

Intervention in Grenada: Right or Wrong?

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Letters

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To the Editor:

We should not be too hasty in concluding that U.S. intervention in Grenada violates international law.

In April 1914, President Wilson sent marines into Mexico to overthrow Gen. Victoriano Huerta, who the previous year had murdered the elected president of Mexico and seized control of the government. Huerta accepted an offer of mediation, and two months later stepped aside as part of an overall settlement that led to the establishment of a provisional constitutional government.

Wilson's forceful commitment to democratic process has been criticized ever since as having been overly moralistic. Yet the idea of human rights that he appears to have championed — that people are not to be subjected to the rule of a government that has achieved power by murder and violence — is arguably part of an emerging norm of international law that justifies certain military interventions (e.g., Entebbe, Tanzania's overthrow of Idi Amin, the U.S. rescue attempt in Iran).

Humanitarian intervention ties in with a longstanding international legal exception to the prohibition of transboundary force.

There has always been an exception for foreign military forces being invited in to a country to help the government in power. If Prime Minister Maurice Bishop had survived the attack on his life, he might well have invited the United States into Grenada to protect him against the coup by Gen. Hudson Austin. Consider also that the British-appointed Governor General of Grenada, Sir Paul Scoon, did in fact request assistance when Bishop was assassinated.

Should the fact that Austin succeeded in murdering Bishop erase an invitation that otherwise surely would have been extended? Is there not a constructive invitation to the U.S. to preserve the legitimate government (even if most of its personnel have been killed) against what President Reagan has called "a brutal group of leftist thugs"?

The idea of a constructive invitation gains added force from neighboring countries' support of the intervention. The Organization of Eastern Caribbean States is itself something of a larger organic unity: its charter provides for a regional coordination in the basic governmental areas of economic integration, cooperation in non-economic areas and coordination of foreign policies. In a sense, this "regional nation" invited the U.S. to protect one of its constituent parts.

Once there is an invitation by a gov-

ernment for military assistance, none of the prohibitions that have been quoted widely, such as those in the U.N. Charter or in the Charter of the Organization of American States, are relevant. An invitation is an absolute exception to these prohibitions on the use of transboundary force.

Still, I have not advanced these arguments to contend that the inter-

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vention is legal but rather to counter overly hasty conclusions to the opposite effect. There is much more here than meets the eye.

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