International Ethics Research Group Profiles

Interview and profile by Chris Sheedy, May 2015.

Humanitarian intervention as a moral responsibility?

When is a ‘coalition of the willing’ not a coalition of the willing? When it becomes a coalition of the obligated, says Professor Toni Erskine.

A scenario that aims to illustrate the moral responsibilities of a disconnected assortment of individuals was once outlined by leading moral and political philosopher, Virginia Held. Three healthy adults, all strangers to each other, are walking down a street when a building collapses. From the rubble comes a cry for help – a man is stuck under several heavy beams and he is bleeding profusely from a leg wound. It is clear that unless he is rescued soon, he will die. The beams cannot be moved by one person acting alone. The three strangers agree that action should be taken but as they argue about various strategies, the man slowly bleeds out and dies.

According to Held, any of their proposed actions would have saved the trapped man. Even though they were just a ‘random collection’ of individuals (to use Held’s phrase) and not an organised group, Held argues that there was a moral imperative for the individuals to do something. In other words, they can be blamed for doing nothing.

Importantly for Held, their guilt lies not in the non-performance of the action of moving the beams, but in failing to organise themselves into the type of group that would have been able to arrive at a decision and act to save the man.

In this scenario, says Toni Erskine, a Professor of International and Political Studies within the School of Humanities and Social Sciences at UNSW Canberra, each of the individuals is a moral agent. “They each have the capacity to both understand and respond to ethical reasoning,” she says. “They possess capacities to contemplate, recognise the significance of, and ultimately execute different courses of action.” She interprets Held’s argument to mean that in such a case each has a responsibility to contribute to establishing an ‘informal association’ that is capable of performing the necessary action.

Then apply this scenario to world affairs. In another country, a massacre is taking place. People from one ethnic group are attacking and mass murdering those from another. Left unchecked, the result will be genocide. The only way to stop the mass atrocity is deemed to be military intervention. However, when a UN resolution is proposed to intervene militarily to rescue the vulnerable population, one of the five permanent members of the UN Security Council exercises their right of veto, meaning no intervention is permitted.

What now? Should the mass atrocity be allowed to go ahead? Here Erskine draws on Held’s argument. She argues that in such a case, when the formal organisation that has been tasked with discharging the ‘responsibility to protect’ is unwilling or unable to do so, individual states, which Erskine defines as moral agents, each have an obligation to continue to establish an informal association capable of intervening. Such a body is generally referred to as a ‘coalition of the willing’. Given these circumstances, it would be better labelled as a ‘coalition of the obligated’, Erskine says.

This thinking around the ‘Responsibility to Protect’, often referred to simply as ‘R2P’, is earning a great deal of attention right now in the study of international politics. Erskine has been flown to the Faculty of Law at the University of Amsterdam, to Fudan University in China, to the University of Bayreuth in Germany and the University of Queensland, among other places, in order to present her argument.

She has also been asked to expand on this initial work, which was written as a chapter for the book manuscript that she is currently preparing, and write a chapter for The Oxford Handbook on the Responsibility to Protect.

“R2P is something that is currently being debated and discussed, especially in the aftermath of the intervention into Libya four years ago and, more recently, with regard to how to respond to the crisis in Syria,” Erskine says. “I started out looking at R2P in the context of coalitions of the willing for my current book project. The coalition of the willing provides a challenging example of an informal association in international relations and I was interested in how we can coherently talk about responsibilities in the context of informal associations. From there, I’ve become interested in dilemmas surrounding widely-endorsed principles of R2P. If the United Nations fails to go in and protect vulnerable populations facing mass atrocity, what’s the alternative? Is there an alternative?”

“Some people would argue that if the UN fails to act then there’s nothing we can do because the UN either has to authorise other agents to intervene, or decide to intervene itself (which it’s poorly equipped to do). The argument I’m making is that even if the UN fails to authorise an intervention, then, in some cases, in the absence of a viable alternative, an intervention by a coalition of the willing without UN Security Council authorisation is morally required.”

“I’m not getting into a legal argument here; it’s a moral argument. There are many people who argue that it would be illegal to intervene in another state without the consent of its government and without UN Security Council authorisation. There are also some people who argue from a legal perspective that even with UN Security Council authorisation, such non-consensual intervention is not permitted. The legality of R2P is a grey area. But my focus is on the moral responsibility.”

In the case of mass atrocity crimes, Erskine says, if the UN does not support an intervention, there is still an obligation for individual moral agents – in this case states or regional organisations, for example – to come together, form a coalition, and intervene.

The exciting and satisfying aspect of her work, Erskine says, is the fact that it has the potential to influence people involved in policy making and international law.

“The international lawyers that I spoke to in Amsterdam are re-printing one of my articles for their international law volume on shared responsibility. Because this is not a very clearly defined area of international law at the moment, ideas and principles surrounding shared responsibility are still being developed. I think current work in this area, not just mine but also from other people working in other disciplines, will help to inform how international lawyers further develop and employ the idea of shared responsibility,” Erskine says.