

both retrospective (end of the Cold War and its implications) and prospective (relations between Iraq and Kuwait).

It is nevertheless regrettable that the concept of “crisis”, despite the fact that it draws on other disciplines such as history and political science and thereby enriches the work, has restricted the author to the area of *jus ad bellum* and has even led him to assert that resolution 678 also implied a kind of “frozen *jus in bello*” (p. 501). For under international law this “crisis” is the continuation of an international armed conflict which broke out on 2 August 1990 and made applicable the relevant provisions of *jus in bello*. From that date onward, the human consequences of the conflict were immense in Kuwait and Iraq and even elsewhere (the plight of the civilian population, internees, prisoners of war, foreign nationals, damage to property, effects of the embargo and the blockade, etc.).

Nevertheless, the abundant and very useful information provided, the analysis of the role of the Security Council and of some of its relevant resolutions, and the detailed account of the positions of the main protagonists in the “crisis” are presented with clarity and precision, and this makes Mr Sayegh’s work a valuable tool for those interested in studying this major conflict, the implications of which will mark international relations for a long time to come, going far beyond the regional context or that of relations between two neighbouring Arab States.

Ameur Zemmalı

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DÉRIVES HUMANITAIRES:  
ÉTATS D’URGENCE ET DROIT D’INGÉRENCE

*Humanitarian Action off Course:  
States of Emergency and the Right to Intervene*

Now that the UNOSOM II troops have withdrawn from Somalia — amid quite harsh criticism from the press — the work *Dérives humanitaires: états d’urgence et droit d’ingérence*<sup>1</sup> is even more highly recommended owing to the clarity of its structure and arguments.

Published as the first issue of *Nouveaux Cahiers de l’IUED* by the Graduate Institute of Development Studies in Geneva, this book of approximately

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<sup>1</sup> *Dérives humanitaires: états d’urgence et droit d’ingérence* (Humanitarian Action off Course: States of Emergency and the Right to Intervene), ed. Marie-Dominique Perrot, Institut Universitaire d’Etudes du développement, Geneva (Paris: PUF), April 1994, 163 pp. (in French only).

150 pages contains a multidisciplinary collection of essays on the subject of intervention — or interference<sup>2</sup> — on humanitarian grounds. The introduction, entitled *Propos*, with explanatory comments by Marie-Dominique Perrot, the editor of the publication, is followed by four sections: *Lignes* (“Main Themes”), *Controverses* (“Controversial Aspects”), *Paroles* (“Interviews”) and *Points d'appui* (“Reference points”).

*Lignes* begins with an essay by the jurist Bernhardt Graefrath, *Ingérence et droit international* (“Intervention and International Law”). Addressing the legal aspects of intervention, Graefrath points out that the problem of intervention on humanitarian grounds arises whenever it becomes necessary to breach the barrier of national sovereignty to help those who are in distress ... the scenarios are generally complex, with clear cut cases rare (p. 27).

In a very compact essay, *Origine de l'idéologie humanitaire et légitimité de l'ingérence* (“The origin of humanitarian ideology and the legitimacy of intervention”), Gilbert Rist questions the ideology of imposed intervention — interference — on humanitarian grounds. He is of the opinion that the values of “universalism”, “individualism” and “survival of the fittest”, as proclaimed in Enlightenment philosophy and in positivism, reflect an unmistakably Western ideology (pp. 36-7). Furthermore, by its association with standard Western thought, such an ideology “forms part...of the characteristic thinking of Western modernity which makes it possible to legitimize an unjustifiable action by claiming that it has indisputable value” (p. 45).

This same humanitarian “interference” — a contradiction in terms according to Rist — is the subject of Marie-Dominique Perrot’s essay *L'ingérence humanitaire ou l'évocation d'un non-concept* (“Humanitarian ‘interference’, or the invoking of a non-concept”). She too is of the opinion that imposed intervention — interference — and humanitarian action each belong in totally different categories, concluding that, unless human lives are at stake, to link them is unacceptable to the social order because “everything happens as though the humanitarian powers wanted to share and promote sacrosanct values without taking the usual ritual precautions” (p. 61).

*Raisons d'Etat et raison humanitaire* (“Reasons of State and humanitarian rationale”) is the title of Jacques Forster’s essay, which goes directly to the point in addressing the problem of competition for humanitarian reasons, indicating the realities of such competition as well as the threat it poses to humanitarian action. Referring to the new role of the United Nations, Forster examines State humanitarianism, concluding that humanitarian action must neither be replaced by nor integrated into political action.

<sup>2</sup> The customary English translation of the French term “*ingérence humanitaire*” is “humanitarian intervention”. Literally, however, “*ingérence*” would be translated as “interference”. As the book is largely concerned with this connotation, the terms “interference” or “imposed intervention” have been used where necessary to facilitate understanding of the thoughts expressed in this book review.

In his *Ingérence utile et manipulée* ("Useful and manipulated intervention"), François Piguet analyses the involvement in Somalia. Noting that aid always arrives too late, he asks whether, when all is said and done, "structural emergency constitutes an adequate response to the decay of socio-economic structures in certain countries and the resultant conflicts" (p. 95).

In the *Controverses* section, Fabrizio Sabelli voices his disagreement with Marie-Dominique Perrot in his essay *L'ingérence humanitaire entre religion et politique* ("Humanitarian intervention: between religion and politics"). In his opinion, in sanctioning the concept of (imposed) intervention an attempt is made "to gradually eliminate every obstacle — and the State is a sizeable one — which hinders economic power from realizing its goal of a worldwide uniformity of conscience and institutions" (p. 99).

Referring to the essay by Gilbert Rist, Christian Comelieu poses the question: *Le bon samaritain a-t-il un avenir?* ("Is there a future for good Samaritans?"). In view of "the tragic and terribly efficient consequences of modernity", he considers humanitarian action to be a necessity, "to avoid disruption of incalculable dimensions" (p. 102).

The *Paroles* section contains interviews with Paul Grossrieder, ICRC Deputy Director of Operations: *Le CICR face à l'ingérence humanitaire* ("The ICRC vis-à-vis (imposed) intervention on humanitarian grounds"); Hans Schellenberg, Section Head of Swiss Development Cooperation: *Entre non-ingérence et besoin d'aider: l'humanitaire d'Etat* ("Between non-interference and the need to provide aid: State humanitarianism"); Jean-Philippe Rapp, television news journalist for Télévision Suisse Romande: *L'ingérence humanitaire et les médias* ("Intervention on humanitarian grounds and the media"); and lastly, Yves Audéoud, Head of the Africa Department at Caritas Suisse: *Savoir ou ne pas savoir intervenir, le cas de la Somalie* ("The wisdom to intervene or not: the case of Somalia").

These interviews are indicative of the highly important role played by the media in interventions which could be classified as interference on humanitarian grounds. In addition, Grossrieder rightly points out that nowadays the problem is not so much that of going into a country but of taking action once one is there. In his opinion, the early warning system rarely prevents war. For Hans Schellenberg, (imposed) intervention — or interference — consists in providing aid where everyone else has already done so, consequently forgetting about other victims, while the contrary involves placing humanitarian principles before political considerations. Jean-Philippe Rapp draws attention, in passing, to "the highly conventional language used by (media) professionals who are often more intolerant than the general public" (p. 123). On the other hand, for Yves Audéoud, "humanitarian aid is a very practical concept, since it is a means of using emotions to the advantage of domestic political considerations" (p. 130).

The final section, *Points d'appui*, consists of an essay by Delphine Bordier, *Ingérence humanitaire: un débat* ("Humanitarian intervention: a debate"), which contains a carefully considered summary of the leading opinions expressed on

humanitarian intervention/interference. Observations by Mario Bettati, Bernard Kouchner, Cornelio Sommaruga, Jean-Christophe Rufin, Rony Braumann and others provide a highly useful overview for a debate that continues to generate ideas and opinions. Afterwards comes a bibliography, along with background information on the training and professional status of the contributors to this book. This is a welcome addition, the only criticism being that it has been placed at the end rather than along with the author's name at the beginning of each essay.

Readers may be surprised by the critical tone of these essays. This is, however, the purpose of the collection which, given the title *Enjeux* ("What is at stake"), seeks to demystify as well as highlight the workings of power "which at times have become unfamiliar to us". Consequently, the authors of this brief collection offer us a lesson in humility, their response in keeping with a properly scientific approach to the subject.

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