spill-over effects, but only very strong effects can be expected to alter cost-benefit calculations in favor to engage in such emergencies. In order to reflect appropriately the impact of refugee flows, the thresholds are set in a conservative fashion. A humanitarian emergency is assigned to Category 4 only if it triggers refugee flows with more than 1 million refugees. Accordingly, cases with less than 100,000 refugees are assigned to Category 1. The obvious examples used to determine these thresholds are the Rwanda crisis in 1994 with close to two million people fleeing the country, or Syria in 2013 with approximately 2.5 million refugees at the high end of the spectrum, and, at the low end of the spectrum, Kenya in 2007, or Haiti in 1994, both with less 10,000 reported refugees fleeing each country.

As an additional component serves the potential conflict diffusion. Based on individual case studies, I examine whether the humanitarian emergency has created additional interstate tension with or conflict in neighboring states. Further factors, such as transnational rebel groups or international terrorism following from humanitarian emergencies are included only if

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732 Numbers on internally displaced people are used below to determine the crisis extent (E).

733 For the Forcibly Displaced Populations (FDP) dataset’s codebook, see Marshall (2008).

734 The available data can be found in Appendix B.
observable based on case knowledge. A strong positive value for any of the additional indicators results in adjusting the category assigned for the aggregated condition accordingly.  

7.4.2.4 Interdependence (T)
The concept of interdependence captures reciprocal effects among actors resulting from “international transactions – flows of money, goods, people[,] and messages across international boundaries” (Keohane/Nye 1977: 8-9). For the sake of simplicity, this thesis refers to interdependence as the target area’s economic importance for and integration in the global economy. In order to assign a category, the condition is composed of each target’s share of world GDP, its trade volume derived from balancing total imports and exports, as well as its overall industrial development in the relevant year. COW’s NMC database (1815-2012) provides the primary energy consumption (pec), which serves as a proxy for overall industrial development. Its unit of measurement is the artificially computed equivalent of a thousand coal-tons.  

Both COW and the WTO provide state-level data on yearly import and export necessary to compute the trade balance. Whereas high exports and imports demonstrate a high trade volume, the ratio between them allows determining each country’s relevance for the global economy. In order to account for the skewed export of natural resources and raw material, as well as the skewed import of high-end technology, a balanced trade balance is considered a symptom of economic health. Thresholds for this indicator are slightly biased towards exports over imports, though, because, on average, proportionate trade surplus tends to positively affect the national economy. Trade data and industrial development are both absolute values. The third component, a country’s yearly share of world GDP, provides a relative and time-adjusted value for each case. The World Bank’s data covers all cases from 1964 on. Each of the components has to pass its indicator’s threshold for each indicator separately to be assigned the respective category. The condition’s aggregated category reflects the category of the lowest indicator and increases only if all indicators pass their respective thresholds.

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735 A case with less than 100,000 refugees, which causes regional destabilization due to ensuing conflicts in neighboring states, is assigned to Category 2, despite not exceeding the threshold by refugee numbers alone.

736 For the detailed composition of the COW pec value and the conversion of different energy sources into one index see version 5.0 of the NMC Data Documentation (Greig/Andrew 2017), or the original NMC user’s manual (Singer 1990).
7.4.2.5 Institutional Access (A)

Institutional involvement is assumed to influence the type of response a state can expect if experiencing a humanitarian emergency. Whether membership in international organizations increases or decreases the probability of intervention is less clear, though. In favor of a stronger response, one could argue, that the other members might be more concerned about a fellow member than a third country experiencing a humanitarian emergency. The opposite argument can be made by equating higher membership with an increased number of possibilities to prevent unwanted intervention. The aggregate condition combines the membership in intergovernmental organizations (IGO) provided by COW, the membership in conventional intergovernmental organizations (CIO) provided by the Center for Systemic Peace INSCR dataset, and the role each state had in the United Nations at the time. The IGO dataset covers the years from 1964-2014, building on the operational coding definition developed by Wallace/Singer (1970a). The CIO dataset differentiates between umbrella organizations, universal membership organizations, intercontinental organizations, and regional organizations. For the aggregate, however, I included only the second type and the total amount of memberships in the categorization. Since the data is only available for the years between 1964 and 1999, the CIO dataset serves primarily as a control for the IGO data. Naturally, earlier cases display fewer memberships in international organizations than later cases. None of the target areas was a member of the UN Security Council, nor did it chair any major UN bodies or commissions. Likewise, none of the earlier cases contains any memberships in the League of Nations or in equivalent institutions.

7.4.2.6 Crisis Extent (E)

The extent of a humanitarian emergency captures both the scope and the severity of the suffering. Obviously, the extent of a crisis is essentially not measurable in absolute terms. Moreover, this condition may be subject to fluctuations in its perception between different actors. However, short of determining individual actor’s crisis extent evaluations through extensive historical discourse analysis, the approximation via existing databases is sufficient.

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737 See Pevehouse et al. (2004) for the Correlates of War 2 International Governmental Organizations dataset version 2.1.


739 The published IGO dataset ends in 2000, however, the latest, yet to be published version continues until 2014.
for the task at hand. A reasonable starting point is to count the number of violent deaths in the selected year or the year before.\footnote{Including the previous year allows addressing the obvious bias resulting from the fact that only annual data is available, regardless of the exact dates within a year the response occurred.} Additionally, the variation in the level of violence in terms of human rights violations and the number of displaced persons who had to flee the violence, contribute to developing a scale for the extent of a humanitarian emergency. Data on the casualties in humanitarian emergencies are usually estimates and extrapolations.\footnote{For the discussion on the quantification of casualties, see e.g. Seybolt et al. (2013).} In order to increase the reliability, I simultaneously resort to COW war data, to different categories of UCDP data, and the CSP dataset. COW provides violent deaths in the year before the identified response. The data extracted for this analysis contains the sum of both intra- and extra-state battle deaths for each case, ignoring casualties from inter-state war.\footnote{See Reid Sarkees/Wayman (2010) and Dixon/Reid Sarkees (2015) for detailed information on the COW dataset version 4.0 and its coding process.} The UCDP dataset includes the total amount of violent deaths, all one-sided deaths, and the official number of battle deaths.\footnote{The dataset is presented in Eck/Hultman (2007) and Sundberg et al. (2012). For detailed information on the UCDP dataset version 17.2 and each indicator’s coding process, see Allansson/Croicu (2017) and Allansson et al. (2017).} The numbers refer to the sum of deaths in the identified crisis year and the year before for all three categories. The CSP dataset covers the total of violent deaths per year.\footnote{See Marshall (2016), for both the dataset and the coding.} The numbers listed are only rough estimates based on various sources and serve as reference points. Unfortunately, all of the datasets are incomplete and provide divergent accounts for some of the cases if they overlap. Nevertheless, the available information covers 41 cases. The same is true for the official UNHCR report on internally displaced people (IDPs) and the FDP’s account of reported IDPs.\footnote{The FDP dataset codebook is available via the Center for Systemic Peace. See Marshall (2008).} In combination, the available information is sufficient to cover 31 cases. Additionally, the CIRI dataset provides a 0 to 3 scale for the level of violence, including the disappearances of people, torture, and executions.\footnote{For detailed information on the CIRI dataset version 5.20.14 and its coding process, see Cingranelli/Richards (2010; 2014).} Both the US State Department and Amnesty International publish an annual political terror scale (PTS) index, based on roughly similar criteria.\footnote{The dataset is presented in Wood/Gibney (2010) and Gibney et al. (2017). For detailed information on the PTS dataset and its coding process, see Haschke (2017).} Each ranks the level of violence from 1 to 5, with 5 being the highest. The
MPEV dataset contains a similar variable, ranking the total level of violence between 1 and 10. In combination, data on 35 cases is available to use for the categorization.

I derive each of the three components’ value separately by combining the available data before assigning the aggregated condition to a category. The crisis in Rwanda in 1994, with at least 500,000 people dead, over 1 million registered internally displaced people, and highest marks in all three indexes measuring the level of violence and terror, serves as an example and baseline for cases being assigned to Category 4. The threshold for minimal membership (Category 1) is derived independently for each indicator from cases such as Burundi in 2004 with less than 900 reported IDPs, or East Timor in 2000 with the lowest level of violence in either terror scale, and so on. Additionally, significant jumps in the available data on all cases allow determining the thresholds for high (Category 3) and low (Category 2) scores in between the extreme ends of the spectrum for each indicator independently.

The final categorization for the crisis’ extent is based on the assumption of equal standing of all three components (casualties, IDPs, violence). Again, the condition’s aggregated category reflects the score of the lowest indicator and increases only if all components’ indicators pass their individual threshold for the higher category. However, high and low indicator values may balance each other out. A major humanitarian emergency that is characterized by a relative low number of IDPs (e.g. Category 2), by a relative high level of violence (e.g. Category 3), and by a very high number of casualties (e.g. Category 4) will yield a final categorization for the crisis’ extent that derives from the three indicators’ combined ‘average’ (in this example Category 3). If one indicator value cannot be established for a case due to the lack of available data, the aggregate condition’s categorization is based on the remaining two indicators, ignoring the one lacking. Additionally, qualitative case knowledge is utilized to adjust the categorization process, if necessary.

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748 For detailed information on the MEPV dataset and its coding, see Marshall (2017), which includes an updated version of all types of major armed conflict episodes explained in Marshall (1999; 2002). For the latest updates online, see Marshall (2016).

749 If necessary, the average values are rounded down to fit the appropriate sections set by the thresholds, e.g. low IDP’s (Category 2), low death toll (Category 2), and relative high level of violence (Category 3) result in a combined score of a relative low crisis extent (Category 2).
7.4.2.7 Identity (C)

Among the most complex issues political scientist work with are questions of measuring culture and identity. Despite widespread agreement on the potential importance of self-perception and the image of others on political behavior in IR,\textsuperscript{750} constructivists have not been able to overcome the vagueness and fuzziness of identity as a variable.\textsuperscript{751} Consequently, attempts at operationalizing identity have reduced the concept to single measures such as language or religion, “violating one of the most fundamental assumptions of constructivism: intersubjectivity” (Hopf 2016: 3). Recent efforts to map the multiple elements of political identity argue for inductively recovered operationalizations of identity in order to enhance ethnographic sensibility.\textsuperscript{752} However, as long as such a large-n intersubjective database has not been compiled yet, the available quantitative data will have to suffice for now.

Identity, nevertheless, serves as a placeholder for a constructivist explanation. Its category for each case derives at least from a combination of indicators instead of just from one. In this analysis, I refer to religion, ethnicity, geography, and openness of society as this condition’s four main components.\textsuperscript{753} By combining four separate measures, I am attempting to increase the aggregate condition’s validity, well aware of its remaining shortcomings. Additionally, each of these four indicators aims at capturing the relation between victim, perpetrator, and responder, either actual or potential. The actual responder is easily ascertainable due to the observable action that has occurred, especially if the response involves military force. If the response comprises merely of diplomatic measures, often involving multiple actors, I resort to the Great Powers and, if there is, the regional Power, as the potential actor.\textsuperscript{754} Since only the strongest response is taken into account, both actual and potential actors equally represent the international society. If only a neighboring state spurs to action, it is still acting on behalf of the international society, albeit unilaterally, which is captured by the response type’s two-dimensional conceptualization set out above.


\textsuperscript{751} See e.g. Wedeen (2010) or Hopf (2007) on the possibilities of combining interpretivist and neo-positivist social science approaches.

\textsuperscript{752} Hopf/Bentley (2016) provide exactly this argument and sketch out a research project. On ethnographic sensibility, see Schatz (2009).

\textsuperscript{753} Another common indicator for culture or identity is language. However, language lacks utility here, because the sample of cases displays no overlaps that are not covered already by the data on the former colonial power included in the qualitative context.

\textsuperscript{754} See Appendix B.
The available data in the four selected dimensions – religion, ethnicity, geography, and openness of society – allows assigning individual thresholds. The value for religious proximity derives from comparing the victim’s nominal religious confession with the responder’s denomination. For 31 cases the perpetrator’s religious confession is identical with the victim’s main denomination. If the perpetrator’s religious confession is ‘closer’ to the responder’s religious confession than the victim’s religious confession, this is accounted for by decreasing the religious proximity score by one level. Otherwise, no adjustments follow. The closeness or proximity of religious denomination is based on the family tree of religions in the COW World Religion Project. Accordingly, I differentiate between major religions, including Christianity, Islam, Judaism, Buddhism, Hindu, as well as No Religion and Other, a residual category for denominations not subsumable under the previous categories. Within the major religions, I differentiate between Catholic, Protestant, and Orthodox for Christianity, and between Sunni and Shi’a for Islam, if applicable. The highest category (4) is assigned for the majority of the population belonging to the same subgroup, Category 3 is assigned for the majority belonging to the same major religion, Category 2 is assigned if there are similar minorities, and Category 1 is assigned if the majority belongs to a different major religion with no significant overlaps of minorities. The dataset provides the total number for specific regions on state level, both for major religions and its sub-denominations. The available data is used only to determine nominal membership necessary for categorizing each case according to the qualitative thresholds. Additional data has been compiled online unsystematically to confirm or to fill the gaps in the COW data.

The second component, ethnic proximity, is operationalized in the same fashion, only in dichotomous terms. Although ethnic distinctions between peoples appear to be obvious and easily recognizable, there are no agreed-upon categories. Quite to the contrary, empirical research into the matter is highly diverse and the topic extremely politicized. The complexity of defining ethnicity admittedly defies measurement, because ethnicity is not a clear biological concept. Categorization based on phenotypical characteristics is an auxiliary solution at best. Whereas self-classification may provide the most valid results, it is not consistent across time,

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756 The COW world religion database provides differentiations that are more detailed than that, but this simple classification is already sufficient to cover the sample of cases used here.
757 Whereas Wikipedia is generally not a recognized source, the available information on major religious denominations at a specific period is sufficiently reliable for the purpose at hand.
cultural background, or geographical setting (Castells 2008). The UN Demographic Yearbook category of ‘ethnic group’, for example, refers to a different combination of indicators for different years. The lack of consistency emphasizes “the limitations of international comparability imposed by the heterogeneity of the concept” (UNSD 2003: 9). For the sake of simplicity, I use the most basic and general categories possible, differentiating between primarily geographical umbrella terms such as ‘Western’, ‘African’, ‘Arabic’, ‘Asian’, ‘Slavic’ and ‘Latin American’. Obviously, this differentiation allows only a very crude and superficial classification, but it is just ample enough to ascertain group membership for the involved actors.

The third component, geographical proximity, refers to the distance between the location of the humanitarian emergency and the actual or potential responder. Again, only a very crude classification is already sufficient to add to the aggregate condition. Instead of measuring actual distance, I sort the cases into four categories based on geographical location, differentiating between same or different continent, region, or the existence of shared borders.

The fourth component, sociopolitical proximity, represents the similarity or difference of political freedoms between the respective actors involved. In order to determine a value for sociopolitical proximity, I resort to both the Polity IV Project’s POLITY2 score and the Freedom House Freedom of the Press score. The Polity IV Project codes the authority characteristics of states and contains a composite score ranging from ‘strongly democratic’ to ‘strongly autocratic’. The Freedom of the Press score captures the permissive or oppressive conditions the media operates in for each country per year. In contrast to the previous three components of the identity condition, both indicators applied for determining the sociopolitical proximity are referred to with the aim of capturing the relationship between the perpetrator and the potential or actual responder. The higher the difference between the two scores of both responder and perpetrator respectively, the lower the total value for social proximity.

As an aggregate condition, identity comprises all four independent components, with all components assumed to be of equal importance. The category for each case derives out of

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760 For detailed information on the Polity IV Project dataset and the POLITY2 score’s coding process, see Marshall et al. (2016).

761 Detailed information on the Freedom House dataset and the Freedom of the Press score’s coding process is available online. See Freedom House (2017a; 2017b).

762 All the available data refers to regimes on state level. There is no information on the targeted subgroup. Therefore, the proximity between victim and responder cannot be determined.
combining all four components. As stated above, all four components have to pass each threshold for the total condition qualifying for the next individual category. However, they are balanced against each other in order to determine the aggregated category. The thresholds for each separate component derive from the full spread of cases. All cases are ranked in relative terms, with the highest and lowest value for each component marking the respective ends of the spectrum.

7.4.2.8 Public Attention (P)

Public attention refers to the importance or salience the world ascribes to the events classified as humanitarian emergencies. In this context, ‘the world’ refers to an assumed global public sphere that builds on the idea of a global civil society evolving out of a pan-European public space. The global civil society refers to an organized expression of the values and interests of its members (Ardèvol-Abreu 2015: 78). The collective discussion in the global public sphere creates public opinion that informs policy debates and addresses decision-makers in state institutions. The key institutions of the public sphere are the media, understood as networks of communication spanning the globe. The speed and diversity of media have drastically increased over the last century, further strengthening the notion of a global public sphere and the idea of a global public opinion.

Well aware of the risk of oversimplification, I resort to public attention as a measurement of public opinion. Essentially, public attention is approximated by media attention, which in turn is operationalized as the number of newspaper articles in the year leading up to the crisis. A high number of articles concerning a particular humanitarian emergency indicates a high public awareness and vice versa. Moreover, the global public I refer to consists only of the (literate) population of the Great Powers, or, to be more precise, of democratic states where the existence of a free press allows for something resembling public opinion to form.

Data is taken from the Factiva database, which covers the years between 1990 and 2015. Cases earlier than that have been assigned to categories according to the available qualitative

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763 See Habermas (1991) and Calhoun (1992). For an updated conceptualization of the global public sphere, see e.g. Volkmer (2014).

764 Media coverage often increases after a response to a humanitarian emergency has been issued, especially if the response includes the use of military force. See e.g. Jakobsen (2000a) or Livingston (1997). Therefore, only articles published in the year before the identified responses are included.
The number of articles derives from a combination of relevant crisis keywords, which appear in the title, subtitle, or the first paragraph of an article. Thereby, only those articles are counted that report prominently on the respective crisis. I exclude case specific keywords on unique circumstances in order to avoid overrepresentation of those cases, which are mentioned primarily as a minor issue in a larger context or as only a coincidentally related topic of other news. The database allows filtering by language, region, and type of news as well as media source. I only include political news published in major print newspapers in either English or French. The keywords I used are different forms of ‘humanitarian’, ‘humanitaire’, and ‘violence’, each in combination with the country or region of occurrence.

Obviously, the resulting number of articles represents only a fraction of the actual articles on each crisis, but there are good reasons to use them as a relative indicator for overall media attention. The language restriction increases the comparability with earlier cases. French and British Newspapers were already in business in the early 19th century. Furthermore, English and French are the most widespread languages among educated elites globally, upholding the idea of a global public sphere. For the time period under examination, English and French are the languages understood in the countries most likely and most capable to intervene in humanitarian emergencies. The same reasons apply to the selected medium of printed newspapers. The selected news outlets include the New York Times, the Times, and Le Monde, as well as a varying range of additional newspapers, depending on their circulation at the time. Restricting data acquisition to printed newspapers only increases the comparability with earlier cases when no other media outlets were available.

Eventually, membership scores are assigned according to the total number of articles in each crisis. The qualitative thresholds are set in accordance to the overall spread of articles per crisis. As reference point for the full membership serves the humanitarian emergency in Darfur in 2004, which is considered a prime example for high public attention, not least because of the effect of the Save Darfur Movement. To determine the minimum threshold, I refer to cases with very low public attention. The yearly reports of Doctors Without Borders (MSF) have long

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765 See Chapter 7.4.3.
766 Major newspapers are the fifteen papers with the highest circulation in a particular year.
767 This is true for the 18th, the 19th, and at least for most of the 20th century. It has certainly changed today with both Mandarin and Spanish easily surpassing the number of English speakers worldwide. Nevertheless, major newspaper outlets around the world continue to publish in English, and even more so in academia.
768 See e.g. Damboeck (2012), Glanville (2011a), Mamdani (2010), Badescu/Bergholm (2009), Lanz (2009), Mills (2009), Bellamy/Williams (2006).
decried how a large number of humanitarian emergencies are ignored by the media, especially in Africa, and the Sahel belt south of the Sahara desert is a region traditionally neglected by the media (Ardèvol-Abreu 2015: 708). Both the crisis in Sierra Leone in 1997 and in Burundi in 1993 are typical examples. The thresholds are then determined empirically by using gaps in the distribution and grouping the cases accordingly. Cases covered by less than 300 articles are assigned to Category 1, whereas Category 4 contains those cases on which more than 15,000 articles have been published. More than 5,000 articles are considered high coverage (Category 3) and less than that as low coverage (Category 2). Since I only resort to media coverage as the sole indicator for public attention, determining the condition’s final value requires no further aggregation. However, I retain the possibility to correct the quantitative value on account of more detailed information derived from the specialized literature on each case in the following chapter.

7.4.3 Cases

The following case summaries provide an overview of the most essential events of each identified case. They are in no way exhaustive and, despite the attempted contextualization, focus first and foremost on the previously identified conditions. The summaries are merely simplified snapshots of complex, multilayered conflict situations that are imbedded in the historical contingency of global socio-economic developments and far beyond the scope of this study. My interest is not in the origin or the underlying causes of specific humanitarian emergencies, but in the international community’s response.

The assigned categories for the conditions in each case are first derived from the compiled dataset, but supplemented by qualitative appraisement of the respective literature. Each of the consulted historical works is in turn based on extensive research of primary sources. The more information is available from indexes, the less detailed are the summaries. Therefore, the

769 The low media coverage of humanitarian emergencies, in particular of those occurring on the African continent, are often explained by Eurocentric assumptions of irrational tribal barbarism. In 1993, for example, “a combination of international editorial indifference and the physical dangers of visiting Burundi meant there was virtually no international media coverage of the unending murder and terror producing about 100 deaths a day” (Gowing 1997: 9). For details on the equally low media coverage of Sierra Leone in 1997, see e.g. Baù (2009).

770 The aggregated data for each condition is available in Appendix B. The available quantitative data is summarized in Table 5: Quantitative Membership Scores in Appendix A. The final membership scores combining both quantitative and qualitative scores are summarized in Table 6: Final Membership Scores, Part 1 also in Appendix A.
earlier cases receive significantly more attention than the subsequent events. This concerns especially the cases before the Kosovo incident, because the NATO intervention in Kosovo marks the starting point for an increased interest in the topic of humanitarian intervention. From there on, both case descriptions and data on the specific cases are more widely available as for the earlier cases, resulting in shorter, less detailed case summaries being sufficient for assigning categories.

The categorization of conditions for the majority of cases is based directly on the available databases. However, if none of the consulted databases provides the necessary listing for a particular condition for a case, the qualitative assessment serves as the sole source of assigning membership scores. Extensive triangulation in the use of both primary and secondary sources to confirm the gathered information increases the confidence in the qualitative assessment.

7.4.3.1 Smyrna (Ottoman Empire) 1821
The uprising of Greek nationalists in the Ottoman province of the Morea (Peloponnese) in the 1820s started with the murder of Ottoman civil servants and culminated in the slaughtering of entire Muslim communities.\footnote{For a detailed account, see e.g. Rodogno (2012: 65-80), Bass (2009: 56, 64-6).} In retaliation, enraged Muslims killed Orthodox Christians in different cities throughout the Ottoman Empire (Rodogno 2012: 65). The simultaneous events in Constantinople and in Smyrna became known in Europe and a matter of discussion among elites (Western 2016: 172). In Smyrna, allegedly 30,000 Greeks died in less than three months, and in Constantinople, the Ottoman authorities hanged the Orthodox clergy and dragged their bodies through the streets before dumping them into the Bosporus (Bass 2009: 56-7).

The press across Europe decried the murder of Christians by the hand of Muslim ‘barbarians’ and, even worse, the enslavement of the survivors. Some newspapers reported about an Ottoman plan to “slaughter all the Christian subjects of the Ottoman Empire” and called for countermeasures (Rodogno 2012: 67). Public opinion sympathized with the Greeks, whose atrocities against the Muslim population remained largely unknown.\footnote{For the efforts of Philhellenes campaigning for the Greek cause see e.g. Rodogno (2012: 72-8), Bass (2009: 51-66, 76-87). On the long-term effects, see e.g. Tusan (2012).} News traveled very slowly and throughout Europe newspaper circulation was still very low and largely confined to the elites (Bass 2009: 33-8).\footnote{For the role of European media in the 19th century, see e.g. Bass (2009), especially pp. 25-38.} For them, the Greek struggle for independence resonated with
idealistic notions of classical Greece as the source of European civilization. Moreover, as a
Christian people the Greeks were perceived as much closer to being civilized as their Ottoman
rulers. Especially Russia regarded the Greeks as fellow Orthodox Christians in need of its

Russia had strategic interests in undermining the Ottoman Empire and expanding its influence
into the Balkans. Great Britain and the other Great Powers intended to uphold the status quo.
The Ottoman Empire’s assumed weakness, however, was of great concern in terms of
geostrategic considerations and the balance of power. Accordingly, the European powers
agreed under the Congress system on the events’ atrociousness but acknowledged the
Ottoman government’s right to violently repress any revolt within its jurisdiction (Rodogno
2012: 67). Only the Russian government contemplated military intervention in Smyrna
claiming humanitarian reasons. Failing to convince the other Great Powers, Russia abstained
from acting unilaterally though. None of the others had any particular interest in the Aegean
coastline of Anatolia. The resulting collective diplomatic action only called for protecting
European merchants and did not mention the local population. Any humanitarian intentions
“were clearly subordinated to the maintenance of the international system” (Rodogno 2012:
68). Geostrategic considerations clearly prevented substantial intervention.

- The European powers collectively condemned the acts committed at Smyrna but limited
  their response to rhetorical action only (Engagement=1).
- Their behavior illustrated their support for the existing status quo and a strict adherence
to the rule of law. Even Russia abstained from unilateral action and played by the
agreed-upon rules (Adherence=4).
- As a community, the international society had no geostrategic interest favoring
  intervention (G=1).
- Militarily the Ottoman Empire was a major force, albeit not on par with any of the Great
  Powers (M=4).

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774 Bass (2009: 88-99) includes a full chapter on US sympathy for the Greeks for exactly this reason.
775 For the so-called Eastern Question see e.g. Macfie (2014), Kent (1996), Anderson (1966).
776 The Congress system refers to the practice of regular meetings of the Great Powers after the Congress in Vienna
777 They did acknowledge the problem of European merchants on site, though, and urged the Ottoman government
to address the situation at hand. See Rodogno (2012: 68).
• The number of refugees was very low and had no effect on European decision-making in that matter (R=1).
• Trade considerations played only a very minor role for the European powers (T=1).
• The Ottoman Empire was not a member of the Congress System, or any other relevant international regime or organization (A=1).
• The crisis was very limited and overall a minor incident, but with a considerable high death toll (E=2).
• The perceived victims were fellow Christians - albeit Orthodox Christians and, as Greeks, even European (C=2).
• The media picked up on the issue, but due to its limited reach, public attention was rather low (P=1).

7.4.3.2 Chios (Ottoman Empire) 1822
Greek insurgents opposing Ottoman rule continued to murder civil servants and to pillage Muslim settlements. News of Greek atrocities barely reached the European capitals and if they did, such accounts were dismissed as exceptions or as confirming the general barbarity of the Ottoman Empire. After raiding Greek insurgents looted various mosques and settlements on Chios, an Ottoman fleet descended on the island. Most of the insurgents left Chios before the Ottoman troops started to crack down on the Greek population, indiscriminately killing civilians and insurgents alike (Finlay 1861: 306f).

Eyewitness accounts speak of streets littered with dead bodies, including women, children, and the elderly. “[W]ith the greatest disgust and indignation”, the British ambassador in Constantinople described “a scene of the most appalling desolation” that “makes humanity shudder” (Argenti 1932: 8). In less than two months these massacres reduced the Greek population of Chios from over 100,000 to no more than 20,000, with many dead, others displaced or enslaved (Rodogno 2012: 69). An on-site French newspaper, Le Spectateur Oriental, reported estimates of 25,000 dead and thousands enslaved or fleeing the island.782

778 For a detailed account, see e.g. Rodogno (2012: 65-80), Bass (2009: 56, 67-75).
779 See e.g. Bass (2009: 64-6).
780 See e.g. Rodogno (2012: 68-9).
781 This number is most certainly exaggerated. See e.g. Bass (2009: 71).
782 See e.g. Bass (2009: 67-8).
The British press followed and solidified already existing sympathies for the Greeks in the UK (Western 2016: 175-6), leading to heated discussions in parliament.\footnote{The Times ran multiple lead articles on the situation unfolding on Chios, calling it “the most appalling chapter in the history of modern Europe” (11. September 1822: 2). See e.g. Bass (2009: 71-3).} The reception of Eugène Delacroix’s oil painting *Scène des massacres de Scio*\footnote{The painting depicts a violent scene set on Chios with Turkish soldiers slaughtering Greek men, women, and children. It was unveiled in 1824 and is on display in the Louvre. See e.g. Rodogno (2012: 76), Bass (2009: 72-3).} in Paris further testifies to the growing public awareness in Europe (Haskell 1986).

Official positions were more diverse. Britain’s stand was one of benevolent neutrality towards the Greek insurgents, rejecting the Russian ambition to interfere on behalf of the Greeks, but pressuring the Ottoman Empire to stop the massacres (Bew 2011: 129f). Collective intervention would have allowed Russia to dominate the region and, thereby, tilted the balance of power in their favor. Austria’s major interest consisted in upholding the status quo, which entailed the general suppression of insurgencies (Bass 2009: 117f). Despite Russia’s role as self-proclaimed protector of Orthodox Christians, it was again not able to convince the other Great Powers to act. Britain and Austria were able to prevent Russia from taking unilateral measures,\footnote{See e.g. Rodogno (2012: 68-72), Bass (2009: 111-22).} and the policy of nonintervention in the Ottoman Empire’s domestic affairs prevailed.

- The European powers collectively condemned the acts committed at Chios but limited their response to rhetorical action only (Engagement=1).
- Their behavior illustrated their continued support for the existing status quo and the rule of law. (Adherence=4).
- The international society had very little geostrategic interest in intervening (G=1).
- Militarily the Ottoman Empire counted as a major power (M=4).
- The number of refugees was very low and had no effect on the decision-making of the European powers (R=1).
- Trade considerations played only a very minor role (T=1).
- The Ottoman Empire was not considered a member of the Congress System, or any other relevant international regime or organization (A=1).
- The crisis resulted in a considerable but comparatively low number of deaths and internally displaced people (E=2).
• The perceived victims were fellow Christians - albeit Orthodox Christians and, as Greeks, even European (C=2).
• The media picked up on the issue, but due to its limited reach, public attention refers to mainly the elites (P=2).

7.4.3.3 Morea (Ottoman Empire) 1827
The Greeks’ struggle for independence continued to attract European attention - not least because thousands of philhellene volunteers went to Greece, including Lord Byron, who died on Greek soil in 1824 (St. Clair 1977: 272f). Due to the Greek advances, the Ottoman Sultan commissioned the governor of Egypt to send his naval fleet and subdue the revolt. Before the end of 1825, Ibrahim Pasha’s forces defeated the Greek insurgents and laid waste to most of the Morea region. News about the onslaught of civilians and the enslavement of women and children after the fall of Greek cities reinforced the European public’s impression of the Ottoman Empire’s barbarism (Rodogno 2012: 78-80). Although more than 20,000 Turkish inhabitants of Morea had been killed in only a few weeks before by Greek insurgents, only the subsequent massacres of Christians made the news throughout Europe (St. Clair 2008: 12f).
According to Russian intelligence, Ibrahim Pasha intended to exterminate the population and replace them with Egyptians or Muslim Arabs (Bass 2009: 123-25). Although never confirmed, the “extreme cruelty” of “wholesale massacres” and the enslavement of Christians created an air of credibility for these rumors - only strengthened by the fact that in 1822 “vast numbers of Asiatic Turks poured into Chios” to repopulate the island (Rodogno 2012: 79-80).
Initially, all Great Powers were opposed to interference for the sake of upholding the balance of power, but both Britain and France distanced themselves from the Congress system because it aimed primarily at suppressing revolutionary activities (Petrie 1947: 154-57). Despite Metternich’s expressed doubts, the possible extermination of half of the Greek population posed a risk too high to ignore by Britain and France. The alleged cruelties of the Ottoman army dominated public discourse among social elites and politicians alike. Tsar Nicholas I. turned

786 For the role of Lord Byron for the Greek struggle for independence, see e.g. Bass (2009: 100-11), St. Clair (2008: 150f).

787 He considered both Greeks and Ottomans as uncivilized barbarians and “hoped that Ottoman forces would crush the Greeks” as quickly as possible (Bass 2009: 132-4).

788 For the effects of Philhellenes’ campaigning on politicians, see e.g. Bass (2009: 51-66, 76-87), Rodogno (2012: 72-8). On the Philhellenist movement as a representation of world society, see e.g. Stivachtis (2018).
from an opponent of Greek independence into a supporter, primarily because he despised the presence of strong Egyptian forces in such close vicinity and threatened to intervene unilaterally (Bass 2009: 128-32). Since “Britain could not afford to stand by and witness Russia reinforcing its position in the Balkans”, negotiations between the two lead to the Treaty of London (6 July 1827), which was equipped with a secret clause that did not preclude the use of force” (Heraclides 2012: 222). Ibrahim Pascha, however, rejected the armistice, pressed on to consolidate his repressive occupation, and embarked on attacks against the last remaining Greek positions.789 The European powers reacted by destroying the entire Ottoman-Egyptian fleet at the battle of Navarino790 and landing a French contingent to ensure the withdrawal of all remaining Egyptian troops (Bass 2009: 137-151).

The Treaty of London named the intention to stop “the effusion of blood” and to restore “the repose of Europe”, both in “the general interests of humanity”, as the official motives for the intervention (Wheaton 1866 [1836]: 113-4). However, it is safe to assume that “[t]he moving force of intervention in the affairs of the Ottoman Empire […] were[sic] the apprehension that Russia would gain a formidable preponderance in Europe, if she became, substantially if not in form, the mistress of the Black Sea” (Wheaton 1866 [1836]: 118 fn. 88). The issue of suppressing an internal uprising turned into a greater geopolitical dilemma, in which humanitarian ideals played only a secondary role (Finnemore 1996a: 163-4).

- The European powers resorted to all levels of coercive engagement, including the unrestricted use of military force in battle (Engagement=4).
- Their behavior illustrates their high regard for the rule of law. They legitimized their actions in form of a treaty that they set up prior to the engagement based on multilateral agreement. Nevertheless, not all Great Powers were on board and the Congress system broke before the Treaty of London could be signed (Adherence=3).
- Apart from Russia, none of the Great Powers had vital interests at stake at first, but the fragile balance of power created a situation where the international society of Great Powers’ geostrategic considerations clearly shifted towards intervention (G=3).
- The Ottoman Empire still counted as a major military force, especially due to the Egyptian reinforcements (M=4)

789 See e.g. Anderson (1966: 63-67); Petrie (1947: 158-162).
790 See e.g. Woodhouse (1965).
• The spill-over effects remained rather limited and had no direct effect on European decision-making (R=1).
• Commercially Greece played only a minor role with barely any trade relations affecting any of the Great Powers (T=1).
• The Ottoman Empire was not considered a member of the Congress System, or any other relevant international regime or organization (A=1).
• The uprising on the Peloponnesian resulted in considerable casualties, but what characterizes this particular crisis was the alleged impending extermination of the Greeks as a people. Although never confirmed, this rumor pinpoints the crisis’ potential escalation (E=2).
• Despite the opposition towards revolutions, the plight of the Christian Greeks struggling for independence against Muslim rule resonated with the Europeans. (C=3).
• The role of the media remains limited, but elite circles put the issue on the political agenda and made it a topic for the foreign ministries across Europe (P=2).

7.4.3.4 Syria/Lebanon (Ottoman Empire) 1860
Enduring hostilities between Maronite and Druze populations in Syria’s Mount Lebanon region escalated under Ottoman rule in June 1860, when the Druzes retaliated to Maronite attacks and pillaged Maronite churches and villages, killing more than 15.000 Maronite Christians (Akarli 1993: 30). The Ottoman authorities did not interfere, “apparently unwilling to fight fellow-Muslims to protect Christians”, and the atrocities continued (Heraclides 2012: 223). Reports about the massacre of another 5.000 Maronites in Damascus only a few days later sparked outrage in the European press, especially in France. Even though press coverage lagged behind official reports, the number of articles on Syria intensified with all major newspapers running headlines, putting pressure on the government (Bass 2009: 183-4). As the ordained protector of Maronite Christians in the Levant since 1250, France had guaranteed the Maronites the same protection as if they were part of the French nation (Trachtenberg 1993: 23). The

791 While not exactly clear at the time, the Maronite Christians instigated the escalation of violence. See e.g. Bass (2009: 208-12), Franck/Rodley (1973: 281-3).
French consul provided further details on the continuous sacking of Maronite settlements and on Druze leaders “openly calling for a massacre of all the towns inhabitants” (Bass 2009: 167f). The British Consul reported “that the approximate estimate of the civil war in Lebanon resulted in 150 Christian villages burned, 500 Christians killed, 5,500 massacred, and 75,000 affected” refugees, with eyewitnesses providing testimony of massacres with over a thousand victims in a single day (Rodogno 2012: 100-1).

European diplomats urged the Sultan to restore order in Mount Lebanon, but since public opinion demanded immediate action, France pushed for military intervention (Anderson 1966: 156-157). Both Britain and France dispatched warships to the coast of Syria, but whereas Russia and Austria voted for intervention, Britain reacted primarily to bridle French strategic intentions (Stowell 1921: 63-5). Despite the Ottoman authorities’ efforts to avoid European intervention, the Great Powers convened in Paris (3 August 1860) and forced the Sultan to accept the complete restructuring of the Empire’s internal administration in the area (Pogany 1986: 184-90). The resulting protocol included the immediate occupation of Mount Lebanon with France supplying half of the 12,000 troops, while heavy warships patrolled the coast (Finnemore 1996a: 165).

That the Ottoman Empire succeeded in re-establishing control before the European troops landed only emphasizes the fact that “the humanitarian intervention in the Lebanon was completely dictatorial” (Knudsen 2009: 20). Except for France, none of the Great Powers had any particular interest in Syria, but none of them wanted France to act alone either. However, despite its strategic interests in the region, France “allowed the Concert to dictate the parameters of the expedition; and accepted European restrictions on the size and duration of the French occupation”, strictly following the treaty negotiated in Paris (Bass 2009: 231).

- The European powers resorted to coercive force, primarily, however, for effect, and only landed troops after a truce had already been established between the warring parties. The intervention entailed no combat of European troops with local resistance (Engagement=3).

794 See also Rodogno (2011b: 167-9).
796 See e.g. Anderson (1966: 157-8), Stowell (1921: 66).
797 On the modalities of the treaty, see e.g. Rodogno (2012: 105-9), Knudsen (2009: 19-21).
• The Great Powers convened and agreed in treaty form to the appropriate course of action. Their behavior illustrates full respect for the rule of law idea; they even included the Sultan in the process, albeit forcefully (Adherence=4).
• Despite Russia’s general interest in the weakening of the Ottoman Empire, only France had obvious geostrategic interest in the specific region, yet it abstained from any actions to push ahead without consent. British interests are solely based on controlling French ambitions. Strategic importance only results from the response, not from the region itself (G=2).
• Ottoman Empire’s military machinery is still a major force, but in relative terms vis-à-vis the European powers, it continues to weaken (M=3).
• Concerns about suffering trade relations with the region existed but had no bearing at all on the decision-making process (T=1).
• The crisis’ extent was considerable, with more than 30,000 casualties in less than a month and, at least, three times as many displaced, but relative terms still not a major emergency (E=2).
• The crisis resulted in thousands of refugees amassing in Beirut, but none of the European powers was affected directly (R=1).
• The fate of the Maronite Christians resonated strongly with many Christian Europeans, especially with Catholics in France (C=3).
• Despite its constant representation at the negotiation table, the Ottoman Empire had no say and was not considered a full member of the Concert of Europe System\textsuperscript{798} (A=1).
• Despite its rather limited circulation, the public press in France and Britain was able to put some additional pressure on leading politicians (P=2).

7.4.3.5 Crete (Ottoman Empire) 1867
The initially very successful uprising of the people of Crete against Ottoman rule in 1866 was only one among many incidents of revolt since the beginning of the century (Rodogno 2012: 119). Crete had not become part of the newly formed Greek state and its inhabitants continued to suffer from unequal treatment of Christians and Muslims, most visible in the additional taxation and the denial of fair trials at courts (Marriott 1940 [1924]: 376). The lack of reforms coincided with the agitations of Greek volunteers promoting Crete’s union with the Greek state.

\textsuperscript{798} See e.g. Heraclides /Dialla (2015: 46-7).
When the Cretans declared their independence in September 1866, the Sultan immediately deployed warships and troops to suppress the revolt and to restore order before the European powers could use the crisis as a pretext for further intervention in the Empire’s internal affairs (Rodogno 2012: 119). The Cretan insurrection continued despite Turkish troops sacking villages and monasteries the insurgents used as strongholds.

The reports of Muslim barbarians killing Cretan civilians were certainly exaggerated, but “Russian and French diplomats decided to believe, or preferred to take as genuine,” news from Greek informants, “ready to accept as real even fabricated news of massacres” (Rodogno 2012: 132). Russia voiced its concern and willingness to act militarily but refrained from acting alone. Together, the European powers prevented the Sultan from a more violent pacification as not to stir additional uproar of public opinion at home (Knudson 2009: 22-3). 799 Britain refused to consider military intervention due to the potential of further destabilizing the Ottoman Empire and neither France nor Russia dared to press on (Anderson 1966: 160-1). Instead, they kept pushing for more Ottoman concessions and used their warships to transport refugees from Crete to Greece. 800 As the situation for the remaining inhabitants of Crete continued to deteriorate, 801 with living conditions just as bad as for the refugees stranded in Greece, the British government “stood at the center of the most serious domestic political attack against its policy of neutrality and absolute non-intervention” (Rodogno 2012: 134). 802 “Although there were no spectacular and outrageous massacres […] like in the cases of Greece and the Lebanon” (Knudson 2009: 23), the public distaste over Muslim cruelties towards the Cretan Christians impinged on political decision making in France and Britain. Together with Russia, they forced the sultan to issue another round of reforms, completely restructuring the administrative order of Crete (Anderson 1966: 161). 803 Since the Ottoman troops finally defeated the remaining insurgents militarily in 1868, none of the European powers had to back up their threats of actual military engagement (Marriott 1940 [1924]: 377). Nevertheless, the Cretan crisis is an example of a

799 Austria and Prussia played a minor role because they were busy fighting each other and had less interest in the latest development of the Eastern question (Rodogno 2012: 120).

800 The total numbers of refugees from Crete varies between 40.000 and 60.0000, depending on the sources. See e.g. Kuneralp (2009).

801 The British consul reported in July 1867 "that massacres, atrocities, and the firing and sacking of whole villages now occurred daily and were committed by Ottoman soldiery […] against Christian civilians” (Rodogno 2012: 133).

802 For a detailed account of the British perception and diverging positions, see e.g. Saab (1977).

803 For details on the reorganization of Crete, see e.g. Rodogno (2012: 135-40), Marriott (1940: 376-77).
coercive humanitarian intervention, albeit “in the form of dictatorial interference in the internal affairs of another state on humanitarian grounds” (Knudson 2009: 23).

- In terms of engagement, none of the Great Powers went beyond dispatching warships, which were only used to rescue refugees. However, they continued to pressure the Sultan into compliance with their wishes and more than hinted at the possibility of resorting to the use of force (Engagement=2).
- “[T]he collective approach of the continental powers, and their reluctance to disregard the opinion of Britain” (Knudson 2009: 23), illustrates the respect for the rule of law idea. Moreover, all the Great Powers bent over backward to act and argue in terms of the previously negotiated treaties regulating the affairs with the Ottoman Empire. (Adherence=4).
- None of the Great Powers had any strategic interest in the island of Crete. Whereas Britain and Austria generally supported the status quo, France and especially Russia believed they would profit from weakening the Ottoman Empire (G=4).
- The Ottoman Empire remains one of the major military powers of the time, although not on par with the Europeans (M=3).
- Despite announced French interests in the olive oil business of Crete, the island did not play any significant role in international trade (T=1).
- The crisis’ extent was rather limited, lacking any reliable accounts of massacres or high mortality rates resulting from the conflict (E=1).
- The crisis produced an unprecedented number of refugees, but most of them remained in Greece or returned to Crete without effect on European countries except as a political issue pushed by interventionists (R=1).
- Russia identified with orthodox Cretans and both the French and British public sided with the island’s Christian population, but neither considered the Cretans a civilized people (C=3).
- The Ottoman Empire was in constant diplomatic contact with the European powers and a signatory to joint treaties but remained far from being on equal footing with them (A=1).\(^\text{804}\)

\(^{804}\) Heraclides (2012: 228) points out that the “Ottoman Empire may have been formally accepted as a member of the Concert of Europe at the Paris Peace Treaty (1856), but it was rarely treated as an equal”.\(\)
The media played an increasing role to mobilize public opinion pushing for humanitarian intervention, however, it did not raise more public attention than in the two previous cases ($P=2$).

7.4.3.6 Bulgaria (Ottoman Empire) 1877

The Ottoman crackdown on various national uprisings in the Balkans was accompanied by the Sultan’s promises of reform but to no effect.\(^{805}\) With 150,000 refugees fleeing to Austria, Russia, and the neighboring provinces, the tensions only increased (Schulz 2011: 190). Bulgarian insurgents joined the revolt against Ottoman rule in 1876 by killing the local Muslim population,\(^{806}\) including “about a hundred Ottoman officials” (Heraclides 2012: 225). In response, the Ottoman Empire made use of irregular troops, who burned down whole villages and killed between 12,000 and 20,000 Bulgarians, both civilians and insurgents (Anderson 1966: 184).\(^{807}\) In the town of Batak alone, it was reported, more than 5,000 people were massacred, most of them women and children (Crampton 1997: 81-3). The British Daily News later described the incident as “fields covered with bones; a giant heap of skulls; […] claiming] that, of 9,000 inhabitants, almost 7,000 must have been killed […] that men had been tortured before being killed, bellies of pregnant women sliced open, young women raped before being murdered, and that a schoolhouse filled with women and children had been burnt” (Schulz 2011: 193).

News about the so-called Bulgarian atrocities traveled slowly, but as soon as they reached Russia, the reluctant Tsar was under strong pressure from the Slavophiles\(^{808}\) demanding assistance for their brutalized Bulgarian brethren (Bass 2009: 282-8, 292-5). Russia, Austria, and Germany were already in discussions on necessary reforms the Sultan should implement to address the situation in the Balkans, which resulted in the Berlin Memorandum (13 May 1876). It imposed a range of conditions on the Sultan and, on Russia’s initiative, concluded that “if hostilities continued, the three Great Powers would be prepared to arrange more ‘efficacious

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\(^{805}\) On the Tanzimat reforms up until 1876 and the Ottoman attempts, both failed and successful, at implementation, see e.g. Davison (2015).

\(^{806}\) For a detailed account, see e.g. Bass (2009: 256-65), Rodogno (2012: 141-84).

\(^{807}\) See also Bass (2009: 235-37, 256-7), Millman (1979: 149-63), Marriott (1940 [1924]: 329-30).

\(^{808}\) One of the most famous Slavophiles was the novelist Fyodor Dostoevsky. On the influence of pan-Slavic interests in Russia, see e.g. Bass (2009: 242-7, 282-8).
measures’ if required to ensure compliance” (Knudsen 2009: 25 [emphasis in original]).

Britain rejected the memorandum, suspecting ulterior motives on the side of Russia and Austria as well as fearing the Ottoman Empire’s collapse (Anderson 1966: 183-92).

When reports on the atrocities committed in Bulgaria appeared in the papers shortly after, “the British public was shocked to a degree that exceeded the considerable protests raised in continental Europe” (Knudsen 2009: 26). Gladstone’s pamphlet on *The Bulgarian Horrors and the Question of the East* alone sold over 200,000 copies in under a month and made British support for the Ottoman Empire against Russia’s claims domestically impossible (Anderson 1966: 184). Additional negotiations among the Great Powers in Constantinople to coordinate their positions towards the Ottoman Empire failed to produce definitive results (Rodogno 2012: 160-4). However, the conference allowed Russia to present its intentions as humanitarian, conceding territorial gains to Austria and agreeing with Britain on applying more political pressure towards the Sultan (Schulz 2011: 195-202). Eventually, the London Protocol (31 March 1877) spelled out the European power’s agreement over demands towards the Ottoman Empire, including a right to act if the conditions were not met (Bass 2009: 295-6).

With the uprising in Serbia and Bosnia finally defeated, the Ottoman Empire rejected the protocol, declaring it an unacceptable attack on its sovereignty (Stowell 1921: 133-4). His continuous repudiation of demands had cost the Sultan the British support, resulting in Russia declaring war on grounds of the inhumane treatment of Christians and the Sultan’s unwillingness to attend to the crisis (Knudsen 2009: 27).

Heraclides (2012: 227) concludes that “the final use of armed force was unilateral, but otherwise involvement in the internal affairs of the Ottoman Empire had been collective (Berlin Memorandum, Istanbul Conference, London Protocol, Treaty of Berlin). […] The great powers, including Russia, would not have intervened had it not been for the humanitarian plight (for the Russians the plight of fellow-Slavs). The initial reaction of Britain and Russia was that intervention was against their interests. Public opinion played a decisive role in Britain and

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809 For details on the Berlin Memorandum, see e.g. Knudsen (2009: 24-5), Millman (1979: 88).
811 The former British Prime Minister called for intervention on behalf of the Bulgarians in order to obtain “the extinction of the Turkish executive power in Bulgaria” (William 1876: 31).
812 See also Rodogno (2012: 147-60), Millman (1979: 147-64).
813 See also Anderson (1966: 193-4), Stowell (1921: 129).
Russia, as never before in any humanitarian plight, due to the new power of the press and public opinion.”

- The Great Powers applied constant political pressure on the Ottoman Empire, including the threat of force, before Russia finally started a war to enforce its demands (Engagement=4).
- The Great Powers displayed restraint and respect for the rule of law throughout the crisis up until last. They conferred constantly, basing their arguments on existing treaties and multilateral negotiations. The Concert of Europe virtually mandated Russia’s final course of action, although especially Britain agreed only reluctantly. Essentially, however, Russia acted alone; the other Great Powers remained merely neutral (Adherence=3).
- The Great Powers had considerable strategic interest in the Balkans, especially Austria and Russia. Both intended to gain from the Ottoman Empire’s weakness but were also anxious to lose control over the region and their own stability. Therefore, the Bulgaria crisis and its solution were of interest for all major powers, despite the lack of resources or the technological backwardness of the region (G=3).
- The Ottoman Empire was still one of the major military powers, but clearly no match for the European powers (M=3).
- Trade relations with Bulgaria were insignificant and, therefore, negligible (T=1).
- The crisis’ extent was rather limited, despite considerable atrocities and total casualties. However, in relation to all other incidents, the Bulgarian crisis was not of particular proportions (E=2).
- The number of refugees spilling into neighboring territories added to the interest the Great Powers took to the crisis (R=2).
- Despite the Russian Tsar’s dislike of Pan-Slavism,814 its proponents were able to put considerable pressure on Russia’s diplomatic course, emphasizing both the shared religion and ethnic category. This surpasses the conventional European sympathies with Christians under Muslim rule (C=3).
- The Ottoman Empire’s participation in the European power’s conferences did not amount to full membership and did not even allow the Ottoman Empire a say in the formulation of demands against it (A=1).

814 See e.g. Heraclides (2012: 226-7).
The constant outpour of reports kept the issue on the agenda for over a year and contributed significantly to the European power’s foreign policy discussions, most visibly in the case of Britain (P=3).

7.4.3.7 Armenia (Ottoman Empire) 1895

The simmering Armenian Question erupted de novo in late 1894, when the continuous mistreatment of Armenian Christians in the Ottoman Empire culminated in massacres of up to 20,000 victims in the town of Sassoon alone. A combination of accumulated grievances against the Sultan, nascent Armenian nationalism, and, despite double taxation, additional depredations of Muslim Kurds led to violent clashes the Sultan conceived as criminal agitation against the Ottoman Empire (Melson 1982: 485f). In contrast to the Western Ottoman provinces, with largely Christian majorities, the Anatolian districts populated by Armenians could not easily be separated from the Empire without causing major imbalances in the greater region (Rodogno 2012: 187-9, 193). Given the history of European interference in the internal affairs of the Ottoman Empire, the local Muslims population was terrified by the mere thought of an independent Armenia with them becoming the oppressed people. Although there were no direct orders from the Sultan, “[m]ost foreign sources agree that local officials […] were often involved in aiding and abetting the massacres” spreading throughout the East Anatolian provinces (Deringil 2009: 368).

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815 For the Armenian Question, see e.g. Rodogno (2012: 185-202), or Kirakossian (2003), who provides a detailed historical account of British diplomacy towards the Arminian Question, including the 1890s in his fourth chapter.

816 The French ambassador reported more than 7,000 deaths, whereas “British sources speak of ten to twenty thousand Armenians killed” in violent rage (Rodogno 2012: 191).

817 Mostly unfulfilled reforms. For the Armenian misjudgment of possible reforms, see e.g. Rodogno (2012: 187).

818 On the rise of Armenian nationalism, see e.g. Nalbandian (1963).

819 See e.g. Dadrian (2003: 114).

820 On the question of Armenian provocation to induce reforms or even intervention by the European powers, see e.g. Libaridian (1978), Shaw/Shaw (1977), Dyer (1976).

821 Such as the Greeks, the Serbs, the Bulgarians, etc.

822 As it had happened in the Balkans. See e.g. Deringil (2009: 367).

When the news ensuing massacres reached the European capitals public opinion sided with the Ottoman Armenians, but to different degrees throughout Europe. The British public took a close interest in the fate of the Armenians as fellow Christians in peril, the press accusing the government of shameful inaction (Rodogno 2012: 193, 197). Similar to the Bulgarian atrocities in the 1870s, public figures joined pro-Armenian clubs, and poets and intellectuals published verses and pamphlets in favor of the Armenians (Rodogno 2012: 205-6). In France, both “public opinion and the press heavily criticized the government’s support for the Sublime Porte”, and all major journals read by elite members of French society ran emphatic articles and reviews on the Armenians’ ordeal (Rodogno 2012: 207-9). The news spread even to the United States, where they sparked the formation of clubs in support of Armenians and hundreds of headlines in various papers, too (Kirakossia 2004: 40f). All of the European governments voiced their concern over the massacres, but since Britain “wished to avoid being the only power to act against the Sublime Porte”, she settled for the authorization of a fact-finding commission and evoked Ottoman treaty obligations for further reforms (Rodogno 2012: 193-4). Russia opposed a quasi-independent Armenia at its borders fearing special concessions would cause unrest with its own Armenian population (Deringil 2009: 345). France sided with Britain on reprimanding the Sultan, but ruled out coercive measures in an attempt to appease Russia (Rodogno 2012: 194, 199).

Without a consensus on the appropriate response, the atrocities flared up again, launching a series of massacres throughout the Ottoman Empire (Melson 1982: 488-9). In addition to mobs killing Armenians in the streets of Constantinople, “[n]early 4.000 Armenians were killed in Gürüm, at least 500 in Kharput, 800 Christian Armenians […] in Sivas, 200 Armenians in Diyarbakir, and 250 in Arabkir”, and so on (Rodogno 2012: 197f). Estimates of various eyewitness reports alternate between 50.000 and 300.000 massacred Armenians (Nalbandian 1963: 102 fn. 54 on p. 206). Johannes Lepsius (1879: 242-6), a German scholar and missionary

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824 See e.g. Anderson (2007: 83-5). For the rather mixed, if not disparaging perception in Germany, see e.g. Hofmann (2016), Anderson (2007: 85f).
825 See also Deringil (2009: 345); Kirakossian (2003: 194), or generally, Kirakossian (2008), who provides a collection of articles on the Armenian question in the British press.
827 On the Armenians within Russia, see e.g. Suny (1993).
828 For a similar assessment, see e.g. Deringil (2009: 345), who refers to the Armenian Question as “a secondary theatre of confrontation between the Great Powers, particularly Britain and Russia, with Germany and France playing a secondary role”.
on-site, collected data on all incidents he was able to verify and ends up with 88,243 confirmed Armenian deaths in 1896. News stories picked up speed again, but “despite an impressive mobilization of national and transnational public opinion no intervention took place” (Rodogno 2016b: 31). Instead, the European powers continued to disagree. Although they acknowledged and condemned the treatment of Christians within the Ottoman Empire, British arguments for coercive engagement aimed at preventing further atrocities did not sway France and Russia in favor of military intervention on grounds of humanity (Kirakossian 2003: 269f). Eventually, the priority “to preserve the Concert of Europe and to intervene unanimously and in form of a coalition” ruled out “any unilateral act by Great Britain” (Rodogno 2012: 200, 201).

- The collective response to the 1890s massacres did not extend beyond diplomatic consultations, reprimanding the Sultan without further consequences. In sum, the collective efforts amounted only to a continued expression of rhetorical condemnation and no additional measures (Engagement=1).
- In their negotiations, the Great Powers referred to the provisions of the of Treaty Berlin (13. July 1878), insisted on multilateral consultations and strictly observed the idea of the rule of law (Adherence=4).
- None of the Great Powers had geostrategic interest favoring intervention, quite the contrary (G=1).
- Despite the Ottoman Empire’s relative decline, it is still a major military force (M=3).
- Trade relations with the Eastern Anatolian provinces are of no significance for any of the European powers (T=1).

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829 Johannes Lepsius was the president of the German Mission to the Orient and of the German Armenian society, conducting extensive fieldwork on-site and publishing detailed reports on the Armenian suffering (Hosfeld 2013). See e.g. Lepsius (1919; 1916). For an edited collection of his writings, see Lepsius (1998). For examples in English, see e.g. Lepsius (2007 [1920]; 1897).

830 In 1896, the Gale nineteenth-century British newspaper database holds just over 1,200 articles covering the Armenian massacres in the provincial press in Great Britain (Tusan 2017: Chart 3.1).

831 Finnemore (1996a: 167) points out that “[u]nlike the Orthodox Christians in Greece, and Bulgaria and the Maronites in Syria, the Armenian Christians had no European champion. The Armenian Church was not in communion with the Orthodox Church, hence Armenian appeals never resonated in Russia […, and] no non-Orthodox European state had offered protection or had historical ties as the French did with the Maronites”.

832 While Germany remained dismissive (Marriott 1940: 349-51), both “Austria-Hungary and Italy promptly agreed” with Britain’s call for action (Rodogno 2012: 201).

833 On the prominence of invoking articles 61 and 62 of the Treaty of Berlin, see e.g. Rodogno (2012: 206-7).
• Even conservative estimates suggest that up to 12% of all Ottoman Armenians died during the 1890s massacres, leaving even more displaced.\textsuperscript{834} Despite the unreliable data, the Armenian massacres certainly constitute a major humanitarian emergency (E=3).

• None of the Great Powers was affected by noticeable spill-over effects (R=1).

• Although the Armenians were Christians, neither of Great Powers seemed to identify with this particular confession (C=2).

• Apart from being a junior member of the Concert system, the Ottoman Empire had no international standing elsewhere (A=1).

• Whereas public opinion strongly sympathized with the Armenians in some countries, it did not so in others, but “the events were well known and highly publicized in Europe” (Finnemore 1996a: 168).\textsuperscript{835} More important than media coverage, however, were the mobilizing agitation efforts, most prominently in Britain, France and the USA (P=3).

7.4.3.8 Cuba (Spain) 1898

The Cuban revolt against Spanish rule erupted anew in 1895 when Cuban revolutionaries sparked another public uprising for Cuban independence (Pérez 2014: 122f). The insurrection first started in 1868, leading to a ten-year war, and to another violent uprising in 1879, but both times subdued by Spain regaining control over the island.\textsuperscript{836} In 1895, the insurgents’ call for revolution turned into a protracted guerrilla campaign and “the Spanish attempt to put it down had some severe consequences for the civilian population”, causing further resentments against Spanish rule (Knudsen 2009: 30). The Cuban rebels attacked the rich agricultural provinces and burned down sugar cane fields, destroyed railroads tracks, and industrial property, with the intention of “making the island unprofitable and convincing Spain to leave” (Offner 2004: 51).

Failing to achieve swift victory over the insurgents, Spain dispatched additional soldiers to Cuba and, in an effort to separate the rebels from the general population, initiated the ‘reconcentration’ of all rural inhabitants (Tone 2006: 153f). Aimed at cutting off the rebel food supply, “the Spanish commenced a policy of destroying the huts, crops and livestock of peasantry on a mass scale” (Hyslop 2011: 258), and relocated “hundreds of thousands of

\textsuperscript{834} See e.g. Davison (2015: 414-5; 1977).

\textsuperscript{835} Although “overall the public agitation in the 1890s was weaker than it was in the 1870s over the Bulgarian atrocities”, “the amount of pamphlets, books, and newspaper articles on the Armenian Question were comparable to those published in 1876” (Rodogno 2012: 205). See also Kirakossian (2008).

\textsuperscript{836} On the history of Cuban independence, see e.g. Thomas (2001).
Cubans […] into hastily and poorly constructed resettlement camps” close to Spanish garrisons (Pérez 2007: 55). The Spaniards considered every resisting person an insurgent, whereas the rebels threatened to kill everyone obeying the Spanish orders (Tone 2006: 66).

In less than three years, “half a million people, more than a quarter of the whole population of the island, were moved to concentration camps”, where thousands died of disease or starvation (Hyslop 2011: 258). With neither side conceding, the escalation of violence continued and the already poor living conditions deteriorated even further (Sewell 2011: 304). In 1897, the island was economically devastated; with up to 240.000 Cubans dead from disease and starvation alone (Offner 2004: 51). The influx of unacclimated Spanish soldiers and the extremely poor sanitary conditions in the ‘reconcentration’ camps, both amassing in and closely around the cities “provided an ideal environment for the spread of yellow fever” (Espinosa 2006: 257). The arrival of infected sailors and/or Cuban refugees in the United States sparked additional media interest due to mass panic in the Southern states, including calls for ending the epidemic by ousting Spain and restoring Cuban sanitary conditions (Espinosa 2006: 261-5).

Moreover, “journalist and consular officials produced rebel-inspired accounts of suffering blaming Spain alone” (Sewell 2011: 305). Cuban exiles further stressed the rebel’s affinities with US American civilization and democracy, brandishing the Spanish as oppressive barbarians (Hamilton 2006: 232-40). The Spanish policy of ‘reconcentration’ seemed only to confirm the one-sided reporting “by creating an outcry in the United States against Spanish barbarism” (Tone 2006: 224). Sensational journalism, mixing facts with exaggerations and even fictional accounts, thrived on the public’s excitement, and “by April 1898 both

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837 The order required that “[a]ll inhabitants of rural areas or areas outside the lines of fortified towns will be concentrated within the towns occupied by troops at the end of eight days. All individuals who disobey or who are found outside the prescribed areas will be considered as rebels and judged as such” (quoted in Walzer 1977: 102).

838 Ferrell (1975: 350) gives a more conservative estimate of 200.000.

839 Espinosa (2006) proposes that the outbreak of yellow fever was the most pressing reason for the United States to confront Spain over Cuba because of its direct implications in terms of health concerns and, as a consequence, threatening economic interests. Sewell (2011: 308) agrees that “the prospect that epidemic disease might spread […] to the United States] played a role in easing the creation of an interventionist consensus”, but only as one additional factor among many. For an account of increasing infections with yellow fever in Cuba, see e.g. Carter (1900).

840 On the portrayal of Spain in the US media during the crisis of 1898, see e.g. Goldenberg (2000: 173-81).

841 For examples of US news reports, see e.g. Bogen (1966: 303-5).

842 Contrary to anecdotal evidence, William Hearst’s response to a telegram negating serious tensions in Cuba – “Please remain. You furnish the pictures, and I’ll furnish the war” – is most likely a fabrication itself, but it illustrates the immense influence of the yellow press at the time (Campbell 2001: 71-3).
Washington and Madrid believed that about 400,000 Cubans had already perished and many more were at risk” (Offner 2004: 51).\footnote{According to Friedel (2002 [1958]: 3), US American “newspapers reported that some four or five hundred thousand people – a quarter of the population – were dead, and the remainder diseased and starving”.
} Despite his efforts to please US business interests and avoid open confrontation with Spain (Sewell 2011: 310-1), President McKinley was responsive to humanitarian sentiment and the political pressure resulting from public opinion (Hamilton 2006: 195-7).\footnote{See also Western (2016: 177-80). On the president’s efforts to resolve the crisis, see e.g. Kagan (2006: 388-407), Offner (2004: 53-61), or in more detail Offner (1992).} In his 1898 address to Congress, McKinley (1907: 139-50) invoked “the cause of humanity” and the need “to put an end to the barbarities, bloodshed, starvation, and horrible miseries” in Cuba. Although the legal argument revolved mainly around self-defense, the joint resolution of Congress authorized military intervention because “the abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to civilization, […] and cannot longer be endured” (Stowell 1921: 122 fn. 55).

The United States quickly defeated Spain,\footnote{On the detailed campaign, see e.g. Smith (2014).} seizing the island as well as additional Spanish overseas territories such as Puerto Rico and the Philippines (Sewell 2001: 312). Most historians agree that humanitarian sentiment clearly coincided with the United States general interests of keeping the Europeans out of the Western hemisphere while simultaneously extending their own sphere of influence (Paterson 1996: 346-8). As a rising power, the United States was just beginning to develop imperialist tendencies, expanding their global reach and squashing revolutionary tendencies (Paterson 1996: 348-9). Although “Spain had considerable sympathy in Europe, […] none of the European nations was willing to challenge the United States in the Caribbean or to take any diplomatic step that might bring a closer relationship between Washington and London” (Offner 2004: 59). France, Austria, and Germany supported Spain, at least in principle, but none of them had any serious interest in Middle America. Neither had Great Britain, having conceded its interest to the United States nor Russia, whose concerns lay in the Far East (Offner 2004: 58-9).

- The United States went through all levels of engagement, before resorting to full military force (Engagement=4).
- The United States repeatedly addressed Spain and consulted with the other European powers before declaring war. However, despite framing their justification in the
language of international law, all their actions were unilateral right from the start of their involvement (Adherence=2).

- Whereas the other majority of Great Powers had no strategic interest in intervening on behalf of the Cuban population, the United States clearly had strong interests (G=3).
- Although no longer a global hegemon, Spain was one of the major powers (M=3).
- The United States had growing economic interests in Cuba, mostly in sugar, but otherwise, Cuba did not play an important role in global trade relations (T=2).
- In terms of violent deaths, the crisis’ extent was very limited, but due to internal displacement, spreading diseases, and starvation, the total estimate of casualties justifies the categorization of at least a minor humanitarian emergency in 1898 (E=2).
- The number of refugees was very limited and did barely appear in the United States’ decision-making process (R=1).
- Initial identification with the suffering of a close neighbor fighting for independence against European imperialists did not last, especially because the brown-skinned Cubans were considered as unfit to rule themselves (C=2).
- Spain was a member of the few international agreements in place, but not a full member of the late Concert of Europe (A=2).
- Public opinion in the United States was clearly in favor of military intervention and even war. Press coverage may have been especially sensationalist but information about the deteriorating situation in Cuba was well known and a major issue of political debates in the United States, albeit nowhere else (P=3).

7.4.3.9 Macedonia (Ottoman Empire) 1903

After the Turkish defeat in the war of 1877, the whole region was in a constant state of disorder, with no functioning administration and frequent plunder of armed gangs. The multi-ethnical population of the three Macedonian provinces yearned for a change of their political status within the Ottoman Empire while simultaneously witnessing the collapse of public order (Knudsen 2009: 28). According to Marriott (1940 [1924]: 414-6), the victims were primarily Christian communities, suffering from blackmail and religious persecution, despite heavy taxation. Conditions for the population worsened at the turn of the century due to nationalistic

movements and rivalries between Bulgarian, Greek and Serbian revolutionaries, pushing either for independence or for unification with the newly established Bulgaria (Arbakke 2003: 82-97).

The situation turned into an international crisis in 1902 when 300 revolutionaries from Bulgaria crossed the Ottoman border to start an uprising (Rodogno 2012: 231). Ottoman forces easily defeated the insurgency, reporting that “about fifteen villages were damaged, 200 people fled to Bulgaria and thirty-seven were killed” (Rodogno 2011a: 208). Bulgarian sources, on the other hand, “record twenty-eight villages being completely destroyed by Ottoman regular and irregular forces, over 100 women violated, an unknown number of dead, and an influx of 3,000 refugees to Bulgaria” (Rodogno 2011a: 208). News about the events reached Europe rather quickly, primarily due to the agitation of Bulgarian, Serbian, or Greek diplomats furthering their own political agenda (Rodogno 2012: 231-2). According to the British Consul-general in Salonica, “the publication of accounts of massacre and atrocities alleged to have taken place in Macedonia in 1902 was purely a strategy designed to rouse Europe to intervene on behalf of the Bulgarians” (Rodogno 2011a: 210). France, however, opposed any intervention that would benefit Austria and, therefore, Germany, whereas Britain was sympathetic but occupied with its colonies in Africa and especially in India (Rodogno 2011a: 207). Both Russia and Austria, the two Great Powers with obvious interests in the region, opposed Macedonian independence or unification with any of the smaller neighbors, and, supported by Germany, urged the Sultan to further implement the previously agreed upon reforms to maintain the status quo (Anderson 1966: 271).

The media picked up on the Macedonian question, especially in Britain and France, and despite the reluctance of any of the governments to engage. Pro-Macedonian articles appeared prominently in the French press, many written by staunch supports for intervention on behalf of humanity (Rodogno 2012: 234-5). In early 1903, the supports included members of all parties, diplomats, and intellectuals publicly pressuring the French Foreign office to action (Rodogno 2011a: 2013). In Britain, many of those previously invested in the Bulgarian and the Armenian question saw in the Macedonian question another worthy cause to rally around (Rodogno 2012: 235). The most prominent result was the Balkan Committee, which

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848 “Germany, which openly defended the integrity of the Ottoman Empire, supported all initiatives undertaken by Austria-Hungary in agreement with Russia in order to preserve the European status quo” (Rodogno 2011a: 207).

849 On the Balkan Committee agitation, see Rodogno (2012: 234-8; 2011a: 213-6). For details on its agenda, membership, and contradictory positions of its members, see e.g. Buxton (2008 [1907]), especially pp. 130-135.
organized over 150 meetings and a national conference on the Macedonian question, publishing reports and pamphlets on the issue (Rodogno 2011a: 213-4). Due to the previous experiences regarding the Armenian, the Bulgarian, and even the Cretan events, Pro-Macedonian rallies became transnational meetings with delegates from all over Europe (Rodogno 2012: 237).

The Macedonian nationalists were convinced that reports about massacres by the hands of Ottoman troops increased the likelihood of a Great Power intervention on their behalf and pushed for further escalation, including terrorist attacks in Salonica and riots in various cities (Rodogno 2012: 238). Despite the well-organized agitation in Europe, the events “in the Macedonian provinces caused less sympathy among the European public than the massacres of the Armenians” (Rodogno 2011a: 217). Whereas the Armenians were perceived as innocent victims, the Macedonian struggle was presented as a series of disjointed violent incidents between insurgents and the Ottoman authorities, with only the most shocking stories sparking press coverage (Lange-Akhund 1998: 122, 132-3). The Sultan seized the opportunity to crush the rebellion for good and send his troops against the Macedonian rebellion (Knudsen 2009: 29), resulting in more than a hundred villages burned to the ground and leaving thousands homeless (Marriott (1940 [1924]: 416). It was established later that “the Ottoman troops raided indiscriminately in pursuit of order, though in general they avoided contact with armed insurgent bands and found the defenseless villages were easy prey” (Rodogno 2012: 244). In total, over 10,000 people had been killed and close to 30,000 had emigrated to the United States alone (Rodogno 2011a: 223).

The “harsh treatment of the Macedonian Christians stimulated a more serious attempt by the Great Powers to compel the Turkish Sultan to improve the situation” (Knudsen 2009: 29). Supported by Britain, Austria and Russia agreed on the so-called Mürzsteg program, demanding serious and far-reaching changes of Ottoman rule in the Macedonian provinces, which was to be accepted and implemented by the Sultan immediately (Knudsen 2009: 29). From an Ottoman perspective, the demands amounted to “dictatorial interference into the administration of Macedonia” (Knudsen 2009: 29), which was “without precedent in diplomatic annals, attacked the integrity of the Ottoman Empire,” and went well beyond the agreements

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850 The bombings in Salonica did not result in retaliation from the Muslim population, see e.g. Mazower (2005: 267).
851 In 1908, the Balkan Committee published its report on The Action of the Great Powers in Macedonia up to the End of 1907. On the Balkan Committee report, see Rodogno (2012: 244-6; 2011a: 223-4).
852 For the details contained in the demands, see e.g. Rodogno (2011a: 218-9), Anderson (1966: 271-2).
reached in previous cases (Rodogno 2012: 241). The program was never implemented because, while Britain tried to push for even more reforms, the Sultan was overthrown and the Macedonian question lost its urgency (Marriott 1940 [1924]: 435-40).

Nevertheless, the European intervention was a coercive reaction, even if unarmed, to alleviate the suffering of the population (Rodogno 2012: 243). Collectively, “[t]he European Powers agreed not to conduct an armed intervention and focused on the enforcement of substantial administrative and economic reforms”, their demands interfering significantly in the Ottoman Empire’s internal affairs (Rodogno 2012: 239). Knudsen (2009: 30) concludes that in “almost every respect, the intervention followed the usual pattern: Turkish misrule and oppression led to a national revolt which was then suppressed in a manner so brutal that it provoked a concerted interventionist response from the Great Powers beginning with the drafting of a programme of humanitarian improvements”.

- The collective response to the Macedonian events in 1903 occurred in form of “a nonforcible intervention […] threatening recourse to sanctions, not to armed force, if the Porte refused to comply” (Rodogno 2012: 239). Although described as nonforcible, it was nevertheless coercive. (Engagement=2).
- The Great Powers advanced their reform demands collectively and in form of an official treaty for the Ottoman Empire to sign. Even “the European Concert was still operative at this point in history, almost a century after the Peace of Vienna, and at a time where the relationship between the Great Powers had been deteriorating for a long time” (Knudsen 2009: 30). However, negotiations were primarily bilateral and lacked the strong support of previous actions (Adherence=3).
- Austria and Russia had strategic interests in thwarting nationalist insurgents and preventing an independent Macedonia. Therefore, their willingness to act grew over the crisis’ duration (G=2).
- The Ottoman Empire can still be considered a major military power, at least according to its size and men under arms. However, the gap towards the European powers is more than obvious by now (M=3).
- The Macedonian provinces played no role for international trade relations (T=1).
- The crisis’ extent is certainly considerable, but most of the effects materialized after the Great Powers had reacted and are consequences of rather than reasons for or against intervention (E=2).
• Despite the high number of refugees none of the Great Powers was affected and, as noted before, most of the effects materialized only years later (R=1).

• The notion of fellow Christians in peril still existed, however, the identification with various confessions and ethnic groups lacked the strength of previous incidents (C=2).

• None of the few organizations the Ottoman Empire was a member of had any bearing on the course of events (A=1).

• The media reported on the Macedonian question, but despite the tremendous efforts of groups and individuals the generated public attention did not reach the levels of previous cases (P=2).

7.4.3.10 Germany 1938

After seizing power in 1933, the NSDAP began to implement their political program, which included the complete ‘removal’ of the Jewish population. The massive surge of anti-Semitic propaganda, boycotts and open discrimination, normalized harassment and violent attacks on Jewish citizens. The subsequent Nuremberg Laws deprived the Jewish population of fundamental civil rights and citizenship, effectively removing them from professional, cultural, or social life in general. The organized expatriation of assets and property left Jewish families without income or employment opportunities, forcing them to leave the country. The gradually worsening conditions intensified drastically in 1938 after Germany successfully annexed the Sudetenland and integrated Austria (Hill 1996: 94f). In November 1938 over 1,000 synagogues were burned down and more than 7,000 Jewish shops were looted and destroyed, leaving at least 90 dead in only one night (Gilbert 1986: 30-32).853 Over 30,000 people of Jewish descent were arrested and sent to concentration camps (Evans 2005: 591).854

Although the radicalization of the NS-regime’s discrimination of its Jewish population had not been a secret,855 the ferociously vicious pogrom of the so-called Reichskristallnacht marked a new highpoint of organized violence, the NS regime showing its ugly face and foreshadowing the horrors yet to come. No other event in the history of German Jews until 1945 was as widely

853 See also Evans (2005: 585, 590) whose sources confirm these numbers, but concludes that the actual number of deaths was much higher and, including suicide out of despair, “probably numbered between one and two thousand”.

854 According to Hermann (2008), official sources provide the exact number of 30,756 deportees.

855 On the international press coverage of anti-Semitism and the NSDAP before seizing power, see e.g. Seul (2013).
covered by foreign correspondents stationed in Germany, expressing exasperation and disgust (Gilbert 1986: 13-14). However, without the hindsight knowledge of the impending holocaust, these stories quickly disappeared from the title pages, making place for the increasing political tension in both in Europe and Asia. Britain and the United States expressed their concern, but neither did “show much desire to do something substantial” about it nor were they willing to accept Jewish immigrants beyond the introduced quota (Sherman 1994: 173, 166-222). Approximately 250,000 people of Jewish descent had already fled persecution in Germany at great financial costs (Longerich 2010: 127). The number increased to a total of around 400,000 refugees in less than ten months after the pogrom in November 1938, adding to the growing tension of the progressively aggressive German foreign policy (Evans 2005: 599).

However, all the major powers had diverging interests and contradicting conceptions about the general geopolitical situation in Europe. The first World War had left Great Britain as “the undisputed hegemon in the Middle East and central Asia, as well as Africa and Australasia” (Simms 2014: 326), but also economically depleted (Ferguson 2004: 324-8). In addition to the situation on the European mainland, Britain “faced threats from Japan in Asia and Italy in the Mediterranean, and its anemic economy could not provide for a substantial military presence in all three of those regions” (Mearsheimer 2002: 309). Given the political unrest in Ireland, India, and Egypt, British interests were occupied with sustaining the British Empire, whose “costs suddenly […] outweighed its benefits“(Ferguson 2004: 317, 329-34). Kissinger (1994: 266) summarized the British position as oscillating “between superficial application of the balance of power, which it aimed at France, and a growing devotion to the new principle of collective security, which it recoiled from enforcing”.

France’s insistence on heavy reparations alienated both Britain and the United States (Kennedy 1987: 281-4), leaving it without alliances and concerned about the security of its Eastern border (Kissinger 1994: 251-8). The United States, after rejecting the Treaty of Versailles, retreated again from the European theatre. Despite its undeniable economic power, the United States

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857 See also London (2003: 97-141).


859 On the Japanese threat to the British Empire’s Asian territories, see e.g. Ferguson (2004: 228-48).

860 On the United States position towards the European Jews, see e.g. Newton (2016), Feingold (1980).
decidedly rejected a leading role in world politics […] provided [US] American commercial interests were not deleteriously affected by the actions of other states, there was little cause to get involved in foreign events” (Kennedy 1987: 328). The Soviet Union, “convinced that an encircling capitalist world was in league for her destruction”, was heavily invested in modernizing her economy and preventing alliances against her (Simms 2014: 328). Despite ongoing discussions and a few successful treaty negotiations before Nazi Germany quit the League of Nations, none of the Great Powers had any interest in intervention on behalf of the Jews.

The international response depleted itself in rhetorical protest and individual withdrawals of diplomats (Engagement=1).

None of the other states acted unilaterally or went beyond the established customs of international conduct (Adherence=4).

At the time, no country had any strategic interest at all to intervene in Germany, quite to the contrary (G=1).

In 1938, the rapidly rearming Third Reich was certainly a major,\textsuperscript{861} if not (yet) global military power (M=4).

German industry and trade accounted for a considerable share of the global economic market (T=4).

In relative terms, the crisis was only a minor incident (E=1).

In 1938, at least 100,000 people had already fled into neighboring countries and to the United States (R=2).

Although anti-Semitic tendencies were very common everywhere,\textsuperscript{862} the German depiction of Jews as filthy and uncivilized did not resonate with the image of Jewish people as ordinary (white) European people undeserving of their fate in most of the rest of the world (C=3).

Germany remained a member of only a few international organizations (A=2).

The international media reported widely, with high publication numbers, especially in the United States, however more urgent issues replaced these stories quickly (P=3).

\textsuperscript{861} On the rearmament process in Germany after World War I, see e.g. Kennedy (1987: 305-33).

\textsuperscript{862} See e.g. Brustein (2003).
7.4.3.11 Biafra (Nigeria) 1967

After decolonization from Britain, the political differences between the major ethnic groups in Nigeria resulted in open conflict between the Northern-dominated federal government and the Igbo people living in the Southeast, culminating in the secession of Biafra as a separate state in 1967. A military coup to take over the government in 1966 was followed by a military counter-coup, resulting in the dominance of Northern Nigerians and the persecution of Igbos (Heerten/Moses 2014: 173). Northern Nigerians killed “between 80,000 and 100,000 Igbos”, causing “between 700,000 and two million refugees” fleeing to the Southeast (Levey 2014: 267). In response to the secession, the military government of Nigeria besieged Biafra, resulting in mass killings of Igbos, starvation and additional atrocities committed by both sides. In 1968, “the International Committee of the Red Cross reported that 8.000–10.000 people were starving to death each day”, substantiating the claim about the Nigerian military government attempting to starve the Igbos into extinction (Korieh 2013: 737). The international media closely followed the conflict’s escalation towards a potential genocide of Igbo people (Anthony 2014: 209-10), and the “extensive coverage of the humanitarian emergency led to intense debates about the issue” (Doron 2014: 228). Relying on local sources, French correspondents in Biafra provided timely updates distributed mostly by radio (Ugochukwu 2010: 184). The available information was often incorrect or biased, the reporting in western media distorted, sensational and in some parts even racist, but it generated heightened public attention (Bamisaiye 1974: 31-2). Moreover, the “Biafrans went to great lengths to portray the war as genocidal, utilizing journalists and photographers whose work helped to prove their case in global public opinion” (Doron 2014: 228). Several British newspapers even invoked comparisons with the Holocaust, criticizing the countries arms

864 On arguments about the persecution and potential genocide of Igbos beginning before 1967, or even under British colonial rule, see e.g. Korieh (2013; 2012). For a critical examination of the genocide discourse, see e.g. Desgrandchamps (2014).
865 The Nigerian troops massacred the Igbos, whereas the Igbos massacred other minorities in Biafra they accused of supporting the federal government of Nigeria. See e.g. Omaka (2014).
867 On the diverging reception of news reports from Biafra in various countries, see e.g. the country-specific contributions in Moses/Heerten (2017).
868 On the analogies with the Nazi genocide against Jews, see e.g. Anthony (2014: 217-8).
supplies to the government of Nigeria (Smith 2014: 251-4). In contrast to the officially neutral United States, Great Britain supported the Nigerian government. It did so to safeguard her economic interest in the oil industry and to balance against the USSR (Uche 2008: 112-3, 120-4). The USSR, too, supported the federal military government of Nigeria, making a general stance against secession and improving trade relations (Levey 2014: 273). France, on the other hand, supported Biafra in order to strengthen “the Francophone states around Nigeria”, primarily driven by geopolitical concerns about curbing British influence in Africa while simultaneously opposing the USSR (Griffin 2015: 119-21). None of the potentially intervening nations had strong geostrategic interest beyond abstract ideas of balancing for ideological reasons. Even France’s involvement was very limited and indirect, never willing to “jeopardize its relations with the UK” (Griffin 2015: 129). Consequently, “the attempt of secession by Biafra from Nigeria in 1967 was not discussed in the United Nations” (Raić 2002: 334).

- Although the humanitarian disaster was broadly acknowledged and condemned, no one resorted to more coercive measures (Engagement=1).
- Despite unofficial weapons shipments to Biafra, Nigeria’s sovereign rights were not in question or impaired. The general understanding among third parties supported the established order (Adherence=4).
- Strategic interests in Nigeria were low, however, in addition to the underlying cold-war tension, French and British positions were at odds, too (G=2).
- The Nigerian army was of considerable size and a serious military force (M=2).
- Nigeria’s role as an oil exporting country indicates at its (nevertheless rather low) importance for the international market (T=2).
- Both in size and extent, the humanitarian emergency was very serious (E=3).
- The number of refugees escaping the violence was rather low, especially due to Biafra’s encirclement by Nigerian troops (R=1).

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869 On the ‘American Committee to Keep Biafra Alive’ and its influence on the United States, see e.g. McNeil (2014).
870 For the extent of British support, see e.g. Smith (2014: 250f).
871 For a detailed account of Soviet motives and agitation, see e.g. Matusevich (2003: 105-34).
872 For a selection of responses to the humanitarian emergency in Biafra, see Moses/Heerten (2017).
873 For a detailed argument for unilateral intervention against Nigeria being legal, see Reisman (1973).
• There are no significant cultural or religious ties to any of the major powers, and even
Great Britain, the former colonial power, sided with the Nigerian government (C=1).
• Nigeria holds memberships in some of the existing international organizations (A=2).
• International media attention, especially in Europe and in the United States was very
high but mainly framed as a civil war. The focus on the humanitarian disaster peaked
only after Biafra’s defeat (P=3).

7.4.3.12 East Pakistan (Pakistan) 1971
Increasing tensions between the Western and the Eastern part of Pakistan since Pakistan’s
partition from British India in 1947 culminated in the Pakistani army taking control over East
Pakistan by force in 1971 (Wheeler 2000b: 55-6). The military operation was the West Pakistani
response to East Pakistani non-cooperation\footnote{See e.g. Sisson/Rose (1991: 92).} after the Bengali party won the majority of the
seats in the 1970s parliamentary election (Chesterman 2001: 72), but the ruling party in West
Pakistan refused to transfer the power of government (Finnemore 1996a: 177). The brutal
repression included mass rapes, torture, and the extermination of Bengali villages (Wheeler
2000b: 57).\footnote{See e.g. Akmam (2002). On the question of genocide, see e.g. Bose (2011), Beachler (2007).} Estimates of the numbers of casualties and refugees vary widely, with Pakistani
sources quoting 26,000 civilian casualties and about two million refugees,\footnote{See e.g. Tesón (2005b: 182), Finnemore (1996a: 177 fn. 51).} but some estimates
go as high as three million casualties and ten million refugees (Beachler 2011: 16).\footnote{See e.g. Jahan (2013: 250), who claims that “approximately 200,000 girls and women were raped; 10 million
took refuge in India, and another 30 million were displaced within the country”. See also Alston (2015: 40),
Debnath (2012: 47 fn. 2 on p. 55).}

Especially the British press provided “massive and wide-ranging coverage” to expose “the
military brutalities under sensational headlines” (Rashid 1995: 141-2). Despite the high
coverage and the high estimates of human suffering, the international media concentrated
primarily on the geopolitical consequences and the ensuing war between India and Pakistan,
reflecting the official line “of their respective governments” (Hossain 2014: 531-2).\footnote{See e.g. Deb Nath (2011).} Whereas
the United States supported the Pakistani position, the USSR backed India, both, however,
asserting their respect of Article 2(7) of the UN Charter (Wheeler 2000b: 59). For them, the
issue was less about the suffering people, but about the “power game of international politics”
(Hossain 2014: 532). Eventually, India intervened against Pakistan. When the issue finally reached the UN Security Council in December 1971, it referred the question to the General Assembly. The resolution adopted later that year “called upon India and Pakistan to conclude a ceasefire and withdraw their troops”, but the main emphasis was put on “the two states to respect each other’s territory”, not on the humanitarian emergency (Chesterman 2001: 74).

- India went through all levels of engagement, eventually going to war with Pakistan over the Bengali question (Engagement=4).
- India’s intervention was fully unilateral, and without the approval of the international community of states. The argument put forward, however, was one of self-defense in line with the UN Charter (Adherence=2).
- Apart from the general cold-war stalemate, the geostrategic interest in favor of intervention in Pakistan was very low. Only India had a general interest in weakening its Muslim neighbor (G=2).
- Pakistani military strength was not particularly high (M=2).
- Pakistan’s role in international trade was rather modest (T=2).
- The crisis’ extent was rather high (E=3).
- The spill-over of refugees was very high but only affected India (R=3).
- The common language and the close cultural ties due to the long-shared history resulted in high identification of India with the Bangladeshis (C=3).
- Pakistan was a full member in all the major international organization (A=3).
- The media attention was quite high, but not due to the humanitarian issues (P=2).

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879 On Indian interests, see e.g. Dasgupta (2016). For an examination of Indian interests as stated in government archives, see e.g. Cordera (2015).
882 For details on India’s justification, see Wheeler (2000b: 60-5). According to Akehurst (1984: 96), India “realized that humanitarian intervention was an insufficient justification for the use of force”, and referred to self-defense. For a detailed historical and legal assessment, see e.g. Franck/Rodley (1973).
883 See e.g. Murshid (2011: 55).
7.4.3.13 Burundi 1972

Burundi and Rwanda were both part of Belgium’s colonial empire, each with a Tutsi minority ruling over a Hutu majority, but whereas in Rwanda the Hutu majority seized control and established a republic, Burundi gained independence as a monarchy whose politics revolved around mixed fractions of Hutus and Tutsis fighting for power (Lemarchand 2004a: 323). Concentrating on the divide between Hutu and Tutsi is a crude oversimplification of the region’s complex socio-political order that resulted from the Belgian policy of indirect rule, both promoting and exploiting existing rivalries and polarization between ethnic groups (Uvin 1999: 254-6). Rwanda’s example, however, increased the tensions between Burundi’s Hutus and Tutsis. Ten years after independence from Belgium, concerned Tutsi elites prevented a Hutu Prime Minister, despite Hutu votes winning two-thirds of the parliamentary seats (Lemarchand 2004a: 323-4). The political infighting and the returned king’s assassination sparked a Hutu uprising. In response to the eruption of violence that killed around 3,000 Tutsi (Watt 2008: 33-4), the Tutsi-dominated Burundian army massacred between 200,000 and 300,000 insurgents (Lemarchand 2004a: 321), “targeting in particular teachers, students, clergy and other Hutu intellectuals” (Longman 1998: 12). Accordingly, “the vast majority of those killed were of Hutu origins, representing approximately 80 per cent of a total population then numbering approximately four million; the perpetrators were drawn overwhelmingly from the Tutsi minority, accounting for some 15 per cent of the population, its representatives holding full control over the armed forces and the government” (Lemarchand 2008: 2).

Despite the high numbers of casualties in only a few months, “these events went largely unreported in English-language media and unexplored in scholarly analysis” (Rawson 2009: 190). The ongoing “carnage attracted only minimal attention from the media” and the “few journalists who cared to investigate the massacres were denied access to the interior of the country” (Lemarchand 2004a: 321). The USA willfully neglected even the available evidence of massacres to avoid her entanglement (Morris 1977: 267). None of the two superpowers had

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884 On the history of increasing ethnic tensions in the Great Lakes region, see e.g. Lemarchand (2009: 129-40; 1996: 34-75).

885 For the detailed sequence of events, see e.g. Lemarchand (2004a; 1996: 76-105), Weinstein (1972a).

886 Estimates at the time varied between 100,000 and 200,000 deaths. See e.g. Weinstein (1972b: 27).
any interest in an economically irrelevant Burundi and the case was not discussed officially in the United Nations.\textsuperscript{887}

- The international response was limited to the bare minimum of lamenting the violence (\textit{Engagement}=1).
- The crisis did not even warrant negotiations (\textit{Adherence}=4).
- There are no indicators to be found suggesting any possible strategic interest of a third party in the region (\textit{G}=1).
- Burundi’s relative military strength is insignificant at best (\textit{M}=1).
- Burundi plays virtually no role for the international economy (\textit{T}=1).
- The number of deaths alone classifies the 1972 incidents as a major crisis (\textit{E}=3).
- A considerable number of refugees fled to the neighboring countries (\textit{R}=2).
- There are no cultural overlaps with a potentially intervening Great Power (\textit{C}=1).
- Burundi is a member of some of the existing international organizations (\textit{A}=2).
- The international media interest was very low (\textit{P}=1).

7.4.3.14 East Timor (Indonesia) 1976

Portugal’s withdrawal as colonial power from East Timor in 1974 gave rise to a transitional government that broke apart after one year, resulting in a short civil war between the two main factions (Simpson 2005: 284-93).\textsuperscript{888} The leftist Revolutionary Front of Independent East Timor (FRETILIN), defeated the conservative Timorese Democratic Union (UDT), but Indonesia seized the opportunity in late 1975 to take control over the whole island, annexing the Eastern part of the archipelago (Dunn 2004: 267-74).\textsuperscript{889} Indonesia claimed to reunite the island in act of anti-colonialist self-determination.\textsuperscript{890} The military operation, however, quickly turned into a ruthless occupation.\textsuperscript{891} The former Australian Consul-General in East Timor reported that from

\textsuperscript{887} Neither the General Assembly nor the Security Council issued a resolution concerning the situation in Burundi. See e.g. Amer (1994: 431).

\textsuperscript{888} On the historical background, see e.g. Strating (2014: 473-7), Dunn (2004: 265-7; 2003), Taylor (1999), Krieger (1997).

\textsuperscript{889} For the details on the run-up to the Indonesian military operation and the political infighting in East Timor, see also Simpson (2005: 285-97).

\textsuperscript{890} On the issue of self-determination and East Timorese identity versus the Indonesian position, see e.g. Strating (2014).

\textsuperscript{891} For a detailed account, see e.g. the contributions in McCloskey et al (2000),
“the very first days of the invasion rampaging Indonesian troops engaged in an orgy of indiscriminate killing, rape and torture”, executing “a systematic campaign of terror” (Dunn 1995: 65). Exact numbers are not available, however, great efforts have been made to derive estimates from population counts before and after 1975, “suggesting a toll of over 55,000 in just the two months since the invasion” (Kiernan 2003: 594). Other sources vary between 30,000 and 80,000 casualties, with an average of 200 deaths a week (Cribb 2001: 94). The number of refugees fleeing from East Timor was very low due to immediate Indonesian control of the coastal areas and all the ports. In 1976 only 2,447 East Timorese refugees reached Australia, the closest neighbor (McCormack 2009: 68).

“Although 1975 probably represented a peak of coverage on Timor, there was still very little being said in the press” about the unfolding humanitarian emergency (Monteiro 2002: 278). Reliable information was hard to come by because Indonesia successfully sealed off East Timor, controlling media access and conducting pre-orchestrated tours to restrict foreign reporting (Tapsell/Eidenfalk 2013: 580-3). Since Indonesia “banned journalists and refused reasonably open access even to relief agencies”, the “world received only snippets of information” (Lang/Lang 2004: 110). Several Australian journalists were killed on duty, but governments around the world took no interest in the events in East Timor (Tapsell/Eidenfalk 2013: 579-8). The United States, Britain, and Australia even backed the Indonesian government as an ally against the Soviet Union and China, fearing the creation of a communist state on Indonesia’s border (Kiernan 2002: 170-5). Both “the U.N. Security Council and the General Assembly met in emergency sessions to discuss the developments” in 1975, but apart from calling upon the Government of Indonesia to withdraw its forces no consequences derived from the negotiations (Gorjão 2002: 756). According to Chomsky’s and Hermann’s media analysis (1979: 129-205), the “American press apparently got the message, and coverage of East Timor quickly evaporated” (Simpson 2005: 297). None of the other states went beyond cautious expressions of regret (Simpson 2016: 283).

892 For a similar account, see e.g. Simpson (2005). See also Romesh/Ball (2008).
894 See A/RES/3485(xxx) (1975), S/RES/384 (1975), and S/RES/389 (1976). For a legal assessment of the situation in East Timor, including subsequent resolutions, see e.g. Elliott (1978).
895 For an empirical confirmation of Chomsky’s and Hermann’s hegemony argument for the Canadian press’ treatment of East Timor, see e.g. Klaehn (2002).
• The strongest response was the concern over the deteriorating situation in East Timor in an otherwise empty UN SC resolution (Engagement=1).

• Therefore, the response was necessarily well within the agreed upon rules (Adherence=4).

• Geostrategic considerations were clearly stacked against intervention (G=1).

• Indonesia certainly poses as the regional hegemon in Southeast Asia (M=3).

• Indonesia played a significant role in the global economy (T=3).

• The crisis’ extent remains below the threshold for a major crisis (E=2).

• There are no reports of major flows of refugees (R=1).

• Identification with the East Timorese was very low (C=1).

• Indonesia is a member in a variety of international organizations (A=3).

• International media coverage was very low (P=1).

7.4.3.15 Cambodia 1978
The Khmer Rouge, a hardline communist group, came to power in Cambodia just before North Vietnam took over South Vietnam, ending the US American presence in Vietnam (Quinn-Judge 2011: 345-6).896 Formerly allied with North Vietnamese forces, the Khmer Rouge led by Saloth Sar rebuffed further cooperation and asserted both their independence from Vietnam and their control over Cambodia (Edwards 2004: 62).897 They immediately started to depopulate the cities, forcing the population to work in rural development and agriculture.898 In their quest to mirror Mao’s ‘Great Leap Forward’ for new Democratic Kampuchea,899 the Khmer Rouge targeted ethnic and religious minorities,900 intellectuals and anyone suspect of disagreeing with the regime (Chandler et al. 1988: 4f). “[M]ost of the 150.000 Vietnamese residents of

896 On the long history of Cambodian subjugation, see e.g. Chandler (1991; 1979). On the interplay of various reasons for the rise of the Khmer Rouge, see e.g. Edwards (2004).

897 On the ideological and nationalistic differences between Vietnamese and Cambodian Communists, see e.g. Engelbert/Goscha (1995: 7-14). For a detailed account of Saloth Sar’s life both before and after he became known as Pol Pot and his role within the Khmer Rouge, see e.g. Chandler (2018), Kiernan (2004a); Short (2004).


Cambodia, including families that had lived in the country for several generations,” were driven back over the border to Vietnam or killed (Quinn-Judge 2011: 348).

Within only three years, the Khmer Rouge established a regime of terror, granting itself “the authority to smash people inside and outside the ranks” in order to transform Cambodian society into an agricultural labor camp (Kiernan 2008: 217). Forced repatriation and imprisonment of everyone not supporting the regime turned into systematic torture and organized mass killings.\(^901\) The regime “purged and re-purged itself in a fratricidal search for ideological purity and internal security” (Jackson 1989c: 3).\(^902\) It has been established, “from known pre- and post-genocide population figures and from professional demographic calculations, that the 1975-79 death toll was between 1.671 and 1.871 million people, 21 to 24 percent of Cambodia’s 1975 population” (Kiernan 2003: 586-7).\(^903\) Already in 1977, Vietnamese records attest that “300.000 Cambodians, Chinese and Vietnamese had fled from Cambodia into Vietnam since 1975” (Quinn-Judge 2011: 348). In the following year, the ongoing violence raised “the total number of refugees from Democratic Kampuchea to half a million: four hundred thousand in Vietnam, one hundred thousand in Thailand” (Kiernan 1998: 307, 442).

However, the United States’ defeat in Vietnam and fears of communist expansion overshadowed the media coverage of atrocities committed under Pol Pot’s rule. Especially the “Western news coverage of the situation in Cambodia, which had decreased dramatically since June 1975, […] did not begin to increase significantly until early 1977” (Metzl 2016: 46). On the one hand, there is “no doubt that Cambodia’s killing fields constituted a supreme humanitarian emergency and outside military intervention was the only means of bringing an end to the barbarities of the Pol Pot regime” (Wheeler 2000b: 101).\(^904\) On the other hand, numerous articles doubted the credibility of refugees and the severity of the crisis at the time (Shawcross 1984: 50-62).\(^905\) The French newspaper Le Monde, for example, published reports containing estimates of over 800.000 deaths already in 1976 (Power 2013: 120), but nevertheless presented the events in Cambodia as an “insurmountable mystery”, citing both critics and supporters of the Khmer regime “questioning the accuracy of atrocity reports” (Metzl

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\(^901\) For an overview, see e.g. Jackson (1989a).

\(^902\) On the varying motivation for the Khmer Rouge’s excessive violence, see e.g. Williams/Neilsen (2016).

\(^903\) For disparate estimation methods producing roughly similar numbers, see e.g. Heuveline (2015; 2001; 1998), de Walque (2005).

\(^904\) See e.g. Jean Lacouture’s (1977) widely read book review discussing the genocide in Cambodia, or Barron/Paul (1977), then the most influential book on the topic based on refugee testimony.

\(^905\) On the lack of information and the skepticism of journalist on site, see e.g. Lee (1995).
In the United States, the only Western power with actual interests in the region, media coverage on the Khmer Rouge was rather low, allegedly suffering from “Southeast Asia fatigue” (Power 2013: 103-13). Although the reports from Cambodia “received far more attention than those of, say, East Timor, Burundi or the Central African Republic,” the media took some time before accepting “that atrocities were taking place in Cambodia after the Khmer Rouge takeover” (Shawcross 1984: 52). Left-leaning journalists assumed politically motivated exaggerations to discredit a communist regime, right-leaning writers continued to believe in Vietnam as the “real enemy” (Power 2013: 90).

Consequently, the USA had no direct interest in another Southeast Asian involvement but used the opportunity to quietly side with China, which supported the Pol Pot regime against Vietnam (Chanda 2002: 3). The Soviet Union supported Vietnam against Cambodia, primarily to weaken China’s influence. Britain and France shared the USA’s strategic concerns in balancing the USSR (Wheeler 2000b: 92). In hindsight, it is rather obvious that the “alignments of the major world powers in regard to the Khmer Rouge […] were based on self-interest and displayed neither consistency nor any special concern for the Cambodian people” (Beachler 2009: 232). Even Vietnam, when finally intervening in Cambodia in 1979, justified its actions by its increasing concerns about its own security (Klintworth 1988: 59), following from continuous raids by Cambodian forces in the border region, but added the self-determination of the Cambodian people (Chesterman 2001: 79-81). Before choosing to end the rule of the Khmer Rouge by military force, Vietnam had attempted both diplomatic and military threats to influence Pol Pot’s regime, but it had only argued its cause at the UN after intervening. Acknowledging the existing order, “Vietnam knew it had broken the rules of the game but

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906 For a comprehensive treatment of Western press coverage throughout the Khmer regime, see Metzl (2016: 21-31, 46-65, 107-125), who reports a total of 788 articles for 1978 between the Washington Post, the New York Times, the Times of London, the Wall Street Journal, the Chicago Tribune, the Los Angeles Times, the New Orleans Times Picayune, and Le Figaro.


908 On China’s support for Pol Pot, see e.g. Ciorciari (2014).

909 On the Sino-Soviet split, see e.g. Li (2011), Shen/Xia (2011).

910 On the international reaction, see e.g. Wheeler (2000b: 89-100).

911 For a detailed account of Vietnamese strategy concerns in the 1970s, see e.g. Womack (2003).

912 For a detailed account of Vietnam’s justification, see e.g. Wheeler (2000b: 85-9). For a legal evaluation, see e.g. Klintworth (1988).
recognized that it owed its peers a justification in terms of the accepted rules” (Wheeler 2000b: 85). Neither of the other powers except the USSR accepted Vietnam’s arguments, though.\footnote{A UN Security Council resolution condemning Vietnam’s actions and reaffirming “the preservation of the sovereignty, territorial integrity and political independence of every state” was not adopted only because of a Soviet veto (Chesterman 2001: 80).}

- Vietnam went through all levels of engagement, eventually going to war with Cambodia to replace the Khmer Rouge regime (Engagement=4).
- Vietnam unilaterally disregarded Cambodian sovereignty, but it tried to justify its intervention as an exception within established rules (Adherence=2).
- Due to the interests of China, the USSR, and the USA the region was of great strategic interest (G=3).
- Although not very strong militarily, Cambodia counted on Chinese support and behaved very aggressively, which suggested heavy resistance against unwanted outside interference (M=2).
- The devastating effects of the previous wars in the region had already left Cambodia bereft of any serious industry even before the Khmer Rouge closed off the country from the global market (T=1).
- Both the number of refugees and casualties indubitably justify the classification as a major humanitarian emergency (E=4).
- Spill-over into neighboring states was very high, albeit none of the major powers was affected (R=3).
- Despite long-standing animosities both ethnic and ideological, Vietnam had close cultural and political ties with Cambodia (C=4).
- Cambodia was a member of some of the major international organizations (A=2).
- The media picked up the issue very late, reporting mostly about the greater Southeast Asian context without focusing on the atrocities in Cambodia (P=2).
7.4.3.16 Uganda 1979
A military coup in 1971 brought Idi Amin Dada to power in Uganda. Large parts of the population welcomed the ousting of former President Milton Obote, who fled to neighboring Tanzania (Mutibwa 1992: 81-7). Afraid of Obote’s possible return to power, Idi Amin established a military dictatorship, ruthlessly securing his position by eliminating potential opposition within the country (Mambo/Schofield 2007: 307-10). After first expelling Asian and especially Indian residents, he replaced government officials with military loyalists, recruiting his followers exclusively from his own tribe in Northwest Uganda or employing Congolese and Sudanese mercenaries (Brett 1995: 139; Ravenhill 1974: 243). Purging most of the Ugandan officers, Idi Amin favored Muslim or foreign recruits out of fear of a coup against him (Woodward 1978: 155). The secret police targeted members of southern tribes supposedly loyal to Milton Obote, as well as Christian clergy or journalists. Systematic disappearances and open murder of suspected dissidents escalated further, the army terrorizing the general population, looting and killing at will (Kiwanuka 1979: 100). Idi Amin reacted to the increasing lack of control over his own army by more purges and overstating external threats, especially from Milton Obote hiding out in Tanzania, which led to mutiny and an ill-advised invasion of Tanzania’s border region (Mambo/Schofield 2007: 311-2). Expanding their terror regime beyond the border, “Ugandan troops proceeded to murder and rape the local population, burn property, and steal cattle”, causing more than “40,000 civilians” to flee their homes and take “refuge in the bush” (Roberts 2014: 695).

914 On Idi Amin’s rise to power, see e.g. Kiwanuka (1979), Southall (1975).
915 The militarization of Uganda’s political system had already started under Milton Obote’s rule to silent dissent and stabilize his government. See e.g. Boyle (2017: 599-600). For a discussion of similarities and differences between Milton Obote’s and Idi Amin’s Uganda, see e.g. Glentworth/Hancock (1973). On Idi Amin’s initial popularity, see e.g. Mazrui (1980).
916 On the role of the army as an ethno-political instrument in Idi Amin’s rule, see e.g. Hansen (2013: 85-7), Mazrui (1974).
917 See e.g. Boyle (2017), who classifies Idi Amin’s government a terrorist regime.
918 On the reasoning and significant effects of forcefully expelling Indian professionals for the Ugandan society, see e.g. O’Brien (1973), Patel (1972). On the fate of those who stayed behind, see e.g. Hundle (2013).
919 For a detailed account of life under Idi Amin’s rule, see e.g. Gwyn (1977), a British former advisor to the Ugandan government, or Kyemba (1977), a former minister of Idi Amin’s government, or Kiwanuka (1979), a Ugandan university professor. For an US American account, see also Melady/Melady (1977). On the question of reliability of these accounts see e.g. Nayenga (1979).
920 On the ‘disappearance’ of people, see e.g. Decker (2013).
921 On the invasion as a diversion from Idi Amin’s attempts to stay in power, see Mambo/Schofield (2007) in full. On the Ugandan occupation of Tanzania’s Kagera region, see e.g. Roberts (2014: 694-6).
In Western media, Idi Amin was initially “warmly received”, especially in Britain and the United States, due to his opposition to socialist ideas (Umozurike/Umozurike 1982: 302). However, he immediately banned all foreign newspapers and harassed journalists (Matova 1990: 346). Media coverage became more critical over time, beginning with two US American journalists being killed in 1971, the Asian expulsion in 1972, the murder of a rescued hostage of Israel’s unauthorized mission at Entebbe airport in 1976, and the murder of a prominent Archbishop as well as high ranking government officials (Nurnberger 1982: 49). With recurring international attention on such events, more and more news about the regime itself trickled through, primarily in the form of reports of defecting supporters (Colin 1997: 253). “Most conservative estimates by informed observers hold that President Idi Amin Dada and the terror squads operating under his loose direction have killed 100,000 Ugandans”, but “[s]ome estimates run as high as 3000.000” (Ullmann 1978: 529).922 Melady/Melady (1977: 1) went as far as describing Idi Amin as the “African Hitler”. However, the media coverage spiked during each of these events, pointing out the blatant human rights violations, but the number of articles ebbed again soon after each event.

Despite despising Idi Amin’s regime, the majority of African States upheld the OAU’s cardinal rule of non-interference in the domestic affairs of a member state. Even though the United States had considerable leverage over Idi Amin’s regime due to it being by far the biggest purchaser of Ugandan coffee,923 they abstained from any measure, indirectly supporting the regime (Ullmann 1978: 531f), because none of the Great Powers had any “important security interests at stake” (Wheeler 2000b: 123).924 Uganda had close ties first with Israel and later with Libya, accepted assistance from the Soviet Union and East Germany, cozied up to Arab states secured loans from Saudi Arabia, but strategically it remained insignificant for any major power (Hansen 2013: 92-5). Britain, the former colonial power in Uganda until 1962, merely condemned the expulsion of Asians and Indians925 – many holding British passports – resulting in the denial of loans or further military assistance (Ravenhill 1974: 246). Tanzania’s president, Julius Nyerere, had accused Idi Amin of murder and denied his legitimacy as ruler of Uganda

922 For further estimates see e.g. Martin (1978: 9), Kyemba (1977: 59).

923 On the importance of coffee for the Ugandan economy, see e.g. Asiimwe (2013)

924 Uganda had close ties first with Israel and later with Libya, accepted assistance from the Soviet Union and East Germany, secured loans from Saudi Arabia, etc., but strategically it remained insignificant for any major power. See e.g. Hansen (2013: 92-5).

925 For the British reaction, see e.g. Roberts (2014: 696-7). On the treatment of those expelled, see e.g. Adams/Bristow (1979).
since Idi Amin’s coup in 1971 (Roberts 2014: 693). After eventually intervening militarily and toppling Idi Amin’s regime, Julius Nyerere claimed that Tanzania was acting in self-defense against the Ugandan invasion of the Kagera region (Finnemore 1996a: 178-9).926 The lack of support for Idi Amin from the majority of African states besides Libya indicates at least tacit approval of Tanzania’s intervention – despite expressed concerns for the principle of noninterference at the OAU conferences (Tesón 2005b: 164-7). Neither the Security Council nor the General Assembly formally discussed Tanzania’s intervention in Uganda.

- Eventually, Tanzania employed its full military force to end Idi Amin’s regime (Engagement=4).
- Tanzania was well aware of its breach of Ugandan sovereignty, but argued for a justified exception based on self-defense,927 invoking human rights abuses only later to revise the OAU’s charter 928 (Adherence=2).
- None of the major powers had strategic interests at stake in Uganda, only Tanzania stressed its security interests (G=2).
- Despite earlier Soviet supplies and Libyan support, Uganda’s military means were limited (M=1).
- Economically Uganda did not play a noticeable role for the world market (T=1).
- The humanitarian emergency increased over Idi Amin’s rule affecting a growing number of people (E=3).
- The spillover of refugees affected all the surrounding countries but was comparatively small (R=1).
- The close ties between Uganda and Tanzania had been disrupted primarily due to Idi Amin’s hostility, but otherwise, there are strong cultural and historical overlaps (C=4).
- Uganda was a full member of the OAU and international organization (A=2).
- Media interest sparked occasionally but it was not very high in the year before the response (P=2).

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926 See also Roberts (1993: 434).
927 See e.g. Umozurike/Umozurike (1982), Burrows (1979).
7.4.3.17 Liberia 1990

In December 1989, a small group of Liberian insurgents led by Charles Taylor crossed the border from the Ivory Coast with the declared objective of overthrowing the unpopular government of sitting president Samuel Doe (Murphy 1996: 146-7). Doe came to power after a military coup in 1980. In order to consolidate his rule, he attempted to eliminate all opposition, banning political parties and assigning official positions predominantly to members of his own tribal background. The regime’s brutality and its cronyism created “a ‘new tribalism’ in Liberia that constituted the root cause of the eruption in 1989” (Sesay 1996: 36). Within only a few months, Taylor’s forces made considerable gains, quickly taking control of most of the hinterland in 1990. The government forces reacted by targeting the civilian population of supposedly supporting tribes. The insurgents, in turn, responded in kind, which led to a spiral of violence between ethnically-based fractions competing for power and resources (Gershoni 1997: 59f). Both sides, insurgents and government forces, resorted to brutal reprisals, “massacres, rapes and other atrocities, thus plunging the country into a civil war characterized by the brutal massacre of innocent citizens, causing over 10,000 fatalities, 600,000 refugees and 1.5 million (over half the population) displaced persons, before the end of that year” (Ofuatey-Kodjoe 1994: 262).

Despite Liberia’s historical connection to the United States since it was established by freed slaves in 1822, the US government expressed no intention of getting entangled in what has been termed a domestic problem (Gershoni 1997: 63). The end of the cold war had further diminished the role of Liberia in geostrategic terms and Saddam Hussein’s invasion of oil-rich Kuwait at the same time took precedence over an African civil war (Sesay 1996: 40). Likewise, no European country displayed any active interest in the Liberian civil war. Nigeria, however, had an interest in presenting itself as a regional power and in strengthening its standing within the African continent (Ofuatey-Kodjoe 1994: 272). With no prospect for US or UN interference (Gray 2018: 428), Nigeria pushed the Economic Community of West African

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929 For the causes for the insurgency, see e.g. Ofuatey-Kodjoe (1994: 262-73).
932 It has been argued that France was interested in containing Nigeria’s strive for hegemony. See e.g. Tarr (1993: 81).
933 On the position of other surrounding African states, see e.g. Tarr (1993: 78-81).
States (ECOWAS) to establish a Cease-fire Monitoring Group (ECOMOG) to keep the peace in August 1990 (Olonisakin 1996: 36). The troops deployed consisted of 3,000 Nigerian soldiers and smaller contingents from Ghana, Gambia, Guinea and Sierra Leone (Murphy 1996: 151). Although legally problematic (Ofuatey-Kodjoe 1994: 282), the intervention “received support and applause from several quarters, including the United States, the European Union, the United Nations and other non-ECOWAS African countries” (Sesay 1996: 42). It was not before 1992, that the UN Security Council declared the “deterioration of the situation in Liberia constitutes a threat to international peace and security, particularly in West Africa as a whole” (S/RES/788 1992: 1). However, “ECOWAS had previously sought understanding, if not support, for its operations (Chesterman 2001: 136). Despite arguably violating both the UN and the OAU charter, the multilateral approach, the subsequent coordination with the UN, and the supporting statements issued by the Security Council enhances the intervention’s legitimacy (Sarkin 2010: 375-6).

- ECOWAS deployed military units to Liberia and, due to Charles Taylor’s continuing opposition, made full use of its military force (Engagement=4).
- The international community and in particular the African states ignored any possible controversies surrounding the intervention’s legitimacy and treated it as a fully acceptable multilateral exception (Adherence=3).
- Only the neighboring countries had strategic interests at stake (G=2).
- None of the warring factions had strong military capabilities (M=1).
- Liberia plays no role for the world market (T=1).
- The crisis’ extent was considerable but in relative terms not especially significant (E=2).
- The crisis severely affected the surrounding countries (R=3).
- Victims, perpetrators, and the intervening party are West African sharing considerable similarities in social and political culture(C=3).
- Liberia was a member of various international organizations (A=3).
- Number of articles was rather low (P=1).

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934 ECOWAS was established in 1975, comprising 15 African states. See e.g. Sarkin (2009: 24-7). On the ECOWAS-UN cooperation, see e.g. Adibe (1997).
937 For a detailed account of the ECOMOG deployment, see e.g. Sesay (1996), Ofuatey-Kodjoe (1994), Tarr (1993).
7.4.3.18 Angola 1990

Following the war of independence from Portugal, various factions continued to compete for influence and control over Angola. The Popular Movement for the Liberation of Angola (MPLA) received technical and military support from the Soviet Union and Cuba (Anstee 1996: 8), including troops and weapon systems (Hillhorst/Serrano 2010: S185). The opposing Union for the Total Independence of Angola (UNITA) received backing from South Africa and the United States in form of military training, logistical support, and weaponry (Hodges 2004: 10). The humanitarian situation continued to deteriorate due to government neglect, and in 1988, approximately 1.5 million people were directly affected by the conflict, facing famine conditions in some areas (Duffield 1994b: 37). UN involvement led to a merely symbolic peacekeeping mission (UNAVEM I) from 1989 on, fulfilling the role of observing the opposing parties (Krška 1997: 79-84). With the end of the Cold War and the lack of incentive for fighting proxy wars elsewhere, Angola ceased to be of strategic importance. With the departure of foreign troops and professional health personnel, the remaining basic level of service delivery collapsed (Hillhorst/Serrano 2010: S188). The humanitarian disaster, however, intensified, with both sides using the civilian population as resources to be exploited (Brinkman 2003: 2013f). Mediated negotiations between the opposing parties did not stabilize the situation - UNITA eventually rejecting the results, plunging the country back into civil war – but the UN Security Council agreed only to establish UNAVEM II in 1991 to monitor the peace process (Krška 1997: 84f).

- Despite an ongoing UN observer mission (UNAVEM I) already in place since 1989, the Security Council did not agree on economic sanctions before 1993, agreeing only to renew the mandate for monitoring the failing peace process (UNAVEM II) (Engagement=2).

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938 For a descriptions of the crisis unfolding in context, see e.g. Dougherty (2007), Le Billon (2005), Lari/Kevlihan (2004), Simon (2001), Wright (2001), Pycroft (1994). For Angola’s postcolonial history, see e.g. Birmingham (2002).

939 For details on Soviet interests in Angola, see e.g. Shubin/Tokarev (2001).

940 For details on US interests in Angola, see e.g. Minter (1991).


942 UNAVEM I was primarily established to monitor the withdrawal of 50.000 Cuban troops and government advisors from Angola. See e.g. Krška (1997: 80).


• The unanimous decision-making process throughout the discussions interpreting the UN Charter indicates a close adherence to the rule of law (Adherence=4).
• No indication of strategic interests of any Great Power in the region (G=1).
• Angola’s military strength is rather low (M=2).
• Despite its oil and diamond fields, Angola was virtually irrelevant for the global economy (T=1).
• The crisis caused enormous suffering for a great number of people (E=3).
• Spill-over of refugees in neighboring states was quite considerable (R=2).
• Identification with the Anglian people was rather low (C=2).
• Angola was a member of some major international organizations (A=2).
• The crisis’ media coverage was very low in comparison (P=1).

7.4.3.19 North Iraq 1991
After the coalition forces defeated the Iraqi army, Kurdish forces seized the opportunity and attempted to overthrow Saddam Hussein. The uprising failed and, fearing government retaliation, the Kurdish population in Northern Iraq fled their homes, hiding in the mountains in the border region between Iraq, Iran, and Turkey (Jakobsen 1996: 208). In 1991, approximately one million Kurdish refugees had already crossed over into Turkey, many more displaced within Northern Iraq. Estimates refer to up to 1.000 deaths a day due to exhaustion, starvation, or disease (Weiss 1999a: 50). Extended discussions on the interpretation of the UN Charter resulted in a UN Security Council resolution demanding the end of Iraqi repression of the Kurdish population since the massive flows of refugees “threaten international peace and security in the region” (S/RES/688 1991: 31). However, the resolution was not adopted under Chapter VII and does not even hint at possible military enforcement; instead it recalls Article 2(7) confirming the sovereignty of all member states. Legally, the following

946 When Kurdish rebels challenged Saddam Hussein’s rule in 1988, Iraqi forces responded with attacks against the Kurdish population, applying chemical weapons against civilians and killing as many as 100,000 Kurds (Stromseth 1993: 81).
947 Iran had received even more refugees, spending far more than any other country on humanitarian aid Freedman/Boren (1992: 51). For the EU position, see e.g. Jakobsen (1997).
948 See S/RES/688 (1991: 31). This is remarkable insofar as all 14 previous resolutions following the Iraqi invasion of Kuwait explicitly referred to Chapter VII. See e.g. Chesterman (2001: 131-2), Harrington (1993).
establishment of safe havens and the enforcement of no-fly zones within Iraq’s territory remains controversial (Chesterman 2001: 200-5). Moreover, both China and India abstained, while Cuba, Yemen, and Zimbabwe voted against resolution 688 (S/RES/688 1991: 32). Essentially a multilateral operation, ‘Operation Provide Comfort’ was pushed forward by the USA and the UK alone, and its UN authorization remains vague and is based on a rather loose interpretation of resolution 688, stretching earlier resolutions to include later circumstances (Wheeler 2000b: 141-52). The measures taken were presented as exceptions to otherwise unchallenged rules, denying general obligations to assist victims of organized violence (Mayall 1991b: 426f). Arguments have been put forward stressing the role of the media pressuring reluctant Western governments to address the plight of the Kurdish people due to emotional TV reporting, but the total number of printed articles was not significantly higher than in previous humanitarian emergencies.

- The response included the declaration no-fly zones and the threat of military force to back them up. However, the engagement was limited to air force patrols and the use of missiles with minimal use of ground troops (Engagement=3).
- Multilateral response but unilateral interpretation of UN authorization (Adherence=3).
- Strong strategic interests, especially for the US and NATO, not last to the destabilizing effects on Turkey, a key NATO ally (G=3).
- Despite its recent defeat, Iraq was still able to yield considerable military capabilities in the region (M=3).
- Primarily due to its oil reserves Iraq is well integrated into the global market (T=3).
- In comparison, the humanitarian emergency was rather limited (E=2).
- Close to a million refugees in Turkey alone (R=4).
- No relevant identification with the Kurdish people (C=1).
- Iraq was a member of all major international organizations (A=4).
- The media coverage concentrated on the implications of the preceding war and geostrategic considerations (P=2).

949 For the details on both the process of negotiation and the operation, see e.g. Wheeler (2000b: 147-52).
951 Legal arguments defending the implementation of safe havens and no-fly zones even invoked humanitarian intervention as valid customary law. See e.g. Chesterman (2001: 204).
7.4.3.20 Mozambique 1991

Portugal withdrew from its overseas provinces in 1975, allowing Mozambique to become an independent state.\textsuperscript{953} The Front for the Liberation of Mozambique (FRELIMO) took over the government and began to transform the new state into a socialist one-party state, imprisoning and executing dissidents.\textsuperscript{954} Nationalization of businesses and fear of retaliation drove the white population to flee the country. For South Africa and Rhodesia, the loss of Portugal as an important ally violently suppressing black resistance movements challenged the continued existence of their white minority regimes. They responded by sponsoring the Mozambican National Resistance (RENAMO) fighting the FRELIMO.\textsuperscript{955}

The ensuing civil war between the ruling FRELIMO and insurgent RENAMO forces intensified, both sides increasingly committing atrocities.\textsuperscript{956} RENAMO systematically engaged in mass killing, rape and mutilation of non-combatants as a destabilization strategy, whereas FRELIMO resorted to forced labor and established concentration camps for suspected dissidents. Civilians “face starvation and heinous brutality” in a conflict that “has displaced or seriously affected about six million Mozambicans” (Gehrke 1991: 135, 142-3).

The end of the cold war, however, had substantially altered both side’s strategic orientation. Due to the faltering economy, FRELIMO had tried to further distance itself from the Soviet Union and gain Western aid. Previously, the USSR had supported FRELIMO both financially and with military equipment and advisors (Alden/Simpson 1993: 109-10).\textsuperscript{957} South African support for RENAMO dried up due to the increasing pressure of maintaining the apartheid regime.\textsuperscript{958} With neither side able to win militarily and the dwindling international support, the Security Council agreed on a United Nations Operation in Mozambique (ONUMOZ) in 1992 to monitor and verify the negotiated ceasefire (Alden 1995: 104f).\textsuperscript{959}

\begin{flushright}
\textsuperscript{953} For Mozambique’s post-colonial history, see e.g. Newitt (2002).
\textsuperscript{954} On the transformations of FRELIMO over time, see e.g. Simpson (1993).
\textsuperscript{955} For a history of RENAMO, see e.g. Vines (1996).
\textsuperscript{957} On the role of South Africa for RENAMO, see e.g. Emerson (2014). For an analysis of South African regional policy, see e.g. Rob Davies and Dan O’Meara, 'Total Strategy in Southern Africa: an analysis of South African regional policy since 1978', in Journal of Southern African Studies (Oxford), 11,2, April 1985,pp. 183—211
\end{flushright}
• The UN agreed to monitor elections and to collect weapons, but only after the violence had already ebbed (Engagement=1).
• All decisions were made unanimously, displaying full adherence to the rule of law idea (Adherence=4).
• Apart from South Africa, no other power had serious strategic interests in the region, and even South Africa’s interests dissolved in the late 1980s (G=1).
• Militarily, both sides were rather weak and ill-equipped (M=1).
• Mozambique was not significant at all for the world economy (T=1).
• Serious crisis, but slow escalation of violence (E=2).
• Strong spill-over effects with over a million refugees (R=4).
• The case displays no indicators for third party identification with the victims (C=0).
• At the time, Mozambique was a member of only some of the major international organizations (A=2).
• The media coverage was very low (P=1).

7.4.3.21 Somalia 1992
After the overthrow of Siad Barre’s military junta, various warring factions competed for influence. As a consequence of the absence of a functioning central government, the fighting intensified, causing a complete breakdown of civic order. Acknowledging the heavy loss of life in Somalia, the United Nations imposed an arms embargo, called for a ceasefire, and established the United Nations Operation in Somalia (UNOSOM I) tasked with monitoring the ceasefire. Due to the deteriorating situation, the Security Council decided to authorize the disarming of rebel factions. In December 1992 the Security Council unanimously authorized the United Task Force (UNITAF) “to use all necessary means to establish as soon as possible a secure environment” in Somalia (S/RES/794 1992: 3). The UNITAF military intervention, ‘Operation Restore Hope’, was carried out by the United States. With the end of the Cold War, the Horn of Africa possessed little to no strategic use for the United States. Instead of renewing the contracts for their military base in Berbera, the United States considered “complete disengagement from Somalia” in 1991 (Lefebvre 1992: 254, 264). Overall, the literature


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indicates that there “were no strategic, economic or narco-interests that propelled the UN and the United States into action” (Hippel 2000: 55-6).

- Full range of measures including full military intervention (Engagement=4).
- Although practically the United States intervened on its own, all decisions were made unanimously, displaying full adherence to the rule of law (Adherence=4).
- Very minor strategic interest if any at all (G=1).
- Neither of the warring factions in Somalia had heavy weaponry at their disposal (M=1).
- Somalia had no importance for global trade relations (T=1).
- Both civilian suffering and the death toll were substantial (E=3).
- The crisis affected the whole region and caused considerable numbers of refugees fleeing to neighboring states, to Europe, and even to the United States (R=3).
- There are no indicators of any particular identification (C=1).
- Somalia was officially still a member of all major international organizations (A=3).
- Media interest started after the intervention was already ongoing and reached unprecedented numbers only after US soldiers got killed (P=2).

7.4.3.22 Burundi 1993

Already simmering tensions between Tutsi and Hutu erupted again when the first democratically president, Melchior Ndadaye, was assassinated by extremist Tutsi army officers. The Hutu majority responded by rounding up and killing Tutsi civilians and the Tutsi dominated army started to kill Hutu, plunging the country in a civil war with mass killings amounting to attempted genocide of Tutsi Burundians. Similar tensions in neighboring Rwanda both sparked and refueled the violence in Burundi. The Organization of African Unity (OAU)

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964 See also Case Summary 7.4.3.13 Burundi 1972 in Chapter 7.4.3.

authorized an observer mission (OMIB) in November 1993, but no further outside interference occurred. The United Nations responded by setting up a commission\(^{966}\) investigating the killings two years later and calling for an end to the still ongoing hostilities.\(^{967}\)

- Despite condemning the killings no further actions were taken (\textbf{Engagement}=1).
- No unilateral decisions were made (\textbf{Adherence}=4).
- No third party voiced any strategic interest (\textbf{G}=1).
- The military strength of both warring factions was very low (\textbf{M}=1).
- Burundi plays practically no role for the global market (\textbf{T}=1).
- The crisis’ extent was considerable but still rather low in comparison (\textbf{E}=2).
- The conflict triggered enormous spill-over of refugees in the entire region (\textbf{R}=3).
- There are no indicators of any particular identification (\textbf{C}=1).
- Throughout the crisis, Burundi remained a member of all major international organizations (\textbf{A}=3).
- The international media interest was very low (\textbf{P}=1).

\subsection*{7.4.3.23 Haiti 1994}

The first democratically elected president of Haiti after a series of dictators, Jean-Bertrand Aristide, was overthrown by force by a military junta within eight months of Aristide taking office. Under the new oppressive regime, the human rights situation worsened drastically. The violent persecution of potential supporters of Aristide prompted the Security Council in 1993 to impose economic sanctions, justified by its concern over “the incidence of humanitarian emergencies, including mass displacements of population” and the creation of “a climate of fear of persecution and economic dislocation which could increase the number of Haitians seeking refuge in neighbouring Member States” (S/RES/841 1993: 2). Haitian refugees fleeing to the United States increased the pressure on the Clinton administration to address the crisis (de Waal/Omaar 1994: 6). The embarrassment “of the world’s greatest power failing to successfully manage its own ‘backyard’” drove the United States to lobby the Security Council for even stricter sanctions and a naval blockade (Morris 1995: 396).\(^{968}\) The humanitarian situation


\(^{968}\) On stricter sanctions, see S/RES/873 (1993) and S/RES/917 (1994); on the naval blockade, see S/RES/875 (1993).
continued to deteriorate, not last to the sanctions showing effect though (Gibbons/Garfield 1999). In 1994, the “[gr]avely concerned” Security Council responded to “the significant further deterioration of the humanitarian situation in Haiti, in particular the continuing escalation by the illegal de facto regime”, by authorizing a “a multinational force under unified command […] to use all necessary means […] in order to establish […] a secure and stable environment” (S/RES/940 1994: 2 [emphasis in original]). Brazil and China, however, abstained from voicing critique about stretching the Security Council’s authority (Morris 1995: 396-7). Eventually, the military junta stepped down just before US troops were deployed to Haiti.969

- Deployment of combat troops, but primarily tasked with policing. The fact that no fighting would take place was known before shipping out (Engagement=3).
- The United States acted only after Security Council resolution, but the resolution did not get approved unanimously (Adherence=3).
- Given the history with and proximity to the United States there were obvious strategic interests at play, albeit not to a very marked extent (G=2).
- Haiti’s military strength was negligible (M=1).
- Haiti economic role was barely noteworthy (T=1).
- The crisis was rather contained with low casualties (E=1).
- Refugees were fleeing primarily to the United States but, in absolute terms, only in small numbers (R=1).
- Despite the obvious ethnic differences, Haiti is a direct neighbor to the United States, separated only by a few sea miles (C=2).
- Haiti was a member of almost all existing international organizations (A=4).
- The media coverage outside the United States was very low, thereby lowering the total average score considerably (P=2).

7.4.3.24 Rwanda 1994

The Arusha peace settlement between the Rwandan Patriotic Front (RPF) and the Rwandan Armed Forces (FAR) after a three-year civil war resulted in the OAU establishing the Neutral Military Observer Group (NMOG) in 1992. The mandate for the United Nations Assistance Mission for Rwanda (UNAMIR) replacing the NMOG in 1993 included 2,500 military personnel to “monitor the security situation” and to “assist in the coordination of humanitarian assistance activities” (S/RES/872 1993: 2). Simmering tensions between Hutu and Tutsi erupted anew when the plane carrying the Rwandan president was shot down under unclear circumstances in April 1994 (Prunier 1995b: 213f). Blaming Tutsi rebels, the Hutu dominated military ceased the opportunity to eradicate the Tutsi minority. In less than a month between 250,000 and 500,000 Tutsi and moderate Hutu had been killed, mostly with machete-like agricultural tools.970

After the first reports were discussed at the United Nations,971 the Security Council voted to reduce the number of troops to 270.972 Due to protests from the OAU various aid agencies, and the Secretary General, the Security Council agreed to gradually expand “the UNAMIR force level up to 5,500 troops” and impose a mandatory arms embargo (S/RES/918 1994: 3).973 Although declaring the events in Rwanda “a humanitarian crisis of enormous proportions” and “a threat to peace and security in the region”, the council resisted to refer to the killings as genocide on purpose (S/RES/918 1994: 2).974 When France finally decided to intervene, the Hutu offensive was already over (Wheeler/Bellamy 2006: 565). Moreover, Opération Turquoise was suspected to merely protect the FAR against the advancing RPF “due to France’s role in arming and training the predominantly Hutu government forces” (Chesterman 2001:


972 See S/RES/912 (1994: 3), which refers to the Special Report of the Secretary-General on UNAMIR from April 20, 1994, suggesting that at least “a small group headed by the Force Commander, with necessary staff, would remain in Kigali to act as intermediary between the two parties […], the total being estimated at about 270. The remainder of UNAMIR personnel would be withdrawn, but UNAMIR, as a mission, would continue to exist” (S/1994/470 1994: 4).

973 The United States in particular delayed the deployment, threatening to reduce future funding. See e.g. Chesterman (2001: 145), Murphy (1996: 245).

Even the limited French intervention was only authorized by the Security Council in June 1994 with Brazil, China, New Zealand, Nigeria, and Pakistan abstaining (S/RES/929 1994).

- The international response went not beyond observation and sanctions; the French intervention started only after the killings had already occurred and did not engage on Rwandan territory (Engagement=2).
- The Security Council actively avoided decision-making; the final authorization of an armed intervention was possible only due to five abstentions (Adherence=3).
- Only France had very minor strategic interests in the larger region (G=1).
- The military strength of Rwanda was negligible (M=1).
- Rwanda plays no role for international trade (T=1).
- This crisis was a major humanitarian emergency with an estimated death toll of over 800,000 and twice as many displaced (E=4).
- The crisis impacted the entire region and produced over one million refugees (R=4).
- There are no indications of identification with the Rwandan people (C=1).
- Rwanda was a member of most of the major international organizations (A=3).
- The media increased reporting only after the killing was long over (P=2)

7.4.3.25 Bosnia/Herzegovina (Yugoslavia) 1995
The declaration of independence of Croatia and Slovenia led to the final breakdown of Yugoslavia (FRY) and triggered a civil war between various factions along ethnic and religious lines, but mainly between Serbs and Croats. Nationalist Serbs instrumentalized the Serbian minority in newly established Croatia, intensifying the conflict. Not accepting the independence of Bosnia, the Serbian leadership perceived all non-Serbian Bosnians as enemies. Further escalation of violence between Bosnian Serbs and Bosnian Muslims meant that “the Bosnian Serb army […] ethnically cleansed its way through large parts of Bosnian territory” (Wheeler

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976 For a legal evaluation, see e.g. Chesterman (2001: 144-7), Murphy (1996: 243-259).

Condemning “in particular the practice of ‘ethnic cleansing’”, the Security Council authorized the United Nations Protection Force (UNPROFOR) to secure access to Sarajevo airport and enable humanitarian aid, prohibited unauthorized military flights in Bosnian airspace, and to declared that several towns and their surroundings should be treated as ‘safe areas’ (S/RES/819 (1993: 2).\textsuperscript{978}

Intensifying hostilities and attacks on the ‘safe areas’ led the Security Council to authorize “the use of force” in defense of protected areas (S/RES/836 1993: 3). UN estimates state that defending and demilitarizing the ‘safe areas’ would have required “an additional 32,000 troops” (Wheeler 2000a: 254). Instead, after witnessing the massacres of Srebrenica and the continued attacks on Sarajevo,\textsuperscript{979} NATO opted for air strikes against Bosnian Serb forces in 1995. ‘Operation Deliberate Force’ inflicted serious damage to Bosnian Serbs troops and facilities, however, even the intensified air campaign could not stop the killing of civilians trapped in the ‘safe areas’. Moreover, the authorization of the use of force had not been adopted unanimously, and especially Russia expressed its concern over NATO airstrikes not being explicitly covered by previous Security Council resolutions.\textsuperscript{980}

- The intervention did not involve ‘boots on the ground’ (\textit{Engagement}=3).
- The intervention was conducted by NATO; in coordination with UNPROFOR and with several Security Council resolutions, including the explicit call for air strikes by the Secretary General, but nevertheless not unanimously approved (\textit{Adherence}=3).
- Located in Europe the crisis was of major importance for the Europeans and, therefore, for NATO, drawing in the United States (\textit{G}=3).
- The Bosnian Serbs had the backing of the Serbian government of former Yugoslavia, including access to tanks and heavy artillery, however, their military strength was comparatively low (\textit{M}=2).
- Bosnia played only a minor role in economic considerations (\textit{T}=1).
- The crisis reached a very serious level of violence (\textit{E}=3).


\textsuperscript{980} On Russia-NATO relationship during the Bosnian crisis, see e.g. Headley (2003), Cross (2002), Bowker (1998), Rynning (1996).
• Large numbers of refugees fled to the neighboring countries as well as to Western Europe (R=3).
• Identification with the victims was quite large both despite and because of most of them being Muslim (C=3).
• Due to the civil war and unclear status of Bosnia access to international organizations was rather limited (A=2).
• The media put considerable pressure on the European and the United States government but overall reporting did not concentrate on the humanitarian emergency (P=2).

7.4.3.26 Sierra Leone 1997
The Sierra Leone civil war devastating the country since 1991 pinned the Revolutionary United Front (RUF) against the sitting, but practically inept government of Sierra Leone.981 In response, ECOWAS mandated the ECOMOG to restore order and protect human rights (Tavares 2011: 148-52). A ceasefire, which had been agreed upon in 1996, was broken in 1997, leading to an escalation of the conflict.982 S/RES/1132 (1997) imposed an oil and arms embargo (unanimous). The Organization of African States had previously imposed a similar embargo (Berger 2001: 621). S/RES/1181 (1998) unanimously established the United Nations Observer Mission in Sierra Leone (UNOMSIL). No further measures had been implemented during or after the crisis.

• The response did not go beyond establishing a mere observer mission and an arms embargo (Engagement=2).
• All resolutions were adopted unanimously, displaying full adherence to the rule of law idea (Adherence=4).
• No third party voiced any strategic interest (G=1).
• The military strength of Sierra Leone was very low (M=1).
• Sierra Leone plays nearly no role for international trade (T=1).
• The crisis was serious but of limited extent (E=2).


982 On the worsening humanitarian situation, see e.g. HRW (1999b; 1998).
• The number of refugees was considerable but comparatively low (R=2).
• Third party identification with the Mozambiquians was rather low (C=2).
• Sierra Leone was a member of all major international organizations (A=4).
• Media coverage based on the number of articles was very low (P=1).

7.4.3.27 Kosovo (Serbia) 1999
The dissolution of the Yugoslavian Federal Republic (FRY) saw Serbia and Montenegro as the only remaining Republics of a federal state that had previously comprised Serbia, Montenegro, Croatia, Slovenia, Bosnia and Herzegovina, and Macedonia. Within Serbia, there were two autonomous regions, namely Kosovo and Vojvodina. Kosovo had been granted full autonomy in 1974, attaining a status similar to that of a constituent republic. Historically, the special status of Kosovo and the roots of the conflict between Kosovar Albanians and Serbians can be traced back to the battle of Kosovo in 1389, in which Ottoman forces defeated the Serbian Prince Lazar and which plays a key role in Serbian collective memory and national identity. After the battle, the province of Kosovo remained a part of the Ottoman Empire until 1912. The years 1877 and 1878 saw forced mass migrations of Albanians from the provinces of the Principality of Serbia and the Principality of Montenegro. Conversely, during the First World War, Serbs were forced to leave Kosovo. In 1918, Kosovo was integrated into Serbia and became part of the ‘Kingdom of Serbs, Croats, and Slovenes’, which would become ‘Yugoslavia’ in 1929 and the ‘People’s Federal Republic of Yugoslavia’ in 1945.

In 1989, Serbian President Slobodan Milošević decided to remove Kosovo’s autonomy, a decision that invoked the memory of the Serbian defeat in the fourteenth century, thereby stirring up Serbian nationalistic sentiments and the fear of ethnic domination in Kosovo. In 1990, Kosovar Albanian politicians issued a declaration of independence and established their own institutions, which Serbia did not recognize. In 1991, the Kosovo Liberation Army (KLA/UÇK) was formed and launched several attacks against Serbian law enforcement institutions in Kosovo starting in 1995. The status of Kosovo was left out of the Dayton Peace Agreement.983

The unrest that had continued throughout the 1990s started to escalate in February and March 1998 when the KLA intensified their attacks and the Serbian Police responded with measures that included summary executions and killings of civilians but that failed to re-establish full control over KLA strongholds.\footnote{984} In S/RES/1160 (1998), adopted on 31 March 1998 under Chapter VII but without explicit reference to a breach of or threat to international peace, the Security Council condemned both the actions of the KLA and the use of excessive force by the Serbian police.\footnote{985} The resolution also imposed an arms embargo and expressed support for a solution based on the territorial integrity of FRY with a re-establishment of a higher degree of autonomy for Kosovar Albanians. On 23 September 1998, a second resolution followed, this time explicitly characterizing the deterioration of the situation in Kosovo as a threat to peace and security in the region. Acting under Chapter VII, the Security Council demanded a ceasefire in this resolution (S/RES/1199 (1998)). Two weeks later, NATO\footnote{986} launched an air verification mission, which was subsequently endorsed by the Security Council in S/RES/1203 (1998) and S/RES/1239 (1999). China and Russia abstained from voting on both of these resolutions.\footnote{987} After NATO had ceased its air operations, the killing of forty-five civilians in Račak in January 2001 spurred further outrage\footnote{988} and debates on the appropriate measures, and led NATO to threaten further military action. After negotiations in Rambouillet (6 to 23 February) and Paris (15 to 18 March) failed, NATO launched Operation Allied Force without Security Council authorization.\footnote{989}

- NATO intervention took place in the form of an air campaign (\textit{Engagement}=3).
- Lacking Security Council authorization, NATO acted unilaterally, deriving legitimacy (initially) only from its own member states (\textit{Adherence}=2).


\footnote{986} On the strategic considerations of the United States and NATO, see e.g. Kerton-Johnson (2010: 58-83), Daalder/O’Hanlon (2004), Carey (2001); and e.g. Cross (2002), Hysmans (2002), Yesson (1999). For a critical view on NATO intentions, see e.g. Chomsky (1999).


• Especially the Europeans had strong interests in the region \((G=3)\).
• The FRY’s respective Serbia’s military strength was considerable, but certainly no match for any global or even regional hegemon \((M=2)\).
• The region’s role in international trade was rather modest \((T=2)\).
• The crisis was serious but of limited extent \((E=2)\).
• All resolutions were adopted unanimously \((R=2)\).
• Identification with the suffering Kosovars was quite pronounced, especially in Europe and the USA \((C=3)\).
• During the late 1990s Serbia did hold membership with only a few of the major international organizations \((A=2)\).
• The international media coverage was comparatively low \((P=2)\).

7.4.3.28 DR Congo (Zaire) 1999
In 1996, Rwanda and Uganda invaded the Democratic Republic of Congo (DRC). Rwandan and Ugandan forces carried out a coup against President Mobutu Sese Seko, replacing him with Laurent-Désiré Kabila. Starting in 1998, Kabila succeeded in obtaining the support of Angola, Namibia, and Zimbabwe and, with their help, in pushing Ugandan and Rwandan forces out of the DRC’s territory.\(^990\) The Security Council condemned the massacres and other atrocities committed during the conflict and called for a ceasefire agreement in S/RES/1234 (1999), which was adopted unanimously. In July 1999, the DRC, Angola, Namibia, Zimbabwe, Rwanda, and Uganda signed the Lusaka Ceasefire Agreement.

With S/RES/1258 (1999), the Security Council unanimously authorized the deployment of military liaison personnel to oversee the implementation of the ceasefire agreement. In S/RES/1279 (1999), the Security Council decided (unanimously) that the military liaison personnel shall constitute the United Nations Organization Mission in the Democratic Republic of Congo (MONUC) and in S/RES/1291 (2000) it extended the mandate of MONUC

(unanimously) acting under Chapter VII and authorizing MONUC to take the necessary action to, among other things, protect civilians under imminent threat of physical violence.991

- The response included the employment of a limited observer mission, however, eventually, the mandate included the use of force for self-defense (Engagement=3).
- The process displayed high regard for the rule of law idea, but falls short of including the involved neighbouring powers acting on their own accord (Adherence=3).
- strategic interest (G=2).
- The military strength of DRC forces was very minor (M=1).
- The economic role of DRC was barely noteworthy (T=1).
- The crisis’ extent was rather high (E=3).
- The number of refugees was considerable but comparatively low (R=2).
- There are no indicators of any particular identification (C=1).
- The DRC (Zaire) was a member of all major international organizations (A=4).
- The media coverage was comparatively low (P=2).

7.4.3.29 East Timor (Indonesia) 1999
The high costs of maintaining East Timor as part of Indonesia prompted President Habibie to give in to the increasing pressure put on Indonesia since its 1975 annexation of East Timor.992 In agreement with Portugal, the former colonial authority and “the state formally recognised by the UN as the administering power in East Timor” (Maley 2000b: 69), Indonesia proposed to grant East Timor the status of a special autonomous region within Indonesia.993 Violence erupted between pro-Indonesian militias and supporters of East Timorese independence. The Security Council authorized the United Nations Mission in East Timor (UNAMET) to monitor the referendum.994 The crisis worsened after the majority of East Timorese rejected the ‘Constitutional Framework for a Special Autonomy’,995 spreading throughout the Island.

991 Specifically on the interests at stake, see e.g. Clark (2002), Lemarchand (1998).
992 See also Case Summary 7.4.3.14 East Timor (Indonesia) 1976 in Chapter 7.4.3.
995 This framework was part of the ‘Agreement between the Republic of Indonesia and the Portuguese Republic on the question of East Timor’, see A/53/951 & S/1999/513 (1999: 9, Appendix).
Indonesia's support of anti-independence militias increased “the massive escalation of violence” (Wheeler/Dunne 2001: 816). This included riots, murder, and forced displacement, which lead to a complete breakdown of civil infrastructure leaving entire cities without water or electricity and causing further displacement.

The mounting international pressure pushed Indonesia to consider accepting international assistance in form of a peacekeeping mission to East Timor.\textsuperscript{996} Previously, the United States had stopped all military cooperation with Indonesia, the EU had imposed an arms embargo, and both the World Bank and the IMF had suspended substantial aid and lending programs (Wheeler/Dunne 2001: 818-9). Although Indonesia’s reluctant consent was a result of coercion, it allowed to secure the support from ASEAN and other UN member states usually suspicious of Western motives. Eventually, the Security Council agreed on authorizing “a multinational force under a unified command structure […] to restore peace and security in East Timor” under Chapter VII due to “the worsening humanitarian situation in East Timor” (S/RES/1264 1999: 2, 1). Australia provided the bulk of troops and material for the International Force for East Timor (INTERFET) and assumed command.\textsuperscript{997} For Australia, the intervention in East Timor presented a chance to redeem itself for the events of 1975, now perceived as a moral failure. Although Australia had substantial strategic and economic interest in the region, a closer alliance with Indonesia may have been more beneficial in material terms than engagement for East Timor.\textsuperscript{998}

- Since Indonesia had been coerced into accepting the mission, the mandate did not include the use of force against Indonesia (\textbf{Engagement}=3).
- All resolutions were adopted unanimously, displaying full adherence to the rule of law idea (\textbf{Adherence}=4).
- Australia had strategic interests in the region, both in terms of its relation with Indonesia and the broader security in the region (\textbf{G}=2).

\textsuperscript{996} The Security Council refers to a corresponding statement President Habibie conceded under pressure to push through the resolution. See S/RES/1264 (1999: 2).
\textsuperscript{997} On the Australian deliberation process, see e.g. Cotton (2004; 2001), Leaver (2001).
Indonesia’s military capabilities, including heavy weaponry and trained personnel, are of considerable size and quality \( (M=3) \).

The crisis had a serious negative impact on the global economy, creating strong incentives to restore peace and security securing both East Timor and Indonesia as trading partners \( (T=4) \).

The crisis was serious but of limited extent \( (E=2) \).

All resolutions were adopted unanimously \( (R=2) \).

Proximity to Australia suggest a low identification with the East Timorese \( (C=2) \).

Indonesia was a full member of all major international organizations \( (A=4) \).

Media attention was very high in Australia, but the total number of articles was comparatively low \( (P=2) \).

7.4.3.30 Sierra Leone 2000

The ongoing civil war turned Sierra Leone from an already fragile state into a failed state without functioning government. The rebel Revolutionary United Front (RUF) resorted to systematic looting of civilian assets and control over mineral resource, most famously diamonds (Tavares 2011: 152-5). The government forces, however, failed not only in protecting civilians, but engaged in serious human rights violations, often colluding with different rebel factions for personal material benefits (Keen 2005: 121-22). The worsening situation was discussed at the United Nations, prompting the Security Council to take action in 1999, despite the low media attention the conflict received. S/RES/1270 (1999) establishes United Nations Mission in Sierra Leone (UNAMSIL); ‘Acting under Chapter VII of the Charter of the United Nations, decides that in the discharge of its mandate UNAMSIL may take the necessary action to ensure the security and freedom of movement of its personnel and, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical harm.”

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999 See also Case Summary 7.4.3.26 Sierra Leone 1997 Chapter 7.4.3.
1000 For an overview of the crisis and background information on Sierra Leone, see e.g. Martin-Brulé (2016: 105-34), Harris (2014), Keen (2005), Akinrinade (2001), Bundu (2001), Hirsch (2001), Reno (2001), McGregor (1999).
1001 On the crisis’ extent, see e.g. Denov (2010), Gberie (2005), Hoffman (2004), Amowitz et al. (2002).
1003 See e.g. Holm (2002).
violence, taking into account the responsibilities of the Government of Sierra Leone and ECOMOG’ (unanimous). S/RES/1289 (2000) extends and expands mandate of UN Mission in Sierra Leone as acting under Chapter VII, authorizing (unanimously) all “necessary actions to fulfil the additional tasks”. Due to the failing efforts of UNAMSIL, Great Britain intervened individually.\textsuperscript{1004} The British ‘Operation Palliser’ (evacuation) did not wait for explicit authorization, but referred to resolution 1289. S/RES/1299 (2000) authorized up to 13,000 military personnel (unanimous). S/RES/1306 (2000) imposed sanctions on diamonds (unanimous). Since its authorization, UNMSL was gradually extended several times.\textsuperscript{1005}

- The British operation aimed at securing the airport and extracting UN personnel, but not to engage RUF for the sake of restoring peace and order (Engagement=3).
- The British intervention was unilateral and did lack explicit Security Council authorization. However, the Secretary General asked for support and the previous resolutions authorized the use of force (Adherence=3).
- No third party voiced any strategic interest (G=1).
- Sierra Leone’s military strength was negligible (M=1).
- Sierra Leone was economically irrelevant for global trade (T=1).
- The crisis was serious but of limited extent (E=2).
- Due to the ongoing war, additional spill-over effects in terms of refugees were considerable but rather low in comparison (R=2).
- Apart from Britain’s role as former colonial authority identification with the victims was very low (C=1).
- Sierra Leone was a member to all major international organizations (A=4).
- International media attention was rather low (P=2).

\textsuperscript{1004} On strategic interests, in particular those of Great Britain, see e.g. Dorman (2009), Schümer (2008), Dumbuya (2008), Kargbo (2006).

During the first half of 2003, the civil war in Liberia between President and former war lord Charles Taylor and the rebel group LURD (Liberians United for Reconciliation and Democracy), which had been going on for three years, escalated and culminated in the siege of Monrovia in June and July 2003.\textsuperscript{1006} A ceasefire agreement was signed during ECOWAS-sponsored peace talks in Ghana. ECOWAS forces intervened in August to enforce compliance with the ceasefire agreement (Tavares 2011: 155-7). Similarly, in S/RES/1497 (2003), the Security Council authorized member states to establish a Multinational Force in Liberia to take all necessary measures to support the implementation of the 17 June 2003 ceasefire agreement. France, Germany, and Mexico abstained from voting on this resolution. With S/RES/1509 (2003), the Security Council established the United Nations Mission in Liberia (UNMIL), acting under Chapter VII and following a unanimous decision.

- The international response included military means, however, only to monitor a peace agreement after the fight had already began to seize (Engagement=3).
- The decision-making process displayed a high regard for the rule of law idea, but the immediate response was not reached unanimously (Adherence=3).
- No third party voiced any strategic interest (G=1).
- Liberia’s military capabilities were negligible (M=1).
- The affected area is not an economically relevant region (T=1).
- The crisis was serious but of limited extent (E=2).
- The number of refugees was considerable but comparatively low (R=2).
- There are no indicators of any particular identification (C=1).
- Liberia was a member of most of the major international organizations (A=3).
- The media coverage was comparatively high (P=3).

\textsuperscript{1006} For an overview of the crisis and as the basis for the assigned scores, see e.g. Coleman (2013), Farrall (2012), Hoffman (2004), HRW (2004d), Nuamah/Zartman (2004), Olonisakin (2003). Specifically on the role of China, see e.g. Moumouni (2017). On the role of the media, see e.g. Cook (2013). See also Case Summary 7.4.3.17 Liberia 1990 in Chapter 7.4.3.
Racial tensions and discriminatory sentiments toward the large group of Ivorians with Burkinabé origins had been stirring in the Ivory Coast for decades and had become more acute as the economic situation deteriorated in the late 1990s and early 2000s. The event that triggered the civil war was the law that was passed immediately before the elections of 2000, which prescribed that only people whose parents were both Ivorians could be presidential candidates. This law excluded Alassana Ouattara from the race, a presidential candidate who had based his campaign on representing the Northern part of the country with predominantly Muslim population and particularly the poorer population of Malian or Burkinabé descent. Given that the military was composed mainly of people from the North, the increasing tensions led to a mutiny among soldiers, who formed a new rebel group and launched several attacks starting in 2002.\textsuperscript{1007} ECOWAS forces and French forces intervened and tried to prevent the violence from spreading, without clearly taking sides within the conflict. With S/RES/1464 (2003), acting under Chapter VII, the Security Council authorized the ECOWAS and French\textsuperscript{1008} use of force. Subsequently, S/RES/1479 (2003) established the United Nations Mission in Côte d’Ivoire (UNOCI) to support ECOWAS and French troops (Tavares 2011: 157-8). Both resolutions were adopted unanimously.\textsuperscript{1009}

- The response consisted in a limited intervention (Engagement=3).
- The actual decision was made without UN deliberation and authorized only after the fact (Adherence=2).
- No third party voiced any strategic interest (G=1).
- The country’s military capabilities were negligible (M=1).
- The Ivory Coast’s role in international trade was rather modest (T=2).
- The crisis was serious but of limited extent (E=2).
- The number of refugees was very low in comparison with other cases (R=1).
- Identification with the population of the Ivory Coast was rather low (C=2).
- The Ivory Coast was a member of all major international organizations (A=4).
- The media coverage was comparatively high (P=2).

\textsuperscript{1007} For an overview of the crisis and as the basis for the assigned scores, see e.g. Hara/Yabi (2013), Bellamy/Williams (2012), HRW (2004a; 2003b).
\textsuperscript{1008} On France’s interests regarding the Ivory Coast, see e.g. Bovcon (2009).
\textsuperscript{1009} On the development of the UN engagement in the Ivory Coast crisis, see e.g. Mehler (2012).
7.4.3.33 DR Congo 2003
Towards the end of the Second Congo War\textsuperscript{1010} – also known as the Great African War or the African World War due to the number of states involved in the conflict – the number of deaths continued to rise and large parts of the population became victims of sexual violence and other war crimes, while thousands of people died of indirect consequences of the conflict, including malnutrition.\textsuperscript{1011} This continued even after the formal end of the conflict and the establishment of the Government of National Unity. Acting under Chapter VII, the Security Council authorized Operation Artemis in Bunia, with the mandate to employ all necessary measures (S/RES/1484 2003). With S/RES/1489 (2003), the Security Council extended the mandate of the United Nations Mission in the Democratic Republic of Congo (MONUC).\textsuperscript{1012} The mandate of MONUC was further extended in S/RES/1493 (2003) and S/RES/1565 (2004). MONUC comprised “16,700 troops, making it the largest UN peace operation in the world with an annual budget of more than US$1 billion” (Eriksen 2009: 657). All of the aforementioned resolutions were adopted unanimously.

- The international response gradually developed into a large-scale military intervention, but the initial operation began rather reluctantly and late, and only after the worst crimes had already been committed. It was aimed at preventing further crimes merely by its presence in the capital alone (Engagement=3).
- Adherence to the rule of law idea in the decision-making process was rather high, even though the involved powers all deliberated too late and only reluctantly (Adherence=3).
- Due to existing ties with third parties, the DRC has been considered to be of minor strategic interest for some of them (G=2).
- The country’s military capabilities were negligible (M=1).
- The affected area was not an economically relevant region (T=1).
- The number of casualties indubitably justify the classification of this crisis as a major humanitarian emergency (E=4).
- The number of refugees was considerable but comparatively low (R=2).


\textsuperscript{1011} On the worsening humanitarian situation, see e.g. HRW (2004c; 2003a; 2002a; 2002b; 2001; 2000). On the role of the media, see e.g. Soderlund et al. (2013).

\textsuperscript{1012} See Case Summary 7.4.3.28 DR Congo (Zaire) 1999 in Chapter 7.4.3. For additional information on the response of the international community, see e.g. Schmidt (2011), Morsut (2009), Ulriksen et al (2004), Smis/Oyatambwe (2002).
• Identification with the population of the DRC was rather low (C=2).
• The DRC was a member of all major international organizations (A=4).
• The media coverage was comparatively low (P=2).

7.4.3.34 Darfur (Sudan) 2004

The conflict in Darfur,\textsuperscript{1013} which started to escalate in 2003,\textsuperscript{1014} received significant media attention,\textsuperscript{1015} engendering public outrage over clear evidence of crimes against humanity, war crimes, and ethnic cleansing, with a number of voices even categorizing the events in Darfur as genocide.\textsuperscript{1016} The media attention forced the most important international actors to develop a stance on the matter, which occurred in the context of the emergence of the idea of the Responsibility to Protect, of African efforts to establish a regional security framework, of the war in Iraq, and of the global war on terror.\textsuperscript{1017} In a series of resolutions on the matter, the Security Council\textsuperscript{1018} expressed concern over the situation, threatened and then proceeded to impose sanctions.\textsuperscript{1019} In S/RES/1593 (2005), the Security Council referred the situation to the International Criminal Court, which resulted in the indictment of President Omar Al-Bashir. In S/RES/1706 (2006), the Security Council invoked the Responsibility to Protect, which constituted the first official reference of the Security Council to this concept. However, it was


\textsuperscript{1016} For the debate about the genocide label, see e.g. Brunk (2008), de Waal (2007b), Hagan/Rymond-Richmond (2008; 2007), Lippman (2007), Luban (2006), Strauss (2005).

\textsuperscript{1017} On the interests of third parties, see e.g. Black/Williams (2010). For the United States, see e.g., Jumbert (2014), Heinze (2013), Stedjan/Thomas-Jensen (2010), Mayroz (2008), Huliaras (2006), Totten/Markusen (2005). For China, see e.g. Olimat (2014), Contessi (2010), Taylor (2010), Holslag (2008), Large (2008). For the EU see e.g. Keane/Wee (2010), Gegout (2009), Olsen (2009), Miller/Brock (2004). On France, Canada, and the UK in particular, see e.g. Charbonneau (2010), Black (2010), Williams (2010), respectively.


not until three years after the crisis that the Security Council established the African Union Hybrid Operation in Darfur (UNAMID) in S/RES/1769 (2007).

- The response included a limited military intervention, but only after the killings were over. Moreover, the French intervention was not targeted against the perpetrator and did not protect the victims (Engagement=2).
- Apart from the late French initiative, the decision-making process displayed rather high regard for the rule of law idea (Adherence=3).
- No third party voiced any strategic interest (G=1).
- The Sudanese military strength was considerable but still rather low (M=2).
- The region’s role in international trade was rather limited (T=2).
- The high number of refugees and casualties indubitably justify the classification as a major humanitarian emergency (E=4).
- The crisis severely affected the entire region (R=3).
- There are no indicators of any particular identification (C=1).
- Sudan was a member of all major international organizations (A=4).
- The crisis in Darfur was covered by a very high number of reports and generated an almost unparalleled level international media attention (P=4).

7.4.3.35 Burundi 2004

Amid the ongoing civil war in Burundi, more than 150 civilians, among them women and children, were massacred in the Gatumba refugee camp, highlighting the increasing tensions in the region. The massacres occurred in response to ongoing unlawful killings by the Burundian armed forces. Fueling the vicious cycle of escalation, the massacres lead to further arrests, torture, and disappearances. In S/RES/1545 (2004), the Security Council unanimously decided to authorize the United Nations Operation in Burundi (ONUB), acting under Chapter VII and endowing the mission with the with the mandate to employ all necessary means

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1021 For an overview of the crisis and background information, see e.g. Khadiagala (2013), Bellamy/Williams (2005: 189-93), Reyntjens (2005). See also Case Summary 7.4.3.22 Burundi 1993 in Chapter 7.4.3.

1022 On the extent of the crisis, see HRW (2004b).
while ensuring the ceasefire agreements (unanimous). ONUB replaced AU troops, which had been in the country since 2003 to monitor adherence to a ceasefire agreement.\footnote{1023}

- The response consisted in a full-blown humanitarian intervention, including the coercive use of military force (Engagement=4).
- The UN Mission only followed after the already existing AU mission did not achieve its goals. The AU mission was by definition multilateral, but not authorized in advance by the UN (Adherence=3).
- No third party voiced any strategic interest (G=1).
- Burundi’s military capabilities were negligible (M=1).
- The affected area is not an economically relevant region (T=1).
- The crisis was serious but of limited extent (E=2).
- The number of refugees was considerable but comparatively low (R=2).
- Identification with the Burundians was very high throughout the region (C=3).
- Burundi was a member of most of the major international organizations (A=3).
- The media coverage was comparatively low (P=2).

7.4.3.36 Kenya 2007

After the presidential elections held on 27 December 2007, from which former President Mwai Kibaki emerged as the winner, supporters of the opposing candidate alleged electoral fraud. International observers confirmed that both sides had committed electoral manipulations. The swearing-in of President Kibaki was met with mass protests, some of which became violent and even resulted in killings in the form of targeted ethnic violence. Hundreds of protestors were shot by the police. Some of the killings were documented on camera, which led to even more violence.\footnote{1024} United Nations Secretary-General Kofi Annan engaged in mediation efforts and succeeded at bringing the opposing sides to engage in negotiations, which led to the National Accord and Reconciliation Act and to the establishment of a coalition government (Harneit-\footnote{1023} On the existing AU mission in Burundi, see e.g. Murithi (2008), Svensson (2008), Boshoff/Francis (2003).
\footnote{1024} For an overview of the crisis and as the basis for the assigned scores, see e.g. Sharma (2016), Branch (2011), HRW (2009a; 2008a; 2008b), Juma (2009), Kagwanja/Southall (2009), Owuor et al. (2009), Anderson/Lochery (2008).}

- No further actions beyond mediation were taken (Engagement=1).
- All resolutions were adopted unanimously, displaying full adherence to the rule of law idea (Adherence=4).
- No relevant third power voiced any strategic interest (G=1).
- Kenya possesses some military capabilities, but in comparison its military strength is rather low (M=2).
- Kenya’s role for the global economy was rather modest (T=2).
- The crisis was rather contained with low casualties (E=1).
- The number of refugees was rather low (R=1).
- There are no indicators of any particular identification (C=1).
- Kenya is a member of all major international organizations (A=4).
- The international media coverage was rather low (P=2).

7.4.3.37 Burma/Myanmar 2008
Cyclone Nargis hit southern Burma in May 2008, killing more than 130,000 people and bringing devastation to large areas, including the former capital Rangoon. The Burmese military government prevented the entry of humanitarian organizations trying to render disaster relief assistance in the first weeks after the cyclone.\footnote{1025} France invoked the Responsibility to Protect in an effort to get the Security Council to intervene, but this proposal was rejected by the other members of the Security Council (Haacke 2016: 802).

- Although the humanitarian disaster was broadly acknowledged, no third country resorted to further measures (Engagement=1).
- All resolutions were adopted unanimously, displaying full adherence to the rule of law idea (Adherence=4).
- No third party voiced any strategic interest in the region (G=1).
- Burma possesses considerable military capabilities, but its military strength is still rather weak in comparison (M=2).

\footnote{1025} For an overview of the crisis and information on its extend as the basis for the assigned scores, see e.g. HRW (2010), Beyrer (2007), Mullany et al. (2007), Lee et al. (2006).
• Burma’s role in international trade was rather modest (T=2).
• The crisis was rather contained with low casualties (E=1).
• The crisis severely affected the surrounding countries (R=3).
• There are no indicators of any particular outside identification (C=1).
• Burma is a member in many of the major international organizations (A=3).
• The media coverage was comparatively high (P=3).

7.4.3.38 Gaza 2008
In 2008, the conflict between Israelis and Palestinians escalated and developed into a humanitarian emergency involving the deaths of civilians, limited access to water, food, fuel, medicine, and other essential goods. The background of the crisis involved a blockade of the Gaza strip by Israeli forces following the success of Hamas over Fatah in the 2006 elections in Gaza and the West Bank. The conflict escalated when Israel launched Operation Cast Lead in an attempt to stop indiscriminate rocket fire from Gaza to Israel.1026 The only international reaction was S/RES/1860 (2009), in which the Security Council called for a ceasefire and condemned the violence against civilians. The USA abstained from voting on this resolution.

• The international response was limited to the bare minimum of lamenting the violence (Engagement=1).
• All resolutions were adopted unanimously, displaying full adherence to the rule of law idea (Adherence=4).
• No third party voiced any strategic interest (G=1).
• Israel possesses considerable military capabilities, but in comparison its military strength is no match for any of the Great Powers (M=2).
• Israel plays a significant role in the global economy (T=3).
• The crisis was serious but of limited extent (E=2).
• The crisis affects the entire region and has almost global implications (R=4).
• There are no indicators of any particular identification effects (C=1).
• Israel is a member of all major international organizations (A=4).
• The number of articles was very low (P=1).

1026 For an overview of the crisis and as the basis for the assigned scores, see e.g. Zanotti (2010), A/HRC/12/48 (2009), IPS (2009).
7.4.3.39 Sri Lanka 2009

During the final stages of the civil war in Sri Lanka in 2009, the lack of protection for civilians led to the death of tens of thousands of people. The Security Council did not adopt a resolution on the matter but merely expressed grave concern over the humanitarian emergency in northeast Sri Lanka in a press release dated 13 May 2009 and called for urgent action by all parties to ensure the safety of civilians (UNSC Press Release SC/9659 2009).

- Although the humanitarian disaster was condemned internationally, no further measures were taken (Engagement=1).
- The decision-making process (or lack thereof) displayed high regard for the rule of law idea (Adherence=4).
- No third power voiced any strategic interest (G=1).
- Sri Lanka possesses considerable military capabilities, but not in comparison to the major powers (M=2).
- The affected area is not an economically relevant region (T=1).
- The crisis was serious but of limited extent (E=2).
- The number of refugees was considerable but comparatively low (R=2).
- There are no indicators of any particular identification (C=1).
- Sri Lanka holds memberships in all major international organizations (A=4).
- The media coverage was comparatively high (P=3).

7.4.3.40 Libya 2010

An uprising against the government of Muammar Gadhafi was met with violent force, leading to the death of hundreds of civilians within a period of only a few weeks. The crisis was widely covered in the media. With S/RRES/1973 (2011), the Security Council authorized

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1027 For an overview of the crisis and as the basis for the assigned scores, see e.g. Keen (2014; 2009), Hughes (2013), Harrison (2012), Kinsbury (2012: 82-93), Weiss (2011), Boyle (2009), HRW (2009b; 2008c), ICG (2009).
1028 For the international response, see e.g. Nackers (2016). For geostrategic interests, see e.g. Kinsbury (2012: 130-141).
1030 On public opinion and the crisis’ representation in the media, see e.g. Al Nahed (2015), Baum/Zhukov (2015), Overbeck (2014), Bucher et al. (2013), Clements (2013).
the establishment of a no-fly zone, which led to the NATO Operation Unified Protector. The resolution was adopted with five abstentions (Brazil, China, Germany, India, and Russia). The NATO operation did not confine itself to establishing a no-fly zone but interpreted the mandate of protecting civilians in a broad manner and ultimately led to regime change and to the killing of Gadhafi.

- The response clearly consisted in a military intervention, but it did not involve ground troops, restricting itself to airstrikes (Engagement=3).
- The decision-making process definitely displayed regard for the rule of law idea, however, the abstentions prevented an unanimous authorization (Adherence=3).
- No third party voiced any strategic interest (G=1).
- Libya possessed considerable military capabilities, but in comparison it was militarily weak nevertheless (M=2).
- Libya’s role for the global economy was rather limited (T=2).
- The crisis was serious but of limited extent (E=2).
- The number of refugees was rather low (R=1).
- There are no indicators of any particular identification (C=1).
- Libya was a member of all major international organizations (A=4).
- The high number of articles and reports testifies to the very high degree of media attention (P=4).


7.4.3.41 Central African Republic 2013

The crisis in the Central African Republic (CAR) was prompted by the overthrow of President François Bozizé’s government by the Séléka rebel group and a subsequent armed conflict involving the Séléka militia and another armed group called Anti-balaka.1034 The Security Council, acting under Chapter VII; authorized the deployment of the International Support Mission in the Central African Republic (MISCA) in S/RES/2127 (2013), with a mandate to protect civilians, to support reform efforts and to create the conditions necessary for humanitarian assistance. Additionally, it authorized the French forces in the CAR to take all necessary measures to assist MISCA, requested the Secretary-General to establish an international commission of inquiry, and established an arms embargo, a sanctions committee and panel of experts. With S/RES/2134 (2014), acting under Chapter VII, the Security Council renewed the mandate of the United Nations Peacebuilding Office in the Central African Republic (BINUCA), authorized an EU force to CAR, and imposed targeted sanctions. With S/RES/2149 (2014), the Security Council established the Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), which took over from MISCA and BINUCA. All the aforementioned resolutions were adopted unanimously.1035

- The international response included the deployment of military troops, however, the mandate did not include all necessary means. Instead, it restricted itself to the vague goal of assisting reforms (Engagement=3).
- All involved actors on various levels legitimize their actions in the respective council or commission in accordance with their member states, the use of coercive force finally even authorized by the Security Council (Adherence=4).
- Colonial ties with France, but not high on the agenda for anyone (G=1).
- There is no military apparatus beyond militia style soldiers and bandits (M=1).
- Economically CAR is devastated and irrelevant (T=1).
- The violence levels are relatively high with large numbers of affected people (E=3).
- This long-lasting conflict continues produce refugees (R=2).
- Despite emphasizing Christian religion and ties to France, identification with Central Africans is very low (C=1).

1034 For an overview of the crisis and as the basis for the assigned scores, see e.g. Käihkö/Utas (2014), Welz/Meyer (2014), HRW (2013b; 2013c), ICG (2013b), Mehler (2011).
1035 For an analysis of the UN’s role in the crisis, see e.g. Karlsrud (2015). For an assessment of the international response more generally, see e.g. Welz (2014).
• The CAR holds memberships of all major international organizations (A=4).
• The international media coverage was rather high (P=3).

7.4.3.42 Mali 2013
In 2012, the National Movement for the Liberation of Azawad (MNLA), an insurgent group initially backed by several Islamist organizations, gained control over the Northern part of Mali’s territory. As a response to the government’s inability to prevent the establishment of territorial control by the MNLA, parts of the military initiated a coup d’état against President Amadou Toumani Touré. Amidst the instability following this coup, Islamists took control of the cities of Kidal, Gao, and Timbuktu. 1036 With S/RES/2085 (2012), the Security Council, acting under Chapter VII, authorized the deployment of an African-led International Support Mission in Mali (AFISMA), which was later replaced by the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), also authorized under Chapter VII and with the mandate to employ all necessary means (S/RES/2100 (2013)). Both of these resolutions were adopted unanimously. 1037 Shortly after the AFISMA troops had been deployed, the rebels continued to gain control over larger parts of Mali’s territory and the government asked France to intervene, which led to the French Opération Serval. 1038 The intervention went along despite S/RES/2071 (2012) authorizing only planning for, but not deployment of force. The crisis in Mali is marked by competing interests regarding influence in the Sahel region and the resulting access to natural resources. 1039 “[I]t is about oil and uranium and the ever-present threat of competition that China poses in what has been a Francophone-influenced region for well over a century” (Ahluwalia 2013: 2).

• The international response consisted in outsourcing its actual engagement, but it did include authorization for the use of military force (Engagement=3).

1037 For a legal evaluation and the deliberations at the United Nations, see e.g. Seyedfarshi (2016), Stigall (2015) and Charbonneau (2017), Karlsrud (2015), respectively.
1038 On the crisis and the international community’s response, see e.g. Bratton (2016), Karlsrud (2016), Baudot (2013) and Sabrow (2017), Cristiani/Fabiani (2013), Esquith (2013), respectively.
1039 On the interests of different actors, see e.g. Baas/Torheim (2013), Shuriye/Ibrahim (2013). For the AU, see e.g. Oluwadare (2014), Weiss/Welz (2014). For the EU and the USA, see e.g. Olsen (2014). Specifically on France, see e.g. Wing (2016). On China see e.g. Duggan (2017), Lee/Chan (2016).
France responded unilaterally, although only after invitation by Mali, thereby circumventing the decision-making process within the UN, which had not yet authorized the deployment of troops (Adherence=2).

Despite the overall low geopolitical role of Mali internationally, its location close to Europe and existing ties due to previous engagements as well as its resources resulted in minor strategic interests being expressed by third parties (G=2).

Mali possesses no military capabilities worth considering (M=1).

The affected area is not an economically relevant region (T=1).

The crisis was serious but of limited extent (E=2).

The number of refugees was considerable but comparatively low (R=2).

Identification with the Malinese people was rather low (C=2).

Mali is a member of all major international organizations (A=4).

The media coverage was comparatively high (P=3).

7.4.3.43 Syria 2013

The ongoing conflict in Syria following the violent suppression of protests against President Bashar al-Assad\(^\text{1040}\) has led to the (internal and external) displacement of millions of people\(^\text{1041}\), has provided fertile ground for the establishment of control over parts of the Syrian territory by ISIL, and has become a complex internationalized conflict with Russia maintaining its alliance with Assad, with regional powers including Iran and Saudi Arabia using the conflict as a proxy war, and with the United States and the European Union involved to different degrees both in the fight against ISIL and in an effort to deter the Assad regime from using chemical weapons and from other ways of gravely breaching the norms on armed conflict.\(^\text{1042}\) The crisis has received significant media attention, focusing mostly on specific incidents like the use of

\(\text{1040}\) For an overview of the crisis and historical background information, see e.g. Phillips (2015; 2012), Silander/Wallace (2015), Ma'oz (2014), Bhardwaj (2012).


chemical weapons – allegedly by the Assad regime – in Ghouta.\textsuperscript{1043} Despite momentary outrage and even threats of military action by a number of states including the United States, the international community’s response has remained limited to mediation efforts, with some observers describing the situation as a stalemate or impasse, citing the case of the crisis in Syria as an example for the problems with the implementation of the Responsibility to Protect.\textsuperscript{1044}

S/RES/2042 (2012) authorized the deployment of 30 independent military observers. S/RES/2043 (2012) established United Nations Supervision Mission in Syria (UNSMIS) with the mandate to monitor the crisis, emphasizing the international community’s “strong commitment to the sovereignty, independence, unity and territorial integrity of Syria” (S/RES/2043 2012: 1). S/RES/2118 (2013) required the verification and destruction of Syria’s chemical weapons stockpiles, called for the convening of the Geneva II peace talks, and endorsed the establishment of a transitional governing body in Syria with full executive powers. All three of the aforementioned Security Council resolutions were adopted unanimously.

- Despite the acknowledgement of the humanitarian disaster unfolding, no third party officially resorted to coercive measures against Syria (Engagement=1).
- Although the Security Council resolutions were adopted unanimously, neither Russia, nor the USA, nor additional parties as for example Iran are in full compliance, both overstepping and underfulfilling the according UN mandates (Adherence=3).
- The crisis is of preeminent importance for all the Great Powers, as well as for the regional powers, affecting the stability of the entire Middle East (G=4).
- The Syrian army possesses considerable military strength (M=3).
- Syria’s role for the international economy was rather limited (T=2).
- This crisis is a major humanitarian emergency with an enormous death toll (E=4).
- The crisis affects the entire region and has almost global implications (R=4).
- There are no indicators of any particular identification (C=1).
- Syria is a member of all major international organizations (A=4).
- The crisis was covered by a very high number of reports and generated a high level of media attention internationally (P=4).

\textsuperscript{1043} On the crisis’ reception in the media, see e.g. Simons (2016), Simons/Holtz-Bacha (2016), Cozma/Kozman (2015), Brown (2015; 2014),

7.4.3.44 ISIL (Da’esh) 2014

The attempts to gain authority over extended areas of the Levant in large parts of Syria and Iraq in order to establish an Islamic State has forces of ISIL terrorize and kill large parts of the population unaccepting of both the new authority and the group’s radical interpretation of Islam.\textsuperscript{1045} Its actions reach from single, televised beheadings to enslaving confessional dissenters and massacres of opposing locals.\textsuperscript{1046} Despite various overlapping interests in the larger region\textsuperscript{1047} and high media interest due to the group’s classification as a terrorist organization,\textsuperscript{1048} the international response remains both uncoordinated and indecisive.\textsuperscript{1049} The means the United Nations has at its disposal may not be of much use against an organization that is essentially a non-state actor (Trapp 2015).\textsuperscript{1050} In S/RES/2178 (2014), the Security Council, acting under Chapter VII following a unanimous decision, imposed obligations on member states to respond to the threat of foreign terrorist fighters.

S/RES/2249 (2015) strongly condemns a number of terrorist attacks committed by ISIL in 2015 and “[c]alls upon Member States that have the capacity to do so to take all necessary measures, in compliance with international law […] on the territory under the control of ISIL” (S/RES/2249 2015: 2). The resolution was adopted unanimously but without reference to Chapter VII.

- The use of military force concentrates on the use of air power, moreover all involved nations act separately (Engagement=2).
- General agreement exists over the situation’s seriousness, most obviously expressed through Security Council authorization of the use of force for any state capable of acting (Adherence=4).


\textsuperscript{1047} On the strategic interests at play, see e.g. Badar (2016), Urs (2016), Panayiotides (2015), Harrison (2014), Stansfield (2014). Specifically on the United States, see e.g. Siniver/Lucas (2016), Gunter (2015), Phillips (2014). On China, see e.g. Chaziza (2016), Lin (2014). On Russia, see e.g. Souleimanov/Petrylova (2015). On Australia and the UK, see e.g. Ralph/Souter (2015).

\textsuperscript{1048} On media attention, see e.g. Boyle/Mower (2018), Zhang/Hellmueller (2016), Zelizer (2016), Friis (2015), Farwell (2014).

\textsuperscript{1049} On the international community’s response, see e.g. Saideman (2016), Katagiri (2015), Katulis et al. (2015), Lister (2015), Longo (2015), Stathis (2015).

- The region is of strategic interest for several regional powers, drawing in both Russia and the United States (G=3).
- Conventional military strength is rather low, but the use of terrorist tactics beyond the targeted area are quite effective (M=2).
- The affected area is not an economically relevant region (T=1).
- Large numbers are affected and the violent enforcement of extremist Islamic law involves a high degree of brutality (E=3).
- In addition to the Syria crisis, IS violence produces large numbers of refugees (R=3).
- There is no significant identification with the victims in the Levant (C=1).
- The Islamic State is not a member of any international organization (A=1).
- The Islamic State attracts enormous media attention due to its terrorist tactics (P=4).
7.5 Analysis & Findings

To carry out the calculations, the present study employed the software ‘R’. The choice among the possible operations that the software allows was made in accordance with the purpose of this study. Given that the main purpose of this study consists in accounting for change, the aim of the empirical analysis consists in simply exhausting the possibilities offered by the various operations that can be carried out with R. This is due to the fact that the QCA-package for R lacks a function with which it would be possible to draw comparisons between separate analyses or between diverging time frames. Additionally, the program can only generate results for one outcome, thus being unable to present both engagement and adherence in a single analysis. Therefore, rather than focusing on exhausting the possibilities provided by the QCA-package for R, the present analysis complements the software-based QCA results with an interpretation across individual analyses that allows covering the additional dimensions of my research question.

Therefore, subsection 7.5.1 summarizes the final calibration as well as the general QCA analysis and introduces the thresholds used for the calculation of solution terms and the subsequent test of ‘fit’. Subsection 7.5.2 presents the results for both the entire time period and selected periods, as well as a comparison of the selected time periods. Subsection 7.5.3, finally, offers an interpretation of the findings and, identifying general trends, proposes answers to the initial research questions.
7.5.1 Calibration

The iterative process of going back and forth between the available data and the additional literature yields qualitative thresholds for each condition, which are in turn based on the individual thresholds determined in the same way for each condition’s components separately. Table 4: Categorization Scheme in Appendix A illustrates the categorization by listing each indicator and the qualitative thresholds imposed on the data in order to categorize the conditions. The categorization is based on the available raw-data for each case as depicted in Appendix B. The additional information extracted from the literature on each case in the previous chapters is used for the confirmation, refinement, or, if necessary correction of previously derived scores.1051

The data for each condition,1052 either derived from the datasets or approximated by screening relevant literature on each case, is then translated into individual membership scores. There are several ways of assigning membership scores, but the two most widely used techniques are the ‘direct method’ and the ‘indirect method’ (Schneider/Wagemann 2012: 32-52, 232-44).1053 The simpler version, the direct method of calibration, requires the setting of thresholds for inclusion in the set’s membership, for exclusion from set membership, and for a cut-off point, to calibrate the condition’s raw data automatically. The current QCA software package for R1054 allows to recode the condition’s raw data into fuzzy set membership scores that reflect their value in relation to each other, using the preset thresholds as reference for the relative distribution of all cases (Duşa 2018: 74-85). The indirect method of calibration calls for determining a number of categories between one (1) for full membership and zero (0) for non-membership and the corresponding value for the condition’s degree of set membership (Ragin 2008: 94ff). As with the direct method, the software recodes the aggregate condition into fuzzy set membership scores that reflect the condition’s value in relation to all other cases, this time using the preset categories’ values as anchor points for the distribution of values for all cases (Duşa 2018: 92-4).

1051 See Chapter 7.4.3.
1052 Geostrategic interests (G); strength of the opposing force (M); spill-over effects (R); interdependence (T); institutional access (A); crisis extent (E); identity (C); public attention (P).
1053 On the possibility of manual calibration, see e.g. Verkuilen (2005), Ragin (2000).
1054 I use the QCA Package for R, Version 3.3 (last updated on July 11, 2018).
Both methods of calibration require consistent, one-dimensional data in numerical form. The aggregate value of a condition that is comprised of multiple indicators must reflect its relational standing in regard to all other values of that condition across cases. However, the collected data on the selected cases is incomplete. Most of the indicators provide only values for some of the cases, preventing a consistent calculation of exact, fine-grained values for the aggregate condition, which maintains their relational standing in comparison to all other cases. The qualitative difference of individual components of a condition forestalls computing absolute scores by simple aggregation. Therefore, I resort to qualitative classification of observations into set membership scores based on the available indicators for each case (Schneider/Wagemann 2012: 35ff). Instead of manually assigning highly subjective and idiosyncratic values to conditions inconsistently across cases based on case knowledge alone, I organized the raw data from different indicators in four plausible categories (from low to high) for each aggregate condition. This is achieved by sorting the available raw data of all indicators into reasonably consistent groupings (categories).

The cases with the lowest or highest value for an indicator each serve as points of reference for the values for all other cases, providing a baseline for categorizing all intermediate values for all cases that include a value for the respective indicator in question. Manual clustering allows to group values according to their relative status for each case, eventually deciding their membership to four pre-set categories, based on available data in Appendix B. In strict terms, however, this does no longer allow for a fuzzy-set calibration, because the recoding of categorized raw data result in ‘fuzzy sets’ that reflect the four categories assigned before. One could argue that the nature of the available data indicates the use of multi-value QCA (mvQCA) instead of fuzzy-set QCA (fsQCA), because mvQCA allows for categories consisting in numerical numbers (Cronquist/Berg-Schlosser 2009: 70). These numerical values represent the extent to which each category “is present in a given case, [but] not whether a specific category of a condition is present” (Haesebrouck 2016: §5). The assigned categories in the present study, however, represent the varying degrees of the same condition across cases. Given that “the raw data vary systematically and meaningfully by degree”, Rihoux et al. (2009: 169) advise to resort to fsQCA over mvQCA. Although subverting the fuzzy-set calibration process as outlined above weakens eventual claims of causal leverage of resulting solution terms, this is only of

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1055 See Chapter 7.4.2.
1056 For a discussion of the use of mvQCA and this argument in particular, see e.g. Thiem (2013: 199-200), Schneider/Wagemann (2012: 260), Vink/van Vliet (2013; 2009: 270).
minor importance for this study, because the focus here lies not on the causal analysis. Instead, the goal is to trace the changes of solution terms over time. Therefore, being able to differentiate between degrees of a given condition presents itself as the preferable option, regardless of the actual causal pull of different causal pathways.

Consequently, the calibration process yields the value of one (1.0) for cases assigned to Category 4 and zero (0) to cases in Category 1. In order to avoid undetermined medium values, 0.66 refers to stronger than average and 0.33 to weaker than average parameter values of a given condition, as found in Category 3 and Category 2 respectively. In the language of membership scores, the value of one (1.0) represents full set membership, whereas zero (0) is assigned if a condition’s value is below the minimal threshold, negating a case’s set membership for this condition. Both 0.33 and 0.66 are within the set, representing only weaker parameter values in comparison to the threshold for full membership.1057 Preceding the calibration process, the thresholds have been adjusted to reflect the specific clustering of values for each condition separately. This is necessary to avoid extreme values in a few cases compromising the grouping of values in meaningful categories. The thresholds for each indicator follow from analytical utility, reflecting the range provided by all cases and specific knowledge on each case. The necessary information on each case is available from the compiled data in Appendix B and the summaries in Chapter 7.4.3.

The cut-off points for the categorization are derived mathematically, but qualitative context overrides strict adherence to the quantitatively developed thresholds for individual cases. This allows to counteract the random effects of computed distribution and to treat cases as more than mere number scores on a chart. It ensures that cases that are ‘more alike’ end up in the same category because the decision to assign cases to a specific group represented by their aggregated category is essentially dependent on the details of that individual case as well as on the significant gaps between the indicator values of all cases. Whereas the calibration of category thresholds is a qualitative process, the calculation of actual membership scores follows directly from the derived calibration.

Table 5: Quantitative Membership Scores in Appendix A summarizes the results of the calibration process listing the membership scores for each aggregated condition for each case. The cells marked in grey contain no values because the information available from indexes is

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1057 For the process of set calibration see e.g. Schneider/Wagemann (2012: 32-42), Ragin (2008; 2004; 1994; 1987).
incomplete or insufficient to determine the membership score based on calculation and relative distribution. The reason for that is that not all cases are included in all the consulted databases. For some cases, no data exists for one particular indicator, or for that specific year, due to the crisis in question inhibiting reporting. For others, the database recordings do simply not go back far enough in time. Cases from the 19th century are rarely included in databases due to the lack of information of otherwise common indicators. Thus, the second round of data collection adopts a qualitative strategy akin to the case selection process.\footnote{For the qualitatively derived data, see Chapter 7.4.3.}

Table 6: Final Membership Scores finally combines the quantitative data with the qualitative case knowledge, either confirming the qualitatively assigned scores or correcting deviating scores to the qualitatively assigned scores. Here, the cells marked in grey contain both the values assigned on the basis of case knowledge alone due to the lack of available quantitative data, and the values corrected due to qualitative knowledge overriding the quantitatively assigned scores in the first round. Once all of the conditions and the outcome for each case are translated into membership scores, the actual analysis is carried out.

This methodical approach does not just account for single conditions but assumes conjunctural causality of different combinations of conditions. Whereas rationalistic explanations are based on the assumption of rational actors acting consistently, independent of time and space, constructivist approaches are built on the belief in the emergence of new norms providing an environment for behavioral change. Accordingly, the result indicates which configurations of conditions provide higher consistency and coverage, even though none of them is expected to reach very high values on the latter. Analyzing the complete sample of cases in one setting impedes accounting for change in the importance of both conditions and configurations thereof. It comes as no surprise, that such an analysis illustrates both equifinality\footnote{Different combinations of conditions lead to the same outcome.} and multifinality\footnote{The same combination of conditions leads to different outcomes.} simultaneously.

Subdividing the sample into smaller parts, however, allows for comparing not only across cases but also across time. Therefore, each subsample may produce different solution-terms, indicating which conditions and configuration of conditions are most influential for which period. Some conditions may have a stable effect over time while others may vary. The grouping of cases in subsamples follows from changes of conditions deemed relevant from a
theoretical point of view and from potentially influential events in chronological order. Changing solution-terms from one period to the next illustrate changes of the importance of specific conditions and, therefore, the scope limitations of the corresponding theoretical explanation. Compiling the dataset in the form of a truth table reveals which conditions are given in which cases. Eventually, high coverage and consistency of solution-terms for different periods identify the most relevant conditions and their changing importance over time.

In order to generate causal explanations for when and how the international community responds to humanitarian emergencies QCA was applied to the membership scores of the 44 cases reported in Table 6: Final Membership Scores. This was done by using the QCA package for R, Version 3.3. The software simplifies potential patterns found in the data and provides an overview of all possible causal pathways producing the outcome. Its primary purpose is to identify combinations of conditions, which are sufficient for the outcome of interest. Solution terms are the formalized expressions of causal combinations of conditions with each combination leading to the outcome representing a causal path or pathway. The software allows to test each condition as well as all given combinations of conditions for their respective necessity for the outcome. The recommended thresholds for the evaluation of consistency and coverage of necessary conditions are 0.9, with values below 0.6 indicating that a condition is definitely not ‘necessary enough’ to constitute a necessary condition (Schneider/Wagemann, 2012: 143-7). The threshold for sufficiency of a solution term for the outcome distinguishes those combinations that are a consistent subset of the chosen outcome from those that are not. It is determined by observable gaps in the calculated consistency values as reported in the generated truth tables. The sufficiency threshold can be lower than that for the analysis of necessity, but it should be at least 0.75 (Ragin 2008: 136). Due to the resulting spread of possible combinations of conditions in this analysis, I opt for the conservative threshold of 0.9, allowing to focus on only the, potentially, most relevant solution terms.

Given that I am interested in the existing explanations of responses, I set the threshold for conditions contributing to a positive outcome (‘strong response’ respective ‘high level of adherence’) at 0.7. Consequently, only cases whose combination of conditions reach a

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1061 Each theoretical combination is represented by solution-terms consisting of the approach’s assumed factors responsible for the variation in state responses towards humanitarian emergencies.

1062 Solution-terms are the formal expression of those combinations of conditions that lead to the outcome.

1063 On the possible operations the software is capable of performing, see e.g. Duşa (2018), Thiem/Duşa (2013, 2012).
consistency level of at least 0.7 are considered as having a positive effect on producing a strong outcome. As an additional option, the same analysis could be conducted focusing on the explanations of weak responses. The aim of both alternatives is to differentiate between the effects of stronger or weaker parameter values of conditions, as reflected in their respective membership scores, on the stronger or weaker outcome. This, however, needs to be accounted for separately. Regardless of aiming at explanations for the presence of a strong or weak outcome, each solution term must be interpreted and evaluated in its entirety. QCA does not allow to determine the effects of individual conditions in the sense of independent variables, but in identifying solution terms and evaluating which of these causal pathways lead to the outcome of interest. Thereby, individual conditions are perceived as “one cause within a combination of causes that are jointly sufficient for an outcome” (Mahoney/Goertz 2006: 232). However, the existence of a specific solution terms does not automatically demonstrate a causal relationship between the conditions and the outcome. Whereas the application of QCA “can help us to identify subset relations between explanatory conditions and an outcome condition in terms of necessity and sufficiency, it is not a substitute for an investigation into the causal mechanisms at work” (Binder 2015: 724). Their significance in terms of causal leverage derives from interpreting their necessity and sufficiency as derived from consistency, coverage, and the relationship between the two. Without the additional connection of theoretical explanations to the empirical results, however, the solution terms merely point out existing correlations, regardless of causal mechanisms.

The resulting truth tables included in Appendix C provide information on the presence of relevant condition values for the positive outcome (G, M, R, T, A, E, C, P), the output type (OUT), the sufficiency inclusion score (incl), the proportional reduction of inconsistency (PRI), and the respective case number of all cases displaying the same distribution of conditions. The condition value has been translated into one (1) or zero (0), one (1) indicating the conditions relevant presence for the outcome and zero (0) indicating the opposite. The output value (OUT) is displayed in the same way: one (1) indicating this combinations’ correlation with the outcome of interest and zero (0) marking its absence. The sufficiency inclusion score (incl) represents the calculation of consistency for each line. The proportional reduction of inconsistency (PRI) refers to the relationship between the consistency of a condition being a subset of both the outcome and its negation. High consistency indicates that the presence of a condition contributes to a sufficient solution term; however, if its absence does so, too, the condition cannot be sufficient for an outcome. A high PRI value indicates that the conditions’ absence yields only low consistency, whereas a low PRI value points at the irrelevance of that condition.
for both possible outcomes (Schneider/Wagemann, 2012: 241-4). In order to declutter the included truth tables, all logical remainders have been omitted.1064

The display of the so-called complex solution terms (also available in Appendix C) lists all causal pathways that lead to the outcome of interest – a strong response to humanitarian emergencies. In this display, its initial letter represents each condition, while its absence is indicated by adding the tilde (~) to the letter. The asterisk (*) refers to the logical operator ‘and’. All solution terms are connected in terms of a logical ‘or’, usually indicated by a plus (+), but deemed superfluous for this form of presentation. Moreover, each respective table contains the sufficiency inclusion score for each solution term (inclS) as well as the proportional reduction of inconsistency (PRI) value. Additionally, both the raw coverage (covS) and the unique coverage (covU) are included. The raw coverage (covS) indicates how much of the outcome is explained by the set specified in the solution term, and unique coverage (covU) indicates how much of that explanation can be attributed to only that specific set. The final column lists the case numbers of those cases that are indeed covered by the respective solution term in each line. Here, the score illustrating consistency (inclS) refers to the ‘quality’ of a given set relationship. A high score indicates the degree of sufficiency of that solution term, because the combined values of all causal condition of a solution term are greater than the value of the outcome. The PRI value fulfills the same function as before, pointing out the consistency relationship between the given solution term producing both the outcome and its negation. Therefore, it serves as an additional qualifier for the potential sufficiency of a given causal pathway. The raw coverage (covS) is a measure for the empirical importance of a given solution term. A higher value illustrates the importance of the present conditions of a given solution term and vice versa. The unique coverage (covU) adds an indication of how many cases are explained exclusively by this causal pathway – the higher the value, the more cases are covered and vice versa.

The additional tests for the necessity of causal pathways included in Appendix C contain the necessity inclusion score (inclN), the necessity coverage (covN), and the degree of relevance of necessity (RoN). A high value of consistency for the necessity of specific conditions or combinations of conditions, as provided by the inclN score, suggests that this condition or this combination of conditions is indeed necessary for a (high) number of cases, in comparison to other conditions or combinations of conditions. Scores below 0.75 indicate ‘substantial

1064 Logical reminders are logically possible combinations of conditions, which have no empirical expression due to the limited number of cases.
inconsistency’ and are, therefore, definitely not necessary for the outcome to be present (Ragin 2008: 136f). Given that none of the observed time periods yielded dominant pathways for the outcome, none of the solution terms is even close to being necessary for the outcome. Therefore, all necessity tests were performed for the smallest possible solution terms, which are the individual conditions. All combinations of conditions resulted in even lower values. If the necessity inclusion score is above 0.75, the necessity coverage (covN) value indicates whether the condition is a relevant or trivial necessary condition. Generally speaking, lower scores of covN indicate that there are further cases with that condition present, but not leading to the outcome as compared to a ‘more equal’ distribution where the presence of a condition in the solution term leads to the outcome. The coverage measures only the relation between the condition and the outcome, but ignores the relation between the condition and the outcome’s negation (Schneider/Wagemann 2012: 233-4). Finally, the relevance of necessity (RoN) indicates the irrelevance of a necessary condition that approximates a constant across cases due to being apparently necessary for both the outcome and its negation (Schneider/Wagemann 2012: 236). Therefore, “[t]he lower the RoN score, the more trivial a condition is, and the higher the RoN score the higher the relevance, the bigger the relative importance of that condition as a necessary condition” (Duşa 2018: 114). In combination, the interpretation of the resulting scores allows identifying those solution terms or in this case conditions necessary for either outcome.

7.5.2 Results

This subsection presents the findings, first, regarding all cases throughout the entire period, i.e. without explicitly taking time into account as a factor. Since the focus lies on changes of combinations over time, establishing strong causal claims of the identified solution terms is of minor concern here. Therefore, additional tests and re-calculation with varying thresholds increasing the reliability of the presented results are not included in this chapter. The analysis of the full sample serves mainly as the source for a baseline against which further results can be measured. Furthermore, the analysis of the full sample provides the grounds for determining the time frame of subsamples. The analysis of these subsamples is then carried out in chronological order.
7.5.2.1 Full Sample 1815-2015

The truth table for the ‘Level of Engagement’ over the entire time period from 1815 to 2015 available in Table 7: Truth Table Engagement (1815-2015),\textsuperscript{1065} displays 29 different distributions of condition values for the total of 44 cases. Only one type of condition value combination includes five cases (exclusive presence of ‘Access to International Institutions’).\textsuperscript{1066} Most other cases display a unique combination of condition values. The consistency score for the different outputs ranges from fully consistent to a value of 0.455. Accordingly, 17 combinations covering 23 cases contribute to a strong engagement in humanitarian emergencies, whereas 12 combinations covering 22 cases do not.

The truth table allows to calculate the so-called complex solution, listing all solution terms that lead to a strong engagement available in Table 8: Complex Solution Engagement (1815-2015). The 23 positive cases are covered by 12 solution terms, illustrating the diversity in producing the outcome. A closer look at the resulting solution terms reveals that six of them (line 3, 4, 5, 6, 8, 11, and 12) are potentially sufficient due to their high sufficiency inclusion score (inclS) and high scores of proportional reduction in inconsistency (PRI). However, all of them display rather low values for raw coverage (CovS), the highest value being 0.321, which is substantially below the threshold of 0.75 for how much of the set is covered by a given solution term that led to a strong response. Only one solution term explains six cases, however, this causal path yields a medium score in consistency and scores even lower in proportional reduction in inconsistency (PRI). Unsurprisingly, there are no solution terms that provide a sufficient explanation beyond individual (or very low numbers of) cases. The necessity test in Table 9: Necessity Test Engagement (1815-2015) indicates that none of the conditions is necessary, because all of them are clearly failing to pass the threshold of 0.9.

The equivalent analysis of the ‘Level of Adherence’ produces the same truth table, Table 10: Truth Table Adherence (1815-2015), with the same distribution of condition values, but obviously yields different incl and PRI scores, as well as a different spread of cases leading to the outcome of high adherence to the rule of law. Again, only one type of condition value combination includes five cases, again, the exclusive presence of ‘Access to International Institutions’. All other cases display a rather unique combination of condition values. Analyzed in their entirety, all 44 cases are relevant for the output calculation. Accordingly, the

\textsuperscript{1065} This and all further tables are available in Appendix C.

\textsuperscript{1066} For the sake of increased legibility, I refer to all data related descriptions in numbers instead of spelling them out.
consistency score for the different outputs ranges from fully consistent to a value of 0.801, with 11 condition values displaying full consistency and the highest PRI score.

The complex solution terms in Table 11: Complex Solution Adherence (1815-2015) displays the list of solution terms. Despite one of them alone covering 16 cases, another one covering 9 cases, and another one covering seven cases, there is a total of 16 separate solution terms. Interestingly, all seven cases of the solution term in line 3 have single-digit case numbers. Given that the case numbers indicate their chronological sequence, this means that seven of the earliest nine cases are all covered by the same solution term. Although all of the solution terms display high scores for consistency (inclS), and half of them show high PRI scores, the highest coverage (covS) reaches only 0.418, still substantially below the threshold of 0.75. The necessity test in Table 12: Necessity Test Adherence (1815-2015) displays only low to medium consistency (inclN) for all conditions, rendering both the RoN score and the coverage (covN) irrelevant. None of the conditions is necessary and none of the solution terms is sufficient for more than three cases.

Plotting both dimensions of the outcome for each case as envisaged in the analytical framework advanced above, provides an overview of all cases as instances of a specific relationship between justice and order as depicted in Figure 22 below, which categorizes the international society in terms of a specific balance of solidarist and pluralist values observable from state behavior. This comprises setting up solidarism and pluralism as separate orthogonal dimensions in order to allow for variation along both dimensions independently from one another. The aim is to determine types of international society based on solidarist and pluralist parameter values and to empirically trace developments of international society towards or away from world society. Only high scores on both solidarist and pluralist values simultaneously indicate a ‘thick’ international society with the potential for an emerging world society. Other pairings refer to a ‘thinner’ structure of international society closer to an international system. The level of engagement in a humanitarian emergency is indicates by the intensity of the response, representing the solidarist dimension of international society.\textsuperscript{1067} The level of adherence to the rule of law in the legitimization of such a response represents the pluralist dimension of international society.\textsuperscript{1068}

\textsuperscript{1067} See Chapter 4.
\textsuperscript{1068} See Chapter 5.
Including all instance of humanitarian emergency and their response types illustrates the diversity of both engagement and adherence. However, there seems to be a cluster of cases (13 of 44) whose response type consists merely in rhetorical outrage while simultaneously being strictly rule-abiding. Another seven cases fall in the category of multilateral exception for limited intervention. Although the cases spread over all levels of engagement and all levels of adherence, there are no pairings in the lower left part of the plot. This indicates a rather ‘thick’ social density of the existing international society in the examined time period, despite the diverse response types reflecting the varying relationship of solidarist and pluralist values across cases.

Neither a high degree of engagement, nor a high degree of adherence to the rule of law can be explained consistently across the entirety of cases. This is not a surprising result, but it provides the baseline against which to measure the following analyses of sub periods. For the entire period, the analysis provides various separate solution terms for both engagement and adherence, with as many explanations based on the presence of specific conditions as on the absence of the same condition. Moreover, it highlights the shortcomings of QCA for the comparison of cases across longer timelines, and the high diversity in possible explanations for a positive outcome. Accordingly, none of the broader theoretical frameworks is able to provide
a consistent explanation. Given that the presence of any of the conditions is neither necessary nor sufficient for a positive outcome across cases, an evaluation of explanatory theories has to concentrate on the corresponding combinations of conditions associated with the respective theoretical approach.

A realist explanation assumes the presence of geostrategic interests (G), the absence of strong military opposition (~M), and negative spillover effects of a crisis (R) for strong engagement. Such a combination, however, covers only three cases out of a total of 44. Given that realist theories assume that something even resembling adherence to the rule of law follows from a lack of interests of concerning individual states in the first place, the absence of both geostrategic interests and of negative spillover effects should at least correlate with the respective behavior. Corresponding combinations of parameter values appear in three solution terms, covering eight cases out of 44. Although still a low turnout, the fact that realist theories are ‘better’ in explaining the level of adherence to the rule of law than the level of engagement in humanitarian is at least consistent with the school of thoughts basic assumptions.

Liberal theories assume the presence of a high degree of interdependence (T), the absence of a perpetrator’s access to international institutions (~A), and the presence of negative spillover effects (R) to lead to a higher level of engagement. Only one solution term contains this combination, covering only one case. The absence of interdependence is a component of all other 11 solution terms, though. Given that a liberal explanation can easily be formulated on the basis of high interdependence preventing disrupting engagement in the area, the expectation need to be adjusted for the subsequent analyses. The combination of high interdependence with either access to institutions or negative spillover effects appears in six solution terms, covering 15 cases out of 44.

Explanations resorting to non-material conditions emphasize the presence of a high crisis extent (E), the presence of a high degree of identification (C), and the presence of a high public attention (P). This exact combination is not contained in either of the solution terms leading to strong engagement. Both the absence and the presence of all three conditions vary throughout the determined solution terms, with public attention being more absent than present for a positive outcome.

Figure 23 below provides a visualization of all cases and their corresponding parameter values for each condition as well as both dimensions of the outcome. The size of each data marker reflects the category of each condition indicating its parameter value respective the level of
engagement (red) and the level of adherence (yellow). The conditions (green) are grouped according to their theoretical representation. Organizing the truth table data as such emphasizes the lack of consistent correlation of conditions or combination of conditions with both outcome dimensions. Moreover, the visual pattern in the distribution of condition values across the timeline suggests possible cut-off points for temporal subsamples, whereas the changes in the outcome alone provide no indication for the choice of relevant periods for the subsequent analyses of shorter time frames. The choice for determining the sub periods, however, are not derived from the data, but reflect the research question. Determining if the endorsement of the R2P influenced state behavior, or if state behavior changed after the end of the cold war requires separate analyses covering the time before and after the event in question. The chosen cut-off points allow to evaluate the effect of those events that are used in the literature as assumed ‘game changers’ for individual state behavior and international society as a whole.

Figure 23: Correlation over Time
7.5.2.2 Subsample 1815-1945

Beginning with the first time period, the truth table for the ‘Level of Engagement’ available in Table 13: Truth Table Engagement (1815-1945) contains 7 distributions of condition values covering ten cases. The complex solution terms depicted in Table 14: Complex Solution Engagement (1815-1945) list only two causal pathways, both containing the presence and absence of the same conditions, differing only in the presence of high identification with the victims (C) in one explanation and the absence of public attention (P) in the other. Neither solution term requires the absence of strong military opposition (~M), the presence of negative spillover effects (R), the presence of interdependence effects (T), the presence of institutional access (A), or the presence of a high extent of the crisis (E). Although both solution terms display a high score for consistency (inclS) and for PRI, the coverage (covS) is rather low and does not reach the required threshold for sufficiency beyond the two cases covered by each solution term. The necessity test in Table 15: Necessity Test Engagement (1815-1945) rules out the presence of either condition as being necessary for a strong response. The consistent presence of a high degree of geostrategic interests (G) and the simultaneous absence of almost all other conditions – high identification with the victims (C) being the exception – speaks in favor of realist explanations, despite the equal presence of a strong military opposition (M) in both solution terms.

The truth table for the ‘Level of Adherence’ available in Table 16: Truth Table Adherence (1815-1945) produces three complex solution terms. As reported in Table 17: Complex Solution Adherence (1815-1945), the three solution terms all share the absence of negative spillover effects (~R), the absence of interdependence effects (~T), and the absence of institutional access (~A). The first solution term in line 1 covers seven out of a total of ten cases. Both the consistency (inclS) and the PRI score are above 0.8, but the coverage (covS) with a score of nearly 0.6 remains below the minimum threshold of 0.75. Nevertheless, the score of 0.3 is a high value for unique coverage (covU), especially in comparison to the low values of 0.04 of both of the two alternative solution terms. Although the dominant solution term includes both the presence of strong military opposition (M) and the presence of high public attention (P) while ignoring the rest of conditions, this combination does not make much sense. The Necessity test included in Table 18: Necessity Test Adherence (1815-1945) even suggests the presence of a strong military opposition (M) as a quasi-necessary condition that only barely missed to pass the threshold of 0.9 by less than 0.1. However, eight out of ten instances of humanitarian emergencies in the observed period occurred within the jurisdiction of the Ottoman Empire. Therefore, the consistency of military strength is merely the result of a
militarily strong Ottoman Empire posing as ‘repeat offender’, but cannot be used for the explanation of additional cases. In a similar vein, the high public attention in all cases involving the Ottoman Empire is a result of special interests in the ‘otherness’ of the Ottoman Empire and its apparent ‘barbarity’, especially in contrast to the European self-conception as the ‘civilized’ world.1069

Plotting both dimensions of the outcome for each case between 1815 and 1945 as envisaged in the analytical framework advanced above, illustrates a preference for the combination of rule-abiding and rhetorical outrage, favoring a more pluralist perspective. However, Figure 24 includes examples of military interventions, both as multilateral exceptions and in disregard of the rule of law, too.

Figure 24: International Society 1815-1945

1069 On the Eurocentric view of the Ottoman Empire, see the relevant case descriptions available in Chapter 7.4.3, especially subsection 7.4.3.1-7 and 7.4.3.9. See also Chapter 2.2 and Chapter 4.1.
7.5.2.3 Subsample 1945-1989

The truth table for the ‘Level of Engagement’ for the next subsample is reported in Table 19: Truth Table Engagement (1945-1989). It contains six cases, each with a different distribution of condition values, producing three separate solution terms. As reported in Table 20: Complex Solution Engagement (1945-1989), all three causal pathways share the absence of military opposition (~M), the absence of interdependence effects (~T), the presence of a strong identification with the victims (C), and the absence of public attention (~P). Moreover, all three solution terms display both high scores of consistency (inclS) and PRI. However, their coverage (covS) is rather limited. The necessity test available in Table 21: Necessity Test Engagement (1945-1989) does not establish necessity for any of the conditions. Identification (C) reaches a necessity inclusion score (inclN) of 0.676 and full values for both RoN and coverage (covN), but fails to pass the threshold of at least 0.9.

The truth table for the ‘Level of Adherence’ reported in Table 22: Truth Table Adherence (1945-1989) produces 2 complex solution terms. Both solution terms displayed in Table 23: Complex Solution Adherence (1945-1989) share the absence of geostrategic interests (~G), the absence of negative spillover effects (~R), and the absence of identification (~C) resulting in a high adherence to the rule of law. All other conditions are either present or absent in one of the solution terms. Despite the variation of strong military opposition (M resp. ~M), the absence of both geostrategic interests (~G) and of negative spillover effects (~R) suggests a realist explanation for the adherence to the rule of law for the cold war period. However, both solution terms yield low scores for coverage (covS), despite the high marks for both consistency (inclS) and PRI. The necessity test attached in Table 24: Necessity Test Adherence (1945-1989) results in none of the condition’s presence or their combination being necessary for a high level of adherence to the rule of law.

Plotting both dimensions of the outcome for each case between 1945 and 1989 as envisaged in the analytical framework advanced in Chapter 6.5, Figure 25 below clearly indicates the gap between response types.
Either the response is limited to rhetorical outrage but strictly rule-abiding or it is a full-blown military intervention justified as a unilateral exception. In each case with a high level of engagement the intervening actor was an immediate neighbor directly affected by the crisis. Moreover, each case that displays a high level of adherence displays low parameter values for the condition of geostrategic interest, resulting in explanations based on the absence of such interests (~G). Accordingly, the absence of geostrategic interests consistently correlates with the highest level of adherence to the rule of law, whereas only the direct involvement led states to risk unilateral engagement in the tense situation created by the Cold War stand-off between the United States and the Soviet Union. Nevertheless, international society displays a high social density, albeit with significant tension between solidarist and pluralist values.

7.5.2.4 Subsample 1990-2000
The truth table for the ‘Level of Engagement’ for the subsample of the 1990s is available in Table 25: Truth Table Engagement (1990-2000). It contains 14 cases with 11 different distributions of condition values. Table 26: Complex Solution Engagement (1990-2000) reports 8 separate solution terms leading to high engagement. All solution terms share the absence of
public attention (~P), but all other conditions are alternately present or absent. However, the absence of each condition appears more often throughout the solution terms than their presence. Although 4 solution terms display maximal scores of both consistency (inclS) and PRI, they all yield coverage (covS) scores below 0.215 and are, therefore not relevance for more than single cases. The necessity test in Table 27: Necessity Test Engagement (1990-2000) yields comparatively high necessity inclusion scores (inclN) up to 0.745, but they all remain substantially below the necessity threshold of 0.9. Nevertheless, the 1990s responses to humanitarian emergencies are characterized by the lack of geostrategic interests and the varying extent of crises or perceived spillover effects warranting a response.

The truth table for the ‘Level of Adherence’ for the same subsample can be found in Table 28: Truth Table Adherence (1990-2000). From this truth table derive eight separate solution terms leading to a high level of adherence to the rule of law covering all 14 cases. Table 29: Complex Solution Adherence (1990-2000) identifies one dominant solution term covering seven cases. However, despite considerably high values for both consistency (inclS) and PRI, the coverage (covS) does not reach the threshold of 0.75. Accordingly, none of the solution terms provides a ‘strong’ explanation for the outcome, not even the causal path covering seven cases. Table 30: Necessity Test Adherence (1990-2000) contains the test for necessary conditions. Although nearly all conditions are of relevance and, if present, correlate with a positive outcome (both RoN and covN scores are spread around 0.9), the necessity inclusion score is substantially below the threshold of 0.9 for all conditions.

Plotting both dimensions of the outcome for each case between 1990 and 2000 results in the distribution illustrated in Figure 26 below. The high number of cases within a short time period produces a wide spread of responses. Nevertheless, even the 1990s display a tendency towards the pluralist conception of international society. The biggest cluster of cases comprises only four cases, however, they are all examples of balancing pluralist and solidarist values. The response to the humanitarian emergency in Somalia in 1992 represents the closest representation of potentially advancing international society towards its ‘thickest’ form. In comparison to the previous subsample, international society may have shifted closer to the upper right corner indicating potential progress within English School terminology. However, the average pairing of solidarist and pluralist expressions in form of the level of engagement and the level of adherence to the rule of law remains in between Level 2 and Level 3 on the solidarism axis and just above Level 3 on the pluralism axis. If anything, progress is the result of a move upwards on the pluralism axis from its position in Level 3 during the previous
subsample between 1945 and 1989, back to where the average has been in the first subsample between 1815 and 1945.

Figure 26: International Society 1990-2001

7.5.2.5 Subsample 2001-2015

The truth table for the ‘Level of Engagement’ for the subsample of cases between 2001 and 2015 is available in Table 31: Truth Table Engagement (2001-2015) and contains 14 cases covered by 11 different distributions of condition values. Of these 14 cases, five are of relevance for the calculation of solution terms that lead to a strong engagement. Table 32: Complex Solution Engagement (2001-2015) contains four causal pathways, each covering one or two cases. Only one solution term yields the highest scores in both consistency (inclS) and PRI, but its coverage (covS) does not surpass 0.222. All solution terms include the absence of strong military opposition (~M) and the absence of interdependence effects (~T). Although the necessity test in Table 33: Necessity Test Engagement (2001-2015) hints at institutional access as a potential necessary condition, its necessity inclusion score of 0.839 does not pass the threshold of 0.9. Moreover, both its relevance of necessity (RoN) and its necessity coverage (covN) are too low to exclude irrelevance and trivial necessity.
The truth table for the ‘Level of Adherence’ can be found in Table 34: Truth Table Adherence (2001-2015). It allows to derive seven separate causal pathways, all of which are reported in Table 35: Complex Solution Adherence (2001-2015). The first two solution terms (line 1 and line 2) together already cover ten cases. However, six of those cases are covered multiple times. Accordingly none of the solution terms exceeds a coverage (covS) of 0.545. Therefore, the high values of both the necessity inclusion score (inclS) and the PRI are irrelevant. All but one solution score include the absence of strong military opposition (~M), or the absence of interdependence effects (~T), or the presence of institutional access (A), respectively. For the majority of cases, the strong engagement can be explained by the absence of geostrategic interest (~G), the absence of strong military opposition (~M), the absence of interdependence effects (~T), and the simultaneous presence of institutional access (A). Nevertheless, the necessity test included in Table 36: Necessity Test Adherence (2001-2015) hints only at the presence of institutional access (A) being potentially necessary for the outcome. Despite the high necessity inclusion score of 0.845, it still misses the threshold of 0.9. Moreover, the score for relevance of necessity (RoN) does not exceed 0.417. Accordingly, none of the conditions appears to be necessary for strong engagement.

Plotting both dimensions of the outcome for each case between 2001 and 2015 produces a similar distribution of cases as the previous period. However, as depicted in Figure 27 below, the largest cluster of cases is comprised of only four cases that are all examples of rhetorical outrage while strictly rule-abiding. Only one case displays the strongest form of engagement, whereas five are located on Level 1 on the solidarism axis. On the other hand, six cases are located on the highest level on the pluralism axis and no case exists on Level 1. Accordingly the small bias towards pluralist values continues to be displayed in state actions from 2001 onwards just as it has been in the previous time periods.
7.5.2.6 Subsample 2005-2015

The truth table for the ‘Level of Engagement’ for the subsample of the previous period, containing only the last ten years after the endorsement of the R2P doctrine in 2005, is available in Table 37: Truth Table Engagement (2005-2015). It contains nine cases that were already included in the previous sample, but selecting only the most recent cases allows to determine the differences between causal pathways before and after the endorsement of the R2P doctrine. The resulting complex solutions are reported in Table 38: Complex Solution Engagement (2005-2015). It contains two solution terms, neither of which scores high on proportional reduction of inconsistency (PRI) or sufficiency coverage (covS). The two solution terms differ only in their inclusion of either the presence or absence of geostrategic interests (G resp. ~G) and the absence or presence of a serious extent of the respective crisis (~E resp. E). All other conditions remain unchanged, all absent, except high public attention (P), which is always present. Both solution terms, however cover each only one case. The necessity test included in Table 39: Necessity Test Engagement (2005-2015) indicates two potentially necessary conditions, institutional access (A) and public attention (P), receiving a necessity inclusion score of 0.859 and 1.000, respectively. Despite certainly surpassing the threshold of 0.9, even
public attention (P) receives only a 0.512 relevance score (RoN). Institutional access is even lower and both conditions display even lower values for the necessity coverage. Accordingly, neither is necessary for strong engagement.

The truth table for the ‘Level of Adherence’ includes only cases whose distribution of condition values leads to a positive output. All existing configurations are reported in Table 40: Truth Table Adherence (2005-2015). The resulting solution terms are available in Table 41: Complex Solution Adherence (2005-2015). All seven causal paths display high sufficiency inclusion scores (inclS), the lowest value being 0.836. The proportional reduction in inconsistency (PRI) is almost as high as the consistency. However, none of the solution terms receives a score of more than 0.344 for sufficiency coverage (covS). Therefore, none of the generated causal pathways is of particular importance for the potential population of cases. Nevertheless, all seven solution terms include the absence of identification (~C); 6 solution terms contain the absence of strong military opposition (~M), the absence of interdependence effects (~T), and the presence of the institutional access (A) simultaneously. The test for necessity, available in Table 42: Necessity Test Adherence (2005-2015) hints only at the presence of institutional access (A) due to its necessity inclusion score of 0.796. Its relevance for necessity is rather low, though, indicating the triviality of institutional access (A) for a high adherence to the rule of law.

Plotting both dimensions of the outcome for each case between 2005 and 2015 only slightly reduces the number of cases. It does so, first, in order to speculate at a possible trend in direct comparison with the larger subsample, and, second, in order to compare the smaller subsample with previous subsamples. Accordingly, Figure 28 below highlights the greater emphasis of pluralist considerations in the response to humanitarian emergencies in the decade until 2015. The small cluster of cases on Level 4 – strictly rule-abiding – on the pluralism axis, and Level 1 – rhetoric outrage – on the solidarism axis, is the same as in the previous figure. However, the earlier cases now excluded were mostly further to the right, displaying stronger solidarist commitment. Accordingly, the last decade appears to shift international society towards the left and upwards. In comparison with the plots of all previous periods, the shifts are minimal, especially when considering that this brief comparison covers a time span of 200 years for the entirety of cases. Therefore, most remarkable is neither the minimal shift between periods nor the lack of actual progress of international society, as defined in Chapter 6.4, but the obvious absence of a move from a pluralist international society towards a more solidarist conception.
of international society. If there are identifiable changes, they are certainly not as radical as proclaimed in most of the literature. Moreover, the trend may actually point towards pluralism.

Figure 28: International Society 2005-2015

7.5.3 Interpretation

The interpretation of the data presented in this subsection focuses on the values for each dimension of the outcome involving the full sample of cases. This means that its aim consists in looking for trends in the development of the levels of solidarist commitment to justice, as indicated by the level of engagement in cases of humanitarian interventions and of the levels of pluralist commitment to order, as indicated by the level of adherence to the rule of law. Zooming in on both solidarism and pluralism separately again, permits to trace the assumed progression of either solidarist or pluralist tendencies.

Illustrated in Figure 29 is a polynomial trend line depicting the development of a solidarist commitment to justice over time. This trend line shows fluctuations but not a clear linear development towards an increase in solidarist value. The fact that the first period within the covered timespan shows larger fluctuations clearly results from the fact that this sub period
covers more than a century while other sub periods cover only a few decades. If corrected for proportionality the initial deflections both upwards and downwards are reduced to a very gentle slope (see the dashed line). Accordingly, the polynomial trend line shows an increase in the expression of solidarist commitment to justice in the form of a higher level of engagement in humanitarian intervention during the time after the adoption of the UN Charter and especially during the time of the Cold War. For this period, however, looking at the trend line alone can be misleading, given that it was a period marked by bipolarity, manifested either in the weakest kind of response apart from the complete absence of a response – i.e. rhetoric outrage – or in full-blown military intervention. Intermediate levels of engagement in the face of humanitarian emergencies, consisting either in diplomatic measures or in limited intervention, are not observable at all during the Cold War period. Therefore, it would not be accurate to claim that the time of the Cold War was a time that saw a trend towards more solidarism. Instead, unsurprisingly, it would have to be characterized as a time of extremes.

*Figure 29: Solidarist Commitment to Justice*

More surprising than this finding, which coincides with the common narrative on the Cold War, are the insights that an increase in solidarism can neither be observed after the end of the Cold War nor after the adoption of the R2P doctrine. While the latter could also be due to the R2P being successfully employed as a preventative normative framework, the former finding regarding the lack of a surge in solidarism after the end of the Cold War is a rather astonishing result given the common narrative, which depicts the time after the end of the Cold War as an
‘age of intervention’. While the data on which the present study is based cannot be employed to say anything about whether intervention in general occurred more often during that time, it can certainly derive that humanitarian interventions, i.e. reactions to a humanitarian emergency based on humanitarian intentions and without or against the will of the respective authorities, did not become more solidarist in the 1990s. For the current decade, solidarist commitment to justice even seems to pander out at Level 2. Forecasting, however, is obviously futile given both the impact of single incidents and the diverse spread of cases.

The levels of pluralist commitment to order in international society, manifested in the level of adherence to the rule of law, hardly vary throughout the entirety of the time covered in this study. The corresponding trend line illustrating this finding is included in Figure 30. It is particularly noteworthy that, contrary to the common narrative, levels of pluralism did not rise during the Cold War and did not decrease in the 1990s or in recent decades. Levels of pluralism are constantly high, without substantive fluctuations. Just like in the case of the levels of solidarism, what seems to be a higher oscillation during the first sub period is merely a result of the graph covering a longer time span for the first period and the lack of earlier data to automatically even out the trendline (see the dashed line for the proportionality correction).

Figure 30: Pluralist Commitment to Order

The comparison of cases carried out in this chapter is not a theory-test insofar as to disprove a hypothesis. Instead, it has to be seen as a test of conceptual utility or a plausibility probe, testing whether the conceptions allow a compelling narrative and whether a coherent presentation of
theory corresponds to observable events. The overall insight that can be gained from the preceding empirical analysis is that the English School framework provides a neat way to organize the analysis but that the empirical data does not support the idea of progress from pluralism to solidarism. The evolving world order within the English School framework is not an empirical fact, but a specific conception of how to make sense of the world. Depending on the applied framework, different perspectives will yield different results. The developed framework, however, is supposed to account for changes of such perceptions. Both solidarist and pluralist positions themselves are subject to change. Accordingly, by moving along the line from the ‘thin’ end in the lower left corner towards the ‘thick’ end in the upper right corner implies a development of international society that affects both pluralist and solidarist conceptions of that society. In that regard, it may well be that the international society as a whole gradually adopts more solidarist values. However, the process by which this occurs may be characterized by strongly pluralist convictions. Each step of such a process changes what the conception of solidarism and pluralism entails, demanding readjustment and, possibly, conceptual reaffirmation of what each position represents. This requires taking into account the more abstract notion of which the concept in question is an expression.
8 Conclusion

This chapter concludes the analysis of state practice between order and justice. Rather than focusing on results in a narrower sense, this chapter aims at highlighting the contribution of the present thesis to harvest the benefits of English School theorizing in International Relations in a systematic and methodologically sound manner. The specificities of an English School approach and the resulting implications for both theory construction and empirical research can best be illustrated in the words of Hidemi Suganami (2013: 623), who calls for “a move from a search for parsimonious theories that explain regular patterns observable in the international system towards a historical study of global social relations, which pays attention to causal complexes, diversity of historical contexts and the contested nature of causal interpretations”.

Providing ‘parsimonious theories’ in the sense of an intellectual framework that offers a robust explanation for causality of events in the international sphere has been the aim of traditional IR theories. Such parsimonious theories remain the ideal even though IR theories – especially after the ‘constructivist turn’ – have become increasingly aware of their own limits and even though therefore none of the mainstream IR theories can fully be characterized as a ‘parsimonious theory’ in the sense described above. Not being able completely to attain this ideal would not be a reason to turn away from mainstream IR theories. However, if the discrepancy between what is postulated as an ideal and what is achievable is so wide that the ideal loses even its aspirational value, a course correction is needed. This chapter argues that the results gathered in the present study warrant such a course correction. The main reason for this is that existing theories seem to be of limited value due to the high variation of behavioral patterns across time. While I maintain that the search for parsimonious theories remains an ideal worth striving for, the pursuit of this ideal is not enough if the theories developed in this endeavor do not deepen our understanding of the empirical data.

To present and contextualize the aforementioned argument, this chapter first provides a summary of the thesis’ main findings (8.1). It then proceeds to provide an assessment of strengths and weaknesses of the approach chosen (8.2) and, finally, considers implications for future research (8.3).
8.1 Summary

The empirical analysis carried out in Chapter 7 corroborates the following two-pronged argument developed in the previous chapters: first, it is an essential characteristic of the international society that solidarist and pluralist values not only coexist but that they do so in an orthogonal relationship determining the social density of an international society. Second, broadening the time line by less than two centuries and starting from 1815 instead of from 1990 already reveals the need to rethink most of the generally held convictions on how to explain the phenomenon of humanitarian interventions.

The most important consequence of an orthogonal understanding of the relationship between solidarism and pluralism in international society is that it allows to rethink the idea of progress in international society. The existence of both solidarist and pluralist values, i.e. of a normative framework aiming at balancing the tension between justice and order, is what constitutes an international society in the first place. It is what sets such a society apart from a mere international system, in which moral evaluations of any kind would be misplaced. Solidarism and pluralism as characteristics of an international society distinguish this society not only from an international system but also from a world society. While a world society shares with an international society the attribute that it is based on the ideal of a just order, solidarism and pluralism as expressions of normative frameworks pursuing this ideal become less important and give way to new and less state-centered features. International system, international society, and world society thus persist as conceptual levels ordering global politics, with progress consisting, in principle, in a move from an international system towards a world society. This move, however, does not consist in one replacing the other.

The difference in the assessment of progress within international society derived from an orthogonal understanding of solidarism and progress consists in rejecting the idea that it is the existence of strong pluralist values and the absence of solidarist values that hinders progress. Pluralist values do not automatically thwart solidarist values nor do solidarist values alone indicate progress towards a cosmopolitan world society. Instead, pluralist institutions provide a baseline on which solidarist ideas can build, thus allowing for the development of a more densely integrated international society, which displays ‘thick’ versions of both solidarism and pluralism.

The original contribution of the present study consists in not only theoretically illustrating this relationship between solidarism and pluralism but in connecting it to empirical data, thus taking
a step in the direction of providing a more systematic data-based account of an English School approach to international relations. To be able to construct these connections between the highly abstract concepts, which the English School tradition employs, and any possible empirical findings, all of the main concepts have to be understood as ideal types all the way down. Rather than rendering concrete ‘results’, the findings of the present study serve as indications of larger trends. In this context, humanitarian intervention is taken as an extreme indicator of coercive solidarism, presenting a truncated picture of justice as only one aspect of the wider cosmopolitan framework. Adherence to the rule of law, on the other hand, constitutes an idealized indicator of a consent-based pluralism, emphasizing the inherent morality of order in communitarian thinking.

The search for trends that can be inferred from the comparison of cases reveals the absence of a development towards more humanitarian interventions and therefore the absence of a development from pluralism to solidarism. Levels of pluralism hardly vary throughout the entirety of the included time period. In particular, contrary to the common narrative, the empirical findings of the present study suggest that the predominance of pluralism did not increase during the time of the Cold War. Manifestations of solidarism display a slightly higher level of variance over time – without, however, showing a trend towards humanitarian intervention and therefore towards solidarism in recent decades. To refer again to the example of the Cold War, the data suggests that the often-described turn to solidarism after the end of the Cold War or the description of the 1990s as the heyday of solidarist humanitarian interventions is an overstatement at best. The relationship between solidarist and pluralist values underlying the state practice of humanitarian interventions remains largely the same, despite the higher frequency of humanitarian emergencies triggering responses in the 1990s. Additionally, no significant change in the responses to humanitarian emergencies seems to emerge after the adoption of the Responsibility to Protect.

Despite this relative stability of the basic normative framework of international society throughout the observed period of time, the search for specific causal explanations for the phenomenon of humanitarian interventions reveals that the historical context is a decisive element of the respective case. Therefore, time as a factor cannot be excluded from an empirical analysis of humanitarian interventions, and much less so from attempts of theoretical explanation. This seemingly trivial finding constitutes a significant challenge to the wider applicability of QCA as a method and to the majority of existing empirical studies on humanitarian intervention. QCA is based on the epistemological assumption that the cases
included in the comparison are alike, which especially implies that time as a factor cannot play a decisive role. This is at odds with the empirical findings, however, it is not a critique of QCA as a method itself but a reminder to critically examine its usage and its reach in empirical research.

Contrary to both the methodological assumptions on which QCA is based and the general assumptions of mainstream IR theories, the combinations of conditions that play a role in determining the response to a humanitarian emergency vary significantly across time. The minimum requirement for corroborating the causal claims derived from any of the traditional IR theories in the context of humanitarian intervention would consist in a correlation between a set of conditions and a specific outcome. Seemingly dominant solution terms emerge within shorter time periods that are a part of the overall time period derived from the case selection in the present study, indicating correlations between sets of conditions and specific outcomes. Such a correlation, however, does not exist if one includes cases beyond the extremely limited timespan to which most studies on humanitarian intervention are confined and if one compares the results of one shorter time period to another.

Overall, the present study illustrates the usefulness of the English School for the study of international relations. Rebutting an argument commonly waged against the English School, I claim that English School concepts do have empirical representations allowing for concrete and quasi-positivist measurement. This is an avenue that needs to be explored further to be able to grasp the full potential of an English School approach to empirical research on international relations. The advantage that the general methodological framework within which English School scholarship operates already has, however, is it can account more easily for historical context, thereby mitigating a major weakness of the field of International Relations.
8.2 Evaluation

Given that the present study constitutes one of the first attempts to offer a systematic and methodologically sound empirical analysis based on English School theory, it can hardly claim to be more than a plausibility probe. While this plausibility probe has been successful in the sense that it was able to provide plausible grounds for the usefulness of the English School tradition for empirical research, it is nevertheless subject to serious limitations.

First of all, future operationalizations would have to be more detailed and substantiated, basing the individual conditions on more specific theories rather than on representations of the entire school of thought. Additionally, I am aware of the limitations that come with the necessary simplifications moving from abstract concepts to representations more adept to empirical research. Some of these limitations, however, go even beyond these necessary simplifications and would have to be remedied in future research. This includes especially the operationalization of the variable of access to institutions as a condition derived from liberalist IR theories. In the present study, this condition directly correlates with the progression of time. Better results could probably be obtained by replacing access to institutions with previous institutional involvement regardless of the number of institutions. Such an assumption of developing path dependencies, however, comes with its own set of problems.

Another serious limitation is due to the way in which data is made available in existing databases. Given that databases include data on crises based on calendar years and on individual states, the present study had to choose a specific year and country in which the crisis in question mainly occurred. Knowing that humanitarian emergencies are typically confined neither to a single year nor to a single state, this may distort the results. An alternative approach, possibly yielding more accurate results, would have consisted in conducting detailed process tracing for each and every case. To do this, however, the number of cases would have had to be reduced substantially or the project would have needed additional researchers working on it simultaneously. Hence, it remains a task for future research to combine the insights gathered in this study with additional studies based on detailed process tracing of the chosen as well as on additional cases of violations of sovereignty for humanitarian reasons.

A further way of better grasping the individual cases and of improving the quality of the insights that can be inferred from a comparison of the cases would consist in splitting aggregate conditions in order to trace individual indicators. For example, it would be interesting to see if religion – employed here as one of the elements contributing to the aggregate condition of
identity – gains or loses importance over time. Given that early reactions to the mistreatment and massacres of vulnerable populations emanate from co-religionists, conventional balance of power and spheres of (material) interests arguments are rendered questionable for a time period usually understood to illustrate exactly these types of explanations.

A related problem consists in finding the right balance between accurately measuring inherently vague conditions like public attention or identity. Combining a high number of variables into an aggregate condition potentially leads to a more valid representation of the idea in question. This, however, comes at the cost of producing less clear results, given that the individual indicators of which the aggregate condition is composed may average out the condition.

Additional insights could possibly be gathered by changing the case selection. A narrower case selection, for example, could be limited to responses to humanitarian emergencies in the form of sanctioned interventions. This would allow to conduct a more detailed analysis of the reasons for intervention and potentially generate more knowledge on the decision-making process. The case selection could also be broadened, either by examining intervention more generally, i.e. by starting the analysis not with cases of humanitarian emergencies but with cases of intervention, or by maintaining the current starting point while employing a broader definition of crisis, seeing crises not only as data points but as processes and leading to more possibilities of responses to crises in this broader sense. This latter alternative would particularly lead to the inclusion of peace keeping and observer missions, which are excluded in the present research framework. Both alternatives leading to a broader case selection would have the advantage of resulting in the possibility to make stronger claims due to the higher number of cases.

However, even the most fine-grained operationalization or all-encompassing case selection cannot fully circumvent the issue of both the group of individuals comprising ‘humanity’ and the group of states forming an international society being subject to change over time. This relates to the notion of both solidarism and pluralism as labels for different conceptions of what each term denotes at a specific point in time. Keeping the meaning of both this concepts stable over the entirety of the examined period, as I have done in this thesis, allows to identify and to categorize behaviour accordingly, but at the cost of incorporating the process of changing conceptions. The varying composition of both, humanity as conceived from a cosmopolitan perspective and international society over time may very well correlate with specific conceptions of solidarism and pluralism. Broadening the analysis to include these processes could certainly improve both validity and reach, but it requires turning this project into an even more ambitious endeavor clearly surpassing what an individual dissertation can aim for.
Another potentially interesting path to explore in further research could consist in conducting a similar analysis on a regional level and in comparing regional international societies to each other. Within the research framework of this study, the topic of justification could also have been explored in a more detailed manner, differentiating between solidarist and pluralist reasoning in statements made in the context of the decision-making process on the question of whether or not to intervene in the face of a humanitarian emergency. I am aware that using the existence of a unanimous decision as an indicator for adherence to the rule of law constitutes a rather crude simplification.

The difficulties with measuring adherence to the rule of law only reveal the discrepancy between a constructivist methodological position and the necessarily positivist approach adopted to carry out empirical research. There is a tension between, on one hand, being aware that the concepts with which research in the field of International Relations operates do not refer to fixed and stable elements in the ‘real’ world but that their meaning is socially constructed and therefore dependent on the specific social context and, on the other hand, refusing to abandon the possibility of gaining meaningful insights from empirical research based on observation. Empirical research necessarily presupposes fixed and stable data. Adopting a position that denies the existence of fixed and stable meanings while wanting to engage in research that goes beyond mere theoretical speculation entails that concepts and events have to be ‘frozen’ in time and reflexive relationships have to be simplified. As has been illustrated in reference to a number of specific questions throughout the present study, this tension is not something that can be ‘resolved’. Instead, it is what characterizes any form of research that wants to be both theoretically ambitious and empirically relevant.
8.3 Implications

After having started with the question of whether international society had become more solidarist or whether it held on to a pluralist conception of world order, both a more detailed engagement with a theoretical account of solidarism and pluralism and an empirical analysis of humanitarian intervention as a representation of this larger issue has revealed that common depictions of progress in international society have to be altered. On the basis of an English School approach to International Relations, progress in international society is empirically observable. This contains not only the insight that progress is a meaningful theoretical category independently of its potential empirical manifestations but also that the English School can be employed as a useful resource for conceptualizations that can be used in empirical research.

Progress in international society does not, however, consist in a move from pluralism to solidarism. As has been pointed out repeatedly throughout the present study, a notion of progress within international society that is instead based on the increase in ‘thicker’ versions of both solidarism and pluralism is both theoretically sound and corroborated by the empirical data. Important implications can be derived from this not only for an understanding of international order in the abstract sense but also for the study of humanitarian interventions as an expression of abstract questions regarding international order. Understanding humanitarian interventions not as an expression of a move towards an increasing importance of solidarist values but as a manifestation of degrees of both solidarism and pluralism depending on the legitimation and on the reasons given for intervention opens up a completely new avenue of research.

This newly identified perspective permits the interaction with and the reinterpretation of existing research in neighboring fields, in particular in International Law. International legal scholars have been the most prolific group among scholars contributing to the study of humanitarian interventions and the evolution of international order, albeit lacking both the interest in and the conceptual and methodological apparatus necessary for a comparison of cases that goes beyond legal cases and that leads to a systematization amenable to a Social Science analysis. Conversely, by ignoring International Law altogether, mainstream International Relations scholarship has precluded itself from capitalizing on a potentially fruitful academic dialogue.

Most importantly, having set out to examine change in state behavior and in international order, the present study has provided further support for the argument that English School theorizing
provides a useful theoretical framework. Change as an intellectual category can only be grasped as a meaningful concept if it is seen in the context of a theoretical framework that allows moral evaluation. Mainstream International Relations theories are not fruitfully employed to understand change in state behavior, given that realist theories do not account for change at all, that liberalist theories narrowly define the direction of change, and that constructivist theories are not inherently concerned with a moral framework to meaningfully grasp change due to their being premised on necessarily unstable concepts. English School theorizing provides a basis for a moral framework to understand change without either narrowly prescribing the direction of this change or plunging into unmitigated relativism. Given that the difficulty to account for change does not necessarily flow from the structure of any of the aforementioned theories, the insights of this study help to gain a new perspective not only on English School theorizing as such but also on other theories in International Relations, unveiling the potential for multifaceted accounts of change in international order.
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- S/RES/389 (1976) – East Timor
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- S/RES/743 (1992) – Bosnia/Herzegovina
- S/RES/758 (1992) – Bosnia/Herzegovina
- S/RES/775 (1992) – Somalia
S/RES/781 (1992) – Bosnia/Herzegovina
S/RES/782 (1992) – Mozambique
S/RES/797 (1992) – Mozambique
S/RES/804 (1993) – Angola
S/RES/811 (1993) – Angola
S/RES/816 (1993) – Bosnia/Herzegovina
S/RES/819 (1993) – Bosnia/Herzegovina
S/RES/824 (1993) – Bosnia/Herzegovina
S/RES/834 (1993) – Angola
S/RES/836 (1993) – Bosnia/Herzegovina
S/RES/873 (1993) – Haiti
S/RES/875 (1993) – Haiti
S/RES/912 (1994) – Rwanda
S/RES/917 (1994) – Haiti
S/RES/918 (1994) – Rwanda
S/RES/929 (1994) – Rwanda
S/RES/1012 (1995) – Burundi
S/RES/1040 (1996) – Burundi
S/RES/1132 (1997) – Sierra Leone
S/RES/1181 (1998) – Sierra Leone
S/RES/1199 (1998) – Kosovo
S/RES/1203 (1998) – Kosovo
S/RES/1234 (1999) – DR Congo
S/RES/1239 (1999) – Kosovo
S/RES/1270 (1999) – Sierra Leone
S/RES/1289 (2000) – Sierra Leone
S/RES/1291 (2000) – DR Congo
S/RES/1306 (2000) – Sierra Leone
S/RES/1313 (2000) – Sierra Leone
S/RES/1317 (2000) – Sierra Leone
S/RES/1334 (2000) – Sierra Leone
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S/RES/2043 (2012) – Syria
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S/RES/2085 (2012) – Mali
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S/RES/2118 (2013) – Syria
S/RES/2127 (2013) – Central African Republic
S/RES/2134 (2014) – Central African Republic
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S/RES/2178 (2014) – ISIL (Da‘esh)

Statements made by the President of the Security Council:

Appendix A

The following tables contain the detailed information indicated at in the main text.

1) Case Selection

Table 1: Case Selection

<table>
<thead>
<tr>
<th>#</th>
<th>Year</th>
<th>Case</th>
<th>Conflict Data</th>
<th>Level of Violence</th>
<th>Refugees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1821</td>
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<td>COW</td>
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<td></td>
</tr>
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<td>2</td>
<td>1822</td>
<td>Chios (O.E.)</td>
<td>COW</td>
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<tr>
<td>3</td>
<td>1827</td>
<td>Morea (O. E.)</td>
<td>COW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>1860</td>
<td>Lebanon/Syria (O. E.)</td>
<td>COW</td>
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<td></td>
</tr>
<tr>
<td>5</td>
<td>1867</td>
<td>Crete (O. E.)</td>
<td>COW</td>
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<td></td>
</tr>
<tr>
<td>6</td>
<td>1877</td>
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<td>COW</td>
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<td></td>
</tr>
<tr>
<td>7</td>
<td>1894</td>
<td>Armenia (O. E.)</td>
<td>COW</td>
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<td></td>
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<tr>
<td>8</td>
<td>1898</td>
<td>Cuba (Spain)</td>
<td>COW</td>
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<td></td>
</tr>
<tr>
<td>9</td>
<td>1903</td>
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<td>COW</td>
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<td></td>
</tr>
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<td>10</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>11</td>
<td>1966</td>
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(Continues on the next page)
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<th>Level of Violence</th>
<th>Refugees</th>
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<td>2014</td>
<td>ISIL (Da'esh)</td>
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2) Set Construction

Table 2: Set Construction

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<thead>
<tr>
<th>Condition</th>
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<tr>
<td>1. Strategic Interest</td>
<td>S</td>
<td>4=major strategic interest; 3=high strategic interest; 2=low strategic interest; 1=no strategic interest</td>
</tr>
<tr>
<td>2. Military Strength</td>
<td>M</td>
<td>4=Global Great Power; 3=Regional Great Power; 2= Middle Power; 1=Minor Power</td>
</tr>
<tr>
<td>3. Spill-Over Effects</td>
<td>R</td>
<td>4=very high effects; 3=strong effects; 2=few effects, 1=no effects</td>
</tr>
<tr>
<td>4. Interdependence</td>
<td>T</td>
<td>4=very strong economic ties; 3=strong economic ties; 2=weak economic ties; 1=no economic ties</td>
</tr>
<tr>
<td>5. Institutional Access</td>
<td>A</td>
<td>4=major member of major institution; 3=minor member of major institution; 2=member of minor institution; 1=no access</td>
</tr>
<tr>
<td>6. Crisis Extent</td>
<td>C</td>
<td>4=extremely high; 3=very high; 2=high; 1=considerable</td>
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<tr>
<td>7. Identity</td>
<td>I</td>
<td>4=exact fit; 3=close fit; 2=fit, 1=insignificant fit</td>
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<tr>
<td>8. Media/Public Attention</td>
<td>P</td>
<td>4=very high attention; 3=high attention; 2= low attention; 1= very low attention</td>
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</tbody>
</table>
3) Outcome Summary

Table 3: Outcome, Part 1

<table>
<thead>
<tr>
<th>#</th>
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<th>Main Actors</th>
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<td>1821</td>
<td>Smyrna (Ottoman Empire)</td>
<td>Massacre</td>
<td>Rhetoric only</td>
<td>nn</td>
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<tr>
<td>2</td>
<td></td>
<td>Chios (Ottoman Empire)</td>
<td>Massacre</td>
<td>Rhetoric only</td>
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<tr>
<td>3</td>
<td></td>
<td>Greece (Ottoman Empire)</td>
<td>Massacre</td>
<td>Military intervention</td>
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<tr>
<td>4</td>
<td></td>
<td>Lebanon/Syria (Ottoman Empire)</td>
<td>Massacre</td>
<td>Limited force</td>
<td>France, Russia, Austria</td>
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<tr>
<td>5</td>
<td></td>
<td>Crete (Ottoman Empire)</td>
<td>Massacre</td>
<td>Diplomatic threat</td>
<td>nn</td>
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<tr>
<td>6</td>
<td></td>
<td>Bulgaria (Ottoman Empire)</td>
<td>Massacre</td>
<td>Military intervention</td>
<td>Russia</td>
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<tr>
<td>7</td>
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<td>Armenia (Ottoman Empire)</td>
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<td>8</td>
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<td>Cuba (Spain)</td>
<td>Civil War</td>
<td>Military intervention</td>
<td>USA</td>
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<td>9</td>
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<td>Macedonia (Ottoman Empire)</td>
<td>Civil War</td>
<td>Diplomatic threat</td>
<td>Austria, Russia</td>
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<tr>
<td>10</td>
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4) Categorization

Table 4: Categorization Scheme

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* Qualitative Context refers to case specific circumstances derived from the literature on each case.
### 5) Quantitative Membership Scores

#### Table 5: Quantitative Membership Scores

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**Columns:**
- **#**: Case number
- **Time**: Year of conflict
- **Case**: Name of conflict
- **Target Area (State)**: Country involved
- **Conditions**: Strategic Interest (G), Military Strength (M), Split-Over (R), Inter-dependence (T), Access (A), Crisis Extent (E), Identity (C), Public Attention (P)
6) Final Membership Scores

Table 6: Final Membership Scores, Part 1

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The cells marked in grey contain scores based on case knowledge alone.
Appendix B

The following charts contain the data extracted from various databases, allocated to each condition separately. It encompasses only the chosen data for the selected indicators used to determine the value and range of each condition for all selected cases.
### Strategic Interest (G)

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* unpublished COW data from 2014
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Appendix C

The following tables contain the processed data in the format provided by R. This includes the resulting truth tables as well as the complex solution terms and the necessity tests for both dimensions – engagement and adherence – for the chosen time periods.

1) Engagement (1815-2015)

Table 7: Truth Table Engagement (1815-2015)

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Table 8: Complex Solution Engagement (1815-2015)

\[ n_{OUT} = 1/0/C: 22/22/0 \]
Total: 44
Number of multiple-covered cases: 2

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inclS & PRI & covS & covU & cases \\
\hline
1 \( \sim G \sim M \sim T \sim A \sim E \sim C \) & 0.650 & 0.379 & 0.321 & 0.059 & 28,33; 41; 21,24; 34 \\
2 \( \sim G \sim M \sim R \sim T \sim A \sim C \sim P \) & 0.720 & 0.373 & 0.189 & 0.000 & 37; 34 \\
3 \( \sim G \sim M \sim T \sim A \sim E \sim C \sim P \) & 1.000 & 1.000 & 0.205 & 0.045 & 35; 12,17 \\
4 \( G \sim M \sim R \sim T \sim A \sim E \sim C \) & 1.000 & 1.000 & 0.146 & 0.002 & 3; 6 \\
5 \( G \sim M \sim R \sim T \sim A \sim E \sim C \sim P \) & 0.916 & 0.874 & 0.159 & 0.015 & 8; 3 \\
6 \( G \sim R \sim T \sim A \sim E \sim C \sim P \) & 1.000 & 1.000 & 0.202 & 0.015 & 27; 3 \\
7 \( M \sim R \sim T \sim A \sim E \sim C \sim P \) & 0.748 & 0.601 & 0.174 & 0.029 & 4,5; 3 \\
8 \( \sim G \sim M \sim R \sim T \sim A \sim E \sim C \sim P \) & 0.933 & 0.899 & 0.201 & 0.015 & 16 \\
9 \( G \sim M \sim R \sim T \sim A \sim E \sim C \sim P \) & 0.707 & 0.276 & 0.102 & 0.029 & 40 \\
10 \( G \sim M \sim R \sim T \sim A \sim E \sim C \sim P \) & 0.830 & 0.661 & 0.073 & 0.015 & 44 \\
11 \( G \sim M \sim R \sim T \sim A \sim E \sim C \sim P \) & 1.000 & 1.000 & 0.117 & 0.003 & 15,25 \\
12 \( G \sim M \sim R \sim T \sim A \sim E \sim C \sim P \) & 1.000 & 1.000 & 0.073 & 0.029 & 19 \\
\hline
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Table 9: Necessity Test Engagement (1815-2015)

inclN: Necessity inclusion score
RoN: Relevance of Necessity
CovN: Necessity Coverage

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inclN & RoN & CovN \\
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1 G & 0.381 & 0.933 & 0.726 \\
2 M & 0.350 & 0.820 & 0.473 \\
3 R & 0.380 & 0.832 & 0.514 \\
4 T & 0.146 & 0.915 & 0.420 \\
5 A & 0.543 & 0.604 & 0.409 \\
6 E & 0.510 & 0.791 & 0.548 \\
7 C & 0.453 & 0.957 & 0.837 \\
8 P & 0.409 & 0.843 & 0.552 \\
\hline
\end{tabular}
2) Adherence (1815-2015)

Table 10: Truth Table Adherence (1815-2015)

Total: 44
OUT: output value
n: number of cases in configuration
incl: sufficiency inclusion score
PRI: proportional reduction in inconsistency

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Table 11: Complex Solution Adherence (1815-2015)

<table>
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<tr>
<th>inclS</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ~G<em>~M</em>~T<em>A</em>~C</td>
<td>0.817</td>
<td>0.692</td>
<td>0.418</td>
<td>0.077</td>
</tr>
<tr>
<td>2 ~G<em>~M</em>~T<em>A</em>~E*~P</td>
<td>0.860</td>
<td>0.766</td>
<td>0.341</td>
<td>0.002</td>
</tr>
<tr>
<td>3 M<em>~R</em>~T<em>~A</em>~E*~P</td>
<td>0.897</td>
<td>0.852</td>
<td>0.212</td>
<td>0.040</td>
</tr>
<tr>
<td>4 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~P</td>
<td>0.967</td>
<td>0.942</td>
<td>0.220</td>
<td>0.008</td>
</tr>
<tr>
<td>5 ~G<em>~R</em>~T<em>~A</em>~E<em>~C</em>~P</td>
<td>0.901</td>
<td>0.551</td>
<td>0.075</td>
<td>0.008</td>
</tr>
<tr>
<td>6 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
<td>0.910</td>
<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
</tr>
<tr>
<td>7 ~G<em>M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
<td>0.910</td>
<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
</tr>
<tr>
<td>8 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
<td>0.910</td>
<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
</tr>
<tr>
<td>9 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
<td>0.910</td>
<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
</tr>
<tr>
<td>10 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
<td>0.910</td>
<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
</tr>
<tr>
<td>11 ~M<em>~R</em>~T<em>~A</em>~E<em>~C</em>~P</td>
<td>0.910</td>
<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
</tr>
<tr>
<td>12 ~G<em>M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
<td>0.910</td>
<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
</tr>
<tr>
<td>13 ~G<em>M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
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<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
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<td>0.017</td>
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<td>0.824</td>
<td>0.181</td>
<td>0.017</td>
</tr>
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<td>0.910</td>
<td>0.824</td>
<td>0.181</td>
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M1 0.837 0.752 0.737

Table 12: Necessity Test Adherence (1815-2015)

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<th>Ron</th>
<th>covN</th>
</tr>
</thead>
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<td>0.969</td>
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<tr>
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<td>0.940</td>
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<td>4 T</td>
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<tr>
<td>7 C</td>
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</tr>
<tr>
<td>8 P</td>
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<td>0.948</td>
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3) Engagement (1815-1945)

Table 13: Truth Table Engagement (1815-1945)

<table>
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<th>R</th>
<th>T</th>
<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
<th>OUT</th>
<th>n</th>
<th>incl</th>
<th>PRI</th>
<th>cases</th>
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Table 14: Complex Solution Engagement (1815-1945)

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<th>CovS</th>
<th>CovU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
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<td>0.007</td>
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</tr>
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<td>0.503</td>
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Table 15: Necessity Test Engagement (1815-1945)

inclN: Necessity inclusion score  
RoN: Relevance of Necessity  
CovN: Necessity Coverage

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<th>inclN</th>
<th>RoN</th>
<th>CovN</th>
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</thead>
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<td>R</td>
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<tr>
<td>4</td>
<td>T</td>
<td>0.063</td>
<td>0.897</td>
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<tr>
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<td>A</td>
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<td>0.974</td>
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<td>E</td>
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<td>7</td>
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<td>P</td>
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4) **Adherence (1815-1945)**

**Table 16: Truth Table Adherence (1815-1945)**

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<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
<th>OUT</th>
<th>n</th>
<th>incl</th>
<th>PRI</th>
<th>cases</th>
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**Table 17: Complex Solution Adherence (1815-1945)**

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<tr>
<td>Number of multiple-covered cases: 1</td>
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<tr>
<td>inclS: sufficiency inclusion score</td>
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</tr>
<tr>
<td>PRI: proportional reduction in inconsistency</td>
<td></td>
</tr>
<tr>
<td>CovS: Sufficiency Coverage</td>
<td></td>
</tr>
<tr>
<td>CovU: Unique Coverage</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>inclS</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>M<em>~R</em>~T<em>~A</em>~E*~P</td>
<td>0.858</td>
<td>0.804</td>
<td>0.599</td>
<td>0.301</td>
</tr>
<tr>
<td>G<em>M</em>~R<em>~T</em>~A<em>~E</em>C</td>
<td>0.858</td>
<td>0.551</td>
<td>0.204</td>
<td>0.004</td>
</tr>
<tr>
<td>~G<em>M</em>~R<em>~T</em>~A<em>E</em>~C*P</td>
<td>1.000</td>
<td>1.000</td>
<td>0.203</td>
<td>0.004</td>
</tr>
</tbody>
</table>

| M1 | 0.860 | 0.807 | 0.607 |
Table 18: Necessity Test Adherence (1815-1945)

inclN: Necessity inclusion score  
RoN: Relevance of Necessity  
CovN: Necessity Coverage  

<table>
<thead>
<tr>
<th></th>
<th>inclN</th>
<th>RoN</th>
<th>CovN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 G</td>
<td>0.237</td>
<td>0.937</td>
<td>0.777</td>
</tr>
<tr>
<td>2 M</td>
<td>0.807</td>
<td>0.745</td>
<td>0.859</td>
</tr>
<tr>
<td>3 R</td>
<td>0.034</td>
<td>1.000</td>
<td>1.000</td>
</tr>
<tr>
<td>4 T</td>
<td>0.133</td>
<td>0.972</td>
<td>0.798</td>
</tr>
<tr>
<td>5 A</td>
<td>0.034</td>
<td>0.974</td>
<td>0.500</td>
</tr>
<tr>
<td>6 E</td>
<td>0.304</td>
<td>0.967</td>
<td>0.900</td>
</tr>
<tr>
<td>7 C</td>
<td>0.476</td>
<td>0.960</td>
<td>0.934</td>
</tr>
<tr>
<td>8 P</td>
<td>0.271</td>
<td>1.000</td>
<td>1.000</td>
</tr>
</tbody>
</table>
5) Engagement (1945-1989)

Table 19: Truth Table Engagement (1945-1989)

<table>
<thead>
<tr>
<th>G</th>
<th>M</th>
<th>R</th>
<th>T</th>
<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
<th>OUT</th>
<th>n</th>
<th>incl</th>
<th>PRI</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1.000</td>
<td>1.000</td>
<td>16</td>
</tr>
<tr>
<td>43</td>
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<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.000</td>
<td>1.000</td>
<td>12</td>
</tr>
<tr>
<td>167</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.000</td>
<td>1.000</td>
<td>15</td>
</tr>
<tr>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
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<td>0.425</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0.330</td>
<td>0.330</td>
<td>11</td>
</tr>
<tr>
<td>89</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0.248</td>
<td>0.248</td>
<td>14</td>
</tr>
</tbody>
</table>

Table 20: Complex Solution Engagement (1945-1989)

<table>
<thead>
<tr>
<th>incl</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.000</td>
<td>1.000</td>
<td>0.171</td>
<td>0.087</td>
<td>12</td>
</tr>
<tr>
<td>1.000</td>
<td>1.000</td>
<td>0.256</td>
<td>0.010</td>
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</tr>
<tr>
<td>1.000</td>
<td>1.000</td>
<td>0.418</td>
<td>0.171</td>
<td>16</td>
</tr>
</tbody>
</table>

M1 1.000 1.000 0.514
Table 21: Necessity Test Engagement (1945-1989)

inclN: Necessity inclusion score  
RoN: Relevance of Necessity  
CovN: Necessity Coverage

<table>
<thead>
<tr>
<th></th>
<th>inclN</th>
<th>RoN</th>
<th>CovN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>G</td>
<td>0.341</td>
<td>0.949</td>
</tr>
<tr>
<td>2</td>
<td>M</td>
<td>0.169</td>
<td>0.772</td>
</tr>
<tr>
<td>3</td>
<td>R</td>
<td>0.343</td>
<td>1.000</td>
</tr>
<tr>
<td>4</td>
<td>T</td>
<td>0.085</td>
<td>0.866</td>
</tr>
<tr>
<td>5</td>
<td>A</td>
<td>0.341</td>
<td>0.795</td>
</tr>
<tr>
<td>6</td>
<td>E</td>
<td>0.589</td>
<td>0.757</td>
</tr>
<tr>
<td>7</td>
<td>C</td>
<td>0.676</td>
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</tr>
<tr>
<td>8</td>
<td>P</td>
<td>0.169</td>
<td>0.906</td>
</tr>
</tbody>
</table>
6) Adherence (1945-1989)

Table 22: Truth Table Adherence (1945-1989)

<table>
<thead>
<tr>
<th>G</th>
<th>M</th>
<th>R</th>
<th>T</th>
<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
<th>OUT</th>
<th>n</th>
<th>incl</th>
<th>PRI</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1.000</td>
<td>1.000</td>
<td>11</td>
</tr>
<tr>
<td>89</td>
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<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1.000</td>
<td>1.000</td>
<td>14</td>
</tr>
<tr>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>1</td>
<td>0.867</td>
<td>0.812</td>
<td>13</td>
</tr>
<tr>
<td>167</td>
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<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1.000</td>
<td>0.000</td>
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</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0.607</td>
<td>0.000</td>
<td>16</td>
</tr>
<tr>
<td>43</td>
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<td>0</td>
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<td>0</td>
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<td>0</td>
<td>0</td>
<td>0.494</td>
<td>0.000</td>
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</table>

Table 23: Complex Solution Adherence (1945-1989)

n OUT = 1/0/C: 3/3/0

<table>
<thead>
<tr>
<th>inclS</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ~G<em>~M</em>~R<em>~T</em>~A<em>E</em>~C 0.869</td>
<td>0.816</td>
<td>0.408</td>
<td>0.273</td>
<td>13; 11</td>
</tr>
<tr>
<td>2 ~G<em>M</em>~R<em>T</em>A<em>~E</em>~C*~P 1.000</td>
<td>1.000</td>
<td>0.272</td>
<td>0.137</td>
<td>14</td>
</tr>
</tbody>
</table>

M1 0.898 0.869 0.545
Table 24: Necessity Test Adherence (1945-1989)

inclN: Necessity inclusion score
RoN: Relevance of Necessity
CovN: Necessity Coverage

<table>
<thead>
<tr>
<th>inclN</th>
<th>RoN</th>
<th>covN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 G</td>
<td>0.270</td>
<td>0.948</td>
</tr>
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<td>2 M</td>
<td>0.468</td>
<td>1.000</td>
</tr>
<tr>
<td>3 R</td>
<td>0.135</td>
<td>0.905</td>
</tr>
<tr>
<td>4 T</td>
<td>0.272</td>
<td>1.000</td>
</tr>
<tr>
<td>5 A</td>
<td>0.474</td>
<td>0.938</td>
</tr>
<tr>
<td>6 E</td>
<td>0.476</td>
<td>0.761</td>
</tr>
<tr>
<td>7 C</td>
<td>0.202</td>
<td>0.758</td>
</tr>
<tr>
<td>8 P</td>
<td>0.272</td>
<td>1.000</td>
</tr>
</tbody>
</table>
7) Engagement (1990-2000)

Table 25: Truth Table Engagement (1990-2000)

<table>
<thead>
<tr>
<th>G</th>
<th>M</th>
<th>R</th>
<th>T</th>
<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
<th>OUT</th>
<th>n</th>
<th>incl</th>
<th>PRI</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>43</td>
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<td>0</td>
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<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1.000</td>
<td>1.000</td>
</tr>
<tr>
<td>89</td>
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<td>0</td>
<td>0</td>
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<td>1.000</td>
<td>1.000</td>
</tr>
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<td>0</td>
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<td>0</td>
<td>1</td>
<td>1</td>
<td>1.000</td>
<td>1.000</td>
</tr>
<tr>
<td>167</td>
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<td>1</td>
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<td>1.000</td>
<td>1.000</td>
</tr>
<tr>
<td>249</td>
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<td>0</td>
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<td>0.771</td>
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<td>1</td>
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<td>0.713</td>
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<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
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<td>0.348</td>
</tr>
</tbody>
</table>

Table 26: Complex Solution Engagement (1990-2000)

<table>
<thead>
<tr>
<th>n OUT</th>
<th>1/0/C</th>
<th>10/4/0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total: 14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of multiple-covered cases: 1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>inclS</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>(M1)</th>
<th>(M2)</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ~G<em>M</em>R<em>T</em>A<em>E</em>C*P</td>
<td>0.685</td>
<td>0.418</td>
<td>0.383</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>2 ~G<em>M</em>~R<em>T</em>A<em>E</em>C*P</td>
<td>0.729</td>
<td>0.495</td>
<td>0.471</td>
<td>0.005</td>
<td>0.005</td>
<td>0.045</td>
</tr>
<tr>
<td>3 ~G<em>M</em>~R<em>T</em>A<em>E</em>C*P</td>
<td>1.000</td>
<td>1.000</td>
<td>0.131</td>
<td>0.045</td>
<td>0.045</td>
<td>0.045</td>
</tr>
<tr>
<td>4 G<em>M</em>~R<em>T</em>A<em>E</em>C*P</td>
<td>1.000</td>
<td>1.000</td>
<td>0.214</td>
<td>0.045</td>
<td>0.045</td>
<td>0.045</td>
</tr>
<tr>
<td>5 G<em>M</em>~R<em>T</em>A<em>E</em>C*P</td>
<td>1.000</td>
<td>1.000</td>
<td>0.175</td>
<td>0.005</td>
<td>0.005</td>
<td>0.005</td>
</tr>
<tr>
<td>6 G<em>M</em>R<em>T</em>A<em>E</em>C*P</td>
<td>1.000</td>
<td>1.000</td>
<td>0.175</td>
<td>0.005</td>
<td>0.005</td>
<td>0.005</td>
</tr>
<tr>
<td>7 ~G<em>M</em>R<em>T</em>A<em>E</em>C*P</td>
<td>0.701</td>
<td>0.438</td>
<td>0.515</td>
<td>0.000</td>
<td>0.048</td>
<td>0.048</td>
</tr>
<tr>
<td>8 ~G<em>M</em>~R<em>T</em>A<em>E</em>C*P</td>
<td>0.665</td>
<td>0.375</td>
<td>0.435</td>
<td>0.000</td>
<td>0.048</td>
<td>0.048</td>
</tr>
<tr>
<td>M1</td>
<td>0.695</td>
<td>0.388</td>
<td>0.701</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M2</td>
<td>0.695</td>
<td>0.388</td>
<td>0.701</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 27: Necessity Test Engagement (1990-2000)

**inclN**: Necessity inclusion score  
**RoN**: Relevance of Necessity  
**CovN**: Necessity Coverage

<table>
<thead>
<tr>
<th>inclN</th>
<th>RoN</th>
<th>covN</th>
</tr>
</thead>
<tbody>
<tr>
<td>G</td>
<td>0.394</td>
<td>0.978</td>
</tr>
<tr>
<td>M</td>
<td>0.306</td>
<td>1.000</td>
</tr>
<tr>
<td>R</td>
<td>0.612</td>
<td>0.712</td>
</tr>
<tr>
<td>T</td>
<td>0.219</td>
<td>0.962</td>
</tr>
<tr>
<td>A</td>
<td>0.745</td>
<td>0.511</td>
</tr>
<tr>
<td>E</td>
<td>0.523</td>
<td>0.815</td>
</tr>
<tr>
<td>C</td>
<td>0.394</td>
<td>1.000</td>
</tr>
<tr>
<td>P</td>
<td>0.347</td>
<td>0.979</td>
</tr>
</tbody>
</table>
8) Adherence (1990-2000)

Table 28: Truth Table Adherence (1990-2000)

<table>
<thead>
<tr>
<th>G</th>
<th>M</th>
<th>R</th>
<th>T</th>
<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
<th>OUT</th>
<th>n</th>
<th>incl</th>
<th>PRI</th>
<th>cases</th>
</tr>
</thead>
<tbody>
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<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>1</td>
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Table 29: Complex Solution Adherence (1990-2000)

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<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
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<td>0.590</td>
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<table>
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<tr>
<th>M1</th>
<th>0.886</th>
<th>0.797</th>
<th>0.751</th>
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</thead>
</table>

Page | 526
### Table 30: Necessity Test Adherence (1990-2000)

inclN: Necessity inclusion score  
RoN: Relevance of Necessity  
CovN: Necessity Coverage

<table>
<thead>
<tr>
<th>inclN</th>
<th>RoN</th>
<th>CovN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 G 0.233</td>
<td>0.978</td>
<td>0.898</td>
</tr>
<tr>
<td>2 M 0.182</td>
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<td>1.000</td>
</tr>
<tr>
<td>3 R 0.569</td>
<td>0.884</td>
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<tr>
<td>4 T 0.179</td>
<td>1.000</td>
<td>1.000</td>
</tr>
<tr>
<td>5 A 0.724</td>
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<td>0.786</td>
</tr>
<tr>
<td>6 E 0.467</td>
<td>0.948</td>
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<td>7 C 0.207</td>
<td>0.978</td>
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</tr>
<tr>
<td>8 P 0.232</td>
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Table 31: Truth Table Engagement (2001-2015)

<table>
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<tr>
<th>G</th>
<th>M</th>
<th>R</th>
<th>T</th>
<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
<th>OUT</th>
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<th>incl</th>
<th>PRI</th>
<th>cases</th>
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Table 32: Complex Solution Engagement (2001-2015)

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<tr>
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</tbody>
</table>

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<tr>
<th>incl</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
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<td>1 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
<td>0.762</td>
<td>0.302</td>
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</tr>
<tr>
<td>2 ~G<em>~M</em>~T<em>~A</em>~E<em>~C</em>~P</td>
<td>0.732</td>
<td>0.275</td>
<td>0.444</td>
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</tr>
<tr>
<td>3 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
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<td>1.000</td>
<td>0.222</td>
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</tr>
<tr>
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<td>0.768</td>
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M1 | 0.717 | 0.332 | 0.669 |
Table 33: Necessity Test Engagement (2001-2015)

inclN: Necessity inclusion score  
RoN: Relevance of Necessity  
CovN: Necessity Coverage

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<td>3 R</td>
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Table 34: Truth Table Adherence (2001-2015)

Total: 14
OUT: output value
n: number of cases in configuration
incl: sufficiency inclusion score
PRI: proportional reduction in inconsistency

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<th>G</th>
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<th>R</th>
<th>T</th>
<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
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<th>incl</th>
<th>PRI</th>
<th>cases</th>
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<td>0.110</td>
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</table>

Table 35: Complex Solution Adherence (2001-2015)

n OUT = 1/0/C: 14/0/0
Total: 14
Number of multiple-covered cases: 6

<table>
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<tr>
<th>inclS</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ~G<em>~M</em>~R<em>~T</em>~A*~C</td>
<td>0.811</td>
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<td>0.545</td>
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<tr>
<td>2 ~G<em>~M</em>~T<em>~A</em>~C*P</td>
<td>0.886</td>
<td>0.790</td>
<td>0.400</td>
<td>0.006</td>
</tr>
<tr>
<td>3 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~P</td>
<td>0.837</td>
<td>0.755</td>
<td>0.387</td>
<td>0.003</td>
</tr>
<tr>
<td>4 ~M<em>~R</em>~T<em>~A</em>~E<em>~C</em>P</td>
<td>0.878</td>
<td>0.785</td>
<td>0.368</td>
<td>0.054</td>
</tr>
<tr>
<td>5 ~G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
<td>1.000</td>
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<td>0.080</td>
<td>0.054</td>
</tr>
<tr>
<td>6 G<em>~M</em>~R<em>~T</em>~A<em>~E</em>~C*~P</td>
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</tr>
</tbody>
</table>

M1 | 0.814| 0.702| 0.769|
Table 36: Necessity Test Adherence (2001-2015)

inclN: Necessity inclusion score
RoN: Relevance of Necessity
CovN: Necessity Coverage

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
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<td>2 M</td>
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<tr>
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<td>0.849</td>
</tr>
<tr>
<td>7 C</td>
<td>0.133</td>
<td>1.000</td>
</tr>
<tr>
<td>8 P</td>
<td>0.612</td>
<td>0.789</td>
</tr>
</tbody>
</table>

Table 37: Truth Table Engagement (2005-2015)

<table>
<thead>
<tr>
<th>G</th>
<th>M</th>
<th>R</th>
<th>T</th>
<th>A</th>
<th>E</th>
<th>C</th>
<th>P</th>
<th>OUT</th>
<th>n</th>
<th>incl</th>
<th>PRI</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>138</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0.768</td>
<td>0.110</td>
</tr>
<tr>
<td>14</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0.752</td>
<td>0.101</td>
</tr>
<tr>
<td>166</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0.494</td>
<td>0.000</td>
</tr>
<tr>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>0.444</td>
<td>0.022</td>
</tr>
<tr>
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<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0.398</td>
<td>0.000</td>
</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0.361</td>
<td>0.000</td>
</tr>
<tr>
<td>57</td>
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<td>0</td>
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<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>238</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0.000</td>
<td>0.000</td>
</tr>
</tbody>
</table>

Table 38: Complex Solution Engagement (2005-2015)

<table>
<thead>
<tr>
<th>inclS</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>G<em>~M</em>~R<em>~T</em>A<em>~E</em>~C*P 0.768</td>
<td>0.110</td>
<td>0.428</td>
<td>0.286</td>
</tr>
<tr>
<td>2</td>
<td>~G<em>~M</em>~R<em>~T</em>A<em>E</em>~C*P 0.752</td>
<td>0.101</td>
<td>0.428</td>
<td>0.286</td>
</tr>
</tbody>
</table>

\[\text{M1} \quad 0.725 \quad 0.105 \quad 0.714\]
Table 39: Necessity Test Engagement (2005-2015)

*inclN*: Necessity inclusion score  
*RoN*: Relevance of Necessity  
*CovN*: Necessity Coverage

<table>
<thead>
<tr>
<th>inclN</th>
<th>RoN</th>
<th>covN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 G</td>
<td>0.569</td>
<td>0.781</td>
</tr>
<tr>
<td>2 M</td>
<td>0.283</td>
<td>0.820</td>
</tr>
<tr>
<td>3 R</td>
<td>0.424</td>
<td>0.632</td>
</tr>
<tr>
<td>4 T</td>
<td>0.141</td>
<td>0.854</td>
</tr>
<tr>
<td>5 A</td>
<td>0.859</td>
<td>0.199</td>
</tr>
<tr>
<td>6 E</td>
<td>0.710</td>
<td>0.771</td>
</tr>
<tr>
<td>7 C</td>
<td>0.141</td>
<td>1.000</td>
</tr>
<tr>
<td>8 P</td>
<td>1.000</td>
<td>0.512</td>
</tr>
</tbody>
</table>

Table 40: Truth Table Adherence (2005-2015)

Total: 9

<table>
<thead>
<tr>
<th>OUT</th>
<th>n</th>
<th>incl</th>
<th>PRI</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>42</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>57</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>166</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>238</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>9</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>138</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Table 41: Complex Solution Adherence (2005-2015)

n OUT = 1/0/C: 9/0/0

Number of multiple-covered cases: 2

<table>
<thead>
<tr>
<th>inclS</th>
<th>PRI</th>
<th>covS</th>
<th>covU</th>
<th>cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 <del>G</del>M<del>R</del>T<del>A</del>E<del>C</del>P</td>
<td>0.847</td>
<td>0.833</td>
<td>0.373</td>
<td>0.099</td>
</tr>
<tr>
<td>2 <del>G</del>M<del>R</del>T<del>A</del>E<del>C</del>P</td>
<td>0.886</td>
<td>0.872</td>
<td>0.278</td>
<td>0.004</td>
</tr>
<tr>
<td>3 <del>G</del>M<del>R</del>T<del>A</del>E<del>C</del>P</td>
<td>0.886</td>
<td>0.872</td>
<td>0.278</td>
<td>0.004</td>
</tr>
<tr>
<td>4 <del>G</del>M<del>R</del>T<del>A</del>E<del>C</del>P</td>
<td>0.836</td>
<td>0.782</td>
<td>0.344</td>
<td>0.071</td>
</tr>
<tr>
<td>5 <del>G</del>M<del>R</del>T<del>A</del>E<del>C</del>P</td>
<td>1.000</td>
<td>1.000</td>
<td>0.105</td>
<td>0.071</td>
</tr>
<tr>
<td>6 <del>G</del>M<del>R</del>T<del>A</del>E<del>C</del>P</td>
<td>1.000</td>
<td>1.000</td>
<td>0.071</td>
<td>0.071</td>
</tr>
<tr>
<td>7 <del>G</del>M<del>R</del>T<del>A</del>E<del>C</del>P</td>
<td>1.000</td>
<td>1.000</td>
<td>0.071</td>
<td>0.071</td>
</tr>
</tbody>
</table>

M1 0.870 0.833 0.663
Table 42: Necessity Test Adherence (2005-2015)

inclN: Necessity inclusion score  
RoN: Relevance of Necessity  
CovN: Necessity Coverage

<table>
<thead>
<tr>
<th></th>
<th>inclN</th>
<th>RoN</th>
<th>CovN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>G</td>
<td>0.247</td>
<td>0.865</td>
</tr>
<tr>
<td>2</td>
<td>M</td>
<td>0.280</td>
<td>1.000</td>
</tr>
<tr>
<td>3</td>
<td>R</td>
<td>0.454</td>
<td>0.915</td>
</tr>
<tr>
<td>4</td>
<td>T</td>
<td>0.210</td>
<td>1.000</td>
</tr>
<tr>
<td>5</td>
<td>A</td>
<td>0.796</td>
<td>0.464</td>
</tr>
<tr>
<td>6</td>
<td>E</td>
<td>0.351</td>
<td>0.925</td>
</tr>
<tr>
<td>7</td>
<td>C</td>
<td>0.035</td>
<td>1.000</td>
</tr>
<tr>
<td>8</td>
<td>P</td>
<td>0.560</td>
<td>0.750</td>
</tr>
</tbody>
</table>
Curriculum Vitae

**Born**
October 17, 1980, in Munich, Germany

**Experience**
2012 – 2018, University of St. Gallen (HSG), Switzerland
Research Assistant / Research Associate
Chair of International Relations (Prof. James W. Davis, Ph.D.), Institute of Political Science (IPW), School of Economics and Political Science (SEPS)

2011 – 2012, qmedia Garching, Germany
Executive Assistant to the Management
Project Management, Online-Marketing, and Publishing

2009 – 2010, Allianz Global Investors Munich, Germany
Trade Communications Officer (Middle Office)
Pre-Confirmation and Trade Support, International Broker Communication

2008 – 2009, Pioneer Investments Munich, Germany
Corporate Communications Manager
Internal Communication and Global Strategy for Germany & Switzerland

**Education**
2013 – 2018, University of St. Gallen (HSG), Switzerland
School of Economics and Political Science (SEPS)
Doctor of Philosophy (Ph.D.) in International Affairs and Political Economy

2010 – 2011, Ludwig-Maximilians-University Munich (LMU), Germany
Geschwister-Scholl Institute for Political Science (GSI)
Magister Artium (M.A.) in Politics, History, and Philosophy

2007 – 2008, Macquarie University Sydney (MU), Australia
Department of Modern History, Politics, and International Relations
Master of Arts (MA) in International Communication
Master of International Relations (MIR)

2003 – 2006, Ludwig-Maximilians-University Munich (LMU), Germany
Geschwister-Scholl Institute for Political Science (GSI)
Intermediate Examination (BA equivalent) in Political Science

Abitur (A-levels in History and English)

Mittlere Reife (secondary education certificate)

**Committees**
2016 – 2018, Executive Board of the Association of non-faculty academic staff
Representative of all non-tenured scholars (Assistant Profs, PostDocs, etc.)
Introduction of a parliament for non-faculty staff & voting regulations

2013 – 2016, DIA Program Commission
Representative of all PhD students in the DIA Program
Reform of the doctoral program, its schedule, and accreditation
Teaching

Tutorial, ca. 120 students, Bachelor level

2013 – 2018, “Qualitative Methods”
Tutorial, ca. 30 students, Bachelor level

Lecture, Prof. James Davis, ca. 50 students, Bachelor level

Seminar, Prof. James Davis, ca. 25 students, Master level

Seminar, Prof. James Davis, ca. 8 students, Master level

2014, “Responsibility in International Relations”
Seminar, Prof. James Davis, 12 students, Master level

2013, “The Concept of Power”
Seminar, Prof. James Davis, 18 students, Master level

2012, “Global Communication and International Affairs”
Seminar, Prof. James Davis, 27 students, Master level

Sebastian Plappert
St. Gallen, December 2018