

THE POTENTIAL BENEFITS OF EARLY, NEUTRAL INTERVENTION IN REVOLUTIONS

BUCHANAN'S COMPELLING CASE FOR A
SHIFT IN THINKING.



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This paper discusses Allen Buchanan's proposed shift in intervention found in his essay, "The Ethics of Revolution and its Implication for the Ethics of Intervention," and posits that it successfully calls into question other popular principles of intervention. The overall contention of the paper is that Buchanan's form of intervention can theoretically prevent much more harm than the popular Mill's Principle and the Consent Principle and seems to overcome the challenges plaguing those principles.

In the latter half of his essay, *The Ethics of Revolution and Its Implications for the Ethics of Intervention*, in addition to the widely accepted rationale for early, neutral foreign intervention into revolutionsⁱ—that early intervention by a third party into crises prevents many casualties—Buchanan provides two compelling arguments for the potential benefits of early intervention. He proposes that it can be used both to mitigate the continuous "cycle of coercion" that usually accompanies revolutions, and to establish suitable conditions for the free expression of the will of the people in revolutionary states. In doing so, he faces the task of overcoming two popular principles meant to determine when intervention is an acceptable form of action—Mill's Principle and the Consent Principle. In order to do so, Buchanan first notes that there are many problematic features

of these principles, especially when considering them in the context of some common features of contemporary revolutionary struggles. This paper will first show that while Buchanan's theory is not, and does not try to be, a complete moral theory or argument for early intervention, it does seem to adequately consider and resolve many of the problems he associates with Mill's Principle and the Consent Principle. It will also present the case of NATO's intervention in Kosovo in order to show how Buchanan's form of intervention could be more effective than other forms, and to bring to light some potentially unforeseen aspects of Buchanan's form of intervention. It will then explain why Buchanan's argument is a convincing and good one by considering the benefits of such an argument, such as that it would be preventative of violence rather than reactive, that it would provide more accurate information that would be helpful in understanding the situation, and that it would resolve many of the problems plaguing contemporary intervention debates.

The first of the two arguments Buchanan presents in favor of early intervention is based on his observation that revolutions often occur in states in which the current regime in powerⁱⁱ has made revolutionary success unlikely without the aspiring revolutionary leadership (ARL) being forced to resort to "the use of morally impermissible coercion against the people they seek to liberate."¹ While Buchanan does not argue that these actions are morally permissible, he does note that they are

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often necessary in order for the revolutionary party to have a reasonable expectation of successⁱⁱⁱ, and that they are also fairly common during revolutions². Buchanan also notes that “much of what occurs [in revolutions] can be explained as a result of the fact that revolutions typically feature a struggle over the conditions under which the ARL attempts to solve the widespread participation collective action problem.”³ The widespread collective action problem about which he speaks, roughly summa-



rized, is the set of problems that arise as a result of the fact that there are often incentives for individuals to refrain from participating in group/collective action that compete with the incentives one has for participating. Buchanan refers to that which is often created by this struggle between the regime and the ARL as “cycles of coercion”, and these

cycles are created when the ARL and the regime interact strategically as a result of the collective action problem⁴. This strategic interaction is summarized in that while the ARL is already forced to overcome the general collective action problem that revolution is similar to a public good—where everyone can benefit but not everyone has to pay—the regime can exacerbate the problem and make it less likely for the revolutionary movement to succeed by making the costs of participating higher. It can do so by punishing revolutionary association or action in an increasingly harsh manner as revolutionary activity increases or prevails over time. The ARL is then generally forced to raise the costs of nonparticipation in order to ensure the success of the revolution, often forcing them to employ violent measures, and the repetition and escalation of these events can lead to coercion and abuse by both parties⁵. This cycle, which leads to the perpetration of wrongdoings committed by the ARL against its fellow victims of tyranny, is undesirable for a number of reasons that Buchanan mentions; it can contribute to the corruption of the ARL and the revolution itself, it can increase the probability that the ARL will mistreat citizens once it comes to power, and it can foster a general culture of brutality in the post-revolutionary society⁶. Buchanan proposes methods that could be used in early intervention—such as reducing the military capability of the regime—which would not only reduce casualties, reduce the risk of a spiral of coercion, and reduce the risk of the ARL becoming corrupt, but would also do so without necessarily



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AN A-10 PROVIDING SECURITY AS PART OF OPERATION ALLIED FORCE.

taking a stance and influencing revolutions in one way or another. This works only if the violence by the ARL is merely a reactive component of resistance, or merely the result of a lack of legitimate non-violent avenues for fighting for revolution⁷. Similarly, Buchanan proposes other possible ways to prevent the cycle of coercion that focus specifically on reducing the ARL's ability to coerce the people, such as monitoring its behavior and threatening to withhold support if they engage in coercive behavior, or limiting their access to arms⁸. The main objective of these methods would be to provide humanitarian support and to protect people that would otherwise be endangered because of a cycle of coercion, and would explicitly not be to give either the regime or the ARL an advantage in the revolution.

The second argument in favor of early intervention—that it can help establish the conditions for free expression of the people about their stance on the revolution—is relevant because in many instances of revolution the regime makes it nearly impossible for the people to express a desire for revolution without significant cost to them or their families. Buchanan proposes that with early intervention, the intervener could impose a ceasefire, physically separate the two sides, and then investigate the attitudes of the population toward the revolutionary struggle under conditions where there is little to no cost of freely expressing one's honest views⁹. This would be a form of intervention that would not be an unjustified paternalism^{iv},

because it would not allow the intervener to substitute its own judgment for the people's judgment, and would not inherently support either the revolution or the regime; it would rather create "conditions under which [the intervener] could determine whether [or not] to support the revolution."¹⁰ In other words, this type of intervention would be a mission to stop violence before any sort of stance is taken on whether or not the revolution is justified, with the purpose of being able to ascertain that more clearly later. This avoidance of paternalism is an important aspect of this form of early intervention, because unjustified paternalism is one of the features which invites the criticisms of the Consent Theory to be discussed later.

One historical case which could be used to criticize these two arguments for Buchanan's proposed form of intervention is the case of NATO's intervention in Kosovo in 1999, which by most measures would be considered a failure. After all, NATO intervened fairly early in the conflict, attempting to impose a ceasefire late in 1998 almost immediately after Serbian forces launched an offensive against the KLA. The conflict was between two clear opponents—Serbian authorities and ethnic Albanians which sought independence—and the intervention was at least ostensibly pursuing the objective of protecting the Kosovar Albanians from ethnic cleansing and genocide. Despite these facts, the Kosovo Liberation Army (KLA), which claimed to represent and defend the oppressed Albanians (and which would be considered the ARL

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in this case), often resorted to terrorist tactics and was considered a terrorist organization up until the point of NATO intervention. Also despite NATO's intervention, by the end of the 11 week bombing campaign an estimated 10,000 people had died violently in the Kosovo, most of which were Albanian civilians murdered by Serbs—a sobering statistic considering that there had only been 2,500 deaths before the intervention¹¹. In order to show how this particular example relates to Buchanan's form of intervention, it is important to first understand how this intervention is different from the one that Buchanan proposes. Once understood, we can use it both to see the potential for Buchanan's method to be more effective than some other forms of intervention and to critique and improve Buchanan's form of intervention.

One difference we see between this example and Buchanan's form of intervention is that, for Buchanan's intervention, interveners would seek to prevent revolutionaries from participating in behavior that is violently coercive; the KLA was considered a terrorist organization long before NATO's intervention, and therefore was not likely to be turned back from terrorist tactics after they had already become customary. Despite this difference, NATO's intervention in Kosovo began very much like the kind which Buchanan proposes. Its early attempt to enact a cease-fire was on track to follow Buchanan's intervention, and it seemed to have the primary interest of protecting the people of Serbia, regardless of their stance on the conflict. However, NATO's intervention failed through its inability to effectively enforce the cease-fire, and when it broke down, NATO departed from the role of neutral protector of the people, choosing instead to pursue the role of the overall manager of the situation. NATO summoned both the KLA and the Serbs to the French Chateau of Rambouillet, and demanded that they agree to a detailed plan for political autonomy in Kosovo, threatening military action if either refused¹². Initially, both parties found the terms to be unacceptable and refused, but after more negotiation the KLA assented to the agreement while the Serbians continued to refuse the proposal, and this was the reasoning upon which NATO began its bombing campaign. Because no national interests of NATO countries were at stake, the only military operations that



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NATO was willing to take what was bombardment from high altitudes which didn't risk the lives of soldiers from member countries, limiting NATO's "humanitarian intervention" to bombing campaigns targeting Serbian infrastructure, violating an agreement of the Geneva Convention not to target "objects indispensable to the survival of the civilian population."⁶ Thus, in the long run, this form of intervention was neither neutral, nor primarily devoted to protecting people from violence, or at least not everyone equally. Because the cease-fire was never adequately enforced, the possibility of investigating the attitudes of the population towards the revolution never took place.

Despite the differences in the Kosovan situation and Buchanan's proposed intervention, one can glean some valuable lessons about the possibly unforeseen costs of Buchanan's intervention. For starters, it appears that intervention before the cycle of coercion has begun may not be as practical in reality as it is in theory. This does not mean that the cycle of coercion should not be slowed or halted at the earliest possible time, but it does call for a need to at least consider what to do in the event that a cycle of coercion has already begun. Next, we can see that in order for Buchanan's intervention to be effective, the intervening party must be dedicated enough to the cause of humanitarian intervention that it is willing to risk endangering the people it sends in to enforce a cease-fire. Otherwise, interveners are less able to limit violence and are ultimately less effective peacekeepers. Intervening parties must also be committed to the

cause of being a peacekeeper/cease-fire enforcer no matter how long it takes, as opposed to seeking a speedy resolution of the situation on their own terms. These sorts of critiques would certainly be relevant and necessary to consider if one were to consider the possibility of a Buchanan-style intervention in the ongoing Syrian Civil War, where a cycle of coercion already exists and there seems to be little international commitment to endangering neutral soldiers to attempt to de-escalate the violence.

Buchanan summarizes Mill's Principle as a principle which proposes that "intervention in support of a revolution should not occur until and unless there is widespread domestic participation in the revolution."¹⁴ This would obviously preclude intervention that was exceptionally early, because one would have to ascertain whether or not widespread domestic participation existed before intervening in order to fulfill this requirement. According to Buchanan, this principle seems to focus on the Reasonable Likelihood of Success requirement of just war theory, with the reliable prediction of successful intervention in support of a revolution being nearly impossible without "a broad, deep, and stable commitment to revolution on the part of a substantial portion of the population."¹⁵ Buchanan argues that his principle is flawed, in that it underestimates the obstacles to widespread participation, particularly in the cases in which most people agree that intervention is justifiable, such as cases with extreme tyranny and state brutality¹⁶. With the advancement in technology and weapon-

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ry that the world has seen, revolution is no longer a matter of pitting one's own muskets against a trained army equipped with similar muskets—now revolution is a competition of hunting rifles and AK-47s vs fighter bombers and long-range, laser-guided artillery¹⁷. Because of this incredible disparity in firepower, the risks associated with participating in revolutionary actions are much greater now than they once were, and “at least in the early stages of revolution, the decision to participate may require not just a deep and stable commitment to revolution, but also a zealous motivation bordering on the sacrificial.”¹⁸ Another flaw of this principle is that it assumes that all revolutionary participation is equal. Buchanan argues that there could be a large portion of participation that is the result of coercion and the manipulation of the people's emotions by the ARL, and that this participation is not necessarily a reliable source for determining a deep and stable commitment to the revolution—the manipulation of oppressed people by way of harsh treatment by the ARL or by the propagation of false atrocities committed by the regime could lead to false impressions of the actual will of the people¹⁹. With the form of early intervention that Buchanan proposes as a possible solution, whereby the two sides are separated and the conditions for free expression are ensured, both the problem of the disparity in firepower and the problem of participation as a result of coercion could be alleviated. The people of the state could be free to either participate as part of the revolutionary party without fear of being destroyed by advanced state firepower, or free to support the current regime without fear of being coerced by the ARL through violence or other brutal means.^v

Buchanan summarizes the Consent Principle as a principle which proposes that “intervention in support of a revolution should not occur without the consent (or approval) of the people who are

the intended beneficiaries of the intervention.”²⁰ He recognizes that the attraction of this principle comes from the underlying assumption that one should avoid unjustified paternalism and that intervention without consent would “impose on them [the people of the state] the risks that intervention entails without consulting their own judgment as to whether those risks are worth bearing.”²¹ Intervention without consent would also serve to “substitute the intervener's judgment for the people's judgment as to whether the expected benefits of the intervention exceed the expected costs.”²² Buchanan argues that the obvious flaw with this logic is that it would be difficult to justify intervention without unanimous consent, which would virtually never exist. After all, he argues, “how could the fact that some consent make the intervention any less disrespectful toward those who do not consent?”^{23vi} Regardless of the moral requirement of and/or near impossibility of unanimous consent, Buchanan notes that in situations of severe tyranny, it is generally unlikely that one can ascertain whether or not the people actually consent to intervention or not. Oppressive regimes rarely offer opportunities for the expression of political views, and even despite that initial barrier to political opposition, Buchanan notes that expressions of discontent or animosity against the current regime does not necessarily express an explicit consent or desire for foreign intervention²⁴. Buchanan also remarks that in situations where the moral case for revolution is strongest, the ARL is “under formidable pressure to utilize coercion and manipulation to mobilize the masses.”²⁵ Thus, even if one were able to demonstrate that there is a legitimate level of consent for revolution, it would be difficult to know if the consent actually reflects the will of the people or rather if it is merely a result of coercion²⁶. If these circumstances are proven to exist in most revolutionary situations,

whereby there is an inability to acquire information and/or the information about consent that is acquired is unreliable, Buchanan shows not only that the Consent Principle is flawed, but that it seems to set requirements that are unlikely to be fulfilled, and even more unlikely to be fulfilled legitimately. Without reliable knowledge of the level of consent for intervention, Buchanan argues that one could not avoid entirely the possibility of an allegation of unjustified paternalism²⁷. Despite this fact, Buchanan argues that his proposed form of early intervention is not actually unjustifiably paternalistic, because it does not substitute its own judgment for the people's about who wins in a revolution, and it does not inherently support the revolution or the regime. Instead, it creates conditions under which an intervener could determine whether or not it should support the revolution²⁸.

Now that Buchanan's argument has been explained, it is important to explore exactly why his stance is a good one. The first reason his argument is so compelling is its preventative nature rather than the reactive nature that accompanies many other theories of intervention. Buchanan notes early in his article that a popular stance on humanitarian intervention is that, "[humanitarian intervention] is not justified unless there is large-scale violence," and that this has been understood to apply to both revolutionary conflicts and ethnonational conflicts in humanitarian literature²⁹. This suggests that there is a broad understanding and acceptance of the importance of large-scale violence in determining the legitimacy of interventions. This important consensus was exemplified in the UN's unanimous adoption of the "Responsibility to Protect" principle at its 2005 World Summit, which authorized the international community for the first time, "to use appropriate diplomatic, humanitarian and other means to protect populations from [genocide and mass atrocities]," even at the expense of violating national sovereignty. Though the UN stipulated that it was the primary responsibility of sovereign nations, and that the international community's primary responsibility is to "encourage and assist States in fulfilling this responsibility," this was a major international achievement in terms of the protection of human lives, in that it placed more value in the importance of human life than in the formerly resolute

notion of complete sovereignty. I contend that if actively occurring large-scale violence is enough to legitimize humanitarian intervention in order to put an end to it, then impending large-scale violence should also be enough to legitimize intervention to prevent it, and possibly an even more worthy end to pursue. Buchanan mentions many ways in which early intervention is preventative, rather than reactive. As mentioned before, early intervention is intended to prevent the cycle of coercion, characteristic of many revolutions, which leads to both sides continuously raising the costs to participate and/or not participate in the revolution. Preventing this cycle would not only prevent many casualties on both sides, but it would also prevent further undesirable immoral actions by ke-

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eping both the regime and the ARL from becoming habituated to making morally unacceptable choices³⁰. Buchanan focuses particularly on the benefits this would have for the ARLs because, when they are forced to take morally impermissible actions, it can contribute to corruption, it can increase the probability of future mistreatment of citizens, and it can help create a general culture of brutality³¹. The reactive nature of other theories of intervention, including those that subscribe to the Mill's Principle and the Consent Principle, would not allow intervention until many of these events have already occurred, possibly tainting the revolution.

Another reason that Buchanan's argument is compelling is that it promotes an environment where accurate information gathering can take place, and judgments about the causes and/or legitimacy of the revolution can more accurately be made. A key aspect of Buchanan's proposed intervention is that

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it will require neutrality by the intervener and will allow free expression of the people before deciding whether or not to support the revolution. This type of intervention, where the two fighting parties are separated and allowed to express their opinions, not only prevents violence, but it gives the citizens a free choice to make about whether or not they want the proposed change to their society. While some would argue that this desire to ascertain the will of the people and allow them to govern themselves is a promotion of Western values of democracy, I would argue that Buchanan's form of intervention merely allows for decisions about what to do next to be made with more complete information, and does not actually advocate one particular set of beliefs about governance over another.

Both of the previous reasons show some of the ways in which problems of existing theories of intervention are resolved by Buchanan's proposed form of intervention. One of the questions raised by both the Mill's Principle and the Consent Principle is: What counts as consent for and/or participation in a revolution? This is a very difficult question to answer when both oppressive regimes, who wish to discourage participation, and ARLs, who wish to encourage participation, are restricting people in their free expression. Not only would this type of intervention allow for people to more freely express their opinion, but it would be in ways that provide much more clarity than most options that are available to people in revolutions. Though one

can rarely guarantee a perfect freedom to express one's opinions, a vote in a free election or referendum for a new government would seem much easier to understand than something like the murder of a corrupt government official which could be the result of a number of things; the individual committing the murder could have been forced by the ARL to do it in order to save his family, the individual actually could have been an unforced participant in the revolution, or the individual could have been merely settling a personal matter with the government official—there are even more possibilities than just those three, but they serve to show the lack of clarity associated with individual actions, especially in situations of limited information. Another question of both the Mill's and Consent principles is: How widespread must the participation/consent be in order to justify support of a revolution? Though Buchanan's argument does not answer this question, it is not important to justify neutral intervention with the intention of limiting violence. This is certainly a question that needs to be answered in order to determine what to do after violence has been stopped, however, regardless of that answer, free and fair expression (which would most likely occur through voting/elections) would allow for interveners to understand more clearly and more accurately exactly how widespread participation and consent actually are. This would hopefully allow for a more morally correct action to be taken than when those who

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wish to either support or put down revolutions are just shooting in the dark, as the expression goes, in judging the sentiments of the people.

Buchanan's argument does not answer all the questions it raises, however. There are at least three key questions that come to mind when considering Buchanan's argument for early intervention: Where does one draw the line for justified intervention? What should one do if the revolution turns out not to be justified? And finally, who should be the one intervening in this proposed form of intervention? Buchanan does not answer these questions, however I think they are worth attempting to answer within the framework of Buchanan's intervention, given the potential benefits of considering such a form of intervention. When considering when the line must be drawn for intervention, though Buchanan's form of intervention may be seen as premature by many, the preventative aspect of it would allow for the prevention of an incredible loss of life and further immoral actions. This prevention of massive moral transgression seems to justify the possibility of intervening a little prematurely in some cases, and seems to be deserving of slightly more discretion than other reactionary forms of intervention. Obviously there have to be some limits on intervention, but Buchanan's early intervention seems to suggest that when opposing factions have been identified

and violence is beginning to occur, action is most useful earlier rather than later. If the intervention were truly neutral and only in humanitarian interests, it would not be hard to consider this as a humanitarian action, which is widely accepted as the morally correct thing to do when humanitarian crises occur. When considering what to do if the revolution is determined to be unjustified, one has to consider whether or not it would be better to have that information before large-scale violence has occurred or after. If a revolution is not justified and it is determined sooner rather than later, interveners can do everything in their power to aid the regime in restoring order to the society, ensuring that humanitarian principles are observed in the process. As for the question of who should legitimately be an intervener in these situations, I believe that this is the hardest question to answer, and I do believe that this is an important question for Buchanan to consider if he wants his theory of intervention to have any credence. Buchanan does however call for neutral intervention that would not benefit outside parties and would serve merely to prevent future moral transgressions, giving some idea as to how he would answer that question. I think the most obvious answer to this question would be that the UN is the only organization that could claim any sort of legitimate authority on neutral intervention. One of the primary criticisms of NATO's intervention in Kosovo was that it was an illegitimate intervention and that it was in direct



opposition to the more legitimate UN decision which officially stated that Kosovo was within the sovereign territory of Serbia. Because of its veto rules, the UN does face a historical problem of gridlock when it comes to controversial decisions such as when intervention is acceptable. Despite this, if Buchanan's form of intervention were used as a template for UN intervention, I believe that it could be viewed as more of a humanitarian action than anything, which the UN is much more amicable towards.

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Though Buchanan's argument is not without flaws, it does present a compelling argument for the potential benefits of early intervention, including the prevention of a cycle of coercion and the establishment of conditions for more clearly understanding the will of the people in a revolution. In considering the historical case of Kosovo, one might think that Kosovo demonstrates how this form of intervention can fail, however I have shown that the case of Kosovo was not handled in a way that fits into the framework of a Buchanan-style intervention, and so cannot be used to measure its success. Buchanan's argument for intervention also counters popular existing principles that seek to govern intervention, Mill's Principle, and the Consent Principle, and provides solutions to many of the problems that inhibit those principles. This type of intervention is morally desirable both because of its preventative nature, which would

allow much less moral transgression than reactionary forms of intervention, and because of its promotion of an environment which will allow more clarity in revolutionary situations generally riddled with obscurity. While it still leaves some to be desired, Buchanan's form of intervention has the potential to bring us closer to making morally permissible decisions in the midst of a revolution while simultaneously preventing many casualties and many more morally impermissible actions from occurring along the way.

