



# A History of Humanitarian Intervention

Mark Swatek-Evenstein

CAMBRIDGE

สำนักหอสมุด มหาวิทยาลัยเชียงใหม่

b16586359

012538462

i22568153

# A History of Humanitarian Intervention

MARK SWATEK-EVENSTEIN



CAMBRIDGE  
UNIVERSITY PRESS

2275 10.0 01

# Contents

<i>Acknowledgements</i>	<i>page xi</i>
<b>Introduction</b>	<b>1</b>
<b>1 The Battlegrounds of a History of ‘Humanitarian Intervention’</b>	<b>8</b>
<b>1.1 Introduction</b>	<b>8</b>
<b>1.2 The Definition of ‘Humanitarian Intervention’</b>	<b>12</b>
<b>1.3 ‘Humanity’ in Nineteenth-Century International Law</b>	<b>21</b>
<b>1.4 The ‘Humanity’ of ‘Humanitarian Intervention’</b>	<b>27</b>
<b>1.5 The Law on Intervention and ‘Humanitarian Intervention’</b>	<b>31</b>
<b>1.6 ‘Humanitarian Intervention’ into the Twenty-First Century</b>	<b>39</b>
<b>2 A History of ‘Humanitarian Intervention’ in Nineteenth-Century International Law</b>	<b>42</b>
<b>2.1 Introduction</b>	<b>42</b>
<b>2.2 The Intervention of the European Great Powers in the Greek War of Independence</b>	<b>45</b>
<b>2.2.1 The Intervention and Its History</b>	<b>46</b>
<b>2.2.2 The Intervention in Context</b>	<b>56</b>
<b>2.2.3 The Intervention in the History of International Law</b>	<b>59</b>
<b>2.2.4 The Intervention and the History of ‘Humanitarian Intervention’</b>	<b>63</b>
<b>2.3 The Principle of Non-intervention in Mid-Nineteenth-Century International Law</b>	<b>76</b>
<b>2.3.1 Introduction</b>	<b>76</b>
<b>2.3.2 The ‘Intervention’ in the Kingdom of the Two Sicilies, 1856</b>	<b>79</b>
<b>2.3.3 The Paris Treaty of 1856</b>	<b>82</b>

2.4 Lebanon, 1860	85
2.4.1 The Intervention and Its History	85
2.4.2 The Intervention in Context	88
2.4.3 The Intervention in the History of International Law	89
2.4.4 The Intervention in the History of 'Humanitarian Intervention'	93
2.5 Intervention in Mid-Nineteenth-Century International Law	96
2.5.1 Introduction	96
2.5.2 Poland, 1863	100
2.5.3 Crete, 1866	101
2.6 The Great Balkan Crisis	105
2.6.1 Introduction	105
2.6.2 The 'Interventions' and Their History	106
2.6.3 The Interventions in Context	109
2.6.4 The Interventions in the History of 'Humanitarian Intervention'	111
2.7 The Principle of Non-intervention in Late Nineteenth-Century International Law	117
2.7.1 The 'Humanitarian Impulse'	117
2.7.2 The Principle of Non-intervention	119
2.7.3 'Humanitarian Intervention' and the 'International Law of Civilised Nations'	124
2.8 Cuba, 1898	130
2.8.1 Introduction	130
2.8.2 The Intervention in Context	131
2.8.3 The Intervention in the History of International Law	138
2.8.4 The Intervention in the History of 'Humanitarian Intervention'	141
2.9 The Long End of the Long Nineteenth Century	143
2.9.1 Antoine Rougier's 'Théorie de l'Intervention de Humanité'	143
2.9.2 China, 1900	144
2.9.3 Macedonia, 1903–1908 and 1913	148
2.9.4 Armenia, 1915–1916	154
2.9.5 'Humanitarian Intervention' in International Law at the Turn of the Century	156
2.9.6 International Law at the Turn of the Century in the History of 'Humanitarian Intervention'	160
<b>3 'Humanitarian Intervention' in the Era of the League of Nations</b>	<b>165</b>
3.1 Introduction	165
3.2 International Law Theory and 'Humanitarian Intervention' in the Age of the League of Nations	169

3.3 State Practice	175
3.3.1 Introduction	175
3.3.2 The International Response to Nazi Germany's Persecution of Jews	179
3.3.3 World War II and the Shoah	184
3.4 Nazi International Law Theory and 'Humanitarian Intervention'	187
3.4.1 Intervention in Nazi International Law Theory	190
3.4.2 'Völkische' (Ethnic) and 'Konnationale' (Co-National) Intervention	194
4 The World after 1945	202
4.1 Introduction	202
4.2 The Charter of the United Nations and 'Humanitarian Intervention' in Early Interpretations	207
4.3 Early State Practice under the UN Charter	212
4.4 The 'Humanitarian Intervention' Debate Reignited: Biafra, 1968	222
4.5 The 'Humanitarian Intervention' That Never Was: East Pakistan, 1971	228
4.6 Into the Twenty-First Century: 'Humanitarian Intervention' and the Uses of History	234
Bibliography	241
Index	269