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What Prospects for Common Humanity in a Divided World? The Scope for RtoP in a Transitional International Order

Edward Newman

Abstract

As a near-universal political commitment to prevent or address atrocities the Responsibility to Protect supports the idea of common humanity, even though the operationalization of the principle is uneven and controversial. However, the RtoP agenda has become problematized by the political frictions of the shifting international order. This is reflected in normative contestation between liberal states and those – including rising or resurgent powers – which promote a more conservative, pluralist vision of international society and which increasingly resist Western control of the political agenda. The transitional international order has also generated geopolitical tensions which – even if unconnected to humanitarian norms – obstruct the RtoP agenda. This article explores these themes and considers if RtoP, as an expression of common humanity, can achieve progress in this context.

Keywords: Responsibility to Protect; international order; global humanity

The concept of common humanity assumes broad consensus on fundamental human values, upheld through a commitment to action in relevant circumstances. In the area of international human rights there is evidence that a common humanity has evolved and strengthened since the Second World War, including the core international human

rights treaties. In recent decades the apparent greater attention to a human-focussed international security agenda and to the protection of civilians in peril has further strengthened this movement. The Responsibility to Protect is a significant landmark in this. However, controversies associated with the application of RtoP highlight fundamental disagreements regarding how egregious human rights abuses should be addressed within a sovereign state system, and the relationship between individual justice and international order within a transitional international system. These controversies also reflect broader geopolitical rivalries as the relative influence and power of states shift.

This paper will argue that, after ten years, the principle of RtoP does not yet reflect a common humanity, but rather a contingent political process involving the renegotiation of state sovereignty around a contested vision of individual security. A changing international order is not inevitably an obstacle to progress for the RtoP agenda or to the emergence of a common humanity. However, RtoP has become embroiled in normative contestations and geopolitical rivalries which are, at the very least, complicating the agenda. This paper will first explore the significance of RtoP in international politics before considering how the controversies related to the principle can be understood within the normative contestation of this transitional international order. It concludes by suggesting that RtoP must be disentangled from these broader dynamics, however difficult this will be.

RtoP and the common humanity

Academic debates have given great attention to whether RtoP constitutes an emerging norm, and more broadly if it reflects, or is even driving, a shift towards a more

humane world. The background to this is the history of progress in achieving international human rights agreements that are codified in the core human rights treaties and declarations, in addition to many more global and regional human rights instruments. In recent decades the apparent greater attention to a human-focussed international security agenda and to the protection of the needs and rights of individuals in peril has further strengthened the vision of a common humanity both in political theory and in policy circles. The extent and scope – and how to measure – progress in international human rights protection is controversial, but the idea of progress has support (Teitel, 2011).

The Responsibility to Protect is a significant landmark in this movement and the 2005 agreement is itself an expression of common humanity. The principle commits states not only to the protection of their own populations – something already deeply embedded in international human rights law – but also to the populations of other states, most importantly through international assistance or action when states are manifestly failing to provide protection. This extends the concept of humanity further into the international realm, and it arguably reorients the relationship between individual justice and international order. If it is possible to give value to a declaratory political principle irrespective of its actual application, then RtoP does have significance as an expression of common humanity.

This question runs in parallel to the debate about whether RtoP is an international norm – a shared expectation of appropriate behaviour – or emerging norm. The declaratory proscription of war crimes, crimes against humanity, genocide and ethnic cleansing, and agreement that the UN Security Council may respond to such crimes if states are manifestly failing to do so, has effectively universal support. As a principle endorsed by the international community, therefore, this may be seen

as a norm, even if the operationalization of the principle is uneven and contested. A different, and more demanding, definition of a norm places more emphasis upon the practice of states in upholding and implementing principles and commitments, in a variety of different circumstances. It also requires a level of consistency that is not explained solely by the contingent interests of powerful states.

This paper suggests that this more demanding definition of a norm should be applied when evaluating RtoP, and for considering if RtoP is relevant to the concept of a common humanity. The level of state commitment should be as strong, at least, as state support for major international human rights instruments (even though RtoP is a political and not a legal concept) because RtoP expressly deals with the most egregious human rights abuses which are, in theory, universally proscribed. For RtoP to be a meaningful measure of common humanity it would need to reflect a shared understanding amongst states about appropriate behavior and a demonstrable commitment to act collectively to prevent or address proscribed activities. Only this would constitute what Linklater (2007) describes as a ‘commitment to cosmopolitan obligations’.

In turn, ‘responsibilities’ are things for which actors can be held accountable (Clark and Reus-Smit, 2013). A declaratory commitment amongst states – even a near universal one – to a RtoP is not in itself a demonstration of common humanity, since this is not binding and operationalization is contingent upon interests and circumstances. From this perspective there is a great deal of scepticism about the value of RtoP in practical terms (Hehir, 2010). Most obviously, the value of RtoP is challenged as a result of the widespread and ongoing occurrence of atrocities, which exposes the unwillingness of states to fulfil their commitment both to protect people within their own societies and to come to the aid, as an international society, of

populations elsewhere when governments are manifestly failing to prevent or address terrible human rights abuses.

Nevertheless, there are indications that the proscription of atrocities is gaining ground and has significance in international politics. As Bellamy (2013) has shown, when RtoP has been invoked it has increased the likelihood that calls for international action will be made in response to atrocities, making it almost routine that the UN Security Council will be involved in the protection of populations. He further suggests that RtoP increases the likelihood that calls for action will be translated into action.

According to this, RtoP is making a positive impact, despite the notable cases – such as Syria – where atrocities occur despite the commitment of the international community to address them. After 10 years RtoP, as controversial as it is, remains on the international agenda and it directly or indirectly helps to draw attention to the worst cases of human rights abuse – some of which will receive international action. It may be overly generous to describe this as a demonstration of common humanity, but it is progress. The counterpoint to this claim is that the hard cases such as Syria define the value of a commitment to prevent or address atrocities, and so it is natural to ask what is the value of RtoP if it can offer no relief to the innocent victims of abuse in these cases. Surely a common humanity should offer some respite to those suffering the most egregious suffering. Moreover, when RtoP has seemingly been implemented – such as Libya – the results, from a human rights perspective, have been highly questionable in the longer term (UN, 2014).

Most analysis explains the fluctuating fortunes of RtoP with reference to political will, the interests of great powers, and the specific circumstances of different cases in which RtoP might be relevant. In contrast, the rest of this paper will consider if the changing international order is relevant to understanding the controversies and

obstacles to progress in operationalizing RtoP, and whether growing normative contestation and geostrategic rivalry defies the concept of a common humanity.

Transitional international order

The relationship between international order (and changes in this order) and RtoP should not be taken as a given, because the idea of an international order is itself debatable. International order is generally related to the distribution and balance of hard and soft power, and the institutions and norms that regulate international politics: the accepted rules of international society, reflected in the behaviour of states and other actors (Hurrell, 2007). From a more constructivist perspective international order and polarity are not necessarily a reflection of material power, but also expectations of behaviour, based upon experience and perception. Power – even pre-eminent power – does not always translate into the ability to achieve objectives, or to attract and lead followers (Buzan, 2008; Acharya, 2014). The idea of international order and polarity – as something we can objectively define and characterise with reference to material power – is, from this perspective, problematic. International order is, therefore, to some extent a subjective construction, based upon expectations of behaviour and perceptions of capability, where the relationship between material power and outcomes is not a mechanical one.

Ideas about a changing international order are similarly controversial and revolve around a number of dominant themes. Relative changes in the ‘power’ and influence of states and regions, and the corresponding changes in prevailing institutions and norms, may constitute changes in international order. A changing international order can also be reflected in institutional arrangements and international

organizations. For example, in the inter-war period the League of Nations broke down because it did not reflect the underlying distribution of power, and following the Second World War the creation of the Bretton Woods regimes reflected the transcendence of liberal economic values and liberal states. Similarly, the emergence of new multilateral arrangements which do not include the established Western states – such as the Shanghai Cooperation Organization, the IBSA forum, and the proposed BRICS development bank – reflect new political dynamics.

There are certainly signs of a long-term shift in international order according to these measures, and this is likely to define many aspects of international relations in the first half of the 21st Century. While this is the subject of debate and controversy, there is broad agreement that non-Western states are rising in power and influence in an increasingly multipolar world. This is evident in economic performance, diplomatic influence, and the exercise of both hard and soft power. The economic growth rate of China, Russia, India, Brazil and others, their economic penetration globally, and new economic relationships and dependencies all reflect a shift in economic influence. Relative defence budget shifts – in particular the rapid increase in military spending by China and Russia – are transforming the security landscape in some regions of the world. The relative economic and military decline of some established powers – such as those of Western Europe – puts this changing balance into relief. The growing assertiveness of rising or resurgent powers indicates that some such states are eager to make a systemic contribution to international politics. Simultaneously, traditional centres of power and normative authority are undergoing internal political and economic challenges which impose constraints upon their global reach and influence.

The norms and institutions that constitute international order – underpinned by the behaviour of states, legal principles, regimes, and the exercise of power – reflect these changes in multifaceted ways. The relative rise in power of a number of non-Western states – such as China, Brazil, India, Russia, South Africa, amongst others – has arguably resulted in a process of normative contestation and resistance in international politics. Rising powers are not necessarily willing to be socialised into existing global institutions as passive ‘norm takers’, and various forms of normative resistance can be seen in a range of international policy areas. Connected to this, the manner in which decisions are taken and implemented in the application of international norms is also increasingly fractious. As a result, a major debate in international relations has explored whether the liberal international order is coming to an end (Buzan and Cox, 2013; Singh, 2008; Ikenberry, 2011; Kupchan, 2012). It is much less clear if the rising powers are able or wish to collectively support a coherent alternative normative worldview (Lieber, 2014; Laïdi, 2012) but their stated normative positions and foreign policy patterns do reflect some common characteristics, and in particular an attachment to sovereignty and a resistance to some aspects of liberal internationalism.

International order and RtoP

A transitional international order reflects normative changes as states with different normative worldviews rise or decline in power and influence. This is relevant to RtoP – and in particular its interventionist aspects – if a preponderance of rising or declining powers hold a distinct and active position on the principle and on that basis either promote or obstruct it. The key question here is whether the states and regions

which define a changing international order – the US, UK, France and other West European states, Brazil, China, Russia, India, South Africa, Indonesia – reflect distinct normative worldviews around human rights issues relevant to RtoP. From this perspective RtoP and the transitional international order are inextricably linked because both are related to the nature of state sovereignty – in particular if it is becoming increasingly conditional – the balance between international order and individual justice, and the widening definition of threats to international peace and security, all issues in which there is contestation between established and newly rising powers. The states that are relatively rising in power and influence – China, Russia, India, Brazil, South Africa, Indonesia, amongst others – are markedly more conservative in terms of the balance between international order and individual justice (Newman, 2013). It is not, of course, necessarily the case that rising states are challenging the systemic status quo: on the contrary they are, in the area of humanitarianism, more likely to assert the importance of state sovereignty and non-intervention and resist the emergence of norms which move away from this. The narrative about rising powers – either collectively or individually – resisting or seeking to challenge existing norms is therefore not entirely accurate; rather they may be resisting new norms.

Despite the 2005 UN endorsement of RtoP a number of governments have raised objections about the principle, and it is significant that these reservations are seen in states which are both increasing in influence internationally and which do not reflect the prevailing liberal axis of states which promote norms such as RtoP. Some of the controversies associated with RtoP – in particular related to the international community's role in responding to grave abuses of human rights – are therefore indicative of broader tensions in international politics related to world order, in

particular regarding norms. The idea, expressed both in policy and academic circles, that democratic states constitute a legitimate community for the purposes of coercive humanitarian action – even without Security Council authorization – reinforces this sense of normative dissonance (Geis, 2013). In this context a range of controversies remain in terms of the definition, scope and application of RtoP, and many of these naturally relate to reacting to atrocities. In particular, a number of influential non-Western states have expressed concern about the manner in which the RtoP agenda has been dominated by liberal, Western centres of power. This represents a severe constraint to the prospects of RtoP as an expression of common humanity.

The concerns of China, India, Russia, South Africa, Brazil, amongst others, about how RtoP is defined and implemented reflect tensions about the legitimacy and authority of norm diffusion, collective decision-making and international institutions. Changes in the balance of power have implications for the diffusion of norms, including RtoP, as rising powers are increasingly assertive and resistant to ideas with which they do not identify and to the manner in which these ideas are promoted. In this sense, resistance amongst rising powers to RtoP is a manifestation of a broader resistance to the manner in which power is exercised in international relations. Controversies related to RtoP point to world order tensions that have always existed but which are more pronounced today as non-Western powers rise in power and influence. Pu (2012: 365) has suggested that in the coming decades ‘emerging powers will change the distribution of material power and also challenge the Western domination of ideas and norms in international society.’ Some of the controversy surrounding RtoP can be seen as a manifestation of this contestation. In some ways this points to a tension between pluralist approaches to human rights – which are underpinned by a Westphalian, statist worldview, and an emphasis upon non-

interference – and a more liberal worldview which has a contingent view of sovereignty. According to the pluralist worldview a stable international society is, or should be, based upon mutual recognition and respect for territorial integrity, and non-interference into the domestic affairs of other states.

There is no clear distinction between a liberal west and a pluralist non-western world, and this is certainly not a simple north-south debate (Rotmann et al, 2014). Indeed, the US has reservations about RtoP because it does not wish to be committed to unforeseen circumstances and it wishes to approach humanitarian issues on a case-by-case basis. However, the declaratory language that it uses is unmistakably liberal and often interventionist in tone, whether or not it wishes to be involved in intervention. In contrast, the pluralist reservations about RtoP have more commonly been heard in non-Western capitals, and this also reflects a pattern of behavior that suggests a broader normative contestation and not only geopolitical rivalry.

The pluralist emphasis upon non-intervention is sometimes expressed as an extension of communitarian political culture – for example, in the case of China and other Asian countries (Pang, 2009; Morada, 2009) – or as a result of historical experience, for example in Africa (Williams, 2009) where sovereign statehood was often hard-earned. According to the pluralist perspective, there can be a tension between order and individual justice, but an international system which permits coercion or intervention on a discretionary, selective basis, even when well-intentioned, would undermine international order (Bull, 1984: 13). An extension of this thinking is that involvement – especially military involvement – rarely improves the situation for victims of human rights abuse and can easily make the situation worse by exacerbating conflict. Moreover, within the pluralist worldview there is no

basis for making judgements about the legitimacy of national governments in relation to domestic issues, apart from in the most exceptional circumstances.

In contrast, many states which have been promoting RtoP – or coercive humanitarianism – have also been associated with a broader assertive liberal internationalism geared towards the promotion of democracy and market economics, and the containment of ‘rogue’ states (Elden, 2007; Blair, 2009; Moses, 2010). Therefore, despite attempts to define the principle narrowly, controversy surrounding RtoP can be explained in part by its association with this broader liberal agenda.

From this perspective the challenge of RtoP is not – as is commonly believed – just that of political will, but rather conflicting worldviews. Whilst there has never been consensus on the relationship between individual justice and international order RtoP exposes important tensions because it comes at a time when attitudes towards sovereignty and human rights are evolving, and when the distribution of political power is in transition. This relates not only to human rights but also to the nature of the international system. If RtoP is seen as an emerging assertive solidarism in international society – a ‘paradigm shift’ from the Westphalian notion of non-interference towards non-indifference (Dash, 2012: 7) – then it appears to be coming up against powerful rising powers that do not subscribe to this worldview. It is resisted not only for pragmatic self-interested reasons – although these are obviously very important – but also because some states subscribe to a more pluralist conception of international society.

It follows that the idea of a fundamental change in the nature of sovereignty – as expressed in the 2001 International Commission on Intervention and State Sovereignty report – is not accepted by many states. This element was removed from the 2005 Summit version of RtoP but the controversies that have arisen since then

indicate that, despite RtoP being firmly anchored to the UN charter, there is real reluctance amongst rising and resurgent powers to open the door to a transformation of the norm of sovereignty. According to this pluralist view, states are the legitimate agent to resolve problems within their borders, and to undermine this principle – even when terrible abuses are occurring – would be to set a very dangerous precedent. The 2005 RtoP vision masked over this tension between solidarist and pluralist thinking, but it remains relevant to understanding some of the political problems that exist. It is also symptomatic of a broader, fundamental, difference between loosely Western and non-Western approaches to dealing with human rights challenges. RtoP is narrow, but it is inescapably a part of this broader debate about world order. RtoP has grown out of a belief that the legitimacy of sovereignty has become conditional upon meeting certain standards related to human rights, and this has been widely internalised in liberal – mainly western – circles. However, it is not universally accepted, and so the idea of common humanity based upon this sort of normative ‘progress’ is questionable.

It would not be accurate to suggest that the BRICS – the embodiment of rising powers – or indeed non-Western states more generally are uniformly resistant to RtoP either as individual countries or as a group, or that they adhere to pluralist norms. Indeed, despite Russia’s espousal of pluralist ideas, it has on occasions disregarded the territorial integrity of other sovereign states. In turn, it is not the case that powerful Western states are eager to use military force for humanitarian purposes, as a general practice. Nevertheless, it is not necessarily the concrete behavior of states that constitutes the normative international order and normative contestation, but also the perception and inter-subjective construction of this order.

General Assembly debates on R2P illustrate many of these sensitivities. In a landmark debate in 2009 support for the principle was reiterated, yet statements made by many UN members, especially amongst non-western countries, emphasized state sovereignty, international law and the UN Charter, and the need to strictly limit the application of RtoP (Global Centre for the RtoP, 2009). This theme was, beyond doubt, more prominent than the desire to endorse the RtoP concept as a guide to policy. China's representative to the UN, Ambassador Liu Zhenmin, captured this sentiment effectively: 'The government of a given state bears the primary responsibility for protecting its citizens. The international community can provide assistance, but the protection of the citizens ultimately depends on the government of the state concerned. This is in keeping with the principle of state sovereignty. Therefore, the implementation of RtoP should not contravene the principle of state sovereignty and the principle of non-interference of internal affairs. Although the world has undergone complex and profound changes, the basic status of the purposes and principles of the UN Charter remains unchanged. There must not be any wavering over the principles of respecting state sovereignty and non-interference in internal affairs' (quoted in Zongze, 2012).

Other themes in the debate similarly pointed towards significant disagreements. Ambassador Maged A. Abdelaziz (2009), speaking on behalf of the Non-Aligned Movement, raised concerns about 'the possible abuse of RtoP by expanding its application to situations that fall beyond the four areas defined in the 2005 World Summit Document, misusing it to legitimize unilateral coercive measures or intervention in the internal affairs of States'. The statements of Pakistan, Brazil, Guatemala, Russia, Nicaragua, Algeria, South Africa, China, India, Sri Lanka and Iran also reflected these concerns (International Coalition for the Responsibility to

Protect, 2014). According to the President of the General Assembly, Miguel d'Escoto Brockmann (2009), 'we first need to create a more just and equal world order, including in the economic and social sense, as well as a Security Council that does not create a differential system of international law geared towards the strong protecting, or not protecting, whomever they wish.'

At the end of this General Assembly debate, behind a declaratory commitment to an abstract principle of RtoP, stood a more pronounced reaffirmation, especially amongst some non-Western states and notably rising powers, of the Westphalian norms of sovereignty, non-interference and territorial integrity. This was, therefore, a reaffirmation of a pluralist worldview of the balance between individual justice and international order. Notably, and in contrast, the states which spoke out most conspicuously in favour of taking the RtoP forward as a norm were generally Western, liberal states.

Subsequent UN debates reflected this normative friction, including the September 2012 General Assembly debate on R2P, which focussed specifically on the Secretary-General's report on international response (UN Secretary-General, 2012). Brazil emphasized the dangers of intervening and the need for safeguards (International Coalition for the Responsibility to Protect, 2014). South Africa warned of the dangers of 'an open-ended authorisation of the use of force with no accountability, which leads to war mongering and regime change expeditions' (ibid.). Malaysia, Pakistan, Egypt, India, Russia and China all reiterated conservative Westphalian norms and concerns about the abuse of humanitarianism. The opening session of the 2012 General Assembly session similarly did not indicate much normative progress. In discussing the crisis in Syria, there were interventionist statements – in the sense of questioning the Syrian's regime legitimacy – from

France, Germany, Norway, UK, and the US. In contrast, China, India, Russia and Brazil, amongst others, were much less intrusive. The pattern – most obviously the resistance by key non-Western states towards any shift away from a conventional understanding of international society – was similarly reflected in General Assembly meetings in 2013 and 2014. The 2013 dialogue on RtoP and the prevention of atrocities – presumably a theme that should have generated broad consensus – saw the governments of China, Egypt, Russia and India, amongst others, express pronounced hesitation about taking the principle forward due to its interventionist connotations (Global Centre for the Responsibility to Protect, 2014). In the 2014 General Assembly dialogue India stated that ‘assistance should always be requested by the concerned state before it is offered’, and that experience of recent crises suggests that ‘outside intervention will aggravate the conflict rather than resolve it’ (Global Centre for the Responsibility to Protect, 2014). There was unmistakably a broad sense in the narrative amongst many non-Western states – including those at the heart of the transitional international order – that an adjustment in the balance between international order and individual justice should be resisted. Discursively, at least, there is little evidence of growing consensus on this fundamental point.

This friction has also been reflected in various diplomatic overtures. The Brazilian proposal on ‘responsibility while protecting’ (Viotti, 2011) can be interpreted both as an attempt to demonstrate rising power leadership and to promote a more cautious, non-interventionist vision of RtoP. The proposal suggested that RtoP action must have stronger assurances of proportionality and adhere to safeguards against unwarranted coercion, and be tied to the strict remit of mandates and limits established by the Security Council. It also argued for better monitoring of the manner in which resolutions are interpreted and implemented, and stronger accountability of

those who are granted the authority to use force while protecting (see also Kenkel, 2012).

China's 'responsible protection' is a similar example of the systemic frictions which lie behind RtoP. An elaborate statement issued by the China Institute of International Studies (Zongze, 2012) presents an interpretation of RtoP that epitomizes normative contestation in a changing international order. In this, RtoP is portrayed as a justification for the West's 'new interventionism' aimed at regime change, and a threat to international stability. It reflects a stark normative contestation in international relations related to human rights and state sovereignty, drawing a distinction between 'Western' states and those – China, Russia, India and Brazil – which seek to maintain a pluralist model of international order based upon state sovereignty, non-intervention, and the assumption of state legitimacy. 'Responsible protection' is therefore presented as a part of China's contribution to 'a fair and reasonable new international order for the 21st century'.

There are also indications that, as a group, rising non-Western states collectively resist some aspects of the RtoP agenda, which has further implications for common humanity. For example, the BRICS Sanya Declaration issued at the third BRICS Leaders Meeting in 2011 observed: 'We share the principle that the use of force should be avoided. We maintain that the independence, sovereignty, unity and territorial integrity of each nation should be respected... We are of the view that all the parties should resolve their differences through peaceful means and dialogue.' There may be some misunderstanding here and in the non-interventionist narrative generally about what RtoP actually is, but the fact that BRICS countries have a perception of the principle as interventionist and a challenge to the norm of sovereignty is what is significant. So Russia, China, Brazil and India actively contribute to normative

debates in a way that coherently resists the RtoP movement championed by some Western states. This appears to reflect a desire to constrain the more coercive elements of RtoP and to ensure that the implementation of RtoP does not reflect Western interests.

These fissures have been reflected in the controversies that have arisen when RtoP has been invoked and in Security Council discussions, especially in the wake of the Libya intervention in 2011 authorised by resolution 1973. There has been wide agreement amongst non-western states, including the BRICS, that resolution 1973 was abused by NATO states as a pretext for pursuing regime change and that it was stretched to cover activities not authorized in the resolution, such as attacks against government and media facilities. Bellamy (2014) has challenged the idea that intervention in Libya has resulted in generalized objections to RtoP and that failure to act in Syria was a direct result of this. However, there is certainly evidence that the Libya experience has increased caution amongst states that already had reservations about RtoP, especially in relation to sensitive cases. Russia explicitly linked its vetoes of UN action in Syria to its belief that the implementation of resolution 1973 on Libya had been an abuse of Security Council authority, and this is also emphasized in China's 'responsible protection' doctrine.

The uprising and violence in Syria in 2011-14 and the response of the international community have similarly reflected the broader normative clash. Russia and China vetoed Security Council Resolutions on a number of occasions in 2011 and 2012, and the statements they issued to explain this certainly reflected a pluralist worldview. Russia, claiming to have the support of other BRICS countries, stated that it could only support an approach on the basis of 'respect for the national sovereignty and territorial integrity of Syria and non-interference, including military, in its affairs,

the logic of the unity of the Syrian people, the rejection of confrontation and an invitation to all for an equal and substantive dialogue' (Churkin, 2013). There are other illustrations of this general position. Russia and China blocked the imposition of UN sanctions on Zimbabwe in 2008, and a UN resolution condemning Burma in 2007. In both cases Russia and China – whatever other interests they may have had – stated that the situations in Zimbabwe and Burma did not constitute a threat to international peace and security and were therefore domestic issues.

Clearly Russia has important strategic and economic interests in Syria, tied to the Assad regime, and this partly explains its vetoes. However, Russia's declaratory position – and that of China – is characteristic of a normative reluctance to support intervention into 'domestic' affairs. The statements of other states at the 2012 General Assembly debates – very consciously avoiding casting aspersions on the legitimacy of Assad's regime – are also illustrative of this. Even with the increasingly bloody nature of the conflict Russian Foreign Minister Sergei Lavrov stressed in a March 2013 BBC interview that Russia opposed, as a point of principle, interference in domestic conflicts: 'It is not for us to decide who should lead Syria. It is for the Syrians to decide' (BBC, 2013). Moreover, even if Russia's position was largely a consequence of its pragmatic self-interest, the manner in which it presented its stance – and its broader scepticism of RtoP – in pluralist terms is significant. Indeed, irrespective of human rights abuses, Russia indicated that 'a large proportion of the Syrian population does not share the demand for an immediate change of government', implying that externally-driven regime change was illegitimate (Churkin, 2013). Therefore, the sovereign government deserves the assumption of legitimacy; or at least if that legitimacy is to be challenged, that must come from domestic – not external – actors. China similarly explained its position in relation to Syria's

sovereignty, independence and territorial integrity, and the ‘responsible protection’ treatise clearly fits into this worldview – including the assumption of state legitimacy (Zongze, 2012). The pluralist worldview is certainly shared by a much larger number of states – including India (Dash 2012) – even though in the case of Syria they did not wish to appear in support of Assad.

The position of Russia and China on Syria is an extreme example of this broader tension in international relations related to international order which forms a fundamental challenge to common humanity as a political agenda. RtoP has become embroiled within, and to some extent emblematic of, this broader normative conflict. In this context there is a tension between established, often liberal, powers – such as the US and West European states, and their allies in various parts of the world – and the rising and increasingly assertive powers of Brazil, Russia, India, China, South Africa, and others, such as Indonesia, Malaysia, and some Latin American countries. Other non-Western groupings such as the Non-Aligned Movement, the Shanghai Cooperation Organisation, and the India-Brazil-South Africa Dialogue Forum also reflect this normative contestation.

A number of processes are involved here. Rising or resurgent powers are resistant to the idea of being socialized as norm-takers, even if they do not represent a unified or coherent alternative vision. There is a wariness towards – or even resistance to – liberal ideas of world order amongst this group, and an emphasis upon sovereignty, non-interference and other pluralist values in a world that, at least in normative terms, is increasingly multipolar. There is fundamental disagreement in terms of how egregious human rights abuses might be addressed within a sovereign state system, and these disagreements reflect shifting power dynamics and thus changing international order.

The reservations of many rising and non-Western states towards RtoP reflect an uneasiness about the manner in which Western countries have promoted the principle, as well as some aspects of its substance. In a sense RtoP has become a hostage to broader frictions relating to the transitional international order; many states are instinctively guarded towards the principle because it is championed by Western states, and because it is promoted through organisations – such as the UN and NATO – that are regarded in some ways as being unrepresentative or unaccountable. In this sense, therefore, RtoP raises tensions in relation to the question of how, and by whom, norms are diffused. Controversy related to RtoP can be interpreted as resistance by rising powers to their conventional role as norm-takers within the existing rules of the game; whether coordinated or not, rising powers are increasingly willing to assert their opposition to the liberal order, especially on sensitive issues related to intervention. They are not being readily socialized to an evolving norm of state sovereignty, if this implies that sovereignty is to be increasingly conditional upon international judgements relating to governance and human rights. The appearance of RtoP as a Western-dominated agenda is compounded by the apparent selectivity of its application and the perception of double standards; hence the frequent reference to the occupied Palestinian areas during the 2009 General Assembly debate on RtoP. Moreover, if RtoP is associated with what is perceived by some to be unaccountable and unrepresentative international decision-making, then the principle is problematic. As Dash (2012: 7) has suggested, the apparent misuse of RtoP ‘reiterate[s] the need for urgent reforms in the existing institutionalised process of global security and governance.’

As the General Assembly debates have indicated, many – especially non-Western – states have a preference for state responsibility and international assistance,

they are extremely wary of international coercion, they support the idea of sequencing of international RtoP activities, and they support greater monitoring and accountability of states which implement RtoP actions, especially when these are coercive. It is interesting that these preferences reflect a more pluralist, Westphalian worldview, and also one that seeks to restrain the power of liberal internationalism more broadly. The international politics of RtoP – how and where and by whom it is promoted – reflects broader dynamics of power in the international system that are shifting as the relative influence of states shifts.

Attempts to relate the politics of RtoP to the changing international order have generally portrayed international order as a normative construction, within which different states – whether rising or falling – represent and promote a certain worldview that has relevance to RtoP (Newman, 2013). However, a further important way in which the changing international order is relevant to RtoP is less related to norms and more a reflection of geopolitical rivalry and power politics. According to this interpretation, rising powers resist aspects of RtoP because it is seen – however outlandish this perception is for supporters of the principle – as a Western political movement, and worst still as a means of legitimizing Western hegemony, in parallel with broader patterns of domination. A shifting power balance facilitates resistance to this as states rise in relative power and alliances evolve, reflecting patterns of geopolitical rivalry found across a range of issue areas. From this perspective the transitional international order is essentially not really about norms, rather it is about shifting power and the conflicting interests that this generates. As a result, RtoP is controversial and sometimes contested because it is seen as a principle that has been championed by Western states. Accordingly there is no grand normative contestation but rather rising powers resist and challenge the Western control of the RtoP agenda.

Conclusion

The RtoP principle has undoubtedly achieved progress in broader perspective, even amongst conservative states, and despite the controversies of recent years. India, China and Brazil have softened their position and moved from firm resistance around the launch of the ICISS report to guarded support in principle since 2005 (Liu and Zhang, 2014; Stuenkel and Tourinho, 2014; Jaganathan and Kurtz, 2014). Brazil has clearly sought to take a leadership role not in outrightly resisting RtoP but by seeking to make it more accountable and sensitive to concerns relating to sovereignty, intervention and the exercise of power. Historically, China has been implacably resistant to any international incursion – whether coercive or not – into ‘domestic’ matters, and yet it has given endorsements of RtoP since 2005, and supported – or at least not vetoed – a number of UN decisions related to RtoP (Teitt, 2009). However, without denying this progress, as the pace of RtoP has accelerated and as it has been applied to sensitive cases the underlying resistance within these and other states has become apparent in the form of a backlash against substantial parts of the RtoP agenda – or the perception of the agenda. In this context, some of the support that has emerged in countries such as China, Brazil, India and South Africa has evaporated since the Libya experience of 2011. Moreover, this resistance can be interpreted in part as a defence of Westphalian norms against what is seen – rightly or wrongly – as the Western, liberal dominance of RtoP. This has negative implications for RtoP as an expression of common humanity because it makes it difficult to imagine political consensus amongst major states in support of the principle.

The principle of RtoP has become entangled with broader controversies and debates related to the evolution of state sovereignty, the balance between international order and individual justice, and the legitimacy of international norms in a changing international system. In this context, the question of how international actors should respond to egregious human rights abuses, either individually or collectively, is controversial, even if RtoP relates to a narrow range of atrocities that are already universally proscribed in principle. There is a broader normative contestation – and perhaps a ‘moral crisis of liberal internationalism’ (Burke, 2005: 86) – within which RtoP has, perhaps unfairly, been tied. Moreover, the transitional international order is not entirely a normative contest; RtoP has also become embroiled in geopolitical rivalries that are the consequence of shifting power dynamics.

A changing international order is not necessarily an obstacle for progress on the RtoP agenda or for the idea of common humanity. States in relationships defined by shifting power and influence – or even adversity – can share a commitment to new norms and principles, including those which seek to prevent and address mass atrocities. The challenge is to dissociate RtoP from these broader processes, but that is a formidable task. The ‘RtoP’ label may have become a part of the problem since it incites normative and geopolitical contestation which is not helpful for the humanitarian agenda. RtoP does, after ten years, have political traction in international politics – despite the tragic cases of human rights abuse which seem to make a mockery of the principle – and it seems sensible to build upon this rather than abandon it. However, the tenth anniversary seems a good opportunity to revisit the principle both in academic and policy circles to consider how to give it renewed momentum, and issues related to the transitional international order need to be at the heart of this. At present the RtoP discourse has become politically divisive; a new

political initiative is necessary to address the normative and political sensitivities which exist, and this must reflect the shifting power dynamics which are likely to define the future international order. As a part of this, it is essential for RtoP to be consciously and explicitly separated from some aspects of the broader international liberal agenda, and for debates about RtoP to be related to the exercise and accountability of power. It is also necessary for leading UN members to agree to separate the response to egregious human rights abuse from their broader geopolitical rivalries, however difficult this will be.

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