



Transcript

The Terms of Intervention

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Introduction

Thank you all for being here today.

It is a great pleasure to be in Chatham House.

Under the leadership of DeAnne Julius and Robin Niblett you continue to provide an invaluable source of expertise, information and clarity on the important issues facing our world today.

Europe

Today, there are few issues in need of greater clarity than the future of the Lisbon Treaty.

There is a strong sense of déjà vu about the Irish No vote.

Like the French and Dutch voters who rejected the draft EU Constitution in 2005, Irish voters have given few pointers to EU leaders on how to decipher their grievances – they are disparate and point in several different directions at once.

But this is no excuse for continuing on regardless.

That would only confirm in the minds of millions that the EU is ploughing ahead without any concern for the reservations of European citizens.

Pro-Europeans – above all others – must not take this path.

Of course I am disappointed that Lisbon was rejected by the Irish people.

The provisions of the Lisbon Treaty were the right prescription for making an enlarged EU fit for purpose to tackle cross-border crime, climate change and security.

But if you ask me what is more important at this stage: a strong sense of support and legitimacy for Europe, or the minor reforms of the Lisbon Treaty, I have to come down in favour of the former.

If that means we lose Lisbon and have to return to essential reforms further down the line – then so be it.

Of course the dilemmas which the Lisbon Treaty sought to address will not disappear, regardless of how much the Conservatives and others would wish it away.

The EU can cope under the terms of the Nice Treaty, for sure, but issues related to the efficiency and accountability of a much enlarged EU club will not simply disappear.

Equally, however, they must not become an abiding obsession for European elites.

The European Union has been immersed in non stop institutional change for a decade and a half as one Inter Governmental Conference and one Treaty has given way to the next.

We mustn't allow the best to become the enemy of the good.

Of course the decision making procedures of the EU could be further improved.

But at some point the incessant focus on how the EU makes decisions must give way to a focus on what decisions are taken, and why.

Perpetual wrangling about the means by which the EU decides things has obscured the ends for which the EU was created in the first place.

The European Union is too important to get lost in its own internal battles and debates for several more months on end.

The Laeken Declaration was based on a premise that Europe could move closer to its citizens through institutional reform.

That thesis has not exactly been vindicated in recent years.

It is now clear that for the EU to have meaning, legitimacy and resonance with its voters, it will have to win respect through its actions, through its relevance to daily lives.

It is time to stop tinkering with the machine and put it to work.

This is not an endorsement of the view that the Irish have struck a blow for 'the real people over the Eurocrats'.

This is a distortion perpetuated by anti-Europeans.

It is not the European Commission or even the European Parliament that draws up treaties.

It is democratically elected national governments.

They sign the treaties and national parliaments approve them.

The legitimacy gap is not just between Brussels and London or Brussels and Dublin.

It is also a gap between the public and the political class.

That is a challenge for everyone, regardless of their views on Lisbon.

It is, I believe, part of a wider malaise and concern amongst the public over globalization and the shifting of power.

Instead of being a victim of that malaise over globalization, the European Union has to prove that it is a crucial part of our response.

Pro-Europeans need to show how the EU has evolved into the world's most sophisticated response to globalization.

In a fast-changing world of newly emerging powers, the European Union is our best chance for economic prosperity, and safety in numbers, at a time of profound global change.

So whilst I would not seek to second guess what the Irish Government may come up with between now and October when, according to the conclusions of last week's EU Summit, a decision must be taken on Lisbon - I nonetheless believe if there is no obvious or simple solution, it would be better to let the Treaty drop.

The greatest danger to the European cause is not the loss of the Lisbon Treaty itself, but a prolonged period of political uncertainty and legal wrangling.

Such uncertainty would deal a further hammer blow against what little is left of pro European sentiment in this country.

Globalization

Globalization requires us to formulate a system of supranational governance capable of controlling forces which escape the limitations of the nation state.

And it is only liberalism, with its accommodation of the market economics that drive globalization and the internationalist politics needed to regulate it, that can guide us.

That is why the Liberal Democrats have for so long championed international cooperation through the EU, UN and other bodies.

Internationalism is one of the fundamental tenets of what it is to be a liberal.

And it is also in liberalism – in its belief in the importance of individual rights – that we can trace the roots of a belief in a higher justice that transcends the interests of the individual nation state.

It was Gladstone who first impressed upon us the belief that ‘the sanctity of life in the hill villages of Afghanistan among the winter snows, are as sacred as our own.’

From this idea grew the founding principles of international humanitarian law, and the notion of intervention for reasons other than national interest.

Yet, whilst this doctrine may have antecedents which stretch back deep into British political history, we are still struggling to work out how it can work in practice.

What are the limits of national sovereignty?

What rights do others have to intervene in the internal affairs of another nation?

When is a war just?

Can moral universalism serve as a guide for military intervention, or does it have no place in the realpolitik of international affairs?

It's these debates I want to focus on today.

I want to talk about the shape of conflict in today's world.

The shifting international responses.

And the role I believe Britain should seek to play in that context.

Changing Context

The norms and rules of international affairs are of course never set in stone.

The post-Cold War world remains an uncertain place. Economic power is shifting from West to East.

We do not yet fully understand the consequences of this shift to a more multi-polar world.

But it is clear that we have entered an era in which full-scale war between the world's biggest states is unlikely.

The spread of democracy, international law, and economic interdependence have all played their role in ensuring that.

Armed conflict today exists primarily between smaller states,

Within states –

And as a consequence of extra-territorial actions, or terrorism.

Increasingly, today's conflicts are – in the words of General Rupert Smith – 'wars among the people'.

His argument that the world has undergone a fundamental shift from the 'heavy metal' wars of the past is right, at least in part.

There will still be times where states – including developed western states – will go to war with a conventional army against a defined enemy.

As General Sir Richard Dannatt sagely observed in a recent speech to RUSI, 'The man who looks ten years out and says he knows what the strategic situation will look like, is, frankly the Court Jester.'

We cannot rule out the possibility of a return to state on state war.

But equally, in preparing for the unexpected war of tomorrow, we cannot risk losing the war of today.

For our own sake, and for the sake of other populations, there is a greater need to intervene in conflicts that do not directly involve us –

And to tackle international terrorist threats that might.

President Sarkozy sought to respond to these new realities last week.

He announced the biggest military shake-up in France since President de Gaulle withdrew from Nato more than forty years ago.

This kind of reconfiguration of security expenditure and capabilities is exactly what the UK has attempted, but struggled to achieve.

We are currently ill-equipped to take on further significant challenges.

The Regular Army has a deficit of almost five thousand soldiers. Tour intervals are shortened and there remain critical shortfalls in key skills.

Liberal Democrats have long advocated an immediate, orderly withdrawal from Iraq.

Our presence has long ceased to have any tangible benefits for the Iraqi people.

Our forces are suffering by needlessly sustaining two operations on two fronts.

Withdrawal would mean freeing up airlift and armoured vehicle capability from Iraq to Afghanistan which would ease the pressure on operations there.

Our troops are doing a phenomenal job in Afghanistan.

Wherever they serve, the British Armed Forces show bravery, commitment and professionalism.

But they are not equipped as they should be.

Our troops should not be dying in Snatch Land Rovers.

The tragedy and loss of lives is bad enough – but there is a strategic cost too.

This is an insurgency campaign.

Lives lost are propaganda for the Taliban, intended to blunt our resolve.

So not only does penny-pinching on vehicles cost precious lives, it also exacts a strategic price too.

Afghanistan is typical of a conflict in which civilian aid and development are fundamental to long-term success – but the agencies which drive them cannot operate on their own.

They have instead to be supported by the military – cooperation that pulls both sides of the civilian-military divide in new, difficult directions.

Earlier this month, the chief of the general staff, General Sir Richard Dannatt, acknowledged that the primary future task of the British army will be to provide ‘military assistance, security and development’.

This can only be right.

I welcome the Government's recent announcement that more Royal Engineers would be sent to Afghanistan to work on development and reconstruction.

They know how to do the work, and they know how to train the locals to do it for themselves.

In my view the Engineers should be freed up to do more of this kind of work.

If DfID are unable to operate, let us get the Army in to do quick-impact projects.

Afghanistan may be our best guide as to what future conflicts will look like.

Fighting insurgents rather than armies, building states rather than seeking to destroy them, leading with civilian reconstruction rather than military

domination alone, working with a patchwork of domestic and international military partners rather than alone, requiring a political commitment of years and decades rather than a victory declared overnight.

Failure in our mission there would be catastrophic.

It would lead to an increase in terrorism, and more hard drugs on our streets.

And it would lead to instability in the region and even greater suffering for the Afghans themselves.

I doubt there will ever be a neat outcome to our mission in Afghanistan.

After all, it is a nation without a state, riven with tribal tensions.

The best we can presently hope for is an approximate condition of security and stability.

And that might take many years, perhaps decades – something which the British Government has failed to explain to the British people.

At the moment, I do not believe that British public opinion is reconciled to the risks and likely duration of our mission in Afghanistan.

The failure of this Government to invest the political capital in explaining the reasons for our presence in Afghanistan to domestic audiences may well come back to haunt it if casualties continue to rise.

So the time has now come for a full foreign-policy led Strategic Defence Review.

Britain has not conducted a Review for over ten years.

If we are to ensure that our military is prepared for the triple challenge of agile peacekeeping, humanitarian and counterinsurgency operations, then we must get serious about properly matching our aims, capabilities and resources.

We are still spending billions on a Cold War fighter jet programme. Yet we delay and dither over a desperately needed new fleet of vehicles for our forces on the ground.

That cannot be right.

However, there is little point in changing our defence posture towards peacekeeping operations and 'war amongst the people' if the political will and the public support is absent.

Will those countries stung by the bitter experience of Iraq show willing to engage in further conflicts that do not directly concern them?

In the post-Vietnam era the United States tended to shy clear of avoidable military commitments.

There is every reason to believe that we are entering a similar period now.

The American public is deeply disillusioned by its recent experience in Iraq.

They are likely to have little appetite for further foreign wars or intervention.

And their leaders know it.

The next US President may well be tempted back into the shell of American isolationism as a means to winning votes.

And whatever your view on American foreign policy, it remains the case that much of the world looks to the only superpower for a lead on military matters, including humanitarian intervention.

So the question for Britain is this:

In a globalized world in which traditional state-to-state conflict is giving way to dispersed conflict within states and with stateless groups;

In which America's willingness to act as the world's policeman will wane;

In which defence spending priorities will have to shift dramatically;

In which economic and political power is moving fast towards Asia;

And in which multilateral institutions like the UN are stymied by national rivalries

What should Britain's role be in contributing towards a new world order?

The Terms of Intervention: Self-defence

We should start from first principles.

Being good internationalists does not mean abandoning our national interests.

Britain's first priority must remain the security and prosperity of the British people.

Where those interests are infringed by acts of aggression from others we maintain our right to respond.

The principle of self-defence is enshrined in Article 51 of the UN Charter.

It is our unambiguous right, and we must always be ready to exercise it.

That right applies not just to aggressor states –

But also to terrorist attacks.

The Taliban had served as both breeding ground and training ground to Al-Qaeda terrorists, including the 9/11 hijackers.

So, following that terrible September morning when the World Trade Centre was attacked and 67 British citizens were among the thousands murdered – we were right to respond.

Article 5 of the North Atlantic Treaty states that ‘an armed attack against one or more’ member states ‘shall be considered an attack against them all’.

This was an attack against us all by state-sponsored terrorism.

And Britain was right to be part of the military response.

It was right to invade Afghanistan, to remove the Taliban from power and now to work with Afghans to establish the basis of a new civil society.

Precautionary intervention

If the principle of self defence against an aggressor is relatively clear, it is the more complex issue of precautionary intervention that is being contested and expanded in foreign affairs today.

Intervention that is, or purports to be, defensive – but nonetheless comes before an attack by an aggressor.

In a thoughtful article in last week’s *Guardian*, based on his new book, Philip Bobbit turned his attention to this issue.

He separated precautionary intervention into its three strands.

First, pre-emption –

The well-established and legal doctrine of military action in the face of an imminent attack.

Second, preventative war –

Initiated in the belief that armed conflict, while not imminent, is inevitable and that postponement of it will be of tangible disadvantage to the state contemplating action.

Bobbit rightly points out that preventative war has, historically, been considered illicit.

As it was in its most recent incarnation: the invasion of Iraq.

And third, preclusive intervention –

This justifies force on the basis that a state has radically compromised its sovereignty by its own acts.

And that it has refused to right the wrongs it has committed.

This may involve the state threatening international security by violating international law and refusing to abide by UN resolutions.

Or threatening the security of its own people by means of illegal persecution, or even wilful neglect.

And it entitles others in the international community to sanction the offending state through either economic or military measures.

It was this nascent doctrine that justified our intervention in Kosovo nine years ago.

Slobodan Milosevic was actively persecuting Kosovars, and the international community had the moral right to intervene.

Tony Blair himself famously made the case for humanitarian intervention in his Chicago speech that same year.

The messy reality of our current military commitments – not least the unjustified invasion of Iraq – has put the UK on the back foot.

This is tragic. Exactly at a time when we should be strengthening the doctrine of liberal interventionism, the legacy of New Labour's disastrous intervention in Iraq has weakened our political and moral authority to do so.

It has been left to others – notably the Canadians – to nurture that idea and the result is the concept of the Responsibility to Protect, or R2P.

R2P

I believe firmly in this doctrine.

It is time for Britain to do all we can to promote and support it.

Adopted by the UN's 2005 World Summit, the R2P states that if a country is unwilling or unable to carry out its responsibility to prevent abuses of its own citizens, that responsibility must be transferred to the international community.

In turn, the international community must then attempt to solve those problems –

By peaceful means, initially – including dialogue, diplomatic pressure, and economic sanctions.

Military force remains available as a means of last resort.

Canada's International Commission on Intervention and State Sovereignty proposed that six conditions traditionally associated with just war theory must be met before an act of extraordinary intervention could be justified.

First, any intervention should be based on just cause.

Second, it must have the right intention, rather than serving hidden ends.

Third, intervention should always be a last resort.

Fourth, it must be sanctioned by legitimate authority.

Fifth, a response must be of proportional means to the breach.

Sixth – and this must not be forgotten – any intervention must have a reasonable chance of success.

I have no doubt, for example, that there is now a moral case – under R2P principles – for intervention in Zimbabwe.

With the announcement yesterday by the MDC opposition party that they would no longer be contesting the second round of the Presidential Election, Robert Mugabe's neutering of his country's political freedoms is complete.

Since the first round of voting – clearly won by Morgan Tsvangirai – chaos has been unleashed.

Aid agencies have been banned from distributing food.

Countless opposition supporters have been murdered.

With thousands more beaten, intimidated and driven from their homes.

And Mugabe himself threatened to wage war on his own people if he were to lose an election he always had every intention of rigging to his own benefit.

The international community has ample justification to step in.

But the extent to which we can act is restricted by the chance of success for our actions.

There is, for example, no regional support for any kind of military intervention.

So it would be wrong to attempt any form of military intervention.

How to help Zimbabwe

But that doesn't mean we should give up.

There are other ways to influence Zanu PF.

Three weeks ago I urged the Prime Minister to warn Mugabe that unless established conditions were met for a free and fair election, the UK would work with others to cut off access to the foreign currency that sustains his rule.

That is now one of the few measures that Mugabe would truly fear.

Cutting off foreign remittances is a serious step with serious consequences.

I know that it would hurt the ordinary Zimbabweans who rely on remittances from friends and family abroad.

But the fact remains that access to foreign currency is the only thing that enables the regime to function –

And therefore the only thing that sustains Mugabe in power.

It is now too late for free and fair elections in Zimbabwe.

But it is not too late for Britain to act within the EU, the UN and, crucially, with countries in the Southern African region to act decisively against Mugabe.

President Mbeki of South Africa must move beyond his reluctance to act and threaten to restrict electricity supplies into Zimbabwe.

Chaos in Zimbabwe will worsen an already acute refugee problem in South Africa.

South Africa as the dominant power in the region has every interest to see Mugabe leave Zimbabwe for good.

We must work actively with South Africa to persuade them of the need to be utterly uncompromising towards Mugabe, for the sake of the region as well as Zimbabwe itself.

Beyond R2P

I don't believe that the R2P principles should be the end point in our thinking.

The text adopted by the 2005 World Summit sanctions intervention only when a state commits an active crime against its own people.

Or fails – or is unable – to act to stop armed conflict.

But inaction on the part of a state can be equally devastating in non-conflict situations.

Earlier this year, the Burmese authorities refused to allow international aid distributors to access those communities who had been hit by the cyclone.

The state authorities preferred to allow their own citizens to starve and fall victim to illness than to accept support from the west.

That is an outrage.

If we are willing to take action to protect innocent citizens from state persecution I do not believe that it is morally right to abandon other citizens to the lethal and malicious negligence of their governments.

So I believe that the R2P principles should be revisited.

The point at which the international community should consider intervention is not just at times of conflict, but also when a state intentionally permits extreme and unnecessary suffering that it has the power to stop.

Britain and the World

Extending the definition of R2P does of course open the door to increased pressures on the international community.

And there is no denying that there has been an ad hoc approach to implementing the Responsibility to Protect, as it stands.

But that should be a call to action rather than a cause for reticence.

If we are serious about implementing the Responsibility to Protect – whether or not we expand its definition – we need to build the institutional framework that will allow it.

The United Nations should continue to develop this doctrine, so that it is clear and understood by the international community.

And it should be the first port of call to sanction an errant state.

There may be times when it is nonetheless impossible to obtain a Resolution from the Security Council because political interests mean that it would be blocked by permanent members.

The authority of the United Nations is vital and we must always be wary of proceeding without its explicit authority.

But we must recognise that it remains a flawed organisation in need of reform.

Too often dominated by individual national interests.

In considering action without UN authority, we have to find a way to distinguish between situations where a minority seeks to prevent the world from taking appropriate military action – as the Russians sought to do over Kosovo – from those where a minority wants to take inappropriate military action – as the Americans and UK did over Iraq in 2003.

We must never confuse the two.

And we need to assess who we can work with to best achieve shared ends.

The United States will surely remain our closest bilateral ally.

And where it intervenes, within the rule of law, and with our support, we should be open to working with it –

Through UN forces, Nato, or other structures.

But we must aim to be real partners with the US, not subservient to the whims of any particular administration.

My own view is that Britain must strive to take a leading role in European deployments.

The days of America acting as the world's policeman are numbered.

So we have a strategic responsibility to raise our game in Europe.

European spending on defence remains low, and the capability of European states to act together or individually is small.

But the European Security and Defence Policy has begun to develop a portfolio of achievements grounded in the Franco-British St Malo Declaration of ten years ago.

Today, the French, alongside the Irish and others, comprise a positive peacekeeping force in Chad.

And there is huge potential for Britain to play in leading the development and integration of Europe's humanitarian and peacekeeping capacity.

I do not share the reticence of those who fear greater cooperation European defence policy.

Of course the EU should not undermine NATO in any way.

But if the prize from greater defence cooperation in Europe, is a Europe better able to stand on its own two feet and contribute to greater stability so be it.

Certainly, Britain will not encourage our European partners to contribute more forces in Afghanistan and elsewhere by carping from the sidelines.

We do need more commitment from other NATO Member States in Afghanistan.

But that is not a reason in itself to shun greater cooperation with our allies.

In Nicolas Sarkozy Britain may prove to have an unprecedented ally for leading Europe on these issues.

The proposals for greater cooperation between the British and French navies are the kind of bold thinking that Europe needs.

More sharing of defence capabilities between NATO and European allies is inevitable if we are to continue to demand access to the range of platforms we have traditionally used without committing to a vastly increased defence budget.

We should embrace that. That is where Britain can lead in Europe.

Conclusion

As a liberal and as an internationalist, I believe strongly in Britain's role as a force both for peace and for justice in the world.

But at this moment of global flux, and on the back of our Iraq experience, it is time for Britain to reassess our military priorities.

We should of course continue to offer a robust defence of our national interests.

But we should lead the debate on reforming and developing the doctrine of the Responsibility to Protect, and to working within the United Nations to maximise its effect.

Realpolitik will always limit the capacity of individual states and international institutions to create a fairer world.

But that should never stop us from trying.