

Self-help Test on Michael Walzer's military intervention theory*

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Abstract This paper analyzes the importance of Michael Walzer's self-help test and discusses its importance as a link between a community's internal conflict and foreign military intervention. After a brief introduction to self-determination theory in Walzer's philosophical thought –describing self-determination and non-intervention principles within the presumption of state legitimacy–, the paper examines the concept of self-help. Also, it addresses the particular features of this mechanism, examining the two levels of this test as well as the consequences of passing both. Then, the study discusses the importance of military intervention –either counter-intervention or intervention in contexts of secession – as a guarantor of self-determination in the international realm. Finally, the paper challenges the philosophical connection established by Walzer between military victory and national representativeness through the study of the Syrian Civil War. The article concludes that the self-help test is a controversial yet interesting proposal combining the respect for self-determination commitment with military intervention in the protection of international stability.

Keywords:

Self-help test, secession, military intervention, Michael Walzer, just war theory.

La "Prueba del esfuerzo personal" en la teoría de la intervención militar de Michael Walzer

Resumen Este artículo analiza la importancia de la *prueba del esfuerzo personal* propuesta por Michael Walzer y muestra su valor como conector entre un conflicto interno de una comunidad y la intervención militar extranjera. Tras ofrecer una breve aproximación a la teoría de la autodeterminación en el pensamiento de Walzer —donde se describen los principios de autodeterminación y de no intervención dentro de la presunción de la legitimidad del Estado—, el artículo estudia el concepto de la *prueba del esfuerzo personal*. Asimismo, se ocupa de las particularidades de este mecanismo, mostrando los dos

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niveles de la prueba y las consecuencias de pasar ambos niveles. Luego, el estudio expone la importancia de la intervención militar —tanto de la contraintervención como de la intervención frente a secesión— como garante de la autodeterminación en la esfera internacional. Finalmente, cuestiona la conexión filosófica desarrollada por Walzer entre la victoria militar y la representatividad nacional a través del estudio de la Guerra Civil siria. El artículo concluye que la prueba del esfuerzo personal constituye una propuesta polémica e interesante, que combina el compromiso con el respeto por la autodeterminación con la intervención militar en la protección de la estabilidad internacional.

Palabras clave:

Prueba del esfuerzo personal, secesión, intervención militar, Michael Walzer, teoría de la guerra justa.

Michael Walzer is considered one of the most relevant contemporary political scientists, due to his work on modern communitarianism (1981; 1985; 1994) as well as his innovative proposal to legitimate military interventions committed with the international community's protection (1970; 2004; 2006). In fact, these two parts of his thought have been frequently understood as separate spheres, with no substantial links in common. However, recent history has shown the importance of a holistic understanding of both aspects as part of the international relations system. In a context of new internal conflicts, i.e. the military intervention in Crimea or the revolutions within the “Arab Spring,” the recognition and protection of representative national actors becomes one of the most relevant contemporary challenges.

Accordingly, this work aims at analyzing one of the main mechanisms to connect Walzer's communitarian theory and military intervention theory: the *self-help test*. More concretely, this article focuses on the nature of the self-help test and explains how military interventions link self-determination and non-intervention principles. Thus, this article studies Walzer's self-help test in the context of internal conflicts during the rise of revolutionary and emancipatory movements.

In addition, this article systematizes the self-help test concept differentiating two levels: one level recognizes an internal movement as a legitimate representative of, at least, a part of a community involved in an internal conflict; and a second level legitimates foreign military intervention to consolidate an emancipatory national movement.

Likewise, the article develops a critical approach, remarking on the most controversial aspects of Walzer's theory. A special aspect in this study is the exploration of the philosophical connection between military victory and communitarian representativeness, exposing its principal risks and caveats.

In the conclusion, this article argues that the self-help test concept constitutes a polemic but interesting proposition to combine respect for self-determination with military intervention for the protection of international stability. Therefore, it constitutes a proposal to transform Just War Theory, with the potentiality of adapting this tradition to the new challenges of the international community.

Self-determination Principle and its Contradiction with Foreign Military Support

Considering that Walzer's main publications on these topics were published during the 1970s and 1980s ("Obligations" in 1970, "Just and Unjust War" in 1977 and "Spheres of Justice" in 1983), Walzer's Just War theory was probably influenced by the Cold War, the most relevant international conflict. In the context of communism-capitalism global struggle, led by the Soviet Union and the United States, respectively, national internal conflicts were used as a way of defending foreign political and economic agendas. On occasion, this global struggle led to the external promotion of guerrilla movements and the consolidation of authoritarian governments, often provoking civil wars in which great powers faced each other. These conflicts, despite their threat to international peace, repressed national sovereignty, turning self-determination processes into Cold War scenarios. More concretely, Walzer recognized the influence of the Vietnam War in this theory, as it constituted an example of illegitimate foreign interference in a civil conflict, supporting an unpopular authoritarian government and committing numerous war crimes against the Vietnamese population (Walzer, 2006). According to Luban, other conflicts concerning respect for self-determination that inspired Walzer's work were the Six-Days War and the Gulf War, as they evidenced how minorities or nations could be violently

repressed (Luban, 2017, p. 2).

In this context, Walzer aimed at proposing a theory of respect in which countries depend on their internal dynamics. More concretely, he has exposed an intersubjective nationality criterion, consistent with his communitarian theory: each nation can self-determine and establish its own organization, conquer its independence or transform the political system. The latter proposition underlies the belief that a community can only break free when it decides to fight for its freedom against foreign elements as well as against internal ones.

It is remarkable that Walzer does not analyze the context in which these uprisings can take place: as long as a movement is conscious of the risk that it is assuming, its actions are legitimate.¹ In this sense, non-intervention allows for the development of internal conflict. Left to develop on its own, the result of the struggle would depend on the commitment of the forces fighting each other. Those forces that represent the majority population would receive more support, and thus would be more likely to achieve victory. As a result, a community engaged in an internal fight is a community in a process of self-determination, which through victory, would evidence which side represents the general will (Mill, 1859).²

However, the question concerning how the self-determination principle is related to the very existence of the state as the representative figure requires deeper discussion. The following discussion develops the role of the state in community representativeness, its relation to self-determination in contexts of internal conflict and the importance of the self-help test as a link between them.

Since the Peace of Westphalia, the nation-state has been increasingly considered the representative figure of a given national

1 Therefore, this thought breaks with the *Remedial Right Only Theories*, which argue that secession or revolution must respond to previous attacks of the central state (Buchanan, 2004).

2 In fact, Walzer's work provides a complete theory on the meaning of self-determination and the differentiation between freedom and self-determination. Through the work of John Stuart Mill, this author develops the "arduous struggle" that allows the self-determination of a people and the importance of not interfering in that process. For a complete study of Walzer's discussion see Walzer (2006, pp. 85-90), Orend (2000) and Benbaji and Sussman (2014).

community (Crossman, 2003). Its very existence is living proof of the population's support within its borders - or at least that of the majority. In Walzer's view (1985), the nation-state is understood as the physical expression of a common political project: a life model for the community that must be defended against hostile actions.

Therefore, foreign support is legitimated, considering the importance of the nation-state within the self-determination process. If a legitimate state faces a violent threat – both from the outside or the inside – that state can receive international support to repress it. Just as foreign help towards a country suffering the effects of a natural disaster, i.e. floods, fires, earthquakes, is morally justifiable, so too is external support to avoid the potential success of violent internal dissension. In this sense, there are relevant similarities between this foreign support and the second pillar of the Responsibility to Protect (R2P), as both concepts argue that assisting states facilitates the protection of their own populations (Bellamy, 2015, pp. 57-93).

Preventing the success of minority movements trying to impose their political or economic views on the majority is a legitimate action. In fact, it is a coherent behavior under the theory of respect for self-determination to protect the general will against the military strike of a minority force. This argument underlies the notion that a government must be presumed as the legitimate government of the nation, as its existence shows the agreement, or at least the acquiescence, of its own population. Otherwise, the majoritarian rejection of its nationals would have led to the violent removal of the government (Walzer, 1985).

Nevertheless, when a government is receiving foreign assistance to avoid internal dissension, it becomes difficult to know if it still retains the support of its own population. In Montagne Bernard's words: "how can he [the state] impersonate his people who is begging the assistance of a foreign power in order to reduce them to obedience?" (Bernard, 1860, pp. 16).

In fact, there is a remarkable conflict between supporting a legitimate state and the non-intervention principle, essential to the understanding of the self-determination principle. There is no easy solution to such a dilemma. If the supremacy of the first point may suppose the foreign defense of non-socially-supported regimes,

the preeminence of the second may constitute the rejection of state legitimacy as the community representative figure.³

Thus, the issue lies in the extent to which a state could receive foreign support when facing revolutionary or emancipatory processes. The latter is one of the main points of Walzer's self-help test, on which he develops a criterion to recognize the legitimacy of internal movements: the will to fight.

Self-help Test Concept

In Walzer's view (2006, p. 89), internal problems – like secessionist or revolutionary movements – must be solved by local forces without any kind of foreign intervention. According to David Miller (2014), the non-intervention principle is one of the main basis for Walzer's moral standing of the state. This principle guarantees that the result of internal problems are resolved according to the self-determination principle, whichever this result may be. In this sense, if a local force was not strong enough to defeat the governmental forces and achieve victory, it would mean that they did not represent the majority of the population.⁴

However, there are some situations when international inaction leads to an obvious violation of this very principle of self-determination. For example, if a given population in a civil conflict is being slaughtered by its local authorities, the international abstention would not benefit its self-determination. Luban (2017, p. 11) argues about this problematic of respecting the self-determination principle in countries that “sovereignty serves as a screen for oppression, and large parts of the nation don't enjoy its common life.”

In fact, sometimes the internal self-determination of a community, though encompassing the majority of its population, does not reach stability, so the international community must consolidate it through a military intervention (Bull, 1986). According to Walzer

3 About this question, different studies have focused on the legal aspects of the 3314 UN General Assembly Resolution or in its moral aspects (Christakis & Bannelier, 2004; Doswald-Beck, 1986; Chesterman, 2001).

4 In fact, an important critique has been developed, which argues that a nation's history must be a key point in the discussion. The context that led to a nation to rebel are necessary aspects to really understand it (Doppelt, 1978, p. 12).

(2006), in these cases, military intervention may be legitimated as a self-determination guaranteeing mechanism. For example, the Indian military intervention into Bangladesh in 1971 was morally justified, as the Pakistan government was committing numerous war crimes against the Bengali independence movement and against the entire Pakistani population.⁵

But, if both interfering and refraining behaviors might be justified, how could one choose what to do? This is the main question answered by the self-help test: being *successful* in this proof evidences a sort of representativeness and legitimacy among the internal population (Walzer, 2007).

Nevertheless, the self-help test content is much more comprehensive, as it is not limited just to exposing *when* military intervention is legitimated, but it establishes a thorough path to understand *how* self-determination must develop. Walzer provides a theory of behavior in internal conflicts. In fact, the self-help test response questions include issues, such as when a local movement is recognized as a legitimate force, the intensity the non-intervention principle effects must reach, the source of military intervention legitimacy and even the function of the international community as a self-determination principle protector.⁶

Self-help Test in Internal Dissent Movements Recognition

As previously stated, in some contexts self-determination may be contradictory with the recognition of the state as representative of national communities. Walzer's response to that question is anchored in the will to fight as the main element to determine the legitimation of foreign action. In this sense, a movement that expects recognition as a legitimate representative within an internal national conflict must demonstrate its will to fight for the political proposal it represents.

However, this "demonstration" works at two different levels:

5 The limits of the non-intervention principle –both from historic or moral views– have long been studied, i.e. Glanville (2013, pp. 10-31).

6 About this discussion see especially Nardin (2013) and Moore (1998).

recognition as a legitimate force within an internal struggle –what has been denominated as “Belligerent Rights” (Nardin, 2013, p. 540); and the recognition as a movement that can receive foreign military support to achieve its objectives. In fact, as it will be explained below, this second level is the logical continuation of the first one.

The first level of self-help test requires a mechanism to figure out the commitment of a community with the achievement of its objectives, i.e. revolution or secession. This mechanism is not only the will to fight, but also its effectiveness.⁷

As previously explained, Walzer adopts an orthodox view of international law and establishes a territorial criterion on which, as long as the state controls its entire territory and population, foreign military support or another kind to suppress internal dissidence is legitimate. While this full control exists, the representativeness of the state and the population’s support are both presumed.⁸ This argument conceives of the state in its most negative facet: the pure ability to repress its own population. In this sense, a government that prevails over dissident movements, even receiving some foreign support, continues to represent the majoritarian will of the community.

However, this representativeness presumption is modified the very moment the state loses effective control of a relevant part of its territory or population because of a dissident movement’s expansion. From that moment, both forces are considered legitimate representatives of the corresponding territories and populations they *de facto* control. The failure of the state evidences that the community support is divided, thus demonstrating the existence of a genuine self-determination process (Walzer, 2006, pp. 98-99).

If the conflict has reached that intensity, the movement that has achieved partial control of the country has successfully passed the first level of the self-help test as both forces are considered

7 Though this question will be studied later, it is necessary to point out the lack of concretion in this question within Walzer’s theory. How far and how long are needed to consider that an internal movement has passed its self-help test?

8 Yet, it requires a previous clarification: due to the similarities between self-help tests in revolutionary or emancipatory movements, the analysis of both concepts and their particularities is developed simultaneously.

legitimate actors within that given conflict. Therefore, the only way to guarantee the self-determination of that community implies development of the internal conflict: facing the different movements that claim the community's representativeness would evidence the community's support distribution towards dissident or emancipatory efforts.

In this sense, Walzer defends the idea that foreign neutrality is not only an option (as international law argues), but a *genuine obligation*. Leaving the conflict to be resolved by its own forces is a moral duty of every single country that respects the self-determination principle. In this context, the development of the internal struggle is a necessary step to uncover the real commitment of the population. In Walzer's words, "once a community is effectively divided, foreign powers can hardly serve the cause of self-determination by acting militarily within its borders" (Walzer, 2006, p. 96).

To sum up, Walzer assumes the orthodox view of international relations in the context of civil conflicts as a starting point to develop a moral argument about self-determination and to propose a coherent response to one of the most pressing challenges of this era. However, this first step of the self-help test does not legitimate foreign support to the internal movement, but only recognizes it as a subject that deserves "international respect."

Walzer's theory evidences a strong confidence in the potentiality of a community committed to its self-determination. Independent of state power or the imbalance of the forces in battle, if a community is fully committed to its liberation, that community can obtain victory. This article later studies this problematic in relation to the Syrian Civil War.

Walzer's argument evidences a polemic sovereignty conception, as it subordinates the democratic values to the self-determination result, even if this generates a repressive government. In fact, this approach is linked to Walzer's consent conception, as citizens, mobilizing or abstaining, always position before the conflicts of their communities. This argument has been criticized by Gerald Doppelt:

I have argued against Walzer's conception of consent as participation and the criterion it provides for a legitimate political community. Elsewhere his discussion suggests a different account of consent based not so much on participation as on the political loyalties and subjective national identity of the members of a society themselves (1978, p. 22).

In addition, Doppelt also developed a critique of the non-intervention principle in tyrannical governments, questioning the existence of national sovereignty – and therefore the right to not-be-interfered with – for contexts in which the citizens of a given nation are being repressed by their national government (Doppelt, 1978, p. 8). In this sense, linking military victory and national representativeness constitutes a controversial proposal that this paper later analyzes regarding the Syrian Civil War.

Military Intervention Legitimacy in Support of Emancipatory Movements: a Second Level of the Self-help Test

This article has already shown the importance of the self-help test to differentiate when an internal movement involved in an independence or revolutionary process must be respected as part of the community self-determination. According to Walzer's theory, a community, which has passed its own self-help test, is established in the international sphere. At that moment, it achieves a position comparable to that of a state and its sovereignty is protected by the principle of non-intervention. Both independence and rebel forces become legitimate entities as representatives of a community involved in a self-determination struggle.⁹

Nevertheless, the content of this concept goes beyond state recognition, as it incorporates the military intervention as a self-determination guaranteeing mechanism. More concretely, Walzer signaled two kinds of intervention. A military intervention aimed

⁹ An interesting discussion can be signaled at this point: though in an emancipatory struggle the distinction between the conflict forces is clear – emancipation against unification – the situation is different in revolutionary processes. In fact, in these cases the problematic can be resumed in the next question: is there a conflict among communities or among community projects?

at avoiding any kind of interference in a self-determination struggle - counter-intervention - and a military intervention directed to support the establishment of an emancipatory movement – military intervention in the context of secession.

Next, we focus on the necessary requirements to legitimate military intervention supporting an independence movement, the second level of the self-help test. As previously mentioned, in the face of emancipatory or revolutionary movements that have passed the first level of the self-help test – across part of the territory and population – strict neutrality must be respected. Thus, the development of the internal conflict would depend on the commitment of the combating forces, guaranteeing that the result of the conflict shows which posture is more supported by the whole community.

Nevertheless, the non-intervention rule shows some contradictions in contexts of independence movements. While in civil conflicts the struggle involves the entire population around a plurality of political proposals – regime change, religious conflict, and the like – emancipatory movements look for the recognition of a new political subject, a new community. As this self-proclaimed community fights for the separation of part of the territory and the population, the conflict must be redefined between secessionism and non-secessionism. In this sense, the link between victory and self-determination seems to break. Imagining a national minority comprised of approximately 25% of a country's total population, successfully supported by its entire community, does not guarantee victory in an emancipatory struggle. Most likely, despite the minority's commitment to emancipate, the resistance of the majoritarian force may be too strong, avoiding the emancipatory efforts. For example, the Kurdish minority in Turkey includes approximately 15% of the country's population, which suggests that any Kurdish effort to reach independence may be repressed just because of the imbalance between the two populations.¹⁰

As a consequence, in secessionist contexts another system is

¹⁰ See especially Walzer (2007).

required to measure commitment to liberation. In addition, it is also necessary to propose another solution to promote self-determination of independent territories. Still, a key problematic reemerges because if victory is no longer the determining criteria, how could one know if a community is really willing to get involved in a liberation struggle? How can one know if it is just a minority claim to overthrow the majoritarian order with foreign military support? Thus, some kind of mechanism is needed to prove the commitment of the community to its freedom. Until then, any military support is illegitimate, as this requirement guarantees the self-determination principle of avoiding foreign countries from militarily supporting non-representative movements.

The second level of Walzer's self-help test provides the answer. Namely, the requirements that a community must achieve in order to receive legitimate foreign support to consolidate its independence.

The problem with a secessionist movement is that one cannot be sure that it in fact represents a distinct community until it has rallied its own people and made some headway in the 'arduous struggle' for freedom. The mere appeal to the principle of self-determination isn't enough; evidence must be provided that a community actually exists whose members are committed to independence and ready and able to determine the conditions of their own existence (Walzer, 2006, p. 93).

According to Michael Walzer's theory, there are two requirements that a community involved in a liberation struggle must accomplish if any kind of foreign support is expected. First, the existence of the community as a differentiated entity and, second, a period of military struggle to achieve independence. Since it breaks the non-intervention principle, this self-help test supposes a bigger challenge for the community that expects to receive foreign assistance.

Initially, any community that expects the support of military intervention to establish a new political state must show that it constitutes a real and autonomous entity with a common life project for its community and structured through its own national institutions. Though Walzer's work makes no explicit reference concerning the content of that common life project, classic nationalism theory mentions elements like the common history, the

language, or the traditions (Ibarra, 2005).¹¹ The main idea in this point is the feeling of being part of a common identity different from the existing one. In addition, the belief in self-determination is essential, even in a military way, to allow for the construction of this new communitarian project. In this sense, Walzer links the objective aspect of the nation (culture, language, and the like), with the subjective (the will and commitment to constitute that nation).

In this regard, a previous issue must be clarified. Given the actual situation of a particular community, showing its existence may be unnecessary. For example, Scotland, with its own culture and even with its political self-government within the United Kingdom, can be considered as a different community. However, even without an actual autonomous position, if the community possess an historical background of independence, the communitarian demonstration may not be required.¹² Likewise, though in the nineteenth century Hungary was part of the Austrian Empire, its past as an autonomous country showed the existence of a Hungarian community.

Secondly, a community expecting foreign military support must go a step further to evidence its firm commitment to the achievement of independence. More concretely, Walzer requests some “political or military struggle sustained over time” (2006, pp. 93-94). As this idea is the main point in the second level of the self-help test, its nature and aims are discussed further below. However, the importance of a particular analysis of every situation is a vital element within Walzer’s intervention theory as, in his view, every intervention-to-be must be preceded by a complete study of the conflict and of the behavior of the forces in conflict.

First, a movement expecting foreign military support must be involved in a military struggle for liberation. Otherwise, two of the main military intervention principles would have been transgressed: the violent context and the proportional use of violence. As this

11 In fact, resources such as language and culture are also of central importance for certain movements not entirely aligned to classic nationalist goals (Jima-González & Paradela-López, 2018).

12 In fact, objective criteria in the recognition of nations imply some controversy, as the subjective element remains as a key aspect: there are many vanished kingdoms which, in their time, supposed legitimate representatives of their populations.

mechanism constitutes the last resource to end an independence movement involved in a violent national conflict, it must not interfere in the context of political struggle for the consecution of such emancipatory expectations.

In fact, these situations are quite frequent in normal political life, as independence parties often participate in national elections, obtaining representative and political power to fight for the national minorities they represent. The Flemish Movement in Belgium, Corsican or Breton nationalism in France, or Sardinian or Venetian nationalism in Italy, are all examples of this institutional and political path to achieving independence. In some states there are internal paths, which allow any given independence party to look for its own interests within the political sphere, making the use of violence resources unnecessary. Even in some cases, states will recognize the secession as a reality, allowing independence referendums, as happened in Canada (Quebec in 1995) and more recently in the United Kingdom (Scotland in 2015).

Thus, when the political path to emancipation is chosen, foreign military intervention is not legitimated. Such movement has accepted that emancipatory political struggle must advance within the state's institutional system. As long as these negotiations are kept in a pacific context, no military intervention is legitimated, as no proof of real commitment can be identified.

To sum up, military intervention supporting an independence movement can be morally justified *only* if that force is trying to achieve its freedom through a military emancipatory struggle. A brief reflection on this affirmation seems adequate: in Walzer's view, communitarian rebellion is legitimated and the repression of these efforts. Walzer argues that self-determination requires the will to fail and to assume failing consequences: "that their success will not be impeded or their failure prevented" (Walzer, 2006, p. 88).

On the other hand, when this author wrote of the need for a "sustained over time" struggle, the similarities with the first level of the self-help test are evident. Nonetheless, the main difference is that the purpose, in this case, consists in demonstrating that the community has fought enough for its liberation to assume its commitment with self-determination. As previously mentioned,

in emancipatory internal struggles, the imbalance between the national and independence forces can frustrate any effort to achieve secession, no matter the intensity of the commitment of the so-called community. Thus, in these cases victory cannot be the main requirement to legitimate any military intervention (Doppelt, 1978, p. 12).

As a solution to this apparent crossroad, Walzer exposes one of its most controversial affirmations, arguing that a community that is really committed with freedom can obtain a temporal and limited victory. Throughout human history, many examples of national movements temporally resisting imperial ambitions have shown the importance of the population's acquiescence in conquest and of its communitarian cooperation in resistance. In this sense, a movement followed by an entire community has proved itself as a fearsome rival, as was the case with the Irish Revolutionary Army (IRA) and Algeria's National Liberation Front (NLF), both of which successfully faced two of the most powerful colonial armies.

Considering the communitarian potentiality, Walzer specifies the self-help test content as the effective resistance within so-called national boundaries and the territory control during a minimum period of time. Though a complete victory may be out of consideration due to the power imbalance between the forces, a temporal resistance is possible if the national movement is supported by most of its community. Consequently, an independence movement expecting foreign support not only must be involved in a violent emancipatory process, but it must have certain success. That is, the main reason for the "sustained over time" requirement is if it can develop a real short-term resistance within its national borders, the community support can be presumed. It is necessary to remember Walzer's fear: if the formal act of proclaiming the constitution of a new state is enough to legitimate foreign support, military intervention could become an imperialist mechanism to establish illegitimate governments, thus repressing the self-determination principle currently essential in the international community.

One of the most polemic aspects of this theory is the temporal delimitation of the emancipatory movement. Both self-help test levels

do not specify the minimum duration of this national resistance request, thus evidencing the importance of an *Augenmass* Weberian approach: a sharp and accurate perception that determines in every case if there has been a real demonstration of communitarian commitment to liberation (Weber, 1965).¹³

To sum up, this second level of Walzer's self-help test requires a military emancipatory struggle to achieve national liberation and the effective resistance within its so-called boundaries, at least in the short-term.

Consequences of Passing the Self-help Test

After analyzing the self-help test requirements, this work focuses on the consequences of succeeding in this test. Again, it is necessary to develop different approximations of the two level of the test. In both cases the answer is military intervention, but they develop along different paths.

As previously explained, Walzer never differentiated levels in his self-help test. Nevertheless, this article has crafted this distinction to consider its importance for reaching a complete understanding of one of the most complex concepts of his theory.

Consequences of passing the first level of the self-help test. The counter-intervention

Starting with the first level, a community that has passed its own self-help test becomes legitimately established in the international sphere. From this very moment it achieves a position comparable to a state, protected by the principle of non-intervention. Both independence and rebel forces¹⁴ become legitimated entities: representative forces of a community involved in a self-determination struggle. In fact, the neutrality condition among foreign states is

13 In this methodology, there are some relevant similarities with David Miller's (1997) secession work.

14 Though Walzer's argument is uniquely directed to secession contexts, an extrapolation to civil conflicts can be deduced from his work.

the very essence of non-intervention principle. The conflict must develop according to the strength and determination of internal forces, as that is the only way to guarantee that the result, whatever it may be, will respect the self-determination principle. Thus, the international community must create a sort of *sanitary cordon* to avoid any kind of external interference in the national conflict.

This first level of the self-help test, then, allowed the succeeding force to become a legitimate subject of an internal conflict, protected by the international commitment to self-determination through the non-intervention principle. However, the possibility of protection against any military intervention from the outside is another effect of the aforementioned process.

In recent history, especially in the Cold War context, countries intervening in internal conflicts to achieve their own interests became a common practice. In a world divided into two confrontational spheres – capitalism and communism – establishing allied governments was a vital objective, even if intervening in internal conflicts or supporting minoritarian movements was required. This kind of interference constitutes a flagrant violation of the self-determination principle and is therefore, in Walzer's view, a crime against community and democracy: An intolerable behavior that the international community must avoid. Therefore, Walzer considers that all forces involved in an internal conflict, which have passed the self-help test or presumed to be legitimate community representatives (states), must be protected from any kind of external interference. In this sense, the mechanism for that purpose is counter-intervention, defined here as a foreign military action in an internal national conflict with the purpose of compensating a previous external intervention. Therefore, "when the boundaries have already been crossed by the armies of a foreign power" (Walzer, 2006, p. 90), any other state can in turn intervene against that action in support of the harmed force.¹⁵

15 Gross (2010) would be skeptical about the legitimacy of both the counter-intervention and the intervention supporting secession. Why should any country risk its soldiers' lives to support the self-determination in a foreign country? Should these soldiers be forced to risk their lives in the pursuit of that goal?

Though it is not possible to explain all the particularities of counter-intervention, two critical characteristics are the subject requirement of the self-help test and the symmetry purpose. In fact, a clarification is necessary: succeeding in the self-help test is just one of the requirements within Walzer's intervention theory, i.e. prudence and proportion principles or *jus in bello* compliance are some of the many aspects that must also be considered. Then, both in military intervention for secession or counter-intervention, succeeding in the self-help test is a necessary but not sufficient condition.

The first question, already long explained, can be summarized using Walzer's words: "counter-intervention is morally possible only on behalf of a government (or a movement, party or whatever) that has already passed the self-help test" (Walzer, 2006, p. 99). Until the very moment the communitarian commitment has been shown, no military assistance may be legitimated.

The second particularity, and perhaps the most important, is that the purpose of this intervention is not the achievement of the victory of the supported force, but compensation for prior interference. For example, the arrival of foreign soldiers or military equipment can upset the balance in an internal conflict, possibly affecting its final resolution. Hence, the counter-intervention objective is to guarantee, through the military intervention, that the end of the conflict will depend on the commitment of the internal forces (Walzer, 2006, p. 100). As Doppelt writes:

The legitimate moral aim in *counter-intervention* is not to determine who wins, but to try to guarantee that the outcome (whatever it is) reflects the relative strength of the contending social forces before any foreign power intervened (Doppelt, 1978, p. 13).

Then, the intensity of the counter-intervention must follow some kind of "symmetry:" a sort of correspondence between the intervention and the counter-intervention effects (Walzer, 2006, p. 100). Nevertheless, this symmetry can be understood at two different levels: the quantity of the intervention and the consequences derived from such actions. If over a long period, one side has received external military support, it might have generated dynamics within the

internal conflict that cannot be suppressed by a counter-intervention, which provides the same amount of supply and, maybe, a bigger external effort will be required.

Though this article is not focused on Walzer's intervention theory, the symmetry concept requires further analysis. This concept's main idea is the legitimacy of an external interference in an internal conflict that will probably extend its duration. Is the self-determination principle protected when providing weapons or soldiers in a civil conflict? In Walzer's view, counter-intervention resolves the damage caused by an immoral foreign act, re-stabilizing the previous distribution of forces in the conflict. Nonetheless, abstaining may be even more harmful, as it would allow an external intervention to consolidate a non-supported government. Hence, the symmetry concept becomes one of the most controversial topics of Walzer's intervention theory.

A force that has passed the first level of the self-help test must be recognized as a legitimate community representative involved in an internal conflict. Therefore, in Walzer's view a counter-intervention is morally legitimated to avoid any kind of external, violent interference in the process of self-determination.

Consequences of passing the first level of the self-help test. The intervention in support of secession

The present article further differentiates a second level of the self-help test. In this case, however, it only includes the internal conflicts due to emancipatory purposes: a community that is fighting for its liberation against a state which is, in turn, trying to keep the conflict within its borders to avoid the community gaining its independence. When an internal conflict has grown until two or more different forces have divided *de facto* national territory and population, the international community must avoid any kind of intervention. With that abstention, the principle of self-determination is granted as the most supported side by the national population will eventually succeed. However, as previously exposed, in an independence conflict some external interference may be legitimate. If due to the

natural limitations of this kind of movement, despite an evident communitarian commitment and a successful military mobilization, its defeat is certain, in Walzer's view foreign military intervention can be the solution (Walzer, 2006, p. 90). Therefore, when a community involved in an independence struggle has passed both levels of the self-help test, military intervention supporting its political consolidation is a legitimate option for any foreign state willing to do intervene.

Since a complete study of Walzer's defense of the military intervention supporting secession movements is not possible here, the following quote summarizes Walzer's position:

Michael Walzer combines the previous arguments justifying secession with a further refinement of the Wilsonian perspective on the circumstances which make secession a desirable alternative. Like Mill and Buchanan, Walzer argues first that secession may be justifiable because some communities, such as the Armenians and Kurds, could best guarantee their safety and survival through the medium of sovereign power. Second, every historical nation should possess the same right to organize its communal life according to its own values. Third, secession may be a desirable outcome because international peace would continue to be disturbed if distinct communities were denied on the first basic considerations (Ona Bartkus, 1999, p. 17).

Nonetheless, two particularities about this kind of intervention require further explanation: the two political contexts in which this intervention is legitimated and its goals.

On the one hand, the first situation describes a military intervention in secession avoiding the gradual defeat of an emancipatory resistance. Imagining a small community that has taken up arms to achieve secession against a powerful country, the odds are that long-term resistance cannot be organized. Hence, foreign intervention tries to avoid the defeat of an independence movement just because of the imposition of the majoritarian population over the naturally minoritarian independence movement. In this context, the purpose of this interference is the support of the national force, avoiding its final defeat and allowing the constitution and the development of the new state (Walzer, 2006, p. 94). The Kurdish resistance against the Turkish government is an appropriate example: though having led a hard struggle, supported by its population, they have repeatedly

failed to constitute an independent state, continually defeated by the stronger Turkish military power.

On the other, the second situation describes an emancipatory movement involved in a never-ending war with the state from which they seek to emancipate. Though the new state controls its national territory and population, the conflict with its former state goes on, implying the loss of lives and a threat of the defeat of a future independence movement. Thus, perceiving that the conflict will lack a discernible end, the intervening state forces both national sides to stop the hostilities. In this case, the purpose of the military intervention is the recognition of the new national reality: the existence of two independent countries. The war in Darfur, which lasted for more than thirteen years, reflected a never-ending conflict between two communities divided by ethnic and religious differences: the government of Sudan and the rebel forces of the *Sudan Liberation Front* (SLF).

As the intervention in the context of secession is one of the main discussion points in Walzer's intervention theory, a complete approximation is beyond the scope of this article. However, the importance of the mechanism to guarantee self-determination in the context of emancipatory struggle has been developed.

Tensions around the Self-help Test

As previously explained, some authors have developed critiques of Walzer's self-determination theory (e.g. Luban, 2017; Morkevičius, 2018; Nardin, 2013). In fact, Luban questioned the validity of the theory in arguing that "at age forty, the humanism of *Just and Unjust Wars* finds itself under worldwide siege" (2017, p. 14). In complementary fashion, this article aims at analyzing two main problematics, namely the self-help test and the self-determination theory, in the case of one of the bloodiest contemporary conflicts, the Syrian civil war.

This war involves a many-sided conflict with fragmented insurrectionist and independence movements and jihadist militias, which aim at overthrowing a government committed to resistance. In a conflict in which political, religious, economic and even ethnic

differences divide the population, it seems difficult to propose a stable solution. When asked about this conflict's solution, Walzer signaled three different possibilities:

The first is a victory for the Assad regime, which would probably bring with it a repression more brutal and bloody than the civil war has been and which would greatly strengthen the Iran-Hezbollah axis. The second is a rebel victory of the sort that we saw in Libya, with numerous militias and warlords (some of them jihadi militants) ruling different parts of the country, the army's arsenal dispersed among them and among insurgents and terrorists outside the country, and the defeated groups—in this case Alawites, Druze, and Christians—radically at risk. The third possible outcome is a division of the country into a Sunni state centered in Damascus, an Alawite state let along the coast, and an autonomous Kurdish region in the north (2013a).

More concretely, the problematic of this conflict can be summarized throughout two elements: the respect of the self-determination principle within *Daesh*' expansion, and the relation between self-determination's and humanitarian intervention's goals.¹⁶

First, the uprising of *Daesh*, a jihadist movement characterized by the extreme use of violence both with Syrian enemies and with the Koran's transgressors, was one of the most shocking events of the war. Its quick spread during 2014 and 2015, gaining control of cities and towns, generated uncertainty about the self-determination process Syria was experiencing.

As previously exposed, passing the self-help test requires some kind of success in the emancipatory or revolutionary struggle, keeping temporal control of the territory and population. In Walzer's view, this success would evidence the communitarian commitment to self-determination. Nevertheless, this affirmation contains some controversy regarding its real ability to measure representativeness.

Does victory in an internal conflict really measure the intensity of commitment instead of how this feeling has spread among the

¹⁶ In addition, the current Kurdish expansion into the North-east of the country may imply an additional problem: the Democratic Federation of Northern Syria is currently incorporating non-Kurdish populations within its borders. Does the Kurdish's self-determination principle legitimate them to conquer Arab cities?

community? In this sense, a minority but intensely motivated group may organize a stronger resistance than a poorly-mobilized majority. In this sense, *Daesh's* successful spread throughout Syria seems to evidence how an extremely determined minority can prevail over the majority, especially in context of multiple forces facing each other (Walzer, 2012).

Accordingly, the Syrian civil war exposes the problematic between victory and representativeness in the self-determination process. More concretely, should *Daesh*, a radical authoritarian movement, achieve success in a rebellion only because it achieves the military victory?

On this problematic, Valerie Morkevi ius has exposed the similarities of Just War Theory and Realist theories, as they both share a common view of states and the monopolization of the use of the force (2018, p. 13). More concretely, the respect of the non-intervention principle in authoritarian states, despite diverging in the reasons –self-interest in realism and self-determination in the Just War Theory– imply a relevant commonality. In this sense, this theory would provide a strong realistic logic in Just War Theory, considering the capacity of achieving victory as some kind of element of moral legitimacy.

Nonetheless, numerous genocides, ethnic cleansing and war crimes committed by *Daesh* forces implied a discussion on humanitarian intervention. According to Omtzigt and Ochab, “the methods of the mass atrocities perpetrated by *Daesh* include murder, mass killings, torture, forced displacement, ill-treatment, using, conscripting, and enlisting children, rape, sexual abuse, and sexual slavery.” (2018, p. 3). In this context, Walzer’s intervention theory clearly argues in favor of a military intervention capable of destroying the movement and stopping the commission of crimes.

However, in Syria, a country characterized by a complex civil conflict, fighting *Daesh* requires the support of the already fighting forces, coordinating the ground operations directed to conquer the territory lost to the jihadist organization, thus avoiding the latter’s return. In that sense, humanitarian intervention in a secessionist or insurrectionist context could require foreign intervention.

In the Bangladesh War of Liberation in 1971, humanitarian and secessionist goals joined as Pakistan was simultaneously repressing the independence Bengali movement and committing a terror campaign against the Bengali population, which included executions especially focused on the Bengali intelligentsia, and forced disappearances, rapes, home burnings and looting (Linton, 2010). In this context, when India supported Bengali independence, it was also protecting its population from Pakistani aggression (Walzer, 2006, p. 106).

Nonetheless, Syria evidences a completely different scenario, as the humanitarian goal is different from secessionist or insurrectionist aims. In this sense, a foreign country intervening to defeat *Daesh* faces the problem of establishing alliances with the remaining governmental or rebel forces. On the one hand, Bashar al Assad is the leader of an authoritarian government with support among the Shiite Syrian population and is accused of violently repressing any kind of democratic dissidence using torture, executions and the use of chemical weapons. On the other, rebel forces are composed of numerous groups, including jihadist and democratic forces that fight each other and Assad's government. In addition, the Free Syrian Army, an alliance of democratic rebel forces, was unable to gain general support among the Syrian population and could not gain territorial control (Walzer, 2013b). In this context, foreign countries aiming to defeat *Daesh* must choose between supporting an authoritarian government and maybe collaborating in a war crimes commissions, or a weak democratic force with little control over the country and violate the self-determination principle (as these forces were not obtaining victory by their own efforts). This paradox means some countries, led by Russia and Iran, supported Assad's regime, while others, namely the USA or Turkey, supported the democratic rebel forces.

Therefore, providing a strong and coherent discourse about this problematic becomes a key point in avoiding how military interventions turn into international civil wars in which foreign countries fight for their own geopolitical interests. In fact, Michael Walzer's conference *What is the Responsibility to Protect?* in 2016 reflects on the Syrian situation and the problematic of both respecting the self-determination principle or intervening in the internal conflict, and if so, how to do it.

Conclusions

This article has studied the importance of the self-help test in Walzer's self-determination theory. This test has been described as an essential mechanism to link self-determination and military intervention as it helps recognize and protect dissident movements as national representatives in an internal conflict as well as to legitimate external interventions in support of secession forces.

In a context of internal conflict, the recognition of representative movements is undoubtedly one of the most important current challenges. With that purpose in mind, the particularities of this test have been exposed through differentiation into two levels. The first level allows for the recognition of a force involved in an internal conflict as representative of a part of that community. In this regard, a solution to the dilemma of when the international community should abstain from intervening in an internal national conflict has been provided.

Second, this article has developed a coherent explanation of how Walzer understands military intervention as a self-determination guarantor: if a community has shown its commitment to independence, thus passing this level of the self-help test, its defeat can be avoided through external interference. Besides, the consequences of succeeding in this test have shown the importance of the military intervention in Walzer's thought, as it is the final guarantor of the international system. Both in supporting secession and in counter-interventions, military interventions are the last resource to avoid a self-determination transgression, as communities involved in a self-determination process would be defeated by external subjects otherwise.

To sum up, this article has shown how Michael Walzer's self-help test constitutes an interesting proposal to link self-determination and non-intervention principles with military intervention. Table 1 summarizes the two levels of the self-help test in secession or revolution contexts, showing the consequences of achieving both levels and the importance of counter-intervention and military intervention as guarantors of self-determination.

Table 1. Self-help test consequences in emancipatory and revolutionary contexts

Self-help Test	Secession
First level	Territory and population control
Consequences	International duty of non-intervening
Second level	Violent resistance during a sustained time
Consequences	Legitimacy of foreign military intervention
Military intervention	To support the establishment of the new state

However, this work has also developed some of the most polemic aspects of Walzer's theory, which have generated strong discussions within the academic community.¹⁷ More concretely, this article has focused on the analysis on the nature Walzer's community, questioning the measurement of communitarian commitment and the relation between self-determination and humanitarian intervention

References

- Bellamy, A. (2008). The responsibility to protect and the problem of military intervention. *International Affairs*, 84(4), 615-639.
- Bellamy, A. (2015). *The Responsibility to Protect: A Defense*. Oxford: Oxford University Press.
- Benbaji, Y., & Sussman, N. (Eds.). (2014). *Reading Walzer*. Oxford: Routledge.
- Bernard, M. (1860). *On the Principle Of Non-Intervention: A lecture Delivered In The Hall Of All Souls' College*. Oxford: Oxford and London.
- Buchanan, A. (2004). *Justice, Legitimacy, and Self-Determination: Moral Foundations for International Law*. Oxford: Oxford University Press.
- Bull, H. (1986). *Intervention in World Politics*. Oxford: Clarendon Press.
- Chesterman, S. (2001). *Just War Or Just Peace?: Humanitarian Intervention and International Law*. Oxford: Oxford University Press.

17 For this view see, e.g. Bellamy (2008) and Jokic (2012).

- Christakis, T., & Bannelier, K. (2004). *Volenti non fit injuria* ? Les effets du consentement à l'intervention militaire. *Annuaire français de droit international*, 50, 102-137.
- Crossman, R. H. (2003). *Biografía del Estado moderno*. Buenos Aires: Colección Popular.
- Doppelt, G. (1978). Walzer's theory of morality in international relations. *Philosophy and Public Affairs*, 8(1), 3-26.
- Doswald-Beck, L. (1986). The legal validity of military intervention by invitation of the government. *British Yearbook of International Law*, 56(1), 189-252. doi: 10.1093/bybil/56.1.189.
- Glanville, L. (2013). *Sovereignty and the Responsibility to Protect: A New History*. Chicago: Chicago University Press.
- Gross, M. L. (2010). *Moral Dilemmas of Modern War: Torture, Assassination, and Blackmail in an Age of Asymmetric Conflict*. Cambridge: Cambridge University Press.
- Ibarra, P. (2005). *Nacionalismo. Razón y pasión*. Barcelona: Ariel.
- Jima-González, A., & Paradelo-López, M. (2018). The indigenous movement in Ecuador: Resource access and Rafael Correa's citizens' revolution. *Canadian Journal of Latin American and Caribbean Studies*, 44(1), 1-22. DOI: 10.1080/08263663.2019.1529463
- Jokic, A. (2012). What's a just war theorist?. *Journal of Theoretical and Philosophical Criminology*, 4(2), 91-114.
- Linton, S. (2010). Completing the circle: Accountability for the crimes of the 1971 Bangladesh war of liberation. *Criminal Law Forum*, 21(2), 191-311.
- Luban, D. (2017). *Prefaces and Postscripts: Walzer's Just and Unjust Wars at Age 40*. Recovered from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3142278
- Mill, J.S. (1859). A few words on non-intervention. *Fraser's Magazine*, 60, 766-776.
- Miller, D. (1997). Secession and the principle of nationality. *Canadian Journal of Philosophy*, 26(1), 261-282.
- Miller, D. (2014). Toleration, self-determination and the State. In Benbaji & Sussman (Eds.), *Reading Walzer* (pp. 23-39). Oxford: Routledge.
- Moore, J. (1998). *Hard Choices: Moral Dilemmas in Humanitarian Intervention*. Oxford: Rowman & Littlefield Publishers.
- Morkevičius, V. (2018). *Realist Ethics: Just War Traditions as Power Politics*. Cambridge: Cambridge University Press.
- Nardin, T. (2013). From right to intervene to duty to protect: Michael Walzer on humanitarian intervention. *The European Journal of International Law*, 24(1), 67-82. Recovered from <http://www.ejil.org/pdfs/24/1/2371.pdf>
- Omtzigt, P., & Ochab, E. U. (2018). Bringing Daesh to justice: What the international community can do. *Journal of Genocide Research*, 20, 1-12. DOI: 10.1080/14623528.2018.1476004.
- Ona Bartkus, V. (1999). *The Dynamic of Secession*. Cambridge: Cambridge Studies in International Relations.

- Orend, B. (2000). *Michael Walzer on War and Justice*. Montreal: McGill-Queen's University.
- Walzer, M. (1970). *Obligations: Essays on Disobedience, War, and Citizenship*. Cambridge: Harvard University Press.
- Walzer, M. (1981). Philosophy and democracy. *Political Theory*, 9(3), 379-399.
- Walzer, M. (1985). *Spheres of Justice: A Defence of Pluralism and Equality*. Oxford: Blackwell Oxford.
- Walzer, M. (1994). *Thick and Thin: Moral Argument at Home and Abroad*. Notre Dame: University of Notre Dame Press.
- Walzer, M. (2003, sep. 20). What is the responsibility to protect. *Dissent Magazine*. Recovered from <https://www.dissentmagazine.org/blog/what-is-the-responsibility-to-protect>.
- Walzer, M. (2004). *Arguing about War*. New Haven: Yale University Press.
- Walzer, M. (2006). *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. New York: Basic Books.
- Walzer, M. (2007). *Thinking Politically: Essays in Political Theory*. Yale: Yale University Press.
- Walzer, M. (2012, mar. 9). Syria. *Dissent Magazine*. Recovered from <https://www.dissentmagazine.org/blog/syria>.
- Walzer, M. (2013a, may. 14). Syria: What ought to be done? *Dissent Magazine*. Recovered from <https://www.dissentmagazine.org/blog/syria-what-ought-to-be-done>
- Walzer, M. (2013b, oct. 30). Were we wrong about Syria?. *Dissent Magazine*. Recovered from <https://www.dissentmagazine.org/blog/were-we-wrong-about-syria>
- Walzer, M. (2016). *What is the Responsibility to Protect? And What Does It Mean in Syria?* Recovered from <https://www.youtube.com/watch?v=6lv7hyJEs0o>
- Weber, M. (1965). *Politics as a Vocation*. London: Facet Publishing. (Original version: 1919).