Anne Orford, Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law

Lisa Danish

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Humanitarian intervention, despite its claims to moral credibility, makes international legal scholars uneasy. Written before hostilities in either Afghanistan or Iraq, Anne Orford’s Reading Humanitarian Intervention critiques other recent uses of humanitarian intervention, particularly those in East Timor and Kosovo. Orford teaches at the University of Melbourne Law School, and counts herself among “creative critical and feminist legal scholars in Australia.”

Orford’s book, composed of six chapters, is a critical appraisal of the ways humanitarian intervention is discussed. The book begins with a chapter titled, “Watching East Timor,” which describes Orford’s inspiration to write about humanitarian intervention, both through the lens of a critical legal scholar and as an Australian observer of the conflict between Indonesia and East Timor. Orford sets out to understand the effects of “the dominant narrative” of humanitarian intervention, as well as “to find ways to ensure that ‘humanitarian intervention’ has a more radical meaning than simply support for a particular kind of state-based, capitalist and militaristic world order.”

 Appropriately, Orford notes that calls for humanitarian intervention are framed as imperatives: Someone must do something to stop the violence against these innocents. Her main reflections are that, first, the understanding of conflicts as brought about by forces operating in some unconnected, sovereign zone is false, and serves the developed world’s desire to be seen as a savior of humanity; and second, the impulse to intervene and nation-build is triggered by a political, and deeply psychological desire to create an “other.”

Orford’s observation of the interconnectedness of developing-world conflicts and developed-world structures resonates more than her point about the Western desire to feminize countries as a precursor to intervention and a warrant for nation-building. She makes this latter point through an extended discussion in Chapter 4 of the human awareness of sexual difference. Readers with interests in psychoanalytic theory will find profitable references, for example, to the Freudian fable of fetishism. Others will more likely be annoyed.
Orford seems to lead the reader along a chronology of her developing thoughts on humanitarian intervention. In the first part of the book, she is more prone to describe the development of her thoughts in reflections on the writings of many different international legal scholars. However, near the end of the book, Orford also brings the reader through, for example, a lengthy conversation she had with an unnamed friend over the conflict in East Timor. While this mixture of expert and lay discussion is well pitched for accessibility to non-academic readers, in my judgment, this book is still likely to pass over the heads of most undergraduates.

Orford succeeds in encouraging her audience to think critically, along the lines she draws, about the narrative that underscores calls for humanitarian intervention. While the reader may not follow her down every path, Orford's review and analysis is a positive contribution to the ongoing debate over the application of human rights law to the international use of force.