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r2p – From Fanfare to Obscurity

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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). 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 impression that R2P commands broad support.

My intervention here is not intended to add anything to what I've 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 interesting 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; the lessons many people – including myself – took from both was that the existing international mechanisms for responding to intra-state mass atrocity crimes were not capable 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 (Bellamy, 2015, p. 15; Welsh, 2006, p. 210). As such, R2P's added value was its status as a "norm" that would ostensibly change the way states behaved, not through compulsion or coercion, but via a process of "rhetorical entrapment" whereby states would be compelled – by global public opinion channelled through global civil society – to support R2P and thereafter be compelled to abide by this commitment (Bellamy, 2015, p. 2; Evans, 2016, p.

914; Welsh, 2014, p. 124; Dunne and Gelber, 2014, p. 329).

I believed that the “R2P is a powerful norm” argument was – at best – naïve; if states did what they promised then there never would have been any need for R2P. The argument was, I felt, based on wishful thinking rather than any actual analysis and bolstered by a highly selective reading of the evolution and impact of norms. I thus spent many years arguing that R2P wasn’t 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 devoid of substance; a “hollow norm” as I eventually termed it (Hehir, 2019).

A Waste of Time?

Over time it 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. The “R2P is a powerful norm that changes the behaviour of states” trope 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 seen as a form of heresy.ⁱ Not supporting R2P was equated with an aversion to the protection of human rights; as Hobson rightly notes, ‘normative support appears as a precondition for sustained engagement’ (2022, p. 372).

The temper of the debate thus 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, p. 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 actually was. This led, as Hobson notes, to a particular emphasis on focusing 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). The fact that many of these terms predated R2P was evidently inconsequential. 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 (Sharma, 2016; Karlsbrud, 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* deemed 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, p. 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, p. 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.

“R2P Cannot Fail”

Eventually the argument that R2P was working began to be tempered as the global tumult could no longer be denied. But rather than accept the obvious – R2P had manifestly failed – the blame for R2P’s failure was levelled at states; indicatively, Alex Bellamy wrote, ‘the governments that willingly pledged themselves to R2P have failed’ (2020). States were thus castigated for not implementing their commitment to R2P; 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 mobilized 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 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, p. 373) – highlights one of the concerns I 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, p. 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. 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). According to Simon Adams, ‘R2P cannot fail’ (Adams, 2016). There is clearly no point in engaging in a debate with people blinded by zealotry who cannot – and will never – accept that their beliefs are flawed.

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 of those who perpetuated the “R2P works” narrative were naturally disinclined to (publicly) 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 publications increasingly divorced from reality.

Ultimately, whether dealing with evangelists or the more self-serving proponents of R2P, there is clearly little point in engaging in this debate. As I noted in my last book on R2P;

...who is crazier; the one who goes to a “UFO’s 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 (2019, p. 221).

Future Research on R2P

Nonetheless, while I think engaging with those who still claim that R2P has merit 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 certainly an example of the manner in which a concept's inherently virtuous aspiration forecloses discussion as to whether it actually works.

Additionally, while, as noted, the academic debate on R2P is replete with references to norms, the general manner in which analyses of "R2P 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) but there is significant room for further enquiry.

Another potentially interesting focus would be to examine the manner in which 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 allies – I have previously highlighted this in the case of Israel (Hehir, 2014) and Bahrain (Hehir, 2015) – and there have long been suspicions raised about the funding many R2P organizations 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, p. 196; Kolmasova, 2023, p. 89).

Finally, I have long argued that R2P has served as something akin to a black hole within

academia; anyone 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, R2P has never been orientated towards impelling UN reform; this was invariably dismissed as “utopian” (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 irrelevant. Clearly this belief in 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 back on the agenda. Long before R2P came to monopolize 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, p. 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 solve the vexed problem of how to improve the international response to intra-state mass atrocity crimes.

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ⁱ 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.