R2P as an Academic Pursuit

Exactly 40 years ago, Hedley Bull gave a seminar to the IR Department at the ANU called 'International Relations as an Academic Pursuit'. This groundbreaking, though seldom cited paper,[i] has given me reason to reflect on the status of R2P research and advocacy as we move into the next phase in the life of the Centre here in Brisbane.

Had I been presenting these thoughts in Europe or North America I would have had to share with you a justification for why a paper written 40 years ago, and delivered in Canberra, should have any relevance to the state of a research program today. Yet one of the many virtues of doing IR here at UQ is that Bull's writings are taken sufficiently seriously that no justification is required. - even on the part of those who would not naturally align themselves either with his approach to the discipline, not to mention his cautions defense of the normative basis of 'international society'.

Bull opens his paper with a discussion about the appropriate subject matter of world politics (a term that he preferred to 'international relations'). He placed particular emphasis upon *political* relations between states as well as including other actors such as transnational movements, subnational groups and identities, and international governmental and non-governmental organisations. This is clearly an ontology that is readily familiar to R2P scholarship; in this sense, research on the practices associated with sovereignty-as-responsibility is neither state-centric analytically nor statist normatively. While both false assumptions continue to pervade much academic thinking on IR, they have no place in a research program that examines the causes of mass atrocities and evaluates responses to their occurrence.

One defining characteristic of the academic study of world politics is the adoption of a systemic or structural level of analysis. Here it is relatively uncontroversial to argue that R2P has, and must continue to, include the regional and international in its framework of analysis. Before detailed empirical work can be done, ontological questions must be asked, and that is: *what kind of system allows for the perpetration of mass atrocities? And what kinds of possibilities exist for their prevention, response, and punishment?*

Such questions take us immediately to the pathologies of the global order in which patterns of power and domination have enabled grotesque mass killings of targeted civilians on an industrial scale. And while it would be premature to argue that sovereignty per se was the ultimate cause of genocide and other crimes against humanity, it is certainly correct to argue that sovereignty has been genocide's closest ally. This audience does not need reminding that, even after the Convention Against Genocide had become part of

international law, encroaching on the domestic jurisdiction of another state was thought to be impermissible even when such interventions brought genocide to an end – as Vietnam's war of regime change against Cambodia did in 1978.

Various pathologies of the international system have enabled genocide, just as the same system of sovereign states has sought develop a framework for preventing or halting mass atrocities.[ii] This is where R2P enters 'the international' – not as a new practice – but as the contemporary manifestation of a long history of ideas and initiatives aimed at preventing or stopping governments from committing gross and systematic violations of human rights.

Theorising the international and the place of the R2P framework within it, is the central purpose of the research stream I will be leading – that will involve contributions not just from colleagues here on the panel, but also from Luke Glanville (Griffith), Heather Rae (who takes up a new position in the Centre from January), and Jocelyn Vaughn (a postdoc already located in the Centre and doing important work on America and atrocity prevention).

We also hope to draw into this research stream the critical and historical work on R2P undertaken in the School of Political Science here at UQ, connecting most obviously with Richard Devetak's interest in the history of moral internationalism, Chris Reus-Smit's new book on the historical struggles around individual rights, Marianne Hanson and Kath Gelber's work on human rights, and Heloise Weber, Anne Brown, Morgan Brigg and Martin Weber's interest in critical accounts of world peace and development.

Despite the plethora of books and articles on R2P in the last decade, there are a great many unresolved theoretical issues and moral questions. One of those relates to the status of R2P itself. While it might be convenient - or even necessary - for practitioners to treat R2P as though it was a settled norm or an agreed framework, academic analysis should not be so complacent.

It is true that certain aspects of R2P are more settled than others; the Rome statute of the international criminal court, for example, provides detailed and judicious definitions of the four atrocity crimes. And if you doubt the importance of this, you only need to reflect on the fact that, for many decades, the humanitarian intervention literature invoked Michael Walzer's often cited definition of a humanitarian emergency as being one where 'the conscience' of humankind had been 'shocked';[iii] but of course what shocks the conscience is both politically and culturally unstable to say the least.

It is not hard to find indeterminacy and contestation marching step by step with the evolution of the bundle of practices associated with responsible sovereignty. Many of these issues can be neatly illustrated by considering the status of R2P as a 'norm' - a claim that is made frequently in both academic texts and practitioner speech-acts by global diplomats

including the UNSG. From a purely academic perspective, the extent to which R2P embodies the properties of a norm must be in doubt, particularly in relation to those responsibilities that are attached to the international community. While it can be empirically shown that the phrase 'responsibility to protect' has increasingly found its way into UN Security Council resolutions, and countless diplomatic statements, we also know that its invocation can lead to radical divergent pathways - timely and decisive action (as in the case of Libya) and diplomatic indifference (as in the case of Darfur).

Degrees of indeterminacy are compatible with the social norms - but whether the contingent character of the international community's application of its responsibilities to prevent or halt mass atrocities – whether this degree of contingency is properly captured by the term 'norm' is open to question. Here it is worth noting that R2P has not been well served by borrowing from constructivist accounts of the so-called 'norm cascade', which too quickly leads to the conclusion that all actors in a given social order find themselves at some defined point along a journey that ends, once and for all, in the internalisation of the norm.[iv] Politics cannot be so readily corralled into our analytical categories.

The problem with radical indeterminacy is that it can erode the moral standing of the norm. We do not follow norms or rules 'blindly', as Wittgenstein once famously claimed, we followed them because we think they are right. The norm which retains its moral quality is not R2P per se, but rather, the prohibition against genocide and related crimes against humanity. Once this becomes regarded as the normative foundation of the atrocity prevention regime, then it becomes more logical to regard R2P as a particular diplomatic framework within which responses to these crimes are deliberated and acted upon.

Recalibrating the naming of norms is not going to fundamentally change the practices of the UN Security Council, but it would help to combat the often heard criticism of 'double standards' – where action is justified by the norm in one case, but inaction can result in other cases where atrocities have also been committed. My point is a simple one – the charge of double standards would be harder to advance if no standard had been set. What I am probing here - and cannot do justice to - is whether the terms of the debate would be enhanced if the R2P discourse remained crystal clear that *the* norm in question remains the prohibition and the punishment for the crime of genocide - *not* what the international community does about breaches of it.

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Bull reminds us that theory is not enough 'because theory itself has a history'.[v] The historical practice of humanitarian intervention is highly relevant both to the origins and evolution of the responsibility to protect. It is well documented that European states possessed a moral impulse to protect non-citizens who were at risk of suffering from systematic violence and large-scale loss of life. The British and French intervened in the Ottoman Empire to protect

Christians in the Lebanon and Syria, and then, in the early 20th century, to protect various minority groups in Macedonia. While confessional justifications were dominant, so were justifications about 'the rights of humanity', a trope that was invoked in the 1815 Concert of Vienna in relation to the 'scourge' of the slave trade that 'degraded Europe and afflicted Humanity'.[vi] And of course this narrative of a humanitarian impulse co-existed with colonial practices of domination and dispossession – often justified according to racial and religiously-informed modes of ordering that were entirely incompatible with 'the rights of humanity' properly understood.

Other narrative accounts of the evolution of humanitarian intervention locate the origins of the practice in UN policies to establish order and security in Africa occurring after the post-1945 wave of decolonization struggles. This is not the place to evaluate these radically different histories of intervention; what matters is to consider different aspects of each pathway. How did those actors who were advocating a decisive response advance their moral argument - was that on the basis of religion, civilization, or on the basis of universal rights *erga omnes*, that is to say, that are owed to all?

What negotiations took place among the key actors with sovereign authority about the post-intervention order - what kind of reforms were imposed, and were protectorates established? And how much room for manoeuvre were individual great powers allowed in terms of acting unilaterally or in concert with other powers? It is almost impossible not to gain insights into current predicaments from the long list of historical cases where atrocities have been committed and the impulse to act has been both called upon and responded to.

What makes a history of theory even more contentious, in relation to humanitarianism and the responsibility to protect, is the claim that human rights themselves are a recent invention whose emergence is inextricably linked to American power and purpose. Whether or not we buy the argument of Samuel Moyne that 'human rights' emerged 'from nowhere' during the era of Jimmy Carter – a claim I think many of us doing human rights research would contest[vii] - it *is* the case that US domestic politics has been underestimated in terms of its determination of the international normative order.

If the rise of the United States to the position of a global hegemon at the end of the 20th Century has been critical to the evolution of what Barnett calls the 'international humanitarian order', it is necessary to consider the question of R2P's resilience as we move into a phase in which world order is more multi-polar and less US-centric. A critical issue here is how far non-liberal powers seek to be revisionists in relation to the moral purposes of international society; a decade ago, it was common to read that the so-called BRICS are not just asking for a seat at the table, they want to have a clear voice as well as some determination over those issues and problems that require collective action.

Russia's policy in relation to Syria is a case in point. We should ignore the long list of material reasons why Russia wants to maintain an ally in Damascus (access to ports, markets and other economic favours); what is at stake here is nothing less than Moscow's drive to stop the Liberal interventionists on the Security Council from extending the influence across North Africa and the Middle East.

One aspect of the 'doctrine and concepts' research program is to drill deeper into these questions about rising powers and how new constellations of world order will shape the institutions and purposes of international society. We have expertise on China (Sarah Teitt), and on South Africa (Kathryn Sturman – a new appointment in UQ's Centre for Social Responsibility in Mining), and Indonesia (Noel Morada).

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Having told us what to study and how to study it, Bull ends his paper – as I will – on academic research as a vocation. He counsels us to not be too presentist in responding to the everyday *S[h]turm und[t] Drang* of world events. This, he argues, is best left to journalists (to which I would add, it depends on which journalists and what media outlets – I doubt Bull had Radio 2GB in mind…). Reflecting the zeitgeist, Bull argued that 'no academic credit should be given for public interventions of this kind.'

Of all the insights he offers in his paper, this is one that our Centre must resist. In an era in which the sources and range of reliable information has proliferated, and where research networks and centres effectively compete with one another for funding, it is vital that our knowledge network maintains a high profile for R2P information, training, and analysis.

Not only does Bull tell us we should not try and be journalists, he argues that we should not try and be the 'servants of governments' either. There is no doubt that this is a salutary warning for any Centre that is dependent upon external funding from a government agency. To date, we in the Centre count ourselves fortunate that the Australian government has never sought to contest our findings or tell us how we should go about advancing our goals.

Our identity in relation to the diplomatic framework of R2P is broadly one that Bull described as 'semidetached'. In other words, we are not so committed to the role of advocacy such that we are prepared to make public interventions unless these are informed by research, and that necessarily means being informed by theory and history (however contemporary). In this respect, we are different from the Global Centre for R2P in New York which very much exhorts governments or the Security Council to do 'x' or 'y'.

This semi-detachment might fall short of the heroic model advocated by Edward Said, who said that the academic vocation was to 'speak truth to power'.[viii] But such freedom has arguably not brought out the best in intellectual commentary on R2P by public intellectuals, many based in the United States – who seem too prone to talk about crises and end-times, or represent R2P as being either hopelessly utopian or else the last refuge of unapologetic imperialism. (I have in mind here commentaries in influential outlets by David Rieff and Mark Mazower[ix]).

A preferable course, for us to follow, *is to speak truth to knowledge,* in other words, engage with diplomatic and political debates about R2P on the basis of empirical knowledge coupled with historical and theoretical understandings of world order, its pathologies and possibilities.

I look forward immensely to exploring these issues further in the next stage in R2P research at the Asia Pacific Centre for R2P here in Brisbane, and thank you all for coming tonight to mark the occasion of the Phase 2 launch.

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[i] 'International relations as an academic pursuit', in Kai Alderson and Andrew Hurrell eds., *Hedley bull on international society* (Basingstoke: Macmillan, 2000), pp. 246 to 264.
[ii] To use Michael Walzer's phrase. See his *Just and Unjust Wars*….
[iii] See note (ii).
[iv] Finnemore and Sikkink [add ref]
[v] Bull, 'IR as an academic pursuit', p.254.
[vi] See Maeve Ryan, 'The Abolition of the West African slave trade', in Simms and Trim eds., *Humanitarian Intervention: A History*, p.237.
[vii] Samuel Moyne, *The Last Utopia*….
[viii] See his *Responsibilities of the Intellectual* [check reference]
[ix] See, for eg, David Rieff 'R2P: R.I.P', *New York Times*, 7 November 2011. Mark Mazower 'The new foreign policy moralists aren't as far from Bush as they think', *The Guardian* (Friday 20th May, 2011).