Rationality and R2P: Unfriendly Bedfellows

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ROBERT W. MURRAY, FEB 22 2014

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The structure of the international system remains the most important variable in explaining how and why states act the way they do. The fact that anarchy pervades the relations of states means that distrust, tension, and (mis)perception remain at the forefront of dictating state behaviour and influencing international outcomes. When looking at the history of the Responsibility to Protect (R2P) doctrine and assessing its successes and failures, the enduring nature of the international system is inextricably linked to determining whether states will or will not intervene in a given humanitarian emergency. As such, this chapter argues that the largest obstacle to consistent implementation and enforcement of R2P remains its flawed epistemological foundations.

Before delving into specific arguments pertaining to R2P and its recent application, it is first important to note what is meant by the influence of the international system. The lack of overarching authority in a world of over 200 states means that states are left to their own devices when calculating actions of any kind. The decisions states make are impacted by an array of variables, most importantly the perceptions of other states' capabilities, intentions, and interests. These matters are further complicated by the polarity of the international system at any given time. The system can have three distinct structures, being bipolarity, multipolarity, or unipolarity, dependent upon the number of great powers dominating in a historical period.[1]

At their core, states are utility-maximizing, self-interested, security-obsessed like-units, all navigating an incredibly complex international environment simultaneously. States are differentiated by their capabilities, various internal factors that, when calculated, indicate a state's respective power position. "Their rank depends on how they score on all of the following items: size of population and territory, resource endowment, economic capability, military strength, political stability and competence."[2] The most important states, when evaluating influence and power in the international system, are great powers. Kenneth Waltz notes that "The stability of the system, so long as it remains anarchic, is then closely linked with the fate of its principal members."[3] Regardless of the situation or problem, great powers ultimately have the largest impact over international outcomes due to their relative size, power, and ability to extend their spheres of influence.

Without an overarching authority to guide or deter their actions, states rely on alliances and rational decision-making to safeguard their independence and survival. As such, every decision is reduced to a cost-benefit analysis as to whether an action will increase a state's power position, reduce its power, threaten its security, or bring it into conflict with other states or blocs of power.[4] Since 1648, states have seen it in their interests to maintain an anarchic system and not sacrifice their independence to a body capable of compelling action. "The logic of anarchy requires that the agents of these units pursue actions that will ensure not only that the political units can survive and reproduce themselves in the anarchic system but also that the anarchic structure of the international system is simultaneously albeit unintentionally reproduced."[5] A consistent feature for states and their perceptions of survival has been the maxim of national sovereignty.

Sovereignty is sometimes understood to mean that states have historically enjoyed the right of non-intervention and non-interference. This is wholly inaccurate. Rather, since Westphalia, sovereignty has had three distinct characteristics:

1. *Rex est imperator in regno suo* (the king is emperor in his own realm);
2. *Cujus region ejus religio* (the right to non-intervention or non-interference in a foreign jurisdiction on the grounds of religion); and
3. Affirmation of the balance of power to prevent one state from pursuing hegemony.[6]

Intervention has traditionally been a feature of the international system, ranging from instances of war to invited interventions on humanitarian grounds, to the evolution of peacekeeping throughout the Cold War years. As such, no guaranteed right to external non-interference has existed in the post-Westphalian era.

Sovereignty, war, and intervention are all impacted, like all other characteristics of international politics, by the structure of the system. Whether or not to wage war is a rational calculation premised upon one's own capabilities, the perceived capabilities of the opposing state, and the alliances involved on both sides in an effort to determine the likelihood of success. If a state or a bloc does not perceive that it is able to win, and that potential victory is in the national interest of the state or states contemplating war, it will not initiate a conflict. For some reason, however, the basic assumption of rationality is not equally applied to the R2P doctrine.[7]

Emerging in 2001 and having evolved since that time, R2P remains at the forefront of debate regarding whether states bear an intrinsic responsibility to protect the lives of civilians either within their own state or in other states that are unable or unwilling to protect their people. R2P has been called many things—a legal basis for intervention,[8] a framework for prevention,[9] and a normative revolution in state perceptions of national interest.[10] The problem, however, has been that, regardless of the interpretation of R2P's purpose or underlying meaning, it has yet to be implemented and/or enforced in any consistent manner.

The Syrian Civil War poses a particularly difficult challenge to R2P and its advocates because of the egregiousness and open disregard for the rules of war displayed by the Assad regime. Civilians have been intentionally targeted, chemical weapons are known to have been used, and the humanitarian crisis that has emerged over the course of two-plus years is horrendous. According to International Rescue Committee President David Miliband, the Syrian crisis is "the defining humanitarian crisis of this century so far… In a situation where civilians are targeted by snipers or bombs, where doctors are targeted because they've treated the 'wrong' side, and where aid workers are unable to cross conflict lines because the norms of war are not being followed and international humanitarian law is being broken, then obviously nothing is ever enough."[11]

On the heels of the 2011 intervention in Libya, it was plausible to believe that at least some sense of humanitarian imperative had emerged at the UN Security Council and that action would be taken in Syria. UN Resolution 1973 clearly outlined civilian protection as a justification for action in Libya and some argued this was proof of R2P's normative development.[12] Unfortunately, not only were such interpretations of the Libya mission incorrect, there was no normative osmosis effect that transferred to Syria.

Libya was not R2P in action, but, rather, a carefully calculated strategic decision on the part of the UN Security Council P5 members and NATO.[13] Gadhafi had been a nuisance for decades, the Libyan military was incredibly weak, regional organizations invited the intervention, and the regional dynamics of northern Africa were distinctly different than those of the Middle East. The *Rationality to Protect* doctrine emerged, evidently, in the context of the Libya mission and those same rational constraints continue to plague the situation in Syria.[14] The Syrian military is much stronger than Libya's was and would have presented a credible threat; the stockpile of chemical weapons, though now being destroyed, certainly affected intervention calculations; the Middle East is far less stable than northern Africa and disrupting regional balances could prove catastrophic; there was no political will on the part of western powers to intervene; Russia's role in supporting the Assad regime hindered any efforts to successfully deter Assad or pass a UN Security Council resolution; and there was little regional support for an intervention.

Also important to note is that Libya did not fulfill the true spirit of R2P. The mission strictly prohibited "boots on the ground" intervention and instead employed a strategic bombing and no-fly zone strategy. By the time intervention was approved by the Security Council, strategic analyses demonstrated that the rebel forces would be capable of defeating Libya's porous military forces with NATO assistance from the air, thus reducing the risk calculations

involved. The situation in Libya since 2011 has also deteriorated and the country now faces political unrest and violence precisely because no post-conflict rebuilding efforts on the part of the intervening forces took place. The cut-and-run humanitarianism from 35,000 feet has done little to improve the lives of Libyans.[15]

What hinders R2P is not its intentions, which are noble. R2P is premised upon a flawed epistemological framework that assumes states will rationally calculate humanitarian protection and human security as being part of their national interests. Section 2.15 of the 2001 R2P document states:

Thinking of sovereignty as responsibility, in a way that is being increasingly recognized in state practice, has a threefold significance. First, it implies that the state authorities are responsible for the functions of protecting the safety and lives of citizens and promotion of their welfare. Secondly, it suggests that the national political authorities are responsible to the citizens internally and to the international community through the UN. And thirdly, it means that the agents of state are responsible for their actions; that is to say, they are accountable for their acts of commission and omission. The case for thinking of sovereignty in these terms is strengthened by the ever-increasing impact of international human rights norms, and the increasing impact in international discourse of the concept of human security.

Aspiring to sovereignty as responsibility is good in theory, but, in practice, states cannot sacrifice their relative power position in the international system and risk others taking advantage of humanitarianism. Intervention missions are enormously costly in political, economic, and military terms. Missions that involve a rebuilding or nation-building process are not proven to be successful and deplete the resources of those intervening states. Where is the benefit of these missions for states that have no choice but to be concerned about relative gains and power dynamics in an anarchic and inherently competitive international system?

Presently, states' national interests continue to be defined according to motives such as survival, power, and self-help—not humanitarianism or responsibility. If there is ever a genuine hope of progressing the debate about how to best meet the needs of innocent civilians, it may be time for a paradigm change away from the flawed foundations of R2P and toward a more pragmatic notion of protection grounded in what states are actually capable of in the current structure of the international system. It is unfair to civilians in need, and also to states, to expect a miracle when centuries of evidence prove responsibility is not a component of state character.

[1] Christopher Layne, "The Unipolar Illusion Revisited: The Coming End of the United States' Unipolar Moment," *International Security* 31:2 (2006), 7-41.

[2] Kenneth Waltz, *Theory of International Politics* (New York: McGraw Hill, 1979), 131.

[3] *Ibid.*, 162.

[4] Robert Jervis, "Realism, Game Theory, and Cooperation," *World Politics* 40:3 (1988), 317-349.

[5] Barry Buzan, Charles Jones, and Richard Little, *The Logic of Anarchy* (New York: Columbia University Press, 1993), 132.

[6] Robert Jackson, *The Global Covenant* (Oxford: Oxford University Press, 2000), 166.

[7] For an overview of R2P, see W. Andy Knight and Frazer Egerton (eds.), *The Routledge Handbook of the Responsibility to Protect* (London and New York: Routledge, 2012).

[8] Ramesh Thakur, *The United Nations, Peace and Security* (Cambridge: Cambridge University Press, 2006).

[9] Alex Bellamy, "Conflict Prevention and the Responsibility to Protect," *Global Governance* 14 (2008), 135-156.

[10] Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All* (Washington,

D.C.: Brookings Institution Press, 2008).

[11] "Syria Crisis: UN launches record $6.5bn aid appeal," *BBC News* (16 December 2013). Accessed at http://www.bbc.co.uk/news/world-middle-east-25398012 (Jan. 14, 2014).

[12] Tim Dunne and Jess Gifkins, "Libya and the State of Intervention," *Australian Journal of International Affairs* 65:5 (2011), 515-529.

[13] For a comprehensive analysis of the Libya mission and its relation to R2P, see Aidan Hehir and Robert W. Murray (eds.), *Libya, the Responsibility to Protect and the Future of Humanitarian Intervention* (Houndmills: Palgrave, 2013).

[14] See Robert W. Murray, "Humanitarianism, Responsibility or Rationality? Evaluating Intervention as State Strategy," *Libya, the Responsibility to Protect and the Future of Humanitarian Intervention* (Houndmills: Palgrave, 2013), 15-33.

[15] Alan J. Kuperman, "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign,"*International Security* 38:1 (2013), 105-136.

About the author:

Robert W. Murray is Vice-President of Research at the Frontier Centre for Public Policy and an Adjunct Professor of Political Science at the University of Alberta. He holds a Senior Research Fellowship at the Atlantic Institute for Market Studies and Research Fellowships at the University of Calgary's Centre for Military and Strategic Studies and University of Alberta's European Union Centre for Excellence. He is the co-editor of *Libya, the Responsibility to Protect, and the Future of Humanitarian Intervention* with Aidan Hehir (Palgrave, 2013), *Into the Eleventh Hour: R2P, Syria and Humanitarianism in Crisis* with Alasdair MacKay (E-International Relations, 2014), and *International Relations and the Arctic: Understanding Policy and Governance* with Anita Dey Nuttall (Cambria, 2014). He is the Editor of the IR Theory and Practice blog on E-IR.