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## The Responsibility to Protect Debate: An Enduring Black Hole

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Christopher Hobson's 'The Moral Untouchability of the Responsibility to Protect' is an insightful critique of the academic debate on the Responsibility to Protect (R2P) (Hobson 2022). As Hobson notes, within this debate, R2P's supporters greatly outnumber critics. As a result, critical reflections on R2P can be obscured; a superficial reading of the academic literature on R2P can thus give the false impression that R2P works and that this view commands broad support within academia.

My intervention here is not intended to add anything to what I have previously said; rather, by providing reflections from my own experiences of engaging with the R2P debate – which I eventually left – I aim to echo Hobson's critique and thus demonstrate that his is not a lone voice. I conclude with suggestions as to potentially useful future research on R2P.

### R2p as a new norm

R2P emerged following the debates on the international response to the Rwandan genocide in 1994 and NATO's 'illegal but legitimate' intervention in Kosovo in 1999 (Independent International Commission on Kosovo 2000, 4). The lessons many people – myself included – took from both was that the existing international mechanisms for responding to intra-state mass atrocity crimes were incapable of ensuring consistent and timely responses to intra-state atrocity crimes.

R2P's proponents believed that the concept addressed this. Few – if indeed any – reputable R2P supporters claimed it had created any new laws or changed any existing procedures regulating the international response to intra-state atrocity crimes (Bellamy 2015, 15; Welsh 2006, 210). As such, R2P's added value was ostensibly its status as a norm; it would change the way states behaved, not through compulsion or coercion, but via a process of rhetorical entrapment whereby states would be induced – by global public opinion channelled through global civil society – to support R2P and thereafter be compelled to abide by this commitment through moral suasion (Bellamy 2015, 2; Dunne and Gelber 2014, 329; Evans 2016, 914; Welsh 2014, 124).

At the 2005 UN World Summit R2P was endorsed by all states and in 2009 the General Assembly held an 'Interactive Dialogue' to discuss the concept; both were heralded as major achievements by R2P's supporters (Kolmasova 2023). In 2011, the UN Security Council passed Resolution 1973 sanctioning a military response to the situation in

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Libya; the Resolution recognised ‘the responsibility of the Libyan authorities to protect the Libyan population’. This oblique reference to R2P was celebrated as conclusive proof that R2P had progressed through the various stages of the norm life-cycle model and had compelled the permanent members of the UN Security Council to re-orientate their focus away from narrow national interests to ‘a new politics of protection’ (Bellamy and Williams 2011; see also, Thakur 2013; Williams 2011).

I believed that the ‘R2P is a powerful norm’ argument was based on wishful thinking rather than any actual analysis. I argued that states had often cheerfully signed various commitments only to later violate them; if states did what they promised then there never would have been any need for R2P. Likewise, that there was a military response to the situation in Libya did not necessarily mean R2P was the catalyst (Hehir 2013). The arguments heralding R2P’s profound influence were, I felt, sustained by a highly selective reading of the evolution and impact of norms. I thus spent many years arguing that R2P was not working and would never work because it would not significantly alter the international response to intra-state mass atrocities (Hehir 2011; 2012; 2013). R2P was, I argued, merely a new slogan enthusiastically avowed by states but one devoid of substance; a ‘hollow norm’ as I eventually termed it (Hehir 2019).

### A waste of time?

Following the ascent of R2P to the centre of UN discourse and the intervention in Libya, debates on R2P’s efficacy quickly evolved from academic analysis to something akin to advocacy; the point appeared to be to maintain momentum behind the notion that R2P ‘had begun to change the world’ (Bellamy 2015, 111). To facilitate this, a plethora of articles, op-eds and books were published – all citing each other – with the intention of proving that R2P was ‘working’ and could be made to ‘work better’ rather than assessing whether it was actually having a tangible influence.

This led, as Hobson notes, to a particular emphasis on references to R2P in international political discourse; Security Council and General Assembly statements and resolutions which mentioned R2P were loudly vaunted as evidence that it had not only permeated to the centre of international political debate but also that it was changing the behaviour of states. This quest to find rhetorical references to R2P reached levels of near absurdity when terms related in any way to human rights were also cited as ‘R2P language’ and likewise highlighted as evidence that R2P was working (Dunne and Gelber 2014). My point that many of these terms predated R2P and thus could not be attributed to it was deemed inconsequential (Hehir 2015b).

Additionally, a range of R2P ‘successes’ were compiled comprising situations where it had ostensibly positively influenced the response to a crisis. The actual supporting evidence was invariably weak and again largely comprised obviously desperate attempts to find references to R2P – however oblique – within the discourse justifying the action taken to ameliorate the particular crisis (Karlsbrud 2016; Sharma 2016; Stefan 2021). Any positive resolution of an actual or looming crisis was thus credited to R2P but conversely, situations where atrocity crimes occurred despite R2P being invoked – most notably in Syria – were *not* failures; the blame lay elsewhere and, despite the massive loss of life, R2P still worked (Glanville 2016). This ‘desire by proponents to have their cake and eat it too’ as described by Hobson significantly degraded these academic ‘analyses’ (2022, 373).

The absurdity of this endeavour was accentuated by the fact that as the number of references to R2P in international political debates – especially at the UN Security Council – increased, so did atrocity crimes. There thus emerged a curious spectacle of R2P enthusiasts celebrating its ‘tremendous progress’ at the same time as global respect for human rights degenerated markedly (Adams 2015). Hobson rightly describes this as ‘an excessive focus on the doctrine itself, rather than the atrocities it is meant to be concerned with’ (2022, 368). The fact that the very problem R2P was established to solve was getting worse somehow became inconsequential. This disjuncture was made all the more galling by the ‘hubris’ (Kersten 2015) exhibited by some of R2P’s most vocal champions – particularly Simon Adams and Gareth Evans – whose propensity for self-aggrandizing degraded R2P as a whole.

Over time it therefore became increasingly clear to me that most of those involved in this ‘debate’ were not actually interested in engaging with criticisms of R2P or assessing its tangible impact.<sup>1</sup> The claim that R2P was a powerful norm that altered the behaviour of states became elevated to an article of faith shrouding the entire debate and prescribing rigid boundaries within which discussions of R2P’s merits took place; to challenge this was portrayed as stemming from an ignorance of how norms work and/or wilful pessimism. Worse, not supporting R2P was equated with an aversion to the protection of human rights; as Hobson rightly notes, ‘normative support [for R2P] appears as a precondition for sustained engagement’ (2022, 372).

### ‘R2P cannot fail’

Eventually the argument that R2P was working began to be tempered as post-2011 the global degeneration in respect for human rights and increase in atrocity crimes could no longer be denied. But rather than accept the obvious – R2P had manifestly failed – states were castigated for not implementing their commitment to R2P. Indicatively, Alex Bellamy wrote, ‘the governments that willingly pledged themselves to R2P have failed’ (2020). This remains perhaps the most ridiculous of all the claims made about R2P’s efficacy; R2P’s proponents invariably rejected the need for new laws or procedures in favour of their claim that moral advocacy around R2P *would* compel states to act differently. R2P advocates successfully mobilised a very vocal global network championing R2P and it quickly became one of the most prominent concepts in international politics. As such, R2P’s lack of traction cannot be blamed on it being ignored. The truth is, having been elevated to the centre of international political debate and repeatedly affirmed by states, R2P proved to be totally impotent precisely because of its own vacuous nature; it compels nothing, affirms the existing procedures for responding to intra-state mass atrocity crimes and includes no punishments for dereliction. R2P failed precisely because R2P is irredeemably flawed.

The unwillingness to accept this – to instead, as Hobson notes, ‘double down on [R2P]’ (2022, 373) – highlights one of the concerns I previously raised about academic analyses of R2P; to determine whether a concept/idea/norm works, there has to be a ‘falseifiability test’, namely some pre-existing understanding of what would constitute both success *and* failure (Hehir 2019, 200). One would imagine that in R2P’s case an increase in atrocity crimes would constitute such a benchmark but evidently this is not the case because, as Simon Adams, claimed ‘R2P cannot fail’ (Adams 2016). There is clearly no point in

engaging in a debate with people whose research is motivated by a zealot-like determination to prove a point and ignore countervailing evidence in the process. As I noted in my last book on R2P;

... who is crazier; the one who goes to a ‘UFOs Exist!’ conference with a paper detailing ‘evidence’ that aliens walk amongst us, or the one who goes to the same conference to try to convince all the participants that they are wrong? Perhaps it is better to simply ignore fallacies. (Hehir 2019, 221)

Thus, despite the increase in mass atrocity crimes and the general degeneration in global respect for human rights, R2P advocates continued – and continue – to defend its efficacy (Glanville 2021).

Like Hobson, I agree that the persistence of the ‘R2P works’ trope was – and remains – a function of more than just implacable R2P evangelism; R2P has emerged as a lucrative research stream. Many – though certainly not all – of those who perpetuated the ‘R2P works’ narrative were naturally disinclined to – publicly at least – acknowledge that the Emperor was naked because this would impact on their careers; thus a self-referential academic mini-industry emerged comprising scholars publishing a torrent of literature increasingly divorced from reality.

### Future research on R2P

Nonetheless, while I think engaging with those who still claim that R2P works is a waste of time, there are some potentially interesting research streams related to R2P. Hobson’s analysis of the ‘moral untouchability’ is certainly one; R2P is an example of the manner in which a concept’s inherently virtuous aspiration forecloses discussion as to whether it is actually effective.

Additionally, while, as noted, the academic debate on R2P is replete with references to norms, the general manner in which positive appraisals of R2P’s putative status as a norm has been framed relates to the famous life-cycle model (Finnemore and Sikkink 1998). There has been surprisingly little research done on why the R2P norm emerged, proliferated, but then did *not* lead to a significant change in the behaviour of states as this normative model would suggest. I have offered one explanation (2019; see also Bloomfield 2016) but there is significant room for further enquiry.

Another potentially interesting focus would be to examine the way some of R2P’s proponents became mouthpieces for certain state interests. There have been some notable examples of R2P’s usually vocal champions remaining curiously silent in the face of atrocities committed by Western states and their allies – I have previously highlighted this in the case of Israel (Hehir 2014) and Bahrain (Hehir 2015a) – and there have long been suspicions raised about the funding many R2P organisations receive from states and its impact on their advocacy; the most notable example being the Global Centre for R2P and its fulsome embrace of Qatar (Hehir 2019, 196; Kolmasova 2023, 89).

Finally, I have long argued that R2P has served as something akin to a black hole within academia; those engaged in research on atrocity prevention and/or humanitarian intervention were invariably sucked into the R2P debate and its strict parameters. This has prevented potentially fruitful academic studies. As noted earlier, research on R2P has ignored discussions on the need to change international law and specifically UN reform; this was

invariably dismissed as ‘utopian’ and so further research on this was essentially precluded within the R2P framework (Hehir 2017). R2P would – its proponents suggested – avoid this vexed issue and still change the behaviour of states, and so discussions relating to deficiencies within international law and the institutions mandated to enforce it were supposedly irrelevant. Clearly this belief in the efficacy of moral suasion has proved to be mistaken; as such, the issue of what a more responsive international legal system would look like and how it might best work, is surely relevant, if not imperative. Long before R2P came to monopolise the debate, myriad proposals were advanced and hopefully the failure of R2P will induce not despair, but a new appetite to explore this further as many have suggested (Bachman 2022, 135). As such, the abject failure of R2P should be recognised, but it should not be taken to mean that we should abandon all efforts to improve the international response to intra-state mass atrocity crimes.

## Note

1. There were some notable exceptions; amongst the most vocal proponents of R2P, Jennifer Welsh, Thomas Weiss and Luke Glanville stood out as being willing to debate.

## Disclosure statement

No potential conflict of interest was reported by the author(s).

## Notes on contributor

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