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Article:

Jarvis, S orcid.org/0000-0002-1987-9751 (2018) *Assessing the Responsibility to Protect's motivational capacity: The role of humanity*. *Journal of International Political Theory*, 14 (1). pp. 107-124. ISSN 1755-0882

<https://doi.org/10.1177/1755088217748673>

Jarvis, S (2018) *Assessing the Responsibility to Protect's motivational capacity: The role of humanity*. *Journal of International Political Theory*, 14 (1). pp. 107-124. © The Author(s) 2017. Reprinted by permission of SAGE Publications. The published version can be found at: <https://doi.org/10.1177/1755088217748673>

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Assessing the Responsibility to Protect's motivational capacity: The role of humanity

Abstract

Whilst the concept of humanity is most often referred to as the moral source of the Responsibility to Protect's (R2P) motivational capacity, humanity's normative status and value has continued to be left assumed and/or unexplored. Consequently, there remains a considerable lack of analysis into humanity's role in supposedly helping to both locate moral harm and subsequently providing a motivational cause that can drive protection practices in support of the R2P principle. In response to this lacuna, this article puts forward three hypotheses regarding the motivational role of humanity in this process; a) humanity functioning as a rhetorical tool with no motivational qualities; b) humanity as a concept that works to redefine sovereignty in support of the R2P; c) humanity as a motivating principle that ultimately diminishes in influence as the R2P principle is diffused into action. Through this analysis, the article offers a more rigorous and systematic evaluation of humanity's limitations as a moral motivator for generating collective response to mass atrocity crimes, highlighting the need to further develop understanding of the complex interaction between morality and politics in international decision making.

Keywords: humanity, responsibility to protect, sovereignty, humanitarian intervention, motivation

Introduction

In his final report on the Responsibility to Protect (R2P) as UN Secretary General, Ban Ki-moon (2016) placed explicit focus and attention on the continued challenge of mobilising collective action for protecting populations from mass atrocity crimes. Reflecting on a period of “retreating internationalism, diminishing respect of international humanitarian law and a growing defeatism about promoting ambitious agendas like protection”, Ban Ki-moon (2016: 18) made a final plea to member states to “show greater resolve in defending and upholding the norms that safeguard humanity, on which the

responsibility to protect rests”. Critical to his appeal to member states was thus the emphasis placed on the centrality of the concept of humanity as an overriding moral imperative for motivating action under the R2P. Whilst the principle of the R2P is first of all framed around the idea that sovereign states have a responsibility to protect their own populations from four mass atrocity crimes (Genocide, Crimes against humanity, War crimes and Ethnic cleansing), the failure of a state to meet this responsibility is argued to generate a further responsibility for the international community to respond, in order to provide protection. In this regard, it is the concept of humanity which has been argued to underpin this specific moral obligation for the international community to respond to mass atrocity crimes. However, as previous literature has highlighted (Zolo, 2002; Zehfuss, 2012), appeals to the moral cause of humanity have been a consistent part of attempts to motivate humanitarian responses to mass atrocity crime situations, long before the introduction of the R2P, and with vastly contradictory results. Thus, as the current global context exemplifies, questions remain as to the extent to which the concept of humanity can in fact function as an effective motivator of political will under the specific framework of the R2P. In response, there is therefore a need to more empirically examine what role is played by the concept of humanity during the process of generating consensus for humanitarian action, and furthermore, the limitations of the R2P’s focus on the motivational power of moral concepts.

Despite the considerable emphasis placed on the concept of humanity, it has most often been the case that humanity’s normative status and value has been one left assumed and/or unexplored by both scholars of the R2P and international relations theorists more broadly. As Gallagher (2016: 342) has argued “scholars specifically appeal to humanity

in order to facilitate their argument, but more often than not, fail to ground it in a substantive manner”. Furthermore, whilst the concept of humanity has been studied extensively over the last few decades (Nussbaum, 1997; Gaita 2000; Teitel 2011;), there has been a significant lack of research into the relationship between the R2P and humanity, in particular the extent to which moral claims to the motivational capacity of humanity can help to generate political will. As a consequence of such oversights, those attempting to explain the process through which the R2P is able to motivate state response to mass atrocity crimes have continued to fall back on the concept of humanity as the underlying moral imperative, without sufficient empirical analysis of its motivational capacity and impact.

For R2P advocates such as Thakur (2015: 23), the concept of humanity is seen to function as the source of the R2P’s international responsibility, which he believes “demands an acceptance of a duty of care by all of us who live in zones of safety towards all those who are trapped in zones of danger”. Subsequently, the R2P is conceptualised as “the normative instrument of choice for converting a shocked international conscience into decisive collective action – for channelling individual moral indignation into collective policy remedies – to prevent and stop atrocities” (Thakur, 2015: 23). In this sense, the R2P is understood to function as a tool of conversion, helping the UN to better harness the collective will of member states in order to transfer moral outrage into timely and decisive action, whenever mass atrocity crimes are committed. Underpinning the R2P project therefore, is the idea that “by building and invoking a sense of common responsibility – shared by states and other international actors – more concerted efforts to prevent and respond to atrocity crimes would be undertaken” (Welsh, 2016: 985).

However, this focus on the existence of a clear moral lineage from the conscious shocking nature of crimes, to the implementation of action to avert global and universal threats, arguably overestimates the motivational role of humanity in influencing state decision making in complex R2P cases. As a result, there is a considerable lack of engagement with the role of humanity as a normative concept that can supposedly help to both locate moral harm and subsequently provide a motivational cause that can also drive protection and prevention practices. In response to this lacuna, it is argued that the relative simplicity of the moral debates surrounding the idea of an “R2P conversion process”¹ have ultimately led to an exaggerated presumption regarding the motivational qualities held by the concept of humanity. This is significant, as it brings into question the coherence of claims made in support of the R2P’s status as a distinct moral duty (Orford, 2013; Erskine, 2016), therefore generating the need to re-evaluate the connection between political will and the existence of shared moral duties to a common humanity. In this sense, the article challenges the uncritical assumptions made regarding the motivational capacity of humanity, in order to raise significant questions in relation to the processes through which debates about motivating state actors, confronted by mass atrocities, take place. The key aim of this article is thus to provide a more empirical examination of why humanity does not result in the effective motivation of states in response to mass atrocity crime situations. In doing so the article focuses specifically on reconciling divergent understandings of humanity’s role in this process, in order to explain why the concept continues to be invoked in the framing of harm, yet at the same time remains a relatively diminished aspect in motivating specific responses to mass atrocity crimes. In response, it is argued that what remains vital to developing a more

comprehensive understanding of humanity's role in this process is a greater focus on the complex interaction between morality and politics. Through further emphasising this interaction it will be possible to better explain the current "R2P mobilisation gap"², highlighted by Ban Ki-moon, and the specific tensions that are implicit in the process of generating collective responses to the threat of mass atrocity crimes.

The argument is structured as follows. Firstly, the article explores the role of humanity as the central moral imperative behind the ambition of the R2P project, examining the philosophical arguments that underpin the link between humanity as a concept used to locate universal human harms and its role as a moral imperative that works to motivate the prevention of such harms. In doing so it directly challenges the assumed existence of a default responsibility to protect and prevent atrocity crimes and argues for a closer examination of the role humanity plays as a motivational component of the R2P. The second part of the article is then structured around three contrasting interpretations of how humanity functions during the process of motivating collective action on behalf of the R2P. Humanity is hypothesised as either: a) functioning as a rhetorical tool with no motivational qualities; b) as a concept that works to redefine and humanise sovereignty in order to motivate support for the R2P; or c) as a motivating principle that is ultimately diminished in influence as the R2P principle is diffused into action. The article will subsequently argue that the strength of humanity is seen to exist in its ability to locate moral harm rather than its ability to motivate action in the name of humanity itself. In this sense, the concept of humanity can be best understood as a motivational factor that is seen to diminish throughout the process of generating consensus for R2P responses, highlighting how the cause of humanity has failed to be

directly internalised into state interests and identities, when it comes to the question of how to respond to mass atrocity crimes. The diminished influence of humanity during such discussions can therefore be understood through examining how states often appeal to competing moral and political responsibilities when attempting to address the broader question of how to respond. What this suggests is that the concept of humanity does not therefore easily translate from framing harm, to framing a response to harm. To conclude, the article argues that in order to move forward discussions regarding the limits of the R2P as a mobilising principle for action there must be space for a more critical approach to conceptualising the constraining realities of international decision making and a recognition of humanity as an increasingly contested source of moral responsibility.

Before beginning it is important to briefly clarify the scope and parameters of this article. In this regard, the article remains focused on assessing the interaction between state actors at the UN level and their invocation of humanity as a justificatory and rhetorical tool. Whilst there is much that can be examined in regard to the relationship between states, NGO's and the media in terms of motivating mass atrocity responses, such analysis falls beyond the possible scope of this article. Furthermore, the article does not seek to provide or engage in detail with definitional debates regarding what humanity is seen to signify and to whom. In contrast, the article is instead focused on assessing the challenge of attempting to locate humanity's value and thus reinforces the difficulties of appealing to humanity as a distinct motivator for action.

Protecting the imperative of humanity

Before moving on to discuss the motivational role of humanity in relation to the R2P, it is crucial to first of all discuss humanity more broadly, in order to outline why appeals to a common humanity have historically been used to impel states to respond to a variety of humanitarian crises. From a cosmopolitan standpoint it is first of all argued that the acknowledgment of a common humanity translates “ethically into an idea of shared or common moral duties toward others by virtue of this humanity” (Lu, 2000: 245). In this sense, the idea of each person having an equal moral status is thus seen to ground appeals to humanity and the justification for its protection. It is from this position that one can subsequently defend the ideal that every human being belongs to a single community of humankind and that everyone therefore also shares a set of natural capacities (Bartleson, 2009: 171). Central to this shared set of natural capacities is thus the recognition that we as human beings all share natural vulnerabilities (Lu, 2006: 193). Consequently, it is the framing of this cosmopolitan argument that remains integral to grounding the crucial link made between the moral obligation for states to address and respond to mass atrocity crimes through the R2P principle and the role of humanity as the imperative that supposedly underpins this responsibility.

The codification of the R2P principle into the 2005 World Summit Outcome Document (WSOD) has often be viewed as a key milestone in the on-going process of “widening the scope of emotional identification between different people as well as the development of moral concerns for the future of humanity” (Linklater, 2016: 457). The moral obligations outlined by the R2P are thus considered to broaden the scope of responsibility for all international actors, through recognising the global need to protect populations from four major crimes. As Bellamy (2015: 72) argues, at its core the R2P should

therefore be understood as relating to two sets of internal claims; one around the responsibilities of states to protect their own populations, and another regarding the roles and responsibilities of the international community to assist and respond. The R2P can then be further separated into three pillars, with Pillar I focused on state responsibilities and Pillar II and III relating to the responsibilities of the international community specifically. Consequently, it is the concept of humanity that has therefore been argued to underpin the essential moral obligation of the international community to provide sufficient protection and assistance to those threatened by mass atrocity crimes (Welsh, 2014: 127).

In unpacking this relationship one must start by recognising that central to the motivation for creating the R2P, is a sense that in spite of all the other major failures in international relations, “the world could no longer afford to mishandle its collective responsibility to genocide and other mass atrocity crimes” (Evans, 2015: 16). The R2P is therefore framed as more than an initiative simply focused on the need to better recognise the “intimate connections between systematic and widespread violations of the rights of civilians and the breakdown in international order” (Annan, 1999). It is ultimately a moral imperative built upon the premise that there is something fundamentally significant about mass atrocities crimes which creates the need for us to appeal to a higher moral obligation whilst acknowledging that atrocity crimes cannot be simply contained and managed.

As Welsh (2012: 105) has argued “the source of R2P’s moral responsibility can be found in the commissioner’s appeals to “common humanity”; whereby to commit genocide or engage in ethnic cleansing is to fail to treat people as humans, thereby threatening all of humanity’s values and interests. This is what arguably generates the

moral responsibility for members of the international community to act and find a remedy. Humanity is thus used to ground the concept of a wider international community, one that is able to recognise the idea “that community is equally relevant internationally as it is domestically” (Bulley, 2010: 7). In this regard, the continuation of the outbreak of mass atrocities crimes is presented as a reality that is fundamentally damaging to a collective value of humanity (Ki-moon 2015). The act of intervention, can therefore be understood as an attempt by the interveners to “secure the boundaries of humanity and to affirm its dominant place in the universe” (Mitchell, 2014: 2).

Subsequently, it is not simply individual lives that are threatened by atrocity crimes but a collective universal value that is attached to the concept of humanity (Arendt (1963). As Luban (2004: 90) has explored in relation to the philosophical underpinnings of crimes against humanity, the idea of a harm against humanity can be understood both as an assault on our character as political animals, as well as a threat to group affiliation through attacking individuals on the basis of their group membership, thus directly threatening the collective diversity of humankind (Luban, 2004: 117). There is therefore a case to suggest that mass atrocity crimes challenge something much deeper and more valuable than traditional security threats, whereby our response to averting them must reflect this axiom. Thus, for Simon (2016: 3) “international crimes do more than transcend national boundaries”, and go beyond the categorisation of “crimes against the peace and security of mankind - international crimes undermine global morality”. As Mitchell (2014: 5) subsequently argues, this belief in the threat of mass atrocity crimes to a shared global morality can be seen to stem from an assumption that “human life is the highest form of being” whereby it is human beings alone who are responsible for

humanity's survival. In this sense, the crimes of R2P are seen to threaten "the systematic destruction of a human society, and thus its ability to live and flourish" (Mitchell, 2014: 53). Consequently, it is important to highlight that the language of humanity is not simply used as "diplomatic or academic flourishes" but can in fact be seen to influence the theoretical construction of international crimes and the policies created to avert them (Weinert, 2015: 25). Hence, it is the concept of humanity that remains central to the foundation of arguments in support of states having a moral responsibility to act in certain humanitarian cases.

However, what the R2P and those who promote and study its influence have so often failed to examine is the extent to which these claims to the importance of protecting the moral category of humanity can provide not just a way to reflect on the harm caused by atrocity crimes (Macleod, 2012), but a sufficient motivation in order for states to seek to convert moral outrage into appropriate action. As Tan (2006: 88) highlights, the R2P seems to take for granted the existence of a default responsibility to protect, with the only obstacle to this responsibility being the principle of non-intervention. One must instead recognise that the permissibility of intervention alone does not therefore generate an obligation (Tan, 2006: 88). In taking for granted this default responsibility, advocates appear to have overlooked the complexity of the moral debates that are integral to conceptualising the R2P conversion process. Thus, if we are to fully understand the barriers that remain to building consensus on converting international moral indignation into effective response to atrocity crimes, we must focus on better explaining humanity's empirical role in this process and the extent to which the R2P interacts with, and is constrained by, humanity's overall motivational capacity.

Debating the motivational aspects of humanity

There are three broad ways in which one can hypothesise the motivational aspect/capacity of humanity and its relation to the R2P: a) as a rhetorical tool with no motivational qualities; b) as a concept that works to redefine and humanise sovereignty in order to motivate support for the R2P, or; c) a concept that is important to framing the impact of mass atrocity crimes, but whose role is diminished as the R2P principle is diffused into action. Through engaging with these contrasting hypotheses of humanity's motivational role, it will ultimately be argued that whilst humanity remains an integral moral concept for framing the harm of mass atrocity crimes, its motivational capacity can be best conceptualised as a diminished force, whereby its ability to provide the source of a clear moral obligation is undermined as it moves along the process of generating consensus for action.

Humanity as rhetorical

There have long been claims against the moral consistency of appeals to humanity, from Schmidt's (2007: 54) famous critique that "whoever invokes humanity wants to cheat", to more contemporary challenges that suggest appeals to humanity are used in ways that "obscure that lives are valued differently" (Butler, 2009: 50). Consequently, this has often reinforced a base assumption by intervention sceptics that references to common humanity by member states and diplomats function as nothing more than rhetorical flourishes, whereby the concept is seen to not only lack any sort of real motivational power, but also does not reflect the way individual actors interpret and internalise the impact of mass atrocity crimes on the international system as a whole. This apparent

disconnect between rhetoric and reality has thus become a common theme of R2P analysis, as scholars attempt to explain the often conflicting universal support for the R2P through language and rhetoric, and the widely inconsistent application of its stated aims by member states (Hehir, 2012; Welsh, 2015).

One potential explanation for this reality is to simply conclude that the concept of humanity does not generate strong motivational drivers for R2P type responses. As Gallagher (2016: 349) explains, “states are made up of human beings and political elites may even invoke concepts such as humanity when constructing international agreements but this does not mean that common humanity exists”. In this sense, by rejecting the idea of any deeper human connection generating solidarity between humankind, one is left to question the fundamental premise of the R2P conversion process, and the very idea that shared moral outrage can drive collective action in order to protect. In response, a rejection of humanity ultimately places greater emphasis on the need to isolate the R2P outside of moral and normative debates, in order to fully assess the current contradictions that exist between state rhetoric and action, and focus on the underlying political factors driving state policy. This realist focused approach to understanding the relationship between humanity and the R2P will now be examined in more detail before being partially refuted.

The starting point for this realist approach is the acknowledgment of the “power politics at play beneath the slogans” (Gallagher, 2016: 351) and the recognition that “the idealistic tone in some normative advocacy of R2P is mainly political: a discourse to shape political decision-making” (Harrison, 2016). In this sense, the ability of the R2P to successfully build agreement for action in mass atrocity crime situations is one that must

be understood exclusively in the realm of the political; by which the normative concept of humanity functions solely to legitimate political motivation, rather than grounding a moral goal to be put into practice. Motivation for carrying out action is thus fundamentally understood through the interests of powerful states “who are themselves not subject to the ‘universal’ ethic of responsibility” (Moses, 2013: 133). Consequently, a belief in the underlying dominance of power politics in relation to the R2P has continued to be a point of controversy, with questions over the extent to which it has allowed states to dress up the language of protection and humanity in order to implement strategies in support of their own interests (Hurd, 2012).

Furthermore, as Hobson (2016: 438) has highlighted, the revival of classical realist thinkers; Morgenthau, Hobbes, and Schmitt, have influenced new approaches to the R2P that firmly reject the concept’s ability to supposedly “transcend politics”. Political realists such as Sleat (2016a) have thus called for a greater focus on the way “practices of politics work” in relation to the R2P, in order to acknowledge that “almost any political decision will generate unintended consequences” and thus “acting with the best intentions of preventing evil in mind is no guarantee that we will not end up doing more harm than good”. In response to this political reality, Sleat (2016b: 78) has argued that the R2P should not be understood as an attempt “to put a universally justified or justifiable moral programme into effect, but as the attempt to create very localised centres of legitimate stability and order in complex conditions of chaos, violence and disorder”.

However, in reducing the R2P to a purely political transaction involving the transformation of violent chaos into order and stability, this approach arguably overlooks the way in which the concept of humanity is central to grounding the four major crimes

of the R2P and our understanding of why certain acts are universally understood to constitute the most shocking of international crimes. In other words, without an acknowledgment of the moral concept of humanity it is not possible to fully conceptualise the full harm of mass atrocity crimes, particularly in regard to those who are forced to experience and live with the consequences of such acts. Thus as Papamichail and Partis-Jennings (2016: 87) have argued, there is a need to recognise that mass atrocity crimes have “a symbolic dimension as well as a practical one”, therefore a normative understanding of humanity is key to any aspiration to “transcend the radically divisive and dehumanising aspirations of genocidal action”. This ultimately requires recognition of the need to separate out the meanings we place on the concept of humanity; as not simply an appeal to the imposition of universal actions of protection at the expense of the underlying political dynamics, but functioning as an essential moral force for collective harm recognition during discussions of implementation.

In this regard, humanity’s relation to the politics of intervention practices is one that will often be defined by a diversity of legitimate but potentially conflicting ethical considerations (Lu, 2007: 945); but that does not equate to the idea that humanity should simply be thought of as devoid of value or merit. State decision makers will often be forced to choose between competing moral duties to a range of international norms, which can result in “countervailing moral claims” overriding appeals to protection (Vik, 2015: 22). However, whether or not we have a shared ideal of unconditional common humanity or agree on the actions performed in its name, the fact that we continue to ask the question of ‘should we act’ in the threat of mass atrocity crimes in the first place, assumes that we do have some moral ideals and principles, by which we choose to recognise and condemn

certain acts as inhuman (Luban, 2002: 99). In this sense, the recognition of a shared moral concept remains integral as without which the question of should we act in the face of mass atrocity crimes simply would not arise. Thus, “manifestations of self-interest and inconsistency do not necessarily detract from underlying common moral sentiment precisely because they are exposed as self-interested and inconsistent” (Papamichail and Partis-Jennings, 2016: 94). It can therefore be argued that attempts to reduce the concept of humanity to a rhetorical cover for political self-interest significantly underplays the importance of humanity’s role in reinforcing the assumed moral wrong found within the actions of the perpetrators of atrocities, and in generating a harm that can be seen to transcend traditional sovereign borders. However, the extent to which the concept can provide more than a reflective point of reference for locating universal harm remains much more fundamentally contested.

Humanising sovereignty

The creation of the R2P is often argued to have redefined state understanding of sovereignty, through connecting it to an idea of compliance to specific universal duties, thus demanding that states extend their responsibilities to others in order to create a more “inclusive community of humankind” (Linklater, 2016: 392). As a consequence, the construction of the R2P is framed as a direct solution to the previous barriers in forging consensus for protection practices, through acknowledging that responsibility can transfer from the state to the international level based on “the severity of the atrocity” (Welsh, 2012: 106). This enables states to now “claim a higher authority than the merely selfish claim to a ‘right of intervention’, and thus reinforces the idea of humanitarian protection as a higher normative goal of the international community” (Cunliffe, 2010: 81). In this

sense, the international community must now be “answerable to a higher authority, that of morality”, in order to reject the absolutism of traditional sovereignty” (Hopgood, 2014: 190). According to Mitchell (2014: 40), in order to challenge sovereignty there is a need to “tap into a profound source of collective belief about the capabilities and duties of humans”. What this suggests is that humanity is a concept that is in need of protection, whereby the threats made against it create a state of exception that require human agents to challenge such violence. In this regard, it is argued that the concept of humanity must be central to driving the desire to address the real or potential threat of mass atrocity crimes, through which it will then be possible to overcome the central tension that exists between “sovereignty and the protection of human lives” (Mitchell, 2014: 43). This theoretical position has therefore led R2P advocates such as Peters (2009a) to argue that:

“Conflicts between state sovereignty and human rights should not be approached in a balancing process in which the former is played off against the latter on an equal footing, but should be tackled on the basis of a presumption in favour of humanity” (: 513).

“It is my claim that sovereignty has already been relegated to the status of a second-order norm which is derived from and geared towards the protection of basic human rights, needs, interests, and security” (: 544).

In reference to the R2P, Peters (2009b: 155) highlights this re-characterisation of sovereignty as implying a now inherent responsibility to protect and thus further emphasises the role of humanity as the ultimate normative source of international law. What this argument suggests is that humanity has fundamentally re-defined the normative

construction of state obligations under international law, making sovereignty now work in favour of protection. Peters (2009a: 513) has thus referred to this process as the “humanization of sovereignty”, arguing that sovereignty should now be seen to “exist only in function of humanity”.

However, the 2005 WSOD, enshrining the scope of the R2P, was specifically constructed to “fortify existing legal commitments, as opposed to an attempt to transform international law or create new legal obligations” (Tacheva & Brown 2016: 442). Consequently, it is vital to acknowledge that the R2P also directly aims to strengthen traditional state sovereignty through working to create a better balance between competing moral claims and motivations for states to protect and prevent mass atrocity crimes. As has previously been noted by Bellamy (2015: 72), the complex nature of the R2P’s normative construction means that analysis of its implementation requires a recognition of the multiple responsibilities it attempts to enforce, concerning both the responsibility of states to their own populations and the responsibilities of the international community to assist and respond.

The introduction of the R2P thus sought to provide a bridge between the dividing principles of humanitarian intervention and state sovereignty, in order to reject the idea that both principles are forced to be in constant confrontation or that one simply trumps the other (Glanville, 2013: 191). In this sense, the R2P can be categorised as an attempt to provide a more flexible negotiation between the demands of sovereignty and the protection of humanity, both of which have moral and legal justifications. As Ban Ki-moon (2008) has argued, the R2P must be understood as an “an ally of sovereignty, not an adversary” and thus seeks to “strengthen sovereignty, not weaken it”. This point has

been further emphasised through the increased link between the R2P and state capacity building, which is used to reinforce the sovereign power of the state and its ability to provide protection to its citizens (Roach, 2016: 408). Humanity in this sense is not always the central normative component in the motivational process of implementing R2P responses, even if it may be essential as a reflective guide to locating universal moral harms in the first place. Thus, rather than the R2P being part of a distinct process of humanising sovereignty it is in fact working to both reinforce sovereignty in certain cases and challenge traditional interpretations of sovereignty in others.

Consequently, whilst the R2P seeks to find a balance between both supporting and reframing state understanding of sovereignty, at its core the R2P also refers to “global responsibilities that can only be met by sacrificing national interests” (Ralph, 2016). This idea of sacrifice can therefore be seen to stem from the moral arguments enforced by the concept of humanity, suggesting the need to “protect a vision of common humanity and an associated baseline of solidarity in response to cruelty and human suffering” (Radice, 2016: 103). As a result, the motivational capacity of humanity remains significantly intertwined with the internalisation of humanitarian concerns within states “interests and identities” and the ability of the R2P norm to reinforce these beliefs in order to “encompass a concern for the victims of crimes against humanity” (Brown, 2013: 442). In this sense, whilst the R2P is constructed at one level to help strengthen state sovereignty, its ability to fundamentally change state identity and decision making towards a universal responsibility to protect is supported by the motivational force of humanity.

However, as Marlier and Crawford (2013: 398) highlight, whilst the R2P has clearly attempted to expand the United Nations Security Council's "circle of empathy" through broadening its focus towards the protection of individuals and beyond the state, it also remains the case that this belief has not been deeply institutionalised, especially on the national level, and thus "many of us still don't see a moral relationship to a distant other" (Marlier and Crawford, 2013: 413). Yet, for the R2P to fundamentally address occasions when host states remain indifferent or complicit in mass atrocity crimes, it is essential that states can be motivated to bypass their immediate state interests and claims of traditional sovereign autonomy. This dilemma has thus played out to devastating effect in the case of Syria "as national interest continues to trump humanitarian need" leading many to question the limits of moral advocacy for generating change in state behaviour (Hehir, 2016: 166). What this ultimately suggests is that humanity has not so far been deeply internalised into state understanding of responsibility.

As this section has outlined, the relationship between humanity and sovereignty in supporting the R2P concept remains distinctly fluid, whereby the R2P has not simply redefined sovereignty through greater appeal to specific obligations generated by the concept of humanity. In this sense, rather than see the R2P as igniting a debate that plays off claims in support of humanity's protection against those of state sovereignty, it is much more the case that the complex layers of responsibility that are contained in the R2P principle reinforce distinctly separate normative claims in different situations. Furthermore, as Labonte (2016: 142) argues, it has never really been the case that "sovereignty and non-interference" pose the "predominant obstacle to saving strangers - political will has". Thus, it remains critical to highlight that whilst a strong commitment

to principles of human protection are in theory not incompatible with territorial sovereignty (Linklater, 2016: 422), the ability to motivate states in response to atrocity crimes beyond their borders still requires a clear acceptance of moral sacrifice that has continued to be hard to generate. In this sense, the R2P has so far struggled to fully internalise the principle of humanity as a consistent motivational component reshaping state decision making at the international level.

The diminished impact of humanity

One of the most important ways in which the motivational force of humanity is seen to function, is in regard to its role in helping to secure a so-called “moral bite”. The idea of “a moral biting point” was something that was referred to in the 2001 International Commission on Intervention and State Sovereignty (ICISS) report, in which it was argued that “getting a moral motive to bite means, however, being able to convey a sense of urgency and reality about the threat to human life in a particular situation” (ICISS: 71). In other words, what the conceptualisation of a moral biting point assumes is that there is a direct and consistent relationship between shock and the motivation to respond, in which a certain threshold can be reached in order for the R2P to overcome competing state obligations and reinforce such a responsibility. However, as Bain (2010: 45) has argued, the problem “is not found in the challenge of connecting the urgency and reality of particular situations with an appropriate (moral) motive” but in “an over-emphasis on ‘responsibility’ which, for all its attractiveness, cannot bear the weight placed on it”.

Subsequently, when one examines the later stages of the process through which states go about generating the required consensus to take action, it is most often a complex

web of empirical and structural concerns rather than a singular overriding moral threshold that begins to dictate such decision making (Hehir, 2016). As the UN (2014) deadlock in addressing the Syria crisis exemplifies, despite a number of initial statements that called for a need to “put action for humanity above inaction for interests”, appeals towards the higher moral goal of protecting humanity were increasingly muted, as the complexities of dealing with the specific geopolitical realities on the ground became more apparent (Ralph and Gifkins, 2016). What this example suggests is not simply that the concept of humanity plays no role in framing the motivation for such discussions, but instead that its influence on proceedings is limited by a range of competing constraints on state interests and behaviour. As a result, the moral bite of humanity is one that arguably does not hold for particularly long and as such is loosened by many other factors. In this sense, it is not only the case that superior political pressures and contingences limit the role of humanity as a motivational force but also that the ill-defined nature of humanity itself means that the concept is severely limited as a motivator for specific R2P responses.

Consequently, despite the reformulation of language and the normative focus brought about through the introduction of the R2P, the barriers that still exist to motivating consensus for action remain constrained by the same limits that have so often thwarted humanitarian causes in the past. In this sense, the underlying political dynamics that condition when and where states may choose to respond to atrocity crimes mean that humanitarian norms are “still generally honoured more in their breach” (Labonte, 2013: 157). Furthermore, as Linklater (2016: 403) argues “emotional responses to inactivity in the face of distant suffering remain weak”, whereby the link made between moral indignation and practical implementation continues to be fundamentally contested in

relation to what specific responsibilities humanity generates. As a result of this oversight, the demands we place on the concept of humanity as an overriding motivational force can at times lead us to simplify the complexity of moral decision making. This is perhaps best encapsulated by Barnett's (2002) comments reflecting on the UN's failure to avert the Rwandan genocide, in which he states:

Because the UN and other bodies cannot aid everyone, they must develop rules that tell them who they should care about and when they should care. They have to be selective Samaritans. Yet, all such rules are supposed to vanish in the face of crimes against humanity and genocide, at such instance moral distance should be horizonless (: 18-19)

What Barnett captures here is the clash between our highest moral aspirations and the limitations of the concepts and institutions that we build to try and reach the lofty ambitions of 'never again'. In this regard, the very premise of the R2P conversion process, in which the moral threat posed to a common humanity is transformed into collective action, needs to be understood in the context of the moral limits of political life itself. As Finnemore (2008: 218) argues, interventions are not just "difficult technically or logistically" they are also difficult normatively, whereby apparent normative progress "does not make dilemmas go away" (: 223). The R2P has thus been presented as a doctrine that appears to present a formula for responding to all cases of mass atrocity around the globe in which the only barrier now faced is the reach of our collective humanity.

However, in practice it is the very belief in the power of humanity to override other interests and structures that continues to disappoint and thus undermine the R2P, as

belief in a supposedly uncontested moral principle, leads only to dramatically polarising results. It is vital then to reflect on the way that “universal ethical constraints are not merely moral”, they remain deeply political and “dependant on the political will of states to ensure their effective implementation” (Boucher, 2011: 358). Consequently, as Hobson (2016: 454) responds, “there is value in seriously reflecting on the way vulnerability and violence operate in world politics, and coming to grips with our limited capacity to understand and respond to it”. In this sense, by rejecting the R2P as a potential “expression of humanity” (Newman, 2016: 32) and embodiment of linear moral progress, one can begin to disentangle the complex nature of humanity’s role in underpinning the central normative content of the R2P, whilst at the same time recognising the limitations of humanity’s motivational influence on the process of state decision making.

Whilst the R2P may have been built on the premise of a “common responsibility” to generate “more concerted efforts to prevent and respond to atrocity” (Welsh, 2016: 985), just over ten years after the concept’s adoption, Ban Ki-moon (2016: 8) has been forced to admit that, “although Member States have repeatedly emphasized their support for the prevention of atrocity crimes, this has not been sufficiently translated into concrete support for preventive strategies”. Whilst we can often get bogged down in smaller debates concerning how states interpret specific elements of the UN Charter or the ineffectiveness of the current international legal architecture, the ability to address the deeper issue of political will has much more to do with the strength of the moral principles in which we place so much imperative. Thus, the fact that genocide and crimes against humanity trigger “our moral attention” and are seen to offend our sense of responsibility (Barnett, 2002: 19), yet at the same time such beliefs so often fail to translate into

effective and timely response, cannot be understood as a failure of political institutions alone. Instead it suggests a limit to the moral persuasion of the idea that the feeling of moral outrage caused by mass atrocities can fully motivate us to negate other pressing moral responsibilities in order to respond. As Vik (2015: 142) explains, “despite the universal agreement that ‘something must be done’, we continue to accept excuses based on a pluralist limited understanding of moral responsibility to stand idly by while genocide unfolds”. Subsequently, it leads one to reflect on the limits of the moral concepts we place our faith in and the complexities of attempts to realise such goals in the world of international politics.

Conclusion

For many critics, the R2P is often seen to have failed because it is either too expansive and thus too much of a challenge to sovereign integrity, or because it is too minimalist and thus reinforces the status quo (Welsh, 2016: 985). However, such analysis of the R2P’s limitations arguably overlooks the bigger picture. What has always been the underlying dilemma facing those trying to generate consensus for protection, is providing an answer to the question of why states should respond to mass atrocity crimes? The concept of humanity has been central to underpinning the normative and moral responses to this question for centuries, yet a belief in the moral righteousness of the concept alone does not effortlessly translate into the motivation to enforce protection or prevention practices. In light of a recent emphasis on the importance of mobilisation, it is important for this article to challenge the key assumptions surrounding this motivational process for building consensus for action under the R2P framework.

This is significant, as the assumptions made to the motivational qualities of humanity do not just impact on abstract theoretical debates, they also work to frame and support practical claims in response to mass atrocity crimes. In this sense, if the concept of humanity is to remain an essential part of the language used by both diplomats and academics in order to support and justify specific decisions, then it is crucial that the salience of these claims are sufficiently interrogated. Consequently, what is required moving forward is a more reflexive approach to understanding the motivational role of humanity, one that takes greater account of how moral claims translate into everyday political decision making.

What this article has therefore brought to attention is a divide between the moral aspirations supposedly embedded in the concept of humanity and the extent to which humanity can function as a motivational rather than just reflective concept. Through rejecting claims that humanity is simply a rhetorical concept of no specific value, along with the assumption that humanity's motivational influence has fundamentally redefined the role of sovereignty in relation to the R2P principle, it has been argued that humanity can be best understood as a relatively diminished factor in the motivational process; whereby both competing moral and structural factors undermine the apparent higher and singular goal of humanity's protection. What this ultimately suggests is a disconnect between the moral aspirations and obligations we assume are embedded in the idea of humanity and our belief that through constructing concepts that attempt to limit the influence of sovereign self-interest, the international community will become more effective in their response to averting and responding to mass atrocity crimes. Consequently, it is argued that there are clear limits to the moral imperative of humanity's

power that go beyond competing claims of sovereign rights. As a result, the ability to address the issue of R2P mobilisation requires us to move beyond the assumed dichotomy between sovereignty and humanity and thus re-examine further the central tensions that exist in the process of motivating humanitarian action. This article has thus sought to reignite critical reflection on the concept of humanity, in order to better inform understanding of the complex interaction between politics and morality, and its impact on state adherence to the principles of the R2P.

Notes

¹ The phrase “R2P conversion process” is used in reference to Thakur’s (2015: 23) emphasis on the R2P as a tool of conversion, by which he claims that moral sentiment can be converted into collective action in accordance with the R2P framework.

² The term “R2P mobilisation gap” is used in reference to the claim made by Ban Ki-moon (2016: 7) that the R2P is currently suffering from a widening gap “between Member States’ commitments and the reality confronted by vulnerable populations around the world”.

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