Responding to Genocide: The Politics of International Action

edited by
Adam Lupel and
Ernesto Verdeja

A PROJECT OF THE INTERNATIONAL PEACE INSTITUTE

RESPONDING TO GENOCIDE
The Politics of International Action

Adam Lupel and Ernesto Verdeja, editors
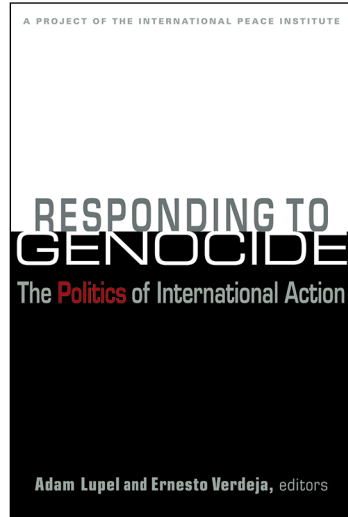
1800 30th Street, Ste. 314
Boulder, CO 80301
USA
telephone 303.444.6684
fax 303.444.0824

Contents

1

Responding to Genocide

Adam Lupel and Ernesto Verdeja

On April 6, 1994, Rwandan president Juvénal Habyarimana and a number of his aides were killed when their plane was shot down as it approached the airport in the country's capital, Kigali. Accompanied by Burundi's president, Habyarimana was returning from a round of peace negotiations in neighboring Tanzania with the Rwandan Patriotic Front, a Tutsi rebel force that had fought a three-year civil war against the government prior to a ceasefire brokered by the United Nations in 1993. Immediately after Habyarimana's assassination, the war resumed: his Hutu-led government established roadblocks around the capital and mobilized forces against the insurgents. Simultaneously, government militias began a systematic campaign of exterminating the civilian Tutsi population as the armed forces and rebels engaged in fighting around the country. The United Nations, which had a peacekeeping force already in place in Rwanda, withdrew most of its forces after Hutu militias killed several peacekeepers and images of their bodies were broadcast around the world. The small peacekeeping force left behind had only a minimal impact on the ensuing genocide that took hundreds of thousands of lives. In the aftermath of the killings, observers around the world asked why the international community had failed Rwandans so dismally.[1]

International outrage over the United Nations' failure in Rwanda seemed to signal a new global resolve to stop mass human rights violations. Newspaper op-eds decried the slaughter that followed the peacekeeping force's removal, human rights activists called for strengthening international responses to mass atrocity, and diplomats and politicians vowed to prevent future genocides. Tragically, these responses were not new: genocide and mass atrocities have elicited international condemna-

tion and calls for intervention since at least the early nineteenth century. Throughout the 1800s, a small but vocal group of Western European activists called for military interventions to protect Bulgarian, Syrian, Greek, and other Christian minorities from abuse by the Ottoman Empire.[2] The twentieth century saw popular mobilizations to protect the rights of civilians in the Armenian genocide, the Holocaust, and mass killings in East Pakistan, Biafra, and more recently Bosnia and Kosovo.[3] Nevertheless, the sustained attention given to preventing genocide over the last two decades marks an important shift from previous eras: since the end of the Cold War, the United Nations and human rights organizations around the world have drawn attention to the need to prevent and stop genocide, crimes against humanity, and other significant human rights violations, and they have devoted enormous resources to this cause. Recently, activists have called for interventions in Sudan, Libya, Syria, and elsewhere to protect vulnerable populations from state terror; the principle of a state's "responsibility to protect" its population from genocide, war crimes, ethnic cleansing, and crimes against humanity has become part of the international humanitarian vocabulary. At the 2005 World Summit in New York, the governments of the globe unanimously accepted this principle and committed themselves to act decisively when individual states manifestly fail to satisfy their obligations to their populations.

This remarkable surge in global attention, accelerated over the past ten years, raises a number of provocative questions about the justifications for and substance of long-term preventive measures and short-term robust action to stop mass-atrocity crimes. With this volume we intend to contribute to ongoing debates on prevention and intervention by examining the possibilities and challenges of creating viable international response mechanisms to genocide, crimes against humanity, war crimes, and ethnic cleansing—the four primary classes of crimes that generate the most debate in international policy circles, and that are addressed by the responsibility-to-protect principle.

We proceed by disaggregating and systematically examining the key elements of responses, including relevant actors, levels, and tools that together constitute the domain of international action. This disaggregated approach rests on an inclusive analytical perspective that differs from prevalent approaches, which focus primarily on "humanitarian" (meaning military) interventions. Rather, we approach the challenge of stopping mass atrocities by examining the responsibilities of states to protect their people, international assistance to encourage states to meet their obligations, and timely and decisive responses by international actors when

states are manifestly failing to protect their populations.[4] Thus, in this volume we analyze not only international intervention but prevention efforts as well.

A more inclusive perspective allows us to identify the opportunities and barriers to international responses that are often missed in analyses focusing on only one particular strategy, such as military intervention, or one conflict phase, such as full-scale civil war. By adopting a wider perspective, we can identify the linkages between various responses, as well as the ways in which they may reinforce one another or work at cross-purposes. This perspective generates a set of questions: What are the causes of genocide, war crimes, crimes against humanity, and ethnic cleansing? What strategies and policies are available to prevent these atrocities, and when required, intervene to stop them? Who is best positioned to act? What are the impediments to timely and robust action? What are the dangers associated with responding? How do political factors shape the nature of international responses, and how do they limit or enable the chances of success?

Answering these questions requires engagement with a host of factors, including multiple actors and institutional levels (national, regional, international, transnational), ideational and material challenges, and a variety of complex interactions that shape outcomes. These various factors can combine in numerous ways, in some cases resulting in swift and decisive responses and in others working at cross-purposes to slow or derail meaningful action. Thus, we scrutinize here the processes that shape engaged response. In exploring these processes, we analyze a variety of tools available for prevention: detection programs, early warning systems, mediation, preventive diplomacy, civil society pressure, and military intervention, among others.

State Sovereignty Transformed

Our discussion of international response mechanisms must begin by addressing the principle of state sovereignty, which structures international politics and plays a central role in shaping prevention and intervention options. State sovereignty has often been viewed as a sacrosanct principle that protects states from any foreign scrutiny or intervention, making concerted international response against domestic genocide or similar crimes especially difficult to mobilize. Thus, before moving on to introducing the specific actors, levels, and tools of response, we must address how conceptions of state sovereignty have been transformed over the past several decades. Because of these transformations, sover-

eignty, in principle, does not pose an insurmountable barrier to effective responses to mass atrocities, and such responses do not necessarily undermine a commitment to state sovereignty. In fact, they can support it.

The international system as centered in the UN Charter has two often-competing centers of gravity: the sovereign equality of states and the declared universality of human rights. While not incompatible, their coexistence does result in periodic tensions. The United Nations was founded on a commitment to independent state sovereignty, no matter the character of the state—democratic, socialist, monarchical, or something else.[5] This commitment provides fundamental order to the global system, and stems from the guiding aspiration to avoid a repetition of the conflagrations of the first half of the twentieth century and to bring some stability to what realist international relations scholars call the anarchic world order.[6] Yet, equally, in the wake of the Holocaust and other wartime atrocities against civilians, the founding of the United Nations sought to reaffirm "faith in fundamental human rights." And Article 1(3) of the UN Charter cites "promoting and encouraging respect for human rights" as a primary purpose of the organization.

These two fundamental commitments—to sovereign equality and human rights—place two distinct subjects at the center of international affairs: the state and the individual. For much of history, international law only addressed state action, and sovereignty entailed a reciprocal agreement among national governments to allow independent states to rule their territory without external interference. International law lay between states and did not penetrate their borders, and individuals had no autonomous standing in international law.

However, that principle of noninterference becomes normatively questionable and practically undermined when international law is drafted in the name of humanity and the individual, as it has been repeatedly since World War II.[7] More and more, the principle of human security has entered the lexicon alongside state security as a concern of international affairs.[8]

The law prohibiting genocide is paradigmatic for this development, as William Schabas has shown. In a relatively short amount of time the legal prohibition of genocide has gone from being the cause of one committed scholar in the 1930s, to being approved in the UN General Assembly in 1948, to being declared a *jus cogens* (peremptory norm) of public international law by the International Court of Justice in 2006.[9] Now a recognized part of customary international law, the Convention on the Prevention and Punishment of the Crime of Genocide (as discussed in chapter 2 of this volume) seeks to protect individuals and var-

ious classes of groups against the most heinous of crimes, and it imposes obligations on states that no commitment to state sovereignty can claim to abrogate. It thus challenges any strict or absolute notion of state sovereignty.

The change in understandings of sovereignty has accelerated as states have become increasingly interconnected, and the notion that political authority cannot cross borders has become difficult to maintain, particularly with regard to international peace and security. At a time when a conflict in one state can easily spill over borders to inflame a whole region—as was the case in the African Great Lakes and West Africa in the 1990s and early 2000s—or have profound effects on the entire global economy—as does any conflict in the oil-rich Middle East—what happens within state borders is no longer of exclusively domestic concern.

Clearly, a model of the state as somehow closed off behind an impenetrable wall of sovereignty is not compatible with an increasingly integrated transnational system of international law, global commerce, and cultural exchange.[10] For example, even under the strictest state-centric interpretation of the UN Charter, member states temper their commitments to absolute sovereignty with the recognition of certain collective obligations for maintaining peace and security, reflecting a new condition of "complex interdependence."[11] For many observers, the traditional notion of state sovereignty can no longer completely capture the character of twenty-first-century political authority: in today's world, sovereignty is "complex." And it is such an understanding that informs our approach in this volume.

Under such conditions of complexity, Westphalian—or absolute— sovereignty comes to represent an ideal type that has little relation to how state sovereignty actually functions in the international system of the twenty-first century. One must look to other models. For example, in addition to Westphalian sovereignty, Stephen Krasner has identified three other well-known types of sovereignty that are relevant to an understanding of how modern state sovereignty operates:

- *International legal sovereignty* refers to the mutual recognition of states in the international sphere.
- *Interdependence sovereignty* refers to the ability of public authorities to control movements of people and goods across borders.
- *Domestic sovereignty* entails the classic Weberian notion of the state as the supreme authority within a territory, controlling a monopoly on legitimate violence or force.[12]

Importantly, these types do not necessarily go together; it is possible to have one or more without the other in a variety of combinations. For example, Somalia maintains its international legal sovereignty, but has only the most limited form of domestic sovereignty; Taiwan for decades has maintained a quite stable form of domestic sovereignty and a relative level of interdependence sovereignty in the absence of a broadly recognized international legal sovereignty. More basically, Edgar Grande and Louis Pauly argue that internal and external sovereignty should be distinguished, recognizing that they can have quite separate, though interdependent, trajectories.[13]

Internal sovereignty refers to the domestic relationship between state and society and stems from the legitimated authority structures within a territorially defined legal-political order. *External sovereignty* refers to the state's independence from other states and authorities in the international system.[14] At times, the international community has violated external sovereignty in order to restore internal sovereignty after a destructive civil conflict has subjected a population to mass atrocities. In this respect, humanitarian intervention can be pursued in the interest of restoring—not abrogating—sovereignty.[15] This point, of course, is highly contested, and disputes over what type of external interference sovereignty allows, if any, and in what context, animate many of the debates over the responsibility to protect and the prevention of genocide.

The key is that modern sovereignty is not a zero-sum game. One can distinguish between levels and functions of sovereignty, and to give ground on one does not necessarily mean compromising the integrity of the others. In this respect, "Sovereignty is a variable, not a constant."[16] In this way, the law prohibiting genocide and the broader development of human rights and humanitarian law should not be set in opposition to state sovereignty.

Prevention, Intervention, Response

The transformation of understandings of sovereignty as well as the emergence of a robust body of international human rights and humanitarian law during the past seventy years has created opportunities for international efforts to prevent or stop genocide and similar crimes. Over the past two decades in particular, these efforts have become more sophisticated but also more contentious, engendering heated debates over their applicability and limitations. In this section we examine three key concepts at the center of these debates—prevention, intervention, and

response—which have come to dominate global discourse on sovereignty and the protection of human rights. These concepts also play a central role in this volume. Scholars and practitioners have debated the content of these concepts extensively and no settled consensus exists on their definition, but we can identify their salient features.

Prevention broadly refers to those strategies, policies, and practices directed toward anticipating and arresting the onset of significant political violence prior to its occurrence, as Frances Stewart discusses in her chapter in this volume. Conflict prevention is at the core of the United Nations' founding charter (Article I) and has played a central role in the organization's work through its history. However, the nature of conflict has changed significantly since the period when the United Nations was established.

Today, most violent conflicts are within states while traditional interstate warfare has declined,[17] meaning that prevention strategies are being adapted to these new circumstances. Prevention efforts naturally differ depending on context, including the kind of political tensions that exist in a given country or region, the relative strengths and interests of contending actors, and existing structural obstacles to peace. The seminal 1992 UN document *An Agenda for Peace* emphasized preventive diplomacy, understood as "action to prevent disputes arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur."[18] This early framework has expanded to include three distinct forms of conflict prevention: *operational prevention*, which refers to measures aimed at the proximate conditions that serve as tipping points or accelerants for overt political violence by employing early warning and detection models, preventive diplomacy, mediation, sanctions, and the like; *structural prevention*, which focuses on the roots of violence and instability, such as pervasive economic inequalities or widespread marginalization of ethnic groups "that could lead to intrastate or interstate conflict over the long term";[19] and *systemic prevention*, consisting of efforts to address global and transnational factors that make conflict more likely.[20] In its most inclusive and contested formulations, prevention may address illegal financial and arms flows, transnational environmental and natural resource pressures, and international crime syndicates, although most prevention analysts and practitioners have yet to adopt this broad-based approach.

Intervention refers to the use of international coercive military force without the consent of the target state aimed at preventing or stopping ongoing atrocities like genocide, crimes against humanity, war crimes, and ethnic cleansing. In other words, intervention means warfare for the

purpose of protecting the human rights of foreign citizens and changing the behavior of the target state or its leaders.[21]

The intervention discourse has focused in large part on the practical, legal, and political questions surrounding external actors' right to intervene and limit the sovereign prerogatives of the target state.[22] This focus is not surprising, given the high stakes involved in military interventions and the privileged place held by the principle of state sovereignty in international politics. Nevertheless, framing intervention politics exclusively in terms of their impact on state autonomy ignores a host of complex issues and questions that inform decisions to intervene, including the rights of victims and threats to international security posed by severe domestic instability and violence. Furthermore, this narrow focus on external coercive force has drawn attention away from the broader obligations that states have toward their own populations and the variety of preventive measures they can take to protect their citizens' basic rights.

The narrowness of these debates has stimulated efforts to rethink the nature of international engagement from a broader perspective—that of a state's responsibility to its people. The responsibility to protect (R2P) principle was first articulated in 2001, and its key elements were incorporated into the 2005 World Summit Outcome Document adopted by UN member states.[23] The principle represents a seminal step in rethinking the relations between sovereignty and intervention. It stipulates that state sovereignty does not signify an absolute right to control a territory or population by any means necessary; rather, state sovereignty entails responsibilities "in both internal functions and external duties."[24] In particular, the state has the responsibility to protect its population from four key crimes: genocide, crimes against humanity, war crimes, and ethnic cleansing.

The UN Security Council affirmed the principle in 2006,[25] and in 2009 it received substantive elaboration in the UN Secretary-General's report on the issue, *Implementing the Responsibility to Protect*. According to this report, the principle rests on three pillars: First, an existing responsibility of individual states to protect their citizens from the four listed crimes, as well as from their incitement; second, the international community's commitment to assist and aid states in satisfying these obligations; and, third, the responsibility of the international community, through the UN, to respond in a timely and decisive manner to help protect vulnerable populations when states are manifestly failing to do so. Such responses can entail a wide range of measures, of which military intervention is only a last resort.[26] In this reconceptualization, intervention falls under the broader rubric of response.

Prevention and response are often framed as opposed to one another, or at least in significant tension. Some observers see prevention efforts as prior to response (including, most explicitly, military intervention), and thus the need for response represents a failure of earlier prevention strategies. This point is perhaps most obvious in discussions on Rwanda and the international community, where the collapse of the 1993 Arusha peace accords was followed by genocide and the resumption of civil war. The lesson that many analysts drew is that a failure of preventive measures requires a turn to more robust international action. The result is a sequential understanding of action that became the dominant framework in international policy circles: first prevention, and if that fails, then intervention.[27] However, a report by the UN Secretary-General in July 2012 argues that prevention and response are closely linked, and that international action often combines elements of each.[28]

While not surprising in light of the failures in Rwanda, the sequential ordering approach risks creating an artificial distinction between different modes of international engagement that simplify, in problematic fashion, the complexity of processes of violence escalation and de-escalation. Too strong a distinction between prevention and response assumes that violent conflicts all share the same fundamental causes and dynamics, and thus can be addressed using the same generic framework.

Rather than assume that international action should follow a standard sequential approach, the options available to prevent and stop genocide and mass atrocities should be framed in a more comprehensive and context-sensitive fashion, so that complex cases are not forced into the same analytical framework, generating cookie-cutter responses. Extensive research has revealed multiple paths to violence, and some transitional regimes experience heightened instability and return to violent conflict, while others do not.[29] Thus, response measures may be identified for use in tandem in some instances and sequentially in others, depending on the conditions of the particular case at hand. To understand this, we need to ask: Who is responding? Where? At what level of engagement? And with what tools?

Framing International Responses

Responding to massive human rights violations involves a number of different levels, actors, and tools. In this volume, we focus on four conceptually distinct levels of analysis: individual states, regional organizations, international organizations, and international civil society. These distinctions are useful for heuristic purposes, because they provide a

certain degree of conceptual ordering on what is otherwise a confusing international political context.

The first level concerns individual states. Given that primary responsibility for protecting civilians lies with the state, any preventive efforts must focus on the state's capacity and willingness to prevent major human rights violations at home. States carry an obligation to ensure the presence of effective mechanisms for handling the inevitable domestic disputes and political contestation that are parts of political life, and should seek to protect basic human rights and the welfare of their citizens and residents. Research has shown that a country's basic political arrangement is a primary factor influencing whether rights are systematically protected: democracies in particular are less likely to engage in major human rights violations domestically than authoritarian or semiauthoritarian regimes.[30] In addition to inclusive political systems that provide voice and veto power to citizens, independent judicial institutions that guarantee the rule of law, security forces under civilian control, and broadly equitable economic arrangements are all positively correlated with the protection of human rights and low levels of repressive behavior. Thus, the first level of analysis is the state, and the protection of human rights is centered on this key actor.

States do not, however, exist in a completely anarchic international context. A second level of analysis concerns the variety of regional organizations that have emerged since World War II to shape international politics. Perhaps the most developed broad-based and influential regional organization is the European Union, though organizations such as the Organization of American States, African Union, Arab League, and Association of Southeast Asian Nations, among others, have also developed into important political players throughout the world. Regional actors often have stronger economic, political, and cultural ties to repressive states than global actors, and thus can wield important influence on repressive behavior. Regional organizations in particular may work as an authoritative collective voice to shame publicly the abusive practices of a member state. More substantively, regional organizations have many effective tools at their disposal. They may bring economic pressure—or threats of sanctions—on abusive elites to stop violations, and in some instances they may send peacekeepers to member countries, such as the African Union's missions to Somalia and Sudan or the European Union's involvement in Kosovo and Bosnia and Herzegovina. On the other hand, regional organizations may also work to protect abusive leaders, as when the Arab League expressed its support for Sudanese president Omar al-Bashir after the International Criminal Court indicted him for war crimes in 2009. Over the past decade and a half,

regional organizations have taken an increasingly important role in responding to mass atrocities.

A third level of analysis focuses on international organizations and institutions. The most prominent and influential of these is, of course, the United Nations, which since the end of the Cold War has played an enormous role in global peace efforts. In the past decade in particular the United Nations has sought to "move from a culture of reaction to a culture of prevention" in an effort to identify and address the fundamental causes of mass violence.[31] The United Nations has expanded its preventive diplomacy initiatives and economic and arms sanctions efforts, and continued peacekeeping missions around the world, carrying out over sixty peacekeeping missions since its founding in 1945. Today the organization is involved in preventing and halting major human rights violations across the globe. The effectiveness of peacekeeping—its most visible practice—has received modest empirical support in recent studies, which find that international peacekeeping missions overall contribute to peace by changing incentive structures of belligerents and reducing fear and mistrust, although a number of factors mitigate the long-term impact of peace operations.[32] Furthermore, the United Nations has dedicated significant resources to early warning and mass atrocity detection programs to identify and interdict the escalation of violence in unstable countries (though with mixed success), and has developed a host of assistance programs to aid weak states in strengthening their institutions and building democratic legitimacy.[33]

The final analytical level concerns global civil society. The dominant peacemaking framework emphasizes elite mediation and formal mechanisms of conflict termination through the United Nations or other state-centric institutions, with relatively little input from civil society groups. However, over the past two decades a vibrant international civil society has emerged that has taken an increasingly central role in advocating human rights. This robust international civil society consists of a space of social relations autonomous from states or interstate institutions (such as the United Nations) where groups and movements create new alliances, further their interests and views, and engage with one another to shape public and elite opinion with the aim of influencing state policy and public discourse.[34] Civil society organizations are well positioned to place increased pressure on state leaders to address massive violations, and they also serve as important critics of the assumptions and justifications behind state policy. These groups, along with the media, can have a modest but identifiable impact on state policy by publicizing and shaming abusive practices. As our contributors show, these actors can reframe and critique orthodox elite representations of

mass atrocity and mobilize popular support for ending mass violence, but international civil society groups are no panacea for human rights: they may often have different priorities than national and local groups, or may present simplistic accounts of violence and responses that do not reflect the messy reality on the ground.

Our divisions into four levels are meant to provide some clarity into what is often an exceedingly fluid political environment. Nevertheless, these divisions are only conceptually distinct; as the contributors to our volume show, developments on one level may affect events on another. Any account of international responses must remain sensitive to the complex patterns of interactions and influence across levels.

* * *

Our focus is on the politics of international action during genocidal violence, which does not exhaust the range of challenges that genocide and mass atrocities raise. A sophisticated literature has emerged on postviolence policies and strategies, including the viability of prosecutions, truth commissions and commissions of inquiry, reparations for victims, social reconstruction, and economic development programs for badly damaged societies.[35] Additionally, a recent strand of scholarship has argued that successful peace strategies must include subnational actors to ensure that peace efforts enjoy resonance and legitimacy among the population. Hybrid approaches to peace, which include local participants in decisionmaking positions (rather than merely recipients of external aid and support) are more likely to ensure that peace takes hold over the long term.[36]

These questions are pressing, but they fall outside the remit of our project, in which we aim at analyzing international efforts to respond to genocide and related atrocities. We agree that a wide array of factors and actors are important for securing peace in the long term. However, our specific focus in this volume is on the international dimensions of prevention and intervention, which continue to play an important role in stopping mass atrocities like genocide, crimes against humanity, war crimes, and ethnic cleansing. In light of this, we see the volume as contributing directly to rethinking the possibilities and limitations of international responses to mass violence.

Organization of the Book

Chapters 2 through 4 discuss various conceptualizations and causes of genocide and mass violence. Ernesto Verdeja presents an overview of

the definitional and conceptual debates over the meaning of genocide. Verdeja argues that the compromised political origins of the UN Convention on the Prevention and Punishment of the Crime of Genocide (1948), which continues to provide the dominant legal and political definition of the crime, has affected policy debates over what constitutes "genocide" and how to prevent it. For Verdeja, policymakers should adopt a more inclusive and sociologically accurate conception that focuses on the systematic targeting of a group for destruction, regardless of its identity. The chapter also explores a number of contemporary discussions over the conceptualization of genocide and explores its relation to other forms of mass atrocity.

Frances Stewart follows with a systematic examination of the root economic and political causes of genocide and civil war. Drawing on the burgeoning quantitative scholarly literature on political violence, Stewart notes that in modern times genocide and civil war are both patterned forms of collective violence that often occur together. She finds that prior histories of large-scale violence are predisposing factors in both cases, as are horizontal inequalities that remain salient between contending groups. Nevertheless, Stewart notes that regime type and per capita income levels affect the likelihood of genocide and civil war differently, and genocides are more likely to occur once a civil war has begun.

Barbara Harff's chapter builds on the preceding contributions by examining the development and evolution of risk assessment and early warning systems to detect the onset of genocide and politicide (the systematic targeting of groups based on their political identity). Risk assessment systems examine a variety of structural conditions proven to affect the likelihood of genocide, including salient ethnic and political divisions, political regime type, a country's embeddedness in international trade, and histories of political violence. Based on the presence or absence of these conditions, a country may be at a high, medium, or low risk of genocide. Harff notes that risk assessments provide little insight into the timing of genocidal outbreaks, for which early warning models are needed. She critically examines the dynamic factors that explain the onset of genocide, such as severe political crises, the seizure of power by ideologically extremist elites, and state capacity to carry out sustained mass killing. Harff, herself a noted contributor to early warning and detection theories, presents a valuable examination of current genocide detection modeling, which is central to making informed policy decisions for responsible prevention and intervention.

I. William Zartman's chapter turns to the difficult politics of external conflict mediation and diplomacy. Zartman places mediation firmly

in the "second pillar" of the responsibility to protect, in which third parties work to assist states in securing the conditions needed to protect their populations. He provides an overview of the various means available to third parties who mediate ongoing domestic disputes that can turn deadly, particularly those identity conflicts that spiral into sustained mass killings like genocide and politicide. Zartman discusses how structural measures, such as the establishment and support of institutions that promote cooperation or bounded competition, can play a significant role in shaping the political incentives of elites and create conditions where continued commitment to an inclusive political order is rewarded politically. He also highlights the ways in which external actors can contribute to trust building and attitudinal shifts among opposed political leaders who have a history of turning to violence to resolve conflicts. Zartman's chapter is clear about the challenges and limitations of mediation, but it also identifies the concrete objectives that carefully tailored mediations can accomplish.

Zartman's chapter provides a valuable overview of the mediation tools available to third-party actors. Chapters 6 through 8 disaggregate the actors and levels of analysis that constitute a robust international will to respond. Iavor Rangelov focuses on the remarkable emergence of a truly transnational civil society over the past two decades devoted to preventing and stopping ongoing genocide and mass violence. Transnational civil society actors have received only superficial attention in policy studies that still largely focus on state actors and international organizations like the United Nations, but their ability to shape political discourse can no longer be ignored. Rangelov frames his discussion through a provocative assessment of the Save Darfur movement, noting its internally diverse, contested, and ambivalent nature, and the complex ways in which its core idea of a moral duty to protect others has shaped an emerging "global humanitarian regime." The chapter advances our understanding of civil society by examining the positive contributions—and limitations—of global social movements dedicated to stopping genocide.

Timothy Murithi explores regional organizations, which have evolved during the past two decades to take important roles in international debates over intervention and prevention. Drawing on the African Union and Arab League, Murithi analyzes the advantages and limitations of regional organizations in responding to mass atrocities. He shows how these organizations often mobilize political will in a timely fashion, at least compared to organizations like the United Nations, when political violence is escalating, and how they frequently carry greater political legitimacy than individual states or the Security Coun-

cil. Nevertheless, Murithi shows how internal political divisions can be particularly pronounced in cases where neighboring countries have especially strong ties to perpetrator regimes. Proximity, then, can be a source of rapid response but also an obstacle to intervention. Given these challenges, Murithi identifies a number of strategies that can leverage the advantages of regional organizations in the struggle against genocide and mass atrocities.

A central challenge to articulating theories and programs of political response is understanding how they unfold in practice. This practical challenge is not merely epiphenomenal to well-developed theorization or policymaking, but a constitutive feature of preventive politics. Colin Keating's chapter tackles the theory-practice nexus directly through an important set of reflections on intervention debates in the UN Security Council. Keating's background as New Zealand's ambassador to the United Nations from 1993 to 1996 and president of the Security Council during the Rwandan genocide offers him a unique vantage point from which to assess the difficulties of constituting a collective will to respond. Surveying the two decades of Security Council debates since the end of the Cold War, he concludes that the Council has made some limited but important advances in confronting genocide and widespread human rights violations.

The final contributor, Thomas G. Weiss, addresses the vexing question of armed interventions. Weiss canvasses the history of UN intervention debates and argues that the post-Rwanda consensus on the need for speedier and more robust interventions has weakened, and today R2P risks sanctioning too little intervention, not too much. He cites prima facie cases of humanitarian crises that merit a forceful international response—including Darfur, the Democratic Republic of Congo, and Zimbabwe—and shows how a variety of obstacles have prevented the development of a defensible policy of international response. For Weiss, the key is to develop a mechanism for multilateral military action that is not primarily dependent on the United States, and to consolidate those UN agencies that provide humanitarian services and protection. Strengthening multilateral response capabilities can mitigate the chronic shortcomings that great power politics pose.

Indeed, the interventions of the past two decades have confirmed, as if any doubt existed, that international actors are not motivated solely or even primarily by a concern for the plight of defenseless civilians. That power and national interest play a dominant role in international politics, and that global powers often employ human rights and humanitarian discourse to further their own goals, are by now hardly contested claims.[37]

Nevertheless, policy and scholarly debates that focus on the necessary legal and institutional steps to mobilize an international will to respond too often treat such procedural elements as the source of political and normative justification for international action. Critics have charged, rightly, that the motivations, interests, and aims of major and regional powers, as well as the general structure of international politics that reinforces existing power relations, should be subjected to critical scrutiny.[38]

The contributors to this volume share these concerns. They investigate the assumptions and presuppositions of international responses and critique the ways in which countries mask their individual interests behind the collective will. Throughout this book, the interests of powerful countries are analyzed and assessed with two goals in mind: first, to show how power politics operate in prevention and intervention; and second (and more constructively), the ways in which a genuine collective will that prioritizes the protection of civilians can be fashioned. The responsibility to protect cannot be divorced from politics; moral and legal rights are always implicated in existing politics and power relations. However, we hope to show in this volume that national and global interests can be brought closer to the imperatives of human rights, even though tensions and obstacles will persist.

Our concluding chapter revisits this discussion and explores one of the principal obstacles to effective international action aimed at preventing or stopping mass atrocities: a fundamental lack of political will to take risks or commit state resources to come to the aid of people in far-off lands. We conclude by identifying four areas that are keys to the long-term development of the political will to respond: universal norms, common interests, particular incentives, and visionary leadership.

Notes

1. Linda Melvern, *A People Betrayed: The Role of the West in Rwanda's Genocide* (London: Zed Books, 2000); Bruce Jones, *Peacemaking in Rwanda: The Dynamics of Failure* (Boulder, CO: Lynne Rienner, 2001).

2. Martha Finnemore, *The Purpose of Intervention: Changing Beliefs About the Use of Force* (Ithaca, NY: Cornell University Press, 2003); Gary J. Bass, *Freedom's Battle: The Origins of Humanitarian Intervention* (New York: Knopf, 2008); Brendan Simms and D. J. B. Trim, eds., *Humanitarian Intervention: A History* (Cambridge: Cambridge University Press, 2011).

3. Aryeh Neier, *The International Human Rights Movement: A History* (Princeton, NJ: Princeton University Press, 2012); David Cortright, *Peace: A History of Movements and Ideas* (Cambridge: Cambridge University Press, 2008); Samantha Power, *A Problem from Hell: America in the Age of Genocide* (New York: Basic Books, 2002).

4. This language echoes the paragraphs on the responsibility to protect from United Nations, *2005 World Summit Outcome*, UN Doc. A/RES/60/1 (New York: United Nations, October 24, 2005), para. 139.

5. On sovereign equality in the United Nations, see *The Charter of the United Nations*, Chapter I, Article 2(1).

6. Kenneth Waltz, *Man, the State, and War: A Theoretical Analysis* (New York: Columbia University Press, 1959).

7. Ruti G. Teitel, *Humanity's Law* (Oxford: Oxford University Press, 2011).

8. See, for instance, the *Human Security Report Project*, www.hsrgroup.org.

9. William A. Schabas, *Genocide in International Law*, 2nd ed. (Cambridge: Cambridge University Press, 2009), pp. 3–4.

10. This is discussed at length in Adam Lupel, *Globalization and Popular Sovereignty: Democracy's Transnational Dilemma* (London: Routledge, 2009).

11. Robert O. Keohane, "Sovereignty in International Society," in David Held and Anthony McGrew, eds., *The Global Transformations Reader*, 2nd ed. (Cambridge: Polity, 2003).

12. Stephen Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999), pp. 9–25.

13. Edgar Grande and Louis W. Pauly, eds., *Complex Sovereignty*: *Reconstituting Political Authority in the Twenty-First Century* (Toronto: University of Toronto Press, 2007), pp. 11–12.

14. Ibid. See also Andrew Arato and Jean L. Cohen, "Banishing the Sovereign? Internal and External Sovereignty in Arendt," in *Politics in Dark Times*: *Encounters with Hannah Arendt*, edited by Seyla Benhabib, Roy T. Tsao, and Peter J. Verosvek (Cambridge: Cambridge University Press, 2010); Martin Loughlin, "Ten Tenets of Sovereignty," in *Sovereignty in Transition,* edited by Neil Walker (Oxford: Hart, 2003), pp. 55–86.

15. Robert Keohane, "Political Authority After Intervention: Gradations in Sovereignty," in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, edited by J. L. Holzgrefe and Robert Keohane (Cambridge: Cambridge University Press, 2003), p. 286.

16. Ibid.

17. Thérése Pettersson and Lotta Themnér, *States in Armed Conflict 2010* (Uppsala, Sweden: Uppsala Conflict Data Program, 2011); Human Security Report Project, *Human Security Report, 2009–2010: The Causes of Peace and the Shrinking Costs of War* (New York: Oxford University Press, 2011).

18. United Nations Secretary-General, *An Agenda for Peace*, UN Doc. A/47/277-S/24111 (New York: United Nations, 1992), para. 20.

19. Paul Romita, "The UN Security Council and Conflict Prevention: A Primer," New York: International Peace Institute, October 2011, p. 3.

20. Christoph Mikulaschek and Paul Romita, "Conflict Prevention: Toward More Effective Multilateral Strategies," New York: International Peace Institute, December 2011, pp. 2, 13; United Nations, "Progress Report on the Prevention of Armed Conflict," Report of the Secretary-General, UN Doc. A/60/891, July 18, 2006.

21. International Commission on Intervention and State Sovereignty (ICISS), *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Re-

search Centre, 2001), p. 8; R. J. Vincent, *Nonintervention and the International Political Order* (Princeton, NJ: Princeton University Press, 1974). Intervention as used here differs from so-called protection-of-civilian missions, which involve foreign peacekeepers operating with the permission of the host country. See Victoria Holt and Glyn Taylor with Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations* (New York: UN DPKO/OCHA, 2009).

22. Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2000); J. L. Holzgrefe and Robert Keohane, eds., *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas* (Cambridge: Cambridge University Press, 2003); Neta Crawford, *Argument and Change in World Politics: Ethics, Decolonization, and Humanitarian Intervention* (Cambridge: Cambridge University Press, 2002); Thomas G. Weiss, *Humanitarian Intervention: Ideas in Action*, 2nd ed. (Cambridge: Polity, 2012); Alan J. Kuperman, "The Moral Hazard of Humanitarian Intervention: Lessons from the Balkans," *International Studies Quarterly* 52, no. 1 (2008): 49–80; Louis Henkin, "Kosovo and the Law of Humanitarian Intervention," *American Journal of International Law* 93, no. 4 (October 1999): 824–828.

23. ICISS, *Responsibility to Protect*; United Nations General Assembly, *2005 World Summit Outcome Document* A/60/L.1 (New York: United Nations, 2005), paras. 138–139.

24. ICISS, *Responsibility to Protect*, p. 13.

25. UN Security Council Resolution 1674 (April 26, 2006), UN Doc. S/RES/1674.

26. United Nations, "Implementing the Responsibility to Protect," Report of the Secretary-General, UN Doc. A/63/677, January 12, 2009.

27. The paradigmatic example of this is the US Institute of Peace's "conflict cycle" bell curve, which graphs violent conflicts as going through three primary stages: latent conflict, escalation to sustained violence, and deescalation through mediation or negotiation. See Louis Kriesberg, "Settlement Stage," in *Beyond Intractability*, edited by Guy Burgess and Heidi Burgess (Boulder, CO: Conflict Information Consortium, 2003), www.beyondintractability.org.

28. UN Secretary-General, "Responsibility to Protect: Timely and Decisive Response," UN Doc. A/66/874, July 25, 2012.

29. Caroline Hartzell, Matthew Hoddie, and Donald Rothchild, "Stabilizing the Peace After Civil War: An Investigation of Some Key Variables," *International Organization* 55, no. 1 (2001): 183–208; Barbara F. Walter, "Does Conflict Beget Conflict? Explaining Recurrent Civil War," *Journal of Peace Research* 41, no. 3 (May 2004): 371–388; Paul Collier, Anke Hoeffler, and Måns Söderbom, "Post-Conflict Risks," *Journal of Peace Research* 45, no. 3 (2008): 461–478.

30. The relations between democracy and peace are found in Christian Davenport, *State Repression and the Domestic Democratic Peace* (Cambridge: Cambridge University Press, 2007); Bruce Russett and John O'Neal, *Triangulating Peace: Democracy, Interdependence, and International Organizations* (New York: W. W. Norton, 2001).

31. UN Secretary-General, *Prevention of Armed Conflict*, A/55/985-S/2001/574 (New York: United Nations, 2001).

32. Virginia Page Fortna and Lise Morjé Howard, "Pitfalls and Prospects in the Peacekeeping Literature," *Annual Review of Political Science* 11 (June

2008): 283–301; Michael W. Doyle and Nicholas Sambanis, *Making War and Building Peace: United Nations Peace Operations* (Princeton, NJ: Princeton University Press, 2006); Joshua S. Goldstein, *Winning the War on War: The Decline of Armed Conflict Worldwide* (New York: Plume, 2012); "UN Peacekeepers in Africa: Helping to Calm a Continent," *The Economist*, June 9, 2012.

33. Micah Zenko and Rebecca R. Friedman, "UN Early Warning for Preventing Conflict," *International Peacekeeping* 18, no. 1 (2011): 21–37; Organisation for Economic Co-operation and Development, *Preventing Violence, War, and State Collapse: The Future of Conflict Early Warning and Response* (Paris: Organisation for Economic Co-operation and Development Press, 2009).

34. Ernesto Verdeja, *Unchopping a Tree: Reconciliation in the Aftermath of Political Violence* (Philadelphia: Temple University Press, 2009), p. 138.

35. Pablo De Greiff, ed., *Handbook on Reparations* (Oxford: Oxford University Press, 2006); Naomi Roht-Arriaza and Javier Mariezcurrena, eds., *Transitional Justice in the Twenty-First Century: Beyond Truth Versus Justice* (Cambridge: Cambridge University Press, 2006); Edels Hughes, William Schabas, and Ramesh Thakur, eds., *Atrocity and International Accountability: Beyond International Justice* (Tokyo: United Nations University Press, 2007).

36. Alexander L. Hinton, ed., *Transitional Justice: Global Mechanisms and Local Realities After Genocide and Mass Violence* (New Brunswick, NJ: Rutgers University Press, 2011); Sally Engle Merry, *Human Rights and Gender Violence: Translating International Law into Local Justice* (Chicago: University of Chicago Press, 2006). For a general reconceptualization of peace theory and practice, see Daniel Philpott and Gerard F. Powers, eds., *Strategies of Peace: Transforming Conflict in a Violent World* (Oxford: Oxford University Press, 2010).

37. Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2010); James Peck, *Ideal Illusions: How the U.S. Government Co-Opted Human Rights* (New York: Metropolitan Books, 2011).

38. David Chandler, "Unraveling the Paradox of 'The Responsibility to Protect,'" *Irish Studies in International Affairs* 20 (2009): 27–39; see response in Alex J. Bellamy, *Responsibility to Protect* (Cambridge: Polity, 2009).