

# The R2P Is Dead, Long Live the R2P: The Successful Separation of Military Intervention from the Responsibility to Protect

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Roland Paris is one of those authors whose work is always enjoyable, as he exploits so well the gap between the policy world and academia. His best work reveals a high level of policy insight often before many of his colleagues in academia have caught up. His secret is an ability to analyse the shifting understandings at policy level and to then to articulate them in academic terms as if critiquing current policies. This enables his work to be both popular with policy-makers and with their erstwhile critics in academia. His 2004 monograph, *At War's End*,<sup>1</sup> captured the shift from peacekeeping intervention and 'early exit' to the extended remits of international statebuilding ('Institutionalization before Liberalization'). It provided a wonderful rationalization of policy shifts that had already occurred in the late 1990s, starting with the extension of international mandates in Bosnia, from 1996 onwards, and further developed with the Kosovo protectorate in 1999. However, this shift was skilfully reposed as a critique of existing policy-understandings.

Similarly, his co-edited collection, *The Dilemmas of Statebuilding*,<sup>2</sup> from 2009, captured well the disillusionment with the statebuilding project, which policy-makers increasingly scaled back in post-conflict Afghanistan and Iraq in the early 2000s. Again he caught many in academia on the hop. The 'Dilemmas' book appeared critical to those working on statebuilding in academia, but merely reiterated the policy-makers retreat from the transformative aspirations of liberal internationalism. While many in academia focus on policy advocacy and normative perspectives (which say more about themselves than the world around them), Paris is excellent at reporting back and rationalizing the experiences and understandings of those at the sharp end of policy responsibility. But, it should be noted, always through a subtle transformation of these rationalizations: representing them as a critique of current policies rather than as a reflection of them.

Reading Paris' view of the impasse of 'The Responsibility to Protect' doctrine, it was a pleasure to note that he has lost neither his insightful capacities nor his ability to sell current policy-thinking as critique.<sup>3</sup> If Paris says that the idea of preventive humanitarian intervention through the use of military force is undermining the doctrine of R2P and that this 'paradox' is a product of 'structural dilemmas', I have no doubt that he is right. My only query would be the timing of this discovery and whether Paris was offering a critique of existing policy

thinking or, through his normal sleight of hand, a rationalization of current policy-understandings.

Why is it that clarity over ‘structural dilemmas’, in the work of Paris, only appear once policy-practices have already moved on to new approaches? The normal rule of thumb in Paris’ work, as highlighted above, is that policy practitioner shifts are clearly articulated around five years after they have already been made in practice but that in rationalizing these shifts for an academic audience Paris is usually ahead of the game (especially as he works in mainstream policy and academic circles, rather than confining himself to the spaces occupied by more conceptual critical theorists). The extension of my analysis of Paris’ *modus operandi*, as outlined above, would thereby suggest that the recognition of the ‘structural dilemmas’ of preventive humanitarian militarism had already occurred before the Libya intervention of 2011, rather than being some slow-burning outcome of policy reflection following, what he alleges to be, the first major test of the R2P doctrine in practice.

The way Paris tells it, the Libya intervention marks the end of the possibility for naïve R2P advocacy. The reason for this is that the Libya intervention was the first success for the R2P and in being its first full and successful adoption it reveals the ‘structural limitations’, which are inherent to the doctrine. This is nicely done but rather misleading. Instead, I suggest that the Libya intervention could be seen as already separating preventive military intervention from the R2P package of three pillars, including non-military preventive measures and post-intervention reconstruction responsibilities. The key aspect of the Libya intervention was that preventive military action was undertaken without the promise of the assumption of ‘Western responsibility’ for the outcomes. The problem with the doctrine of R2P is not the military intervention aspect *per se* (obviously full of unintended consequences and inherent dilemmas) but the imbrication of military actions within a discourse of external humanitarian/Western responsibility for outcomes. Paris skilfully inverts the problem, as if the preventive military intervention itself was destabilizing and problematic for Western policy-makers rather than the ethical claims of international responsibility, which are at the heart of the doctrine of R2P.

To make this point perfectly clear, let’s take the example of a preventive military intervention which is currently ongoing, that being undertaken by the US-led international alliance, including both European and Arab states, which is currently waging a preventive military intervention against Islamic State (ISIS) targets in Syria and Iraq. Considering the mass atrocities alleged to have been carried out by ISIS forces – as well as the claims that the intervening powers are acting out of humanitarian sensibilities rather than self-interested geo-political concerns and the popular support for the intervention in the countries committing troops and resources – this intervention could easily have been mobilized under the banner of R2P. Why wasn’t it? Surely this is not because of the ‘structural dilemmas’ identified by Paris connected with military intervention.

There is, of course, every chance that military intervention may create further destabilization in the region and, of course, that the motives and consistency of

the intervening powers will be questioned. Yet, these problems will have much less impact than if the intervention was weighed down with international responsibilities for protecting those on the ground and for the consequences for the region. In fact, without the R2P acting as a shackle the military intervention is much less accountable and tactically flexible. In this case, it is clear that bringing in the doctrine of R2P would fundamentally undermine the legitimacy of preventive military intervention. R2P has done its work in legitimizing preventive military intervention for humanitarian purposes but, as Paris correctly notes, this – perhaps counter-intuitively – means that using it to legitimize military interventions would be a recipe for failure.

The preventive military intervention in Libya was much more akin to the ongoing military action in Syria and Iraq than to the 1990s military interventions in Bosnia or Kosovo, when issues of the violation of sovereign norms were still a central concern. Libya already revealed that to all intents and purposes the R2P was dead as a way of legitimating preventive military intervention on the basis of a Western responsibility to protect civilians: all that was left of R2P was the Western sense of legitimacy and the military action itself (i.e. what we are currently seeing in Syria and Iraq without calling upon the R2P doctrine). The military intervention was, in this respect, no different to traditional humanitarian supplies of blankets or provisions. Whereas the R2P doctrine posits a continuum from sovereign responsibility to international responsibility – the external provision of the sovereign duty of protection against mass violations of human dignity – the Libya intervention merely promised the technical assistance of military hardware.

Paris is thereby being a little disingenuous in citing the self-interested advocates of the R2P doctrine as reliable authorities on whether the Libya intervention really marked a return to the R2P doctrine of preventive military intervention. The intervening governments were keen to claim the legitimacy of R2P but at the same time were concerned to distance the dropping of bombs over Libya from the ethical, political and legal debates over sovereignty and responsibility, which dominated discussion of military humanitarianism in the 1990s. The Libya campaign did not present the ‘humanitarian’ bombing as an undermining or rolling back of state sovereignty. There was no claim that the international interveners assumed sovereign responsibility to protect the Libyan people any more than there is a claim to protect those of Syria and Iraq today.

The no-fly zone and its extended enforcement was posed as facilitating the agency of the Libyan people, enabling and facilitating them in the process of securing themselves. The campaign lasted substantially longer than the NATO war over Kosovo but lacked any of the meaning or clarity of objectives, which would have been necessary had any direct assumption of responsibility been claimed (as noted by Paris). This ambiguity of intentions and of strategic outcomes reflected less the ‘structural dilemmas’ at play than the different paradigm of understanding in a ‘war’ waged without the claims of securing agency and sovereign responsibility.

Preventive discourses of military intervention, such as that deployed to legitimize the bombing of Libya, illustrate that the R2P has undergone a fundamental

transformation. The debates over Libya were purely technical, of the kind Paris posits as essential for us to have today (and, indeed, as are being played out with regard to Syria and Iraq). There were no legal and normative principles at stake with clashing claims of individual or sovereign rights and responsibilities. It was precisely this paradigmatic shift, which enabled Libya to be the ethical as well as a military 'success' which other military humanitarian interventions failed to achieve. This, it is essential to note, is regardless of the final outcome and the unintended side-effects of military intervention highlighted by Paris.

Without Western responsibility for the outcome of the intervention in Libya and without any transformative promise, Western powers were strengthened morally and politically through their actions, whereas in Bosnia, Kosovo, Afghanistan and Iraq, they were humbled and often humiliated. Libya was an intervention freed from liberal internationalist baggage, where the West could gain vicarious credit and distance itself from any consequences. Even Bosnia's former colonial governor, Lord Ashdown, argued that we should learn our lessons and not be tempted to impose our version of liberal peace.<sup>4</sup> As British MP Rory Stewart astutely noted, if Libya was a success, it was because 'it was hardly an intervention at all'.<sup>5</sup>

The lessons of the 'success' of the R2P in Libya are today being played out in Syria and Iraq: the separation of preventive military intervention from the doctrine of the international responsibility to protect. Roland Paris is, as ever, both right and wrong in his analysis. Yes, the second pillar of military intervention was always going to be the problem for R2P. This was why the R2P was developed to start with – as a doctrine of prevention, reaction and reconstruction – in an attempt to minimize the importance of military intervention for the international acceptance of the doctrine. However, today the R2P has come of age: preventive military intervention is acceptable without the legal and normative assumption of international responsibility for preventive measures or, more importantly, for outcomes.

The emphasis on international preventive action and reconstruction, essential to sweeten the bitter pill of Western military intervention in the 1990s and 2000s, is no longer necessary to garner legitimacy for military intervention. The 'paradox', that Paris so correctly outlines, is that R2P's 'success' has, indeed, heralded its demise. Libya was the first illustration of the trend towards preventive military intervention without the baggage of the international responsibility to protect. The bombing of Libya was the first success for military intervention without responsibility. The current bombing of Syria and Iraq should be seen as the culmination of a process through which the R2P doctrine fully achieved the goal of enabling military intervention to escape the legal and normative concerns of sovereignty and intervention. The R2P is dead. Long live the R2P.

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## NOTES

1. Roland Paris, *At War's End: Building Peace after Civil Conflict*, Cambridge: Cambridge University Press, 2004.
2. Roland Paris and Timothy D. Sisk (eds), *The Dilemmas of Statebuilding: Confronting the Contradictions of Postwar Peace Operations*, London: Routledge, 2009.
3. Roland Paris, 'The "Responsibility to Protect" and the Structural Problems of Preventive Humanitarian Intervention', *International Peacekeeping*, Vol.21, No.5, 2014, pp.569–603.
4. Paddy Ashdown, 'Ray-Bans and Pick-Ups: This Is the Future; Iraq-Style Intervention Is Over. The Messy Libyan Version Will Be Our Model From Now On', *The Times*, 26 Aug. 2011 (at: <https://zcomm.org/zblogs/lord-ashdown-and-libya-triumphalism-an-important-lesson-by-joe-emersberger/>).
5. Rory Stewart, 'What Can Afghanistan and Bosnia Teach Us about Libya?', *Guardian*, 8 Oct. 2011 (at: <http://www.theguardian.com/world/2011/oct/08/libya-intervention-rory-stewart>).