Farewell the Responsibility to Protect?
False death, grave crisis,
future opportunities

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As we approach the twentieth anniversary of the endorsement by the United Nations General Assembly (UNGA) of the Responsibility to Protect (R2P) at the 2005 World Summit in New York, there are renewed claims that the R2P norm is dead. Mott, for example, asserts that the humanitarian crisis in Gaza represents 'the last nail in the coffin' of R2P.[1] To be clear, a birth/death narrative has long surrounded the norm: as Bellamy puts it, 'from almost the day it was born, some analysts have been predicting the death of the Responsibility to Protect … principle'.[2] These predictions continue as the norm's critics focus on the perceived lack of influence that R2P has had upon specific crises—whether in Gaza, Sudan, Ethiopia, Myanmar or Syria—and argue that it is time to lay it to rest.[3] Against this backdrop, it would be easy to conclude that the current R2P death discourse is simply more of the same. However, this would be a mistake. As is discussed below, real-world developments highlight that its demise seems more imminent than ever before. Accordingly, there is a pressing need to answer the question: 'Is the R2P dead?'.

The substantial discourse on the R2P as a norm has predominantly focused on the concept of norm contestation[4] rather than that of norm death,[5] though

there are links between the two. With respect to contestation, critics claim that the norm is essentially meaningless, notwithstanding the consensus that surrounds it.[6] Countering this, academics have argued that the type of contestation matters. Deitelhoff and Zimmerman, for example, differentiate between 'applicatory contestation' (contesting how a norm should be implemented) and 'validity contestation' (questioning the norm's righteousness) and find that the R2P's validity remains high and that applicatory contestation has only had 'limited negative effects' on its normative robustness.[7] At the same time, they warn that if recurring applicatory contestation regarding key aspects such as the use of force becomes permanent, this would weaken the norm over time.[8] Building on Deitelhoff and Zimmerman, Welsh finds that the R2P's validity 'remains intact',[9] yet also warns that persistent 'applicatory contestation is having a knock-on effect on the norm's validity'.[10] Echoing this sentiment, Scherzinger argues that, contrary to what critics claim, 'roughly 65 per cent of speaking entities in the Security Council expressed positive sentiment toward R2P', a fact which acts as a 'strong indicator that the discursive validity of the norm remains intact'. Yet, Scherzinger also warns that 'persistent applicatory contestation might lead to an inability to enforce the principle'.[11]

These studies shed much-needed light on the norm dynamics surrounding the R2P and at times respond to the norm death narrative—for example, Welsh claims that 'it is hard to foresee the "death" of R2P'.[12] However, the studies leave two concerns unaddressed. First, because they do not specifically set out to engage with the concept of norm death, they offer only a partial insight into answering the question of whether the R2P is dead. At the same time, research that has engaged with norm death has looked at multiple norms, but not the R2P. Second, there is a broader concern norm studies only get us so far. For example, Hobson's critique of the R2P explains that there has been an 'excessive focus on the health and status of R2P as a norm',[13] to the point that he questions whether, in fact, the world needs any more articles on the subject.[14]

2022, pp. 934–54, https://doi.org/10.1177/13540661221126018; Wayne Sandholtz, 'Norm contestation, robustness, and replacement', *Journal of Global Security Studies* 4: 1, 2019, pp. 139–46, https://doi.org/10.1093/jogss/ogy042; Diana Panke and Ulrich Petersohn, 'Why international norms disappear sometimes', *European Journal of International Relations*, 18: 4, 2012, pp. 719–42, https://doi.org/10.1177/1354066111407690.

6 Hehir, *Hollow norms*.
7 Deitelhoff and Zimmermann, 'Things we lost', p. 52. Such thinking builds on first-generation norm scholarship that identified 'specificity', 'durability' and 'concordance' as three criteria for understanding norm robustness, Jeffrey W. Legro, 'Which norms matter? Revisiting the "failure" of internationalism', *International Organization* 51: 1, 1997, pp. 31–63, https://doi.org/10.1162/002081897550294.
8 Deitelhoff and Zimmermann, 'Things we lost', p. 64; Also, Adrian Gallagher and Nicholas J. Wheeler, 'Trust or perish?' The Responsibility to Protect and use of force in a changing world order', *Ethics & International Affairs* 35: 2, 2021, pp. 181–95, https://doi.org/10.1017/S0892679421000204.
9 Welsh, 'Norm robustness', p. 53.
10 Welsh, 'Norm robustness', p. 66.
11 Johannes Scherzinger, 'Unbowed, unbent, unbroken? Examining the validity of the Responsibility to Protect', *Cooperation and Conflict* 58: 1, 2023, pp. 81–101 at p. 95, https://doi.org/10.1177/00108367221093155.
12 Welsh, 'Norm robustness', p. 68.
13 Christopher Hobson, 'The moral untouchability of the Responsibility to Protect', *Journal of Intervention and Statebuilding* 16: 3, 2022, pp. 368–85, https://doi.org/10.1080/17502977.2021.2015146.
14 Christopher Hobson, 'A world without alternatives: R2P meets TINA', *Journal of Intervention and Statebuilding* 18: 2, 2024, pp. 216–24, https://doi.org/10.1080/17502977.2024.2333461.

This article finds that the norm death narrative surrounding the R2P is problematic for both critics and defenders of the norm. Critics seemingly uphold the heuristic, binary value of the birth/death framing to represent their view that the norm is effectively dead: however, this unintentionally creates an overly high benchmark against which to measure the norm. The implication here is that the norm death narrative allows those who defend the R2P to make the case that the norm is not dead with relative ease. This position is equally problematic, however, as this falls into the trap of downplaying the crisis facing the norm. Moving beyond norm studies, the article goes on to identify and build on contemporary reassessments of the false assumptions within the R2P project.[15] In highlighting that these false assumptions are just the tip of the iceberg, the article presents a tragic depiction of the political environment facing not only the R2P, but many other human rights norms.

The article is structured in four parts. First, it explains the death narrative surrounding the R2P by highlighting four recent developments which underline the pressing need to consider whether the norm has in fact 'died'. Second, it draws on studies of norm death to explain what the concept means before applying this to the R2P. The article finds that the R2P death narrative implicitly embodies an understanding of norms associated with first-generation norm studies, and that second-generation norm research helps us understand that the norm is not in fact dead. The third section builds on contemporary reassessments of the false assumptions embodied in the R2P project to demonstrate that it would be a grave mistake to think that, even though the norm is not dead, it is 'alive and well'. Fourth, the article concludes by highlighting that three positions present themselves, looking forward: to defend, reform or abandon the R2P. Whichever position academics choose, they must factor in the developments and false assumptions outlined below.

Understanding the death narrative

Having achieved unanimous agreement on R2P at the 2005 World Summit, states soon began to deny and evade the norm, which led one of its architects, Gareth Evans, to reassess whether its time had 'come and gone'.[16] Thus the death framing surrounding the R2P predates the 2011 intervention in Libya; however, the narrative gained traction with the mass atrocities that took place in the aftermath of regime change in Libya and with the outbreak of civil war in Syria. The American writer David Rieff captured the sentiment at the time in an opinion piece for the *New York Times*, titled 'R2P, RIP'.[17] Further debate has subsequently arisen over

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[15] Michael Ignatieff, 'The Responsibility to Protect in a changing world order: twenty years since its inception', *Ethics & International Affairs* 35: 2, 2021, pp. 177–80 at p. 178, https://doi.org/10.1017/S0892679421000228; Alex J. Bellamy, 'The discomforts of politics: what future for atrocity prevention?', Just Security, 31 Oct. 2023, https://www.justsecurity.org/89832/the-discomforts-of-politics-what-future-for-atrocity-prevention.

[16] Gareth Evans. 'The Responsibility to Protect: an idea whose time has come … and gone?' *International Relations* 22: 3, 2008, pp. 283–98, https://doi.org/10.1177/0047117808094173.

[17] David Rieff, 'R2P: RIP', *New York Times*, 7 Nov. 2011, https://www.nytimes.com/2011/11/08/opinion/r2p-rip.html.

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whether or not the norm is dead.[18] In 2013, for example, the director of Human Rights Watch claimed the R2P had 'renewed vitality' as he praised international efforts to prevent genocide in the Central African Republic (CAR).[19] Since then, however, reported instances of alleged mass atrocities in Myanmar, China, Sudan, Ukraine and Gaza—to name just a few—have fuelled further debate on the subject.[20] This section suggests four particular developments that appear to provide further evidence of the norm's demise.

First, the changing world order has led even those involved in creating the norm to conclude that it belongs to a 'vanished era'.[21] Undoubtedly, the R2P has been weakened by a broader crisis in the liberal international order, as the institutions, laws, rules, norms and principles that have traditionally been viewed as binding together international society are questioned, challenged and violated on a daily basis.[22] This has had a profound impact on the entire mass atrocity protection agenda as the value of the term genocide,[23] the 'never again' principle[24] and the R2P norm itself are called into question. The R2P is, therefore, being harmed by a wider global 'crisis of human protection'.[25] The breadth and depth of this harm is as yet unclear—although, as shall be seen in the third section of this article, the future appears bleak in terms of mass atrocity prevention.

Second, the language around the R2P has become unfashionable, with policymakers, NGOs and academics using alternative terminology such as 'atrocity prevention', 'conflict prevention' and even 'humanitarian intervention'—which was historically viewed as more controversial.[26] Bellamy explains that 'it has become fashionable in some circles to use the term "atrocity prevention" instead of "the responsibility to protect"'.[27] For example, the United Kingdom established a Mass Atrocity Prevention Hub in September 2022, yet the author's discus-

[18] Bellamy, 'R2P—dead or alive?
[19] Kenneth Roth, 'Silver lining: the year 2013 in human rights', Human Rights Watch, 2013, https://www.hrw.org/news/2013/12/31/silver-lining-year-2013-human-rights.
[20] For a discussion of R2P being dead in relation to Ukraine, see Rebecca Barber, 'Does the "Responsibility to Protect" require states to go to war with Russia?', Just Security, 25 March 2022, https://www.justsecurity.org/80833/does-the-responsibility-to-protect-require-states-to-go-to-war-with-russia.; Peter Lee, 'Ukraine: the UN's "responsibility to protect" doctrine is a hollow promise for civilians under fire', The Conversation, 7 March 2022, https://theconversation.com/ukraine-the-uns-responsibility-to-protect-doctrine-is-a-hollow-promise-for-civilians-under-fire-178661.
[21] Ignatieff, 'The Responsibility to Protect in a changing world order', p. 178.
[22] For competing perspectives, see John J. Mearsheimer, 'Bound to fail: the rise and fall of the liberal international order', *International Security* 43: 4, 2019, pp. 7–50, https://doi.org/10.1162/isec_a_00342; G. John Ikenberry, 'The end of liberal international order?', *International Affairs* 94: 1, 2018, pp. 7–23, https://doi.org/10.1093/ia/iix241; Amitav Acharya, 'After liberal hegemony: the advent of a multiplex world order', *Ethics & International Affairs* 31: 3, 2017, pp. 271–85, https://doi.org/10.1017/S089267941700020X.
[23] Adam Kirsch, 'Is it time to retire the term "genocide"? From Capitol Hill to the Middle East, a word invented to describe the ultimate crime has become a political flashpoint', *Wall Street Journal*, 8 Dec.2023, https://www.wsj.com/politics/is-it-time-to-retire-the-term-genocide-8ae11ca2.
[24] Adrian Gallagher, Richard Illingworth, Euan Raffle and Ben Willis, 'The permanency of mass atrocities: the fallacy of "never again"?', *British Journal of International Relations*, publ. online 1 April 2024, https://doi.org/10.1177/13691481241241332.
[25] Alex J. Bellamy and Stephen McLoughlin, *Rethinking humanitarian intervention* (London: Palgrave Macmillan, 2018), pp. 187–207.
[26] Edward Newman, 'Exploring the UK's doctrine of humanitarian intervention', *International Peacekeeping* 28: 4, 2021, pp. 632–60, https://doi.org/10.1080/13533312.2021.1878689.
[27] Bellamy, 'The discomforts of politics'.

sions with members of the hub revealed that they either had little knowledge of the R2P or intentionally avoided using the terminology. Meanwhile, influential 'pivotal states' have sought to change the R2P discourse entirely. China, for example, promotes conflict prevention rather than atrocity prevention as a deliberate political choice.[28] It could be argued that doing so enables China to pursue its international interests while attempting to shift the focus away from its own alleged human rights violations. Although the R2P continues to be discussed, for example in the annual UNGA debate that is dedicated to it, it is often not invoked—even in relation to what appear to be the gravest of cases. This helps explain the backlash there has been over Israel's actions in Gaza, for example. Moses refers to the way in which 'the absence of a clear, sustained, and powerful invocation of the [R2P] in response to Israel's vicious assault on Gaza reveals the fundamental weaknesses of the doctrine'.[29] In other words, there comes a point when the silence around the norm becomes deafening; yet those who stress the importance of implicit signifiers could argue that actors such as the International Court of Justice are upholding international responsibilities and enforcing the spirit of the R2P. Although she appears to align with the latter view, Welsh's analysis of the R2P's robustness offers a stark warning: 'the *political* nature and purpose of the norm of RtoP arguably makes it more important that it is explicitly invoked'.[30]

Third, the norm has faced resistance from within the UN itself. The last four special advisers to the secretary-general on the R2P have served less than three years each, while expressing private (and in one case public) concerns that they were not supported enough.[31] Again, broader issues are at stake; one former special adviser on the R2P wrote in 2023 that they found that the UN treated mass atrocity protection *and* human rights more generally as an 'afterthought'.[32] Those who defend the R2P accept that changes need to be made. For example, Barber argues that the special adviser on the R2P needs a salary, staff, budget and the support of the secretary-general.[33] This argument forms part of a broader liberal attempt to save the R2P, whereas, for critics, this lack of support could be interpreted as further evidence that its time has passed.

Fourth, there has been a lack of leadership in support of the norm. This is not to suggest that the norm does not have champions, but rather that those champions are not powerful.[34] While there are actors and networks (such as the

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[28] Qiaochu Zhang, 'Prevention as a norm cluster? Mapping China's contestation on atrocity prevention', *International Affairs* 100: 1, 2024, pp. 241–60, https://doi.org/10.1093/ia/iiad224.

[29] Moses, 'Gaza and the political and moral failure of the Responsibility to Protect', p. 1.

[30] Welsh, 'Norm robustness' (emphasis in original).

[31] Rebecca Barber, 'The United Nations should increase support for the Responsibility to Protect', Just Security, 17 Aug. 2023, https://www.justsecurity.org/87571/the-un-should-increase-support-for-the-responsibility-to-protect; Karen Smith, 'Why the United Nations keeps failing victims of atrocity crimes', Just Security, 9 Nov. 2023, https://www.justsecurity.org/90005/why-the-united-nations-keeps-failing-victims-of-atrocity-crimes.

[32] Smith, 'Why the United Nations keeps failing victims of atrocity crimes'.

[33] Barber, 'The United Nations should increase support'.

[34] The origins of this can be traced back to the debate over Libya. See Tacheva and Brown, 'Global constitutionalism', pp. 446–7.

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R2P Group of Friends) that support the norm,[35] as studies on norm death show, '[t]here is a distinct pattern that powerful actors play a crucial role in the development, weakening or even death of challenged norms'.[36] With this in mind, allegations of the perpetration of mass atrocity crimes in Xinjiang, Ukraine and Syria highlight that 'great power perpetrators' pose a 'system-level challenge' to mass atrocity prevention.[37] Yet we need to go further, as it is not only illiberal states that contribute to these developments. For example, the supply of arms by the United States and the UK to Israel and Saudi Arabia in relation to atrocity crimes in Gaza and Yemen exposes those liberal states on the Security Council that act as great power enablers. The culmination of these developments raises the pressing question: 'Is the R2P dead?'.

False death

The R2P death narrative gained traction after the military invasion of Libya and with this in mind let us return to 2011 when it was claimed '[it] should be dispensed with as a theoretical concept'.[38] Notably, this statement was *not* made with reference to the R2P; it was raised in relation to the concept of 'state failure' and forms part of an expansive critique stretching back over twenty years that argues the 'failed state' paradigm is dead or should be retired. Despite this, recent studies show the concept is 'alive and well'.[39] I mention this for two reasons. First, it provides an insight into a key finding in norm death research, that allegations of norm death are widespread and often false. Second (and returning to the overarching argument of this article), even if it is the case that the R2P is not dead, this should not lead us to conclude that it is alive and well—which is precisely what happened after the intervention in Libya.[40] It is necessary to clarify that although much work has been done on norm studies research, there are relatively few studies on norm death. Accordingly, I focus here predominantly on those scholars who explicitly engage with the concept. Panke and Petersohn provide definitional insight, explaining that:

A norm can be considered dead or abolished if practices of norm violation are not an exception but the rule, while the actors no longer make any effort to use the old norm as a reference point for their action.[41]

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[35] Sarka Kolmasova, *Advocacy networks and the Responsibility to Protect: the politics of norm circulation* (Abingdon and New York: Routledge, 2023).

[36] Diana Panke and Ulrich Petersohn, 'Norm challenges and norm death: the inexplicable?', *Cooperation and Conflict* 51: 1, 2016, pp. 3–19 at p. 14, https://doi.org/10.1177/0010836715597948.

[37] Federica D'Alessandra and Gwendolyn Whidden, 'Whither atrocity prevention at the UN? Look beyond R2P and the Security Council', Stimson Centre, 6 Nov. 2023, https://www.stimson.org/2023/whither-atrocity-prevention-at-the-un-look-beyond-r2p-and-the-security-council.

[38] Stein Sundstøl Eriksen, '"State failure" in theory and practice: the idea of the state and the contradictions of state formation', *Review of International Studies* 37: 1, 2011, pp. 229–47 at p. 235, https://doi.org/10.1017/S0260210510000409.

[39] Nicolas Lemay-Hébert and Ari Jerrems, 'The afterlives of state failure: echoes and aftermaths of colonialism', *European Journal of International Relations* 30: 2, 2024, pp. 255–79, https://doi.org/10.1177/13540661231215582.

[40] Thomas G. Weiss, 'R2P alive and well after Libya', *Ethics & International Affairs* 25: 3, 2011, pp. 287–92 at p. 291, https://doi.org/10.1017/S0892679411000220.

[41] Panke and Petersohn, 'Norm challenges and norm death', pp. 4–5.

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Placing this quote in context, the authors in this case go on to cite colonialism, unrestricted submarine warfare, the permission of slavery and nationally motivated terror as examples of norm death, while others have focused on the death of norms such as torture.[42] From this perspective, norm violation does not constitute norm death in and of itself; countless norms are violated on a daily basis, yet they remain norms in that they continue to constitute 'collective expectations for the proper behavior of actors within a given identity'.[43] Norm studies scholars study resilience and robustness in order to better understand the implications that violations have for the dynamics that underpin this process. When it comes to norm death, Panke and Petersohn's definition implies that the logic of appropriate behaviour associated with the norm in question undergoes something of a U-turn. Practices such as colonialism are now viewed as morally abhorrent, but were once defended on normative grounds. We can, of course, raise questions over who decided this defence was appropriate in the first place, but the critical point here is that, over time, logics of appropriateness are open to change—for example, through norm contestation.[44] If it is the case that the sense of rightfulness underpinning the norm alters to the point where it is commonly viewed as wrongful conduct, the norm in question will die if it was once perceived to be a robust norm.

It is important to recognize that allegations of norm death are often false. Percy and Sandholtz study four cases of alleged norm death (the R2P norm not being among them) and conclude that 'claims of norm death are empirically incorrect and theoretically misleading', as they found that the norms in question did not disappear, 'but are rather subject to processes of obsolescence, replacement, and modification'.[45] This resonates strongly with Panke and Petersohn's finding that 'most international norms do not die, but are either persistent or subject to incremental change'.[46] The studies show that the birth/death narrative surrounding many norms is problematic and fuels misunderstanding. For example, claims of norm death often stem from the perception that there is a causal relationship between norm violation and death. However, a norm such as human rights might be violated routinely but still remain a norm, because it embodies a logic of appropriateness that continues to be viewed as rightful conduct. This is not to suggest that violation cannot alter a norm, but rather that it is far too simplistic to assume a direct causal relationship between a norm's violation and its death. Rather than 'dying', it is more common that norms undergo changes which see them being modified or even replaced. Modification may occur as the logic of appropriateness is tweaked, but this does not constitute the U-turn associated with norm death. Alterations to a norm may see it being rebranded, but even this does not mean that the prior norm died: the principle may live on under a different name.

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[42] Ryder McKeown, 'Norm regress: US revisionism and the slow death of the torture norm', *International Relations* 23: 1, 2009, pp. 5–25, https://doi.org/10.1177/0047117808100607.

[43] Peter J. Katzenstein, ed., *The culture of national security, norms and identity in world politics* (New York: Columbia University Press, 1996), p. 5.

[44] Antje Wiener, *Contestation and constitution of norms in global International Relations* (Cambridge, UK: Cambridge University Press, 2018).

[45] Percy and Sandholtz, 'Why norms rarely die', p. 934.

[46] Panke and Petersohn, 'Norm challenges and norm death', p. 14.

To explain this latter point further, it is necessary to explore the different understandings of norms in first- and second-generation norm studies. Implicitly, it seems that the birth/death narrative embodies an understanding of norms as static or fixed, which is commonly associated with first-generation norm studies.[47] As Hoffman explains, the first wave of norm studies research treated the 'norms that they analyzed as relatively static entities with relatively specific meanings and strictures'.[48] In contrast, second-generation norm research argues that norms should be understood as 'processes' as opposed to 'fixed notions'.[49] Accordingly, we need to situate whatever norm we are examining within its own long-term historical process, because it is this process that will shape and determine what the norm looks like, and what it will become if it is modified or replaced.

Applying such thinking, it is important to differentiate between the political and moral logic underpinning the R2P; the concern here is that the latter has been lost in contemporary debates. To illustrate this, let us consider views from either side of the R2P divide. In her study of the norm's robustness, Welsh claims that the R2P was 'deliberately institutionalized … as a *political*, rather than a legal principle'.[50] Although the legal foundations of the norm continue to be debated, the concern here is that the political/legal dichotomy fails to acknowledge the moral nature of the R2P. To give another example, a leading opponent of the R2P argues that 'the R2P faces a political, rather than moral, problem; it always has done because it has always been a political, rather than moral, doctrine'.[51] Again, this seems to downplay the normative grounding upon which the political agreement was forged. This is why academics claim the R2P represents a 'legitimate moral minimum of global order',[52] as it sets out to protect people from crimes such as genocide which violate a 'universal moral minimalism'.[53]

The focus on the political nature of the R2P seemingly creates a birth/death narrative that mischaracterizes the R2P as a norm that was born in 2005; however, its moral heritage can be traced back decades if not centuries.[54] The most obvious example of this heritage is the UN Convention on the Prevention and Punishment of the Crime of Genocide, adopted in 1948.[55] Here, it is worth recalling that within the context of the Cold War, the Genocide Convention became little more than a footnote; as Schabas explains, 'some may have legitimately questioned,

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[47] For an overview of the different waves of constructivist norm research, see Matthew J. Hoffman, 'Norms and social constructivism in International Relations', *Oxford research encyclopedia of international studies*, 2010, http://internationalstudies.oxfordre.com/view/10.1093/acrefore/9780190846626.001.0001/acrefore-9780190846626-e-60.

[48] Hoffman, 'Norms and social constructivism'.

[49] Mona Lena Krook and Jacqui True, 'Rethinking the life cycles of international norms: the United Nations and the global promotion of gender equality', *European Journal of International Relations* 18: 1, 2012, pp. 103–27 at p. 105, https://doi.org/10.1177/1354066110380963.

[50] Welsh, 'Norm robustness', p. 54 (emphasis in original).

[51] Moses, 'Gaza and the political and moral failure of the Responsibility to Protect'.

[52] Michael W. Doyle, 'The politics of global humanitarianism: the responsibility to protect before and after Libya', *International Politics*, vol. 53, 2016, pp. 14–31 at p. 15, https://doi.org/10.1057/ip.2015.35.

[53] Adrian Gallagher, *Genocide and its threat to contemporary international order* (London: Palgrave Macmillan, 2013), p. 77.

[54] Luke Glanville, *Sharing responsibility: the history and future of protection from atrocities* (Princeton: Princeton University Press, 2021).

[55] Louise Arbour, 'The Responsibility to Protect as a duty of care in international law and practice', *Review of International Studies* 34: 3, 2008, pp. 445–58, https://doi.org/10.1017/S0260210508008115.

in the 1970s and 1980s, whether the Genocide Convention was no more than an historical curiosity'.[56] Politically, the Genocide Convention seemed to be 'stalled' (to use Tacheva and Brown's term for discussing the R2P),[57] but it re-emerged in the post-Cold War era and has regained its importance within international relations, as evidenced by South Africa's application of the Genocide Convention at the International Court of Justice in December 2023 regarding Israel's attack on Gaza. This is not to overlook the failures and debates that continue to surround the Genocide Convention, but simply to highlight that despite lying dormant for decades, it did not 'die'. Thus, when Tacheva and Brown claim the R2P is a 'stalled norm', this resonates with the history of the Genocide Convention.[58] This could lead R2P defenders to seek a way to revitalize the norm, while critics may claim it is time to bury it. Either way, we need to be careful not to be trapped by what might be termed the 'tyranny of presentism'—the tendency to draw broad historical judgements from the specific point in time that we inhabit.

Although the moral logic underpinning the R2P norm may change in the future, it has two fundamental dimensions that are unlikely to be altered. Under pillar I of the R2P, states have the responsibility to protect their populations against four mass atrocity crimes—genocide, crimes against humanity, ethnic cleansing and war crimes. In the first place, these crimes are not viewed as appropriate behaviour in international society. As already discussed, the norm is routinely violated and, as part of this, actors (predominantly perpetrators) construct a justificatory narrative that what they are doing constitutes rightful conduct. China's 'war on terror' discourse acts as a prime example here.[59] There is no doubting that China has been successful in gaining support among states and—as discussed in the next section—it is too easy to write this off as political allying: however, China has done this by reframing the alleged atrocities of which it has been accused. Clearly, there is no overarching consensus that genocide, crimes against humanity, ethnic cleansing and war crimes are not, in fact, crimes. Their status as crimes is embedded to such an extent that even states that are hostile to the R2P do not generally challenge such thinking. This is important, because as Bloomfield explains, the lack of 'norm antipreneurship' can mean that 'norms do not change',[60] as essentially no one is leading the charge against the norm in question. Although there is 'norm antipreneurship' against the R2P—for example, Zhang claims that 'the concept of the creative norm antipreneur captures China's strategic utilization of the normative status quo, i.e., the sovereignty-based world order, to counter the emergence of liberal norms, such as R2P'[61]—it is difficult to conceive that any state is going to try and challenge the

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[56] William Schabas, *Genocide in international law: the crime of crimes* (Cambridge, UK: Cambridge University Press, 2000), p. 8.

[57] Tacheva and Brown, 'Global constitutionalism'.

[58] Tacheva and Brown, 'Global constitutionalism'.

[59] Michael Clarke, 'China's "war on terror" in Xinjiang: human security and the causes of violent Uighur separatism', *Terrorism and Political Violence* 20: 2, 2008, pp. 271–301, https://doi.org/10.1080/09546550801920865.

[60] Bloomfield, 'Norm antipreneurs', p. 312.

[61] Zhang, 'Prevention as a norm cluster?', p. 259, footnote 100. Zhang further refers her reader to Courtney J. Fung, 'Rising powers and normative resistance: China, India and the Responsibility to Protect', *Journal of Contemporary China* 32: 141, 2023, pp. 386–98, https://doi.org/10.1080/10670564.2022.2090076.

idea that these are crimes. Without this specific form of antipreneurship, the moral foundations underpinning the R2P will remain the same.

The second dimension is that of the responsibilities that stem from recognizing the four crimes, as no one is suggesting that states do not have national or international responsibilities to the victims of mass atrocity crimes. Indeed, in 2021 the UNGA voted to formally place the R2P on its agenda, with 115 member states voting in favour and 15 against; there were 28 abstentions.[62] To understand this further, we now discuss the research on the norm's validity within assessments of its robustness. Scherzinger's analysis of UN Security Council (UNSC) discourse in relation to the R2P reveals three key findings: 1) that the R2P is frequently invoked in the UNSC; 2) that it is invoked in a positive manner, as states use affirmative language; and 3) that the norm is undergoing continued applicatory contestation that may erode its validity over time.[63] The findings align with previous research[64] and feed into the broader conclusion that the R2P norm has 'experienced a relatively high degree of validity'.[65] Critics rightly point out that states predominantly refer to the domestic rather than the international responsibilities under the R2P[66] and highlight the ferocity of pushback against ideas such as Brazil's 2011 Responsibility while Protecting proposal.[67] However, avoiding a responsibility is not the same as rejecting it, and no one is arguing that the norm is no longer valid in international society. As a result, it is difficult to conceive that this underlying moral principle will be reversed or is undergoing 'norm degeneration',[68] because there is no resistance to it. This moral grounding predates the R2P, is embodied in the R2P, and will undoubtedly live on in the R2P, or any modified version of it.

Finally, the birth/death narrative views norms as silos and thus fails to grasp their interrelated nature. This was raised in first-generation norm research; as Legro rightly points out: 'Most studies of norms focus on a single, specific norm—or, at most, on a small set of norms.'[69] As contemporary norm studies reveal, norms are often heavily interrelated, which has given rise to studies on 'norm clusters'[70] and 'norm complexity'.[71] Applying this to the R2P, Welsh explains that the R2P 'is embedded in a deeper and broader normative complex that includes genocide

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[62] See Global Centre for the Responsibility to Protect, 'Summary of the 2021 UN General Assembly plenary meeting on the Responsibility to Protect', 8 June 2021, https://www.globalr2p.org/publications/summary-of-the-2021-un-general-assembly-plenary-meeting-on-the-responsibility-to-protect.

[63] Scherzinger, 'Unbowed, unbent, unbroken?'.

[64] Jess Gifkins, 'R2P in the UN Security Council: Darfur, Libya and beyond', *Cooperation and Conflict* 51: 2, 2016, pp. 148–65, https://doi.org/10.1177/0010836715613365.

[65] Welsh, 'Norm robustness', p. 58.

[66] Hehir, *Hollow norms*, pp. 73–80.

[67] Bloomfield, 'Norm antipreneurs', p. 329.

[68] Tacheva and Brown, 'Global constitutionalism'.

[69] Legro, 'Which norms matter?', p. 34.

[70] Jeffrey S. Lantis and Carmen Wunderlich, 'Resiliency dynamics of norm clusters: norm contestation and international cooperation', *Review of International Studies* 44: 3, 2018, pp. 570–93, https://doi.org/10.1017/S0260210517000626; Eglantine Staunton and Jason Ralph, 'The Responsibility to Protect norm cluster and the challenge of atrocity prevention: an analysis of the European Union's strategy in Myanmar', *European Journal of International Relations* 26: 3. 2020, pp. 660–86, https://doi.org/10.1177/1354066119883001.

[71] Caroline Fehl, 'Bombs, trials, and rights: norm complexity and the evolution of liberal intervention practices', *Human Rights Quarterly* 41: 4, 2019, pp. 893–915, https://doi.org/10.1353/hrq.2019.0066.

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prevention, particular principles of international humanitarian law, account-ability for international crimes, guarantees of "non-recurrence", and the protection of civilians in armed conflict'.[72] This understanding is widely accepted, as the R2P is commonly viewed as part of a broader 'international human protection regime'.[73]Accordingly, if these norms are part of the same set of ideational processes, it is overly simplistic to suggest that one of them can simply die and the other(s) live on.

On the basis of this development it seems relatively easy to make the case that the R2P is not dead, as its underpinning moral logic will continue to live on. That said, there is something deeply disturbing about states expressing their support for the R2P in forums such as the UNGA, but then failing to speak of the norm when one of the four crimes occurs. There needs to be a better understanding of such a political environment for the sake of the future of mass atrocity protection.

False assumptions

Bellamy claims that acknowledging that the R2P is in crisis can be banal but is also important, as it forces us to reflect on what has gone wrong.[74] Contemporary reassessments that have emerged in the discourse highlight the false assumptions embodied in the R2P project. This section proceeds to explain these and add to them, suggesting five further such assumptions.

The Canadian academic and former politician Michael Ignatieff was a member of the International Commission on Intervention and State Sovereignty (ICISS) and thus played a critical role in developing the seminal report, *The Responsibility to Protect*, in 2001.[75] Reflecting on this twenty years later in 2021, he explains:

We assumed that (1) there would be coalitions of the willing, under U.S. leadership, ready and able to intervene to protect civilians; (2) these coalitions would be able to secure Security Council legitimacy for their actions; and (3) there would be a human rights consensus in our domestic populations favoring interventions to protect faraway civilians from harm.[76]

Whereas realists may argue that this represented a misreading of the anarchical realm,[77] Ignatieff believes things could have been different were it not for changes

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[72] Welsh, 'Norm robustness', p. 68, citing Gerrit Kurtz and Philipp Rotmann, 'The evolution of norms of protection: major powers debate the Responsibility to Protect', *Global Society* 30: 1, 2016, pp. 3–20, https://doi.org/10.1080/13600826.2015.1092425; see also Emily Paddon Rhoads and Jennifer Welsh, 'Close cousins in protection: the evolution of two norms', *International Affairs* 95: 3, 2019, pp. 597–617, https://doi.org/10.1093/ia/iiz054.

[73] Alex J. Bellamy, 'The humanisation of security? Towards an international human protection regime', *European Journal of International Security* 1: 1, 2016, pp. 112–33, https://doi.org/10.1017/eis.2015.5.

[74] Alex Bellamy, 'Human protection and the return of imperial orders', European Centre for the Responsibility to Protect, 17 Jan. 2023, https://ecr2p.leeds.ac.uk/human-protection-and-the-return-of-imperial-orders.

[75] ICISS, *The Responsibility to Protect: report of the International Commission on Intervention and State Sovereignty*, (Ottawa, ON: International Development Research Centre, 2001), available at Global Centre for the Responsibility to Protect, https://www.globalr2p.org/resources/the-responsibility-to-protect-report-of-the-international-commission-on-intervention-and-state-sovereignty-2001.

[76] Ignatieff, 'The Responsibility to Protect in a changing world order', p. 178.

[77] Stephen Wertheim, 'A solution from hell: the United States and the rise of humanitarian interventionism 1991–2003', *Journal of Genocide Research* 12: 3–4, 2010, pp. 149–72, https://doi.org/10.1080/14623528.2010.522053.

in global power balances. For him, the events of 9/11 began the 'tectonic shift away from the world in which these assumptions held true' with developments since those events leading him to claim that the R2P belongs to a 'vanished era'. However, the fact that he concludes that it was the right idea at the wrong time indicates that he does not subscribe to the realist view that the norm is just another liberal dream that can never be realized.[78] Bellamy strikes a very similar tone when he claims, first, that it was 'incorrect to think there was a group of highly motivated liberal States committed to intervening to promote human rights globally' and second, that the R2P was never about sovereignty versus intervention (as many academics characterized it); he argues that we have now seen that many so-called 'pro-sovereignty' states are happy to see sovereignty violated when it is in their interest.[79] Bearing in mind that Bellamy has argued that world peace is achievable,[80] this again reveals an underlying agential view that states, especially liberal states,[81] could and should fulfil human rights commitments, and that this benefits all states in the long run. Whether this represents an accurate reading of the anarchical realm could be endlessly debated; however, there are further false assumptions that need to be factored into future thinking on international human protection.

First, liberals have underestimated the complexity of mass atrocity protection. The significant increase in mass atrocities, particularly since the Arab Spring, creates a daunting challenge. Yet, within this trend, the combination of 1) different types of states—so-called 'failed states' (such as the CAR and Somalia), nuclear states (North Korea and China) and great power perpetrators (Russia and China) to name just a few, and 2) different types of actors—state and non-state armed groups with complex command structures between them making it difficult to identify responsibility[82]—creates a lethal cocktail. Of course, these challenges do not dictate that states cannot act, but—as shown by the interventions and peace-keeping missions in Libya, the Democratic Republic of the Congo, the CAR, Mali and South Sudan—peace remains elusive, despite significant efforts being made. The ongoing nature of these crises has seen debates arise over 'endless wars and perpetual peacekeeping'.[83] To return to the mainstream narrative that states lack the political will to act, it may be the case that, faced with impending mass atrocities, there is very little appetite to respond because of recent action rather than inaction.

Second, liberals believed that the R2P could act as a 'licence' and a 'leash' against forcible intervention.[84] The problem is that this downplayed the extent to which 'the basic national interest is to maintain freedom of action', which, for Wight, is

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[78] Ignatieff, 'The Responsibility to Protect in a changing world order', pp. 178–9.

[79] Bellamy, 'The discomforts of politics'.

[80] Alex Bellamy, *World peace (and how we can achieve it)* (Oxford: Oxford University Press, 2019).

[81] Bellamy, *World peace*, pp. 203–4.

[82] Kate Ferguson, *Architectures of violence: the command structures of modern mass atrocities* (London: Hurst, 2022).

[83] Adam Day and Charles T. Hunt, 'Endless wars, perpetual peacekeeping?', in Damien Kingsbury and Richard Iron, eds, *How wars end: theory and practice* (Abingdon and New York: Routledge, 2023), pp. 221–35.

[84] Doyle, 'The politics of global humanitarianism'.

the central premise of realism.[85] To illustrate this, let us question why the shift in language occurred, away from 'responsibility to protect' towards other terms such as 'atrocity prevention' or 'humanitarian intervention'. The mainstream answer is that the R2P is toxic, especially after Libya, and if policy-makers use alternative terminology they can leave the political baggage that accompanies R2P out of the discussion. Although this may be part of the answer, it may be that this distancing is a strategic move which allows states to 'maintain freedom of action'. After all, not all norm contestation is done in 'good faith' as actors may have a 'back-door strategy'.[86] The R2P requires states to work through the UN: by using alternative frames, states can circumvent this requirement. For example, the UK continues to uphold the idea that humanitarian intervention is legal, even without UNSC approval. Newman explains that this is because the UK self-identifies as a state with a longstanding tradition of responding to grave human rights abuses.[87] Again, there is undoubtedly value in this explanation, but it is also important to note that this position enables the UK to maintain freedom. One can point to the fact that states signed up to the UN Charter, which imposes a leash on them; but clearly the interventions in Iraq in 2003 and Ukraine in 2022 highlight that the great powers do not like such constraints.

Third, the assumption emerged in 2005 that if one of the four atrocity crimes in question had occurred, there would be an international agreement that the crime(s) had in fact taken place. Although it may be infuriating to those who study mass atrocities to acknowledge, cases such as Gaza, Xinjiang, Myanmar and the Philippines (with respect to President Rodrigo Duterte's 'war on drugs', launched in 2016) expose fundamental disagreements over how these crises should be categorized. There are those who deny such crimes are taking place, and there are others who contest what is happening on genuine normative grounds. For example, the member states of the Association of Southeast Asian Nations (ASEAN) do not reject the R2P as such, but have—contrary to other observers—resisted depictions of violence in Myanmar and the Philippines as mass atrocity crimes, instead stressing the complexity of these cases.[88] The benchmarks of the Holocaust and the Rwanda genocide are often raised in discussions, as it seems that unless the mass violence reaches such a level, it does not warrant being classified as an R2P case. Similarly, allegations of crimes against humanity in Xinjiang have divided opinion. In 2019 two camps emerged, as 22 states signed a letter condemning China's human rights violations, only for 37 states to sign a letter to the UN Human Rights Council praising China for its contribution to human rights globally.[89] Again, there are political

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[85] Martin Wight, ed. Gabriele Wight and Brian Porter, *International theory: the three traditions by Martin Wight* (London, Continuum, 2002), p. 112.

[86] Deitelhoff and Zimmermann, 'Things we lost', p. 57.

[87] Newman, 'Exploring the UK's doctrine'.

[88] Zain Maulana and Edward Newman, 'Contesting the "Responsibility to Protect" in southeast Asia: rejection or normative resistance?', *Global Responsibility to Protect* 14: 1, 2022, pp. 37–74, https://doi.org/10.1163/1875-984X-14010001.

[89] Adrian Gallagher, 'To name and shame or not, and if so, how? A pragmatic analysis of naming and shaming the Chinese government over mass atrocity crimes against the Uyghurs and other Muslim minorities in Xinjiang', *Journal of Global Security Studies* 6: 4, 2021, https://doi.org/10.1093/jogss/ogab013.

reasons for such alliances, but equally there is a lack of consensus over how this violence is categorized. Thus, even if we accept that there is a genuine consensus underpinning the commitment to the R2P (which R2P defenders cherish), there may be no such consensus that the crimes are actually taking place.

The fourth false assumption concerns reconstruction of the national interest. Liberals upheld the idea that the very same states which have failed to prioritize the prevention of mass atrocities in the past could and would reconstruct their national interest in the post-R2P era, in order to prioritize mass atrocity prevention. In 2010 the US seemingly put this reconstruction in motion as its national security strategy reaffirmed its commitment to the responsibility to protect;[90] moreover, in 2018 Congress passed into law the Elie Wiesel Genocide and Atrocities Prevention Act.[91] Yet in many ways the latter captures the problem at its heart, as the law sets out to 'prevent acts of genocide and other atrocity crimes, which threaten national and international security',[92] which is very different from stating that the prevention of atrocity crimes in and of themselves is in the national interest of the US. Following the decision to write the R2P into the US' national security strategy, there were warnings that although genocide may be viewed as the 'crime of crimes' from a legal and moral perspective, it has remained a political issue of low priority.[93] The same appears to be true now, as Jacob rightly points out: 'States have been reluctant over the past two decades to elevate atrocity prevention as a foreign policy priority, and have instead marginalized it as a niche policy area.'[94] The point here is not that states cannot reconstruct their understanding of the national interest but that, twenty years on from the World Summit, states have not done so in a way that has seen the prevention of atrocity crimes become a core concern. Thus, realists suggest that although states may act to prevent genocide in the future, they will do so only when it aligns with their national interest.[95]

Finally, liberals viewed regional organizations as vehicles for carrying forth the R2P, and—while they undoubtedly have a role to play[96]—we should not overlook the barriers to cooperation that have seen them act also as an obstacle. This may stem partly from a disagreement over whether the four atrocity crimes are taking place, yet there are deeper issues. For example, Weiss and Welz's study of Mali reveals a 'shotgun wedding' between the UN and the African Union (AU) that was plagued by differing capabilities, geopolitics, risk aversion and leadership rivalry.[97] To give another example, de Waal argues that the AU's 'shared

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[90] White House, *National security strategy: May 2010*, https://obamawhitehouse.archives.gov/sites/default/files/rss_viewer/national_security_strategy.pdf, p. 48.
[91] 115th Congress, Elie Wiesel Genocide and Atrocities Prevention Act of 2018.
[92] 115th Congress, Elie Wiesel Genocide and Atrocities Prevention Act of 2018, p. 1.
[93] Gallagher, *Genocide and its threat to contemporary international order*.
[94] Cecilia Jacob, 'If mass atrocity prevention has a future, the Responsibility to Protect can't afford to be niche', Just Security, 14 Nov. 2023, https://www.justsecurity.org/90031/if-mass-atrocity-prevention-has-a-future-the-responsibility-to-protect-cant-afford-to-be-niche.
[95] Thomas Peak, 'Halting genocide in a post-liberal international order: intervention, institutions and norms', *International Affairs* 99: 2, 2023, pp. 787–804, https://doi.org/10.1093/ia/iiad003.
[96] Jochem Rietveld, *Regional approaches to the Responsibility to Protect: lessons from Europe and West Africa* (Abingdon and New York: Routledge, 2023).
[97] Thomas G. Weiss and Martin Welz, 'The UN and the African Union in Mali and beyond: a shotgun wedding?' *International Affairs* 90: 4, 2014, pp. 889–905, https://doi.org/10.1111/1468-2346.12146.

norms' with the United Nations have 'unravelled over recent years' as the AU 'largely reverted to its prior position of indifference to mass atrocity in the guise of protecting national sovereignty'.[98] These examples underline the complexity at stake, and while liberals hold onto the idea that such barriers can be overcome, regional organizations have not necessarily acted as vehicles for mass atrocity prevention in the manner that many envisaged in 2005.

Bringing these false assumptions together, when one combines the lack of leadership, the complexity of mass atrocity prevention, the unwillingness of states to give up freedom of action, great power perpetrators and enablers, the failure to reconstruct the national interest and the obstacles posed by regional organizations, the future for mass atrocity prevention looks extremely bleak. Mainstream narratives suggest that a breakdown in the liberal international order will have a negative impact upon the R2P, as the norm's 'ability to constrain and influence states decreases' in a post-liberal order.[99] While I do not dispute this contention as such, my concern is that it overstates the influence of the norm upon the behaviour of states in the existing liberal international order. Indeed, it seems odd that anyone would have put their faith in liberal leadership. Historically the US has not prioritized the prevention of genocide.[100] When it did act, it acted in a way that sought to minimize risk, which is why critics questioned the 1999 NATO intervention in Kosovo[101] and claimed the US 'led from behind' during the 2011 intervention in Libya.[102] Equally, Smith documents that European states were hostile towards the drafting of the Genocide Convention, with a legal adviser to the UK government stating that 'we should not mind if [the resolution] got lost somewhere and died a natural death'.[103] Despite agreements such as the R2P, Smith finds little evidence that European states have fundamentally changed their approach as they espouse 'hollow' human rights rhetoric in a changing world order.[104] While there have been important cases of human protection, it is important to recall that were it not for 'several exceptional factors' coming together in 2011, the intervention in Libya would not have taken place.[105] This acts as a reminder that the 'permanency of inconsistency', referring to the 'rare confluence of interests and humanitarian need',[106] will loom large over the R2P, whether in

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[98] Alex de Waal, 'From Darfur to Darfur: the fall and rise of indifference to mass atrocities in Africa', Just Security, 2 Nov. 2023, https://www.justsecurity.org/89885/from-darfur-to-darfur-the-fall-and-rise-of-indifference-to-mass-atrocities-in-africa.

[99] James Pattison, 'The international responsibility to protect in a post-liberal order', *International Studies Quarterly* 65: 4, 2021, pp. 891–904, https://doi.org/10.1093/isq/sqab081.

[100] Samantha Power, *'A problem from hell': America and the age of genocide* (New York: Basic Books, 2002).

[101] Michael Walzer, 'The triumph of just war theory (and the dangers of success)', *Social Research: an international quarterly*, 69: 4, 2002, pp. 925–44 at p. 938, https://doi.org/10.1353/sor.2002.0030.

[102] Simon Chesterman, '"Leading from behind": the Responsibility to Protect, the Obama doctrine, and humanitarian intervention after Libya', *Ethics & International Affairs* 25: 3, 2011, pp. 279–85, https://doi.org/10.1017/S0892679411000190.

[103] Karen E. Smith, *Genocide and the Europeans* (Cambridge, UK: Cambridge University Press, 2010), p. 33.

[104] Karen E. Smith, 'The European Union in an illiberal world', *Current History* 116: 788, 2017, pp. 83–7 at p. 85, https://doi.org/10.1525/curh.2017.116.788.83.

[105] Alex J. Bellamy and Paul Williams, 'The new politics of protection? Côte d'Ivoire, Libya and the Responsibility to Protect', *International Affairs* 87: 4, 2011, pp. 825–50 at p. 825, https://doi.org/10.1111/j.1468-2346.2011.01006.x.

[106] Aidan Hehir, 'The permanency of inconsistency: Libya, the Security Council and the Responsibility to

a liberal or post-liberal international order. Indeed, the situation has deteriorated since 2005, most obviously with great powers acting as 'great irresponsibles' (to use Bull's phrase)[107] and tensions between liberal and non-liberal states increasing: however, significant changes in the liberal international order will not necessarily equate to substantial changes in terms of R2P influence, because R2P has never been a political priority[108]—which leads on to the discussion of tragedy below.

Conclusion

The article identifies new developments that give weight to the R2P death narrative which, given the scale of mass atrocities around the world, underlines the pressing need to assess whether the R2P is dead. To answer this question, the second section of the article draws on contemporary studies of norm death to argue that the allegations that the R2P is dead are in fact false. Although these R2P studies do not invoke discussions of generational norm studies, the article claims that allegations that the norm has died are implicitly rooted in first-generation norm studies and that second-generation research provides a more informed understanding. That said, it also urges that scholars tread carefully so as not to suggest that the norm is 'alive and well'. To underline this, the article turns to recent contemporary liberal reassessments of the R2P which set out a series of false assumptions embodied in the R2P project, and builds on these by proposing five further such assumptions. These make for glum reading for anyone who favours mass atrocity prevention.

As we approach the twentieth anniversary of the World Summit, it seems the R2P is a tragic norm. It is tragic because it was needed in the first place. The fact that political elites had to come together to agree not to perpetrate genocide, crimes against humanity, ethnic cleansing and war crimes does not paint a positive picture of the state of international society in 2005. At the time, many hoped it provided a new opportunity to make good on post-Holocaust commitments to 'never again' let such atrocities occur; however, the failure to fulfil the R2P in cases such as Syria, Myanmar, Ukraine and Gaza reveals a second tragedy, which we can term the anarchical realm. Divisions at the international level have created an environment in which a broader crisis in human rights has emerged. Of course, hope dies last, and it may be that this is simply the wrong time for the right norm; however, it is difficult to see a time emerging in which mass atrocity prevention—however it is labelled—has a significant influence on the behaviour of states. This highlights a third tragedy: the victims of mass atrocities.

Looking forward, it appears that there are three positions: to 1) defend, 2) reform or 3) abandon the R2P. Regarding the first option, it may be that the norm's defenders continue to argue that the R2P remains the right idea at the

wrong time.[109] As highlighted above, as with the Genocide Convention, it may be that the R2P is a 'stalled norm'[110] that becomes politically revitalized in the future. However, this would be of little comfort to victims of mass atrocities around the world, which suggests that simply maintaining the status quo is not an effective option, especially given the new challenges facing the norm combined with the assumptions that proved to be unfounded. That said, these challenges do not dictate that the norm should be reformed or abandoned; as liberals point out, this may allow states to backslide on their commitments to prevent mass atrocities, thus making a bad situation worse.[111] Accordingly, defenders need to restate the value of the R2P in a changing world order. This may come from activism as R2P networks[112] could seek to address the false assumptions above and, while these pose a formidable challenge, without 1) leadership, 2) a consensus that the crimes have taken place, 3) a reconstruction of the national interest, and 4) cooperation between international, regional, national and local actors, it is difficult to see the R2P gaining significant influence.

Regarding the second option, reformers have put forward highly critical accounts of the R2P, yet they seek to reform rather than abandon it. This began to emerge after the intervention in Libya, with Morris, for example, calling for the use of force under pillar III to be taken out of the R2P,[113] but in recent years cosmopolitan voices have put forth broader reform measures. Illingworth proposes a body of reform measures that includes a more responsible form of veto restraint for the UNSC's five permanent members; a greater role for the UNGA in seizing the initiative of R2P implementation; and the creation of a dedicated commission to hold states accountable to their R2P commitments.[114] Bohm and Brown ask us to reassess the international dynamics that create the conditions necessary for mass atrocities to occur in the first place and, in so doing, desire a reform of overseas development aid, global finance and trade, for example, through a 'fair global tax system' to pay for prevention.[115] Many of these proposals would gain favour among those who defend the R2P, but, in increasingly fractured times, more needs to be done to clarify how such reforms can be brought about.

Regarding the last option, abandonment, it is the broadest umbrella of the three, as it captures: 1) realists who question the value of international human protection,[116] 2) realists who believe mass atrocity prevention will continue in a

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[109] Ignatieff, 'The Responsibility to Protect in a changing world order', p. 179.

[110] Tacheva and Brown, 'Global constitutionalism'.

[111] Ivan Šimonovic, 'Conclusion: R2P at a crossroads: implementation or marginalization', in Cecilia Jacob and Martin Mennecke, eds, *Implementing the Responsibility to Protect: a future agenda* (Abingdon: Routledge, 2019), p. 251. Bellamy, 'The discomforts of politics'.

[112] Kolmasova, *Advocacy networks*.

[113] Justin Morris, 'The Responsibility to Protect and the use of force: remaking the Procrustean bed?', *Cooperation and Conflict* 51: 2, 2016, pp. 200–15, https://doi.org/10.1177/0010836715612852.

[114] Richard Illingworth, *Strengthening the Responsibility to Protect: a transitional cosmopolitan approach* (Abingdon and New York: Routledge, 2024).

[115] Alexandra Bohm and Garrett Wallace Brown, 'R2P and prevention: the international community and its role in the determinants of mass atrocity', *Global Responsibility to Protect* 13: 1, 2020, pp. 60–95, https://doi.org/10.1163/1875-984X-2020X001.

[116] Wertheim, 'A solution from hell'.

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post-liberal world order,[117] 3) critics who thought the R2P should never have won the battle of ideas and who call for alternative approaches to be pursued,[118] and, finally, 4) those who supported the R2P but see value in exploring new intellectual agendas such as a new Declaration of Human Responsibilities.[119] For those who champion alternative intellectual agendas, it is easy to forget that there were thirteen roundtable discussions around the world that fed into the 2001 report on the R2P, and that the 2005 agreement represents a political negotiation that was difficult to come by. Would a new norm fare any better?

[117] Peak, 'Halting genocide'.
[118] Aidan Hehir, *The Responsibility to Protect: rhetoric, reality and the future of humanitarian intervention* (Basingstoke: Palgrave Macmillan, 2012); Moses, 'Gaza and the political and moral failure of the Responsibility to Protect'.
[119] Jason Ralph, 'Meanings in use and useful meanings: norm contestation, the Responsibility to Protect (R2P) and pragmatist IR', in Sassan Gholiagha, Phil Orchard and Antje Wiener, eds, *Oxford handbook on norm studies in International Relations*, forthcoming.