5-1-2012

Redefining Sovereignty: An Analysis of U.N. Secretary General Ban Ki Moon's Rhetoric on the Responsibility to Protect Doctrine

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Rhetoric on the Responsibility to Protect Doctrine

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This essay examines United Nations Secretary General Ban Ki-Moon's rhetoric concerning the responsibility to protect doctrine (R2P). This essay seeks to rhetorically map the arguments concerning the nature of R2P and what its specific components are. Specifically, I argue that Ban Ki-Moon's rhetoric serves to redefine and update sovereignty and the responsibilities of statehood for a twenty-first century world. The rhetoric of R2P has important implications for the debates surrounding military intervention on "humanitarian" grounds.

On September 20, 1999, United Nations Secretary General Kofi Annan addressed the U.N. General Assembly, imploring his colleagues to codify parameters which would authorize the United Nations to intervene through Security Council resolution, potentially militarily, in the internal affairs of another state if it is engaged in extreme criminal behavior, such as crimes against humanity. As Annan put it, "if states bent on criminal behavior know that the Security Council will take action to halt crimes against humanity, then they will not embark on such a course of action in expectation of sovereign immunity" (quoted in Smith 2007, 167). The key phrase from this quotation was "sovereign immunity." Under the United Nations Charter all states are guaranteed the right of territorial integrity. States may not militarily intervene in the internal affairs of others unless that particular nation engages in *external* actions that would warrant such a use of force. The non-interference in the *internal* affairs of sovereign states has been a pillar of international law since the Treaty of Westphalia

in 1648. Annan's use of the phrase of "sovereign immunity," in the context of the above quotation, was a plea to redefine this pillar for a twenty-first century world.

In the decade since Annan made his request, there has been a good deal of movement on the subject of "sovereign immunity." In 2000, the government of Canada, along with other Western European governments and with the blessing of the United Nations, set up the International Commission on Intervention and State Sovereignty (ICISS). As a result of the commission's work, a set of guidelines for judging a state's internal behavior toward its populace was produced and entitled: The Responsibility to Protect Doctrine (also known as R2P). In 2005, the World Summit produced a document that endorsed responsibility to protect and later unanimously reaffirmed by the Security Council in 2006 (Bellamy 2008). United Nations Secretary General Ban Ki-Moon has stated that codifying and operationalizing the principles of R2P will be one of his fundamental objectives while in office. In a May 2008 speech, given at a conference on R2P in Berlin, the Secretary General kicked off his campaign to promote this objective. Ban Ki-Moon's oration is the subject of this essay. This address is an exemplar of the arguments made by R2P advocates, like the Secretary General, as to what the responsibility to protect doctrine constitutes, what are its components, and what are its limits. In other words, I use this speech as a means to rhetorically map the arguments for enshrining the responsibility to protect doctrine. Through this rhetorical map, we find that the responsibility to protect doctrine promoted by Secretary Ban fundamentally redefines the concept of sovereignty for a twenty-first century world.

Scholars should be interested in the Secretary General's argument and this larger debate for a variety of reasons, but three that are most fundamental to this study. First, the rhetoric of the U.N. Secretary General has received little attention from academics across the humanities and social sciences, particularly rhetorical scholars (for exceptions see Edwards 2008). Unlike other executives, the Secretary General has little power to control the behavior

of U.N. member states. However, the Secretary General is the face of the United Nations. His discourse can set a broad agenda for the U.N. to accomplish various courses of action. Because of Ban Ki-Moon's promotion of responsibility to protect, there have been and continue to be major debates within the United Nations General Assembly and the Security Council as to how it should go about enacting its various principles. His discourse sets the parameters for how R2P will play out into the near future. It serves as a rhetorical map for the larger debates that have been occurring in the United Nations on this issue.

Second, the responsibility to protect doctrine offers a new orientation for military intervention in the twenty-first century. Rationales for the use of force have been evolving, albeit slowly since the end of the Cold War. Feste (2003) argues that a new paradigm of military intervention has emerged since the end of the Cold War. This new paradigm reflected a, as she put it, "positive, offensive strategic thinking to shape the new environment: create internal order, build civil society in failed states, neutralize rogue states and/or their leaders, and alleviate human suffering in refugee populations" (p. 3). The responsibility to protect doctrine is the ultimate fulfilment of this new paradigm. It has implications for when, how, and why various states can use military conflict to achieve a variety of goals. Peace and conflict studies scholars should find this new orientation of interest because it collapses the artificial (if there was any) dichotomy between peace and conflict. One of the primary ways to think of the responsibility to protect doctrine is that it grants states permission to intervene militarily into the internal affairs of other nations that would engage in activities (a subject I will discuss in a later section) that would endanger their populations. In other words, military intervention can become a means to achieve and maintain peace. This new orientation toward military intervention offers a whole slew of theoretical possibilities, opportunities, and dilemmas that scholars and practitioners will have to grapple with in the near and long term.

Finally, the responsibility to protect doctrine has the potential to fundamentally alter three hundred years of what the concept of "sovereignty" actually means. The concept of sovereignty is an important aspect in understanding how states deal with arguments for and/or against dealing with societies embedded in conflict (Evans 2009; Thakur 2011). For example, nation-states, based upon traditional definitions of sovereignty, may deny access to aid workers, U.N. peacekeepers, or other entities that may attempt to help to resolve conflict in a particular state (e.g. the current problems that aid workers are having entering Somalia to deal with the famine). The responsibility to protect doctrine opens up a space where proponents of peacekeeping or peacebuilding can provide a counter logic to traditional sovereignty arguments. These counter logics can potentially create even greater legitimacy for those who want to provide outside assistance to people in need. This greater legitimacy creates more pressure upon nation-states to succumb to the viewpoints of the global community. While the state may still resist such pressure, the alternative definition of sovereignty put forth by different groups takes a greater step toward becoming an international norm. Thus, in future operations, those that invoke the responsibility to protect make it easier to legitimize operations in that particular state in the future and/or in other states, while making it more difficult for states to resist such an intervention.

To that end, this essay moves in four parts. First, I provide a methodology section where I discuss briefly rhetorical criticism and textual analysis. Second, I then offer a discussion concerning the subject of sovereignty and the responsibility to protect doctrine. Third, I then analyze the rhetorical dimensions of R2P. Finally, I draw implications from this analysis.

Methodology

The subject of this essay is Secretary General Ban-Ki Moon's rhetoric concerning the responsibility to protect doctrine. My goal is to map the rhetorical dimensions of this

doctrine and analyze how Secretary Ban's rhetoric and R2P alter the definition of sovereignty. Specifically, I examine his July 15, 2008 address at the "Responsible Sovereignty" conference in Berlin, Germany. This address is exemplary because it contains, outlines, and defines the responsibility to protect doctrine. In order to complete this task, I conducted a textual analysis of the Secretary General's rhetoric. Textual analysis is where the researcher attempts to make sense of and interpret a text, paying attention to what the author wanted to communicate, interpreting intended meanings and considering those texts in differing contexts such as cultural and/or intellectual (Brummett 2010; Foss 2004; Patton 2002). The relevant context would be determined based upon the goals of the research. Because the goal of this essay is largely to make sense of how Ban Ki-Moon defined the responsibility to protect doctrine, I outlined the intellectual context in which R2P was created. That context is the next section of this essay.

Textual analysis is often conducted in either a deductive or inductive format. In a deductive format, the critic may use a specific form of rhetorical method that has already been established to look at a text or a set of texts. For example, one of the more popular forms of textual analysis, particularly for those that study discourse, is genre criticism. There are a variety of textual genres that exist (i.e. apologias, State of the Union addresses, etc.). In their book, *Presidents Crafting the Presidency*, Karlyn Kohrs Campbell and Kathleen Hall Jamieson (2008) examine how the institution of the presidency has evolved by examining presidential rhetoric genres such as presidential inaugurals, war addresses, state of the unions, veto addresses, farewell addresses, and more. If one wanted to examine the inaugural address of future presidents they could use the generic characteristics outlined by Campbell and Jamieson to elucidate how future presidents maintain and change various aspects of the inaugural. In other words, one way of conducting a deductive form of textual analysis is to

impose specific generic requirements upon a text and see if that particular text or set of texts meets those generic requirements and what are the implications of said analysis.

Textual analysis can also be conducted inductively. In this type of textual criticism, a researcher approaches a text or set of texts where s/he lets the texts "speak" to him or her. In other words, the analyst does not have a predetermined set of ideas of what s/he is looking for, but uses the text to help elucidate specific ideas. That does not mean that a critic examines a set of texts without some kind of theoretical knowledge. Rather, it merely means that the critic does not approach a set of texts with a predetermined outcome. For example, Vanessa Beasley (2004) examined how American presidents had constructed the identity of the United States over a hundred year period in the United States. For this task, Beasley examined every single inaugural address of the United States over this hundred year period, proceeding to mark and note how the notion of U.S. identity evolved over time. After she was done with this analysis, she assembled this analysis around a specific set of arguments she made about how American presidents constitute identity. The key to inductive textual analysis was her argument. Indeed, argument is the key to good textual criticism. Wayne Brockreide (1974) explained that textual criticism functions as argument. The most significant argument is one that explains. The critic proceeds inductively by selecting concepts, categories, and dimensions of the discourse in question. Then the critic, with no commitment to an *a priori* statement of criticism, evaluates or explains a particular experience or accounts for rhetoric by relating it to larger concepts and principles. Similarly, James Darsey (1994) noted the critic's job is to tell us something worthwhile that clarifies and illuminates dark places in our science, our histories, and our souls, something that increases "our understanding and facilitates our functioning within the world" (p. 176). Thus the goal of criticism is to increase understanding of how the world functions and to evaluate

those functions. The authority of the criticism comes through in the argument that has been made.

In this particular essay, I approached Secretary General Ban's address in an inductive manner. While I approached it with some theoretical knowledge about R2P and sovereignty, I imposed no specific theoretical outcomes on the subject. Rather, my goal has been to increase an understanding of how Secretary General Ban constructs the idea of R2P doctrine, constructs the idea of sovereignty and how it might function in further discussions of military intervention within the United Nations. To that end, the next section provides an understanding of sovereignty and R2P and then analyzes the Secretary General's discourse.

Sovereignty and the Responsibility to Protect

The concept of sovereignty has been a subject of contentious debate for hundreds of years. Philosophers such as Jean Bodin, Thomas Hobbes, Jean-Jacques Rousseau, and Carl Schmitt have all iterated their own principles of defining sovereignty. For my purposes here, I am interested in how the concept of sovereignty has been debated in the realm of international relations. For over three hundred years, the boundaries of sovereignty were largely the same. Specifically, the focus has been on external sovereignty or the relationship between sovereign power (a national government) and other states. The Treaty of Westphalia in 1648 established that all states had a right to territorial sovereignty. Governments possess full control over their own internal affairs within a specific territorial or geographic area. Outside entities have no right to interfere with the internal affairs of another state unless it is engaging in some nefarious activity that would directly endanger another state. Territorial sovereignty has been further codified within the United Nations. According to the U.N. Charter, article 2, paragraph 7, nothing in international law allows another state to "intervene in matters which are essentially within the domestic jurisdiction of any state" (United Nations, 1945, ¶ 12). For over forty years, since it was ratified by member states and for

three hundred years prior to that, the happening within the "domestic jurisdiction of any state" has been a sacrosanct aspect of international law.

However, a series of developments after the Cold War made many argue that it was time to update or at the very least have a serious debate on redefining the parameters of sovereignty. Specifically, the inability of the international community to generate the political will to intervene in the Rwandan genocide and the NATO intervention into Kosovo to stop ethnic cleansing; served as an impetus for a new debate on the responsibilities that sovereign governments have toward their populations; and what would be the grounds to intervene, if any, to assist populations who were threatened by their own governments. As noted in the introduction, United Nations Secretary General Kofi Annan challenged the 1999 General Assembly, as well as in 2000, to resolve this tension between sovereignty and human rights (Bellamy 2008; Luck 2010; Pattison 2010). In 2000, Canadian Prime Minister Jean Chretien announced that an independent International Commission on Intervention and State Sovereignty would be established to create a broader framework for legitimizing humanitarian intervention. The commission's mandate was to "build a broader understanding of the problem of reconciling intervention for human protection purposes and sovereignty, and more specifically, to try to develop a global political consensus how to move from polemics . . . towards action" (ICISS 2001, 2).

In 2001, the ICISS published its final report, *The Responsibility to Protect*. The ICISS report argued that in order to build international consensus on the protection of human populations and resolve the tension between human rights and sovereignty two new strategies were needed. First, *Responsibility to Protect* defined the circumstances under which international society should assume responsibility for preventing, halting, and rebuilding after a humanitarian emergency. Those initial circumstances were mass killings and ethnic cleansing. Only under those two circumstances would states be allowed to intervene in the

domestic affairs of other states. Second, the language of "humanitarian intervention" must be changed. In fact, the ICISS document recommended that the concept of "humanitarian intervention" be dropped completely for two reasons. First, the concept of a humanitarian military operation always deeply concerned humanitarian aid organizations; how can "military" intervention be truly "humanitarian" was the question many aid organizations were asking (Bain 2011; Benjamin 2009; Bellamy 2010; Chandler 2004; Evans 2009; ICISS 2001). The answer: it cannot. The conflict in terms damaged the mission of humanitarian aid agencies; thus, the need for a change in language. Additionally, many states that intervened on "humanitarian" grounds did so to serve their own interests (Chandler 2002; Doyle 2011). These states declared their missions as "humanitarian," while they intervened to secure more territory, resources, or concessions from a weaker state. This specific definition of circumstances and changing the language from "intervention" to "protection" had the effect of, according to former Australian Foreign Minister Gareth Evans and U.N. Secretary General Adviser Mohamed Sahnoun (2002), changing:

> The essence of sovereignty, from control to responsibility . . . Indeed even the strongest supporters of state sovereignty will admit today that no state holds unlimited power to do what it wants to its own people. It is now commonly acknowledged that sovereignty implies a dual responsibility: externally, to respect the sovereignty of other states, and internally, to respect the dignity and basic rights of all the people within the state. (103)

The concept of "responsibility to protect" that emerged from the ICISS report served to alter and update the characteristics of sovereignty for the twenty-first century.

When *The Responsibility to Protect* was released it was received favorably by many states including Argentina, Australia, Canada, Columbia, Croatia, Germany, Ireland, Norway, South Korea, Tanzania, the United Kingdom, as well as other countries (Bellamy 2006;

Bellamy 2009). Yet, there was a hefty bit of skepticism from a variety of parties. For example, aside from Great Britain, the permanent members of the Security Council (United States, China, France, and Russia) voiced opposition to the concept of responsibility to protect because it might undermine the U.N. Charter and/or take away power from the Security Council when making decisions about intervening in other states (Benjamin 2010; Welsh 2004). Additionally, the Non-Aligned Movement of countries (e.g. Egypt and India) rejected the concept because they argued that mechanisms were already built into the United Nations to prevent mass killing and ethnic cleansing. Moreover, they were concerned about how it might undercut the traditional principles of territorial integrity and sovereignty (Bellamy 2006, 2009, 2010; Bain 2011). They did not want the Great Powers dictating rules to small and developing nations.

Despite this skepticism, the ICISS and Secretary General Kofi Annan continued to promote R2P, trying to achieve an international consensus of the issue. From 2002-2005, these actors held regional roundtables, attempting to address many of the concerns raised by members of the Security Council, the Non-Aligned Movement countries, and international aid organizations (Bellamy 2006). The important item here was that a large international consensus was reached, at least conceptually, on R2P. In the outcome document produced from the 2005 World Summit, paragraphs 138 and 139 outlined this accord. While these paragraphs are long, they are worth quoting at length. They stated:

> 138. Each individual state has the responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, though appropriate and necessary means. We accept responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help

States to exercise their responsibilities and support the United Nations in establishing an early warning capacity.

139. The international community, through the United Nations, also has the responsibility to use the diplomatic, humanitarian, and other peaceful means, in accordance with Chapters VI and VIII of the Charter of the United Nations, to help protect populations from war crimes, ethnic cleansing, and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity, and its implications, bearing in mind, the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping states build capacity to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity and to assisting those which are under stress before crises and conflicts break out. (quoted in Bellamy 2008, 622-623)

It is important to note an evolution in the responsibility to protect from the ICISS report to the World Summit document. The ICISS report argued that intervention into the domestic affairs of states could be justified based upon mass killing and ethnic cleansing. However, the concept of "mass killing" is somewhat amorphous; what constitutes "mass killing" in international law? That language changed in the 2005 World Summit outcome report, where violations of a state's sovereignty could be justified only on four crimes: genocide, war

crimes, ethnic cleansing, and crimes against humanity. On its surface, this may appear to be an expansion of the responsibility to protect from the ICISS report. In reality, the World Summit document narrows the possibility of intervention because genocide, war crimes, ethnic cleansing, and crimes against humanity all have fairly precise definitions and characteristics that have been inscribed by international law. Thus, the circumstances that would have allowed intervention under the ICISS document have been clarified extensively.

The World Summit outcome document outlined a consensus on the parameters of the responsibility to protect concept. However, operationalizing that concept has become difficult since 2005. When Ban Ki-Moon became Secretary General in 2006, he stated that translating "R2P from 'words into deeds' as one of the cornerstones of his Secretary-Generalship" (Bellamy 2008, 615). Since 2008, the Secretary General has attempted a rhetorical campaign to promote and operationalize the concept. In the next section, I examine this campaign by focusing on one major address on this subject. This speech is representative of smaller statements he has made on R2P over the past two years.

Secretary General Ban Ki-Moon's Rhetorical Campaign for R2P

Since he became the U.N. Secretary General, Ban Ki-Moon has been on a campaign to take the 2005 World Summit consensus about the responsibility to protect doctrine and turn it into specific action or as he put it "turning lofty words into practical deeds . . . it is high time to turn the responsibility to protect into practice" (2009 ¶ 9). On July 15, 2008, Secretary General Ban began this campaign with an address at the "Responsible Sovereignty: International Cooperation for a Changed World" event in Berlin, Germany.

The Nature of 21st Century Sovereignty

In his Berlin address, Ban sought to clarify and defend the responsibility to protect concept. Secretary General Ban began his address with the traditional pleasantries to his audience, declaring how "fitting it was that we address these matters in Berlin, where the

twentieth century learned such hard lessons about the dangers of unbridled and irresponsible sovereignty" (¶ 2). In the next sentence, he juxtaposed that idea by stating, "Today, Germany stands as a model of the responsible sovereign, at home and abroad" because it stands for the "curative properties of the principles of human rights, tolerance and the rule of law, for which the world body proudly stands" (¶ 2). The "irresponsible sovereignty" to which the Secretary General referred to was most certainly a reference to the Holocaust, where the German Nazis attempted to destroy a significant portion of their own populace; whereas, the modern Germany was a "model of the responsible sovereign" because it protected its populations from harm. By offering a quick analogy between Nazi Germany and the modern version, Ban Ki-Moon began to redefine and reformulate how the concept of sovereignty should be approached. Sovereignty claims were not merely relegated to external territorial claims, but involved the internal affairs of a state.

From there, Secretary General Ban began to articulate R2P in more specific terms. Initially, he did so by describing what the responsibility to protect was not. Olson (1989) noted that describing what something is not leads to greater clarity and gives arguers clearer and potentially firmer argumentative grounds to stand upon. In his description of the nature of R2P, Ban Ki-Moon stated that "R2P is not a new code for humanitarian intervention" (¶ 4). Additionally, "R2P should also be distinguished from its conceptual cousin, human security. The latter, which is broader, posits that policy should take into account the security of people, not just of States, the whole range of interests" (¶ 4). If responsibility to protect was not humanitarian intervention or human security then what was it? According to the Secretary General, the responsibility to protect is "built on a more positive and affirmative concept of sovereignty as responsibility" (¶ 4). In declaring R2P, as "sovereignty as responsibility" Secretary General Ban, similar to his German analogy, reformulated and redefined traditional notions of sovereignty. As noted earlier, since the Treaty of Westphalia,

as a concept sovereignty's dimensions dealt with external issues. Internally, states were allowed to pursue policies as they pleased, as long as they did not interfere with the internal affairs of other states. When Ban Ki-Moon constructed the responsibility to protect as a synonym for responsible sovereignty, he argued that the definition of sovereignty for the twenty-first century must be expanded to where the internal affairs of a state are just as important as its external affairs. In essence, Ban Ki-Moon turned sovereignty on its head. When a state did not or could not protect their populations, then the international community had an obligation to step in and help.

Despite this redefinition of sovereignty, Secretary General Ban asserted, later on in his address, that R2P actually reinforced and extended traditional conceptions of sovereignty. As he put it:

Equally incorrect is the assumption that the responsibility to protect is in contradiction to sovereignty. Properly understood, R2P is an ally of sovereignty, not an adversary. Strong states protect their people, while weak ones are either unwilling or unable to do so. Protection was one of the core purposes of the formation of States and the Westphalian system. By helping states meet one of their core responsibilities, RtoP seeks to strengthen sovereignty, not weaken it (¶ 16).

The key to understanding how R2P reinforces sovereignty is Ban's logic behind the term "ally." According to Ban, the "formation of States and the Westphalian system" were set up to "protect their people." The strength of a state is determined by how well its people are treated. The responsibility to protect, as I will demonstrate shortly, sets up mechanisms for the international community to recognize and act preventatively in the internal affairs of "weak states." Accordingly, these states can correct their problems, protect their populations, and take their place amongst strong states. By operationalizing R2P, the strength of a nation-

state based international system can be extended and the core of the Westphalian system is left intact.

At the same time that Secretary Ban perpetuated the Westphalian system, he also reconstructed it for a twenty-first century world. Ban Ki-Moon's rhetoric re-constructed what a true nation-state is within the international system. Under the old U.N. charter, all states are guaranteed territorial sovereignty, whether you protect your population or not. Under the responsibility to protect doctrine only states that protect their citizens, "strong states," can be considered true members of the international community. States that do not protect their citizens and violate their fundamental human rights are outside the Westphalian system. These states are not true nation-states. Thus, the responsibility to protect doctrine updates the nature of what constitutes a nation-state in the twenty-first century. Those that are outside those parameters cannot be considered full-fledged members of the international community. Considering that no rational state and/or leader of a state want to be the outcasts of the international community, which could cause them to lose benefits that come with such a membership (i.e. free trade) and avoiding punishment (U.N. sanctions), implies states will cooperate with the new standard of sovereignty to protect one's population.

Throughout his address the Secretary General reinforced his definition of R2P and redefinition of sovereignty with the constant invocation of the 2005 World Summit. The Secretary General used phrases such as "adopted by the World Summit," "Governments unanimously affirmed," "The Summit underscored," and "as the 2005 recognized," while also quoting from the World Summit outcome document. Recall that the World Summit outcome document laid out a clear consensus on the responsibility to protect doctrine and the responsibilities states have to their populations. By invoking the World Summit, the Secretary General demonstrated that his rhetorical vision was in line with the sentiments of the international community. His invocation of that document functioned as a source of

authority for his definition of R2P, creating argumentative grounds that make it difficult for R2P opponents to disrupt the Secretary General's reformulation of sovereignty. In order to generate opposition to R2P, those critics would have to make arguments against the understanding of R2P within the world document, a task that would probably prove to be quite difficult. Accordingly, the Secretary General's vision really becomes the de facto position on the subject, moving his overall goal of operationalizing R2P one step closer to fruition.

The Ingredients of Responsibility to Protect

After defining the nature of responsibility to protect as responsible sovereignty, Ban Ki-Moon went onto define and describe the essential components of R2P. For the Secretary General, R2P "rests" on three pillars. First, R2P deals with only four specific crimes "genocide, war crimes, ethnic cleansing, and crimes against humanity" (¶ 4). A few paragraphs later he reinforced the specifics of R2P by stating "our conception of RtoP, then, is narrow but deep . . .extending the principle to cover other calamities, such as HIV/AIDS, climate change or response to natural disasters, would undermine the 2005 consensus and stretch the concept beyond recognition or operational utility" (¶ 9). In a short 1600 word address, Ban continually emphasized this point—that R2P was only concerned with four specific crimes. Why? Certainly, his assertion that if you extended R2P to other calamities, it would "stretch the concept" beyond utility is part of his reasoning, but I believe there is a deeper logic. By specifically articulating when R2P would be invoked, the Secretary General circumscribed the grounds upon which he can argue, but more importantly he circumscribed the grounds upon which his opponents could argue. In order to oppose responsibility to protect, opponents would have to engage his arguments. Additionally, these four crimes make it much easier to agree in what circumstances they should agree. Considering that no truly rational nation-state would endorse genocide, war crimes, ethnic cleansing, and crimes

against humanity, it makes it much more difficult for opponents of R2P to mount serious opposition and induces cooperation amongst U.N. member states. Accordingly, the Secretary General positioned his rhetorical worldview of what sovereignty constituted and the responsibility to protect to be widely adopted by the international community.

The second "pillar" of R2P was the international community's commitment to help states that might be in danger of meeting their protection obligations. The Secretary General noted:

> our goal is to help States succeed, not just to react once they have failed to meet their prevention and protection obligations. It would be neither sound morality, nor wise policy, to limit the world's options to watching the slaughter of innocents to send in the marines. The magnitude of these four crimes and violations demands early, preventative steps—and these steps should require neither unanimity in the Security Council nor pictures of unfolding atrocities that shock the conscience of the world.
> (¶ 7)

Ban Ki-Moon spoke to a fundamental problem that has plagued the international community and the United Nations for decades: the lack of political will to intervene to prevent great human tragedy, like genocide. The United Nations has been constantly criticized as an organization that is reactive instead of proactive and preventative. And when it has reacted, it typically has taken a Security Council resolution, which is an arduous process in and of itself, to get the international community to do something. When it was founded, it was thought that it would be a place where states could bring their disputes and settle them in an environment of diplomacy and collaboration, while great international tragedies could be prevented because of increased cooperation. However, the expectations of the United Nations have never been fulfilled.

Initially, the forty years of the Cold War prevented this vision from moving forward because the U.S. and Soviet Union focused on their own interests instead of the international communities. After the Cold War, there were high hopes that the U.N. would become a driving force in changing the international environment. Since the end of the Cold War, Secretary Generals Boutros-Boutros Ghali and Kofi Annan have waxed eloquently and fought to transform the United Nations from a large debating society to an organization that can respond in a timely manner in preventing the loss of massive life. However, states, including the United States, focused on their own interests first, instead of the international community's. And when states did intervene (e.g. Kosovo and Darfur) the United Nations was bypassed in favor of regional organizations where consensus and cooperation could be handled more quickly. Thus, in the post-Cold War world, the United Nations continues to have a perception problem as an organization that does not have the will or the capacity to act in serving humanity. For Secretary General Ban, R2P is the mechanism to fulfill the original vision of its founders. Because R2P focuses on such a small subset of calamities and there is a larger consensus that something needs to be done to prevent these crimes, as evidenced by the 2005 World Summit Outcome document, there should be less of a problem getting the international community to act. In this sense, Ban Ki-Moon not was not only attempting to redefine sovereignty in this speech, but the United Nations itself.

The final ingredient of R2P was "much discussed, but generally understood too narrowly" (¶ 8). It encompassed "member states' acceptance of their responsibility to respond in a timely and decisive manner, in accordance with the United Nations Charter, to help protect populations from the four listed crimes and violations" (¶ 8). That response involved a range of UN tools including diplomatic, economic, and potentially armed intervention to prevent war crimes, genocide, crimes against humanity, and ethnic cleansing. For Ban Ki-Moon, the key was "in an early and flexible response, tailored to the specific

needs of each situation" (¶ 8). Here, Ban Ki-Moon attempted to clear up fundamental misconceptions of R2P. Recall that one significant misgiving of R2P critics was that they felt it would promote military intervention as the primary option in cases of genocide and/or those states also asserted, if they signed onto, R2P they would be forced to participate in a military mission. Because of those fallacies the Secretary General argued that this pillar had been "much discussed, but understood too narrowly." What R2P really contained was a range of options—economic, diplomatic, and potentially armed intervention—that would be "tailored to the specific needs of each situation." For Secretary General Ban, there was no one-size-fits-all situation. R2P provided the United Nations with a "flexible response," replacing the old system where the "the world's options" were limited "to watching the slaughter of innocents or to send in the marines." Because R2P received widespread consensus and commitment from the global community at the World Summit, giving the United Nations a range of options to use, R2P was more progressive. By clarifying R2P, Ban negated a fundamental argument of his opponents, while at the same time promoting his vision for the future of the United Nations.

Ultimately, Secretary General Ban argued that R2P could have profound implications. If states could "summon the will to act collectively" then it might deter other states from committing atrocities. Moreover, if:

United Nations rules, procedures and practices are developed . . . then there is less likelihood of RtoP principles being used to justify extra legal interventions for other purposes. In other words, the responsibility to protect does not alter the legal obligation of Member States to refrain from the use of force in conformity with the Charter. Rather, it reinforces this obligation. By bolstering United Nations prevention, protection, response, and rebuilding mechanisms, RtoP seeks to enhance the rule of law and expand multilateral options. (¶ 14-15)

Certainly, the responsibility to protect doctrine was contingent upon U.N. member states to "summon the will to act collectively." However, R2P, according to the Secretary General's logic, was vastly superior to the current system of "humanitarian intervention." Recall that one of the conflicts with the term "humanitarian intervention" was that many states intervened in other states, not for humanitarian interests, but for "other purposes." Because R2P was relegated to a small subset of crimes, the potential to abuse the concept was significantly lessened. Moreover, R2P was more than a mere military response to war crimes, genocide, crimes against humanity, or ethnic cleansing. Rather, it was a range of options whose primary purpose was to engage with weak states that might be susceptible to such behavior. These options gave the U.N. member states more options than merely "watching the slaughter of innocents or sending in the marines." Therefore, R2P acts as a basis to redefine humanitarian intervention from a stark dichotomy of choices to a range of options that the U.N. could attempt to use at varying stages of an international crisis. By operationalizing R2P, the United Nations could enhance its mission to protect populations from their governments, weak states could become strong states, and the United Nations could regain its moral voice in the international community. Secretary General Ban Ki-Moon's strategy of definition put forward a set of arguments about R2P that may make his rhetorical vision possible.

Conclusions

In this essay, I have examined U.N. Secretary General Ban Ki-Moon's rhetoric on the responsibility to protect. Specifically, I examined an address he gave in Berlin in July 2008 that began his campaign to codify and operationalize R2P principles in U.N. practices. I did so to rhetorically map how he constructed the nature of twenty-first century sovereignty, as well as the specific components of R2P. Ultimately, R2P serves to redefine and update the parameters of sovereignty and humanitarian intervention for the twenty-first century. In turn,

the Secretary General's rhetoric set the agenda for the larger U.N. debate that is currently taking place over the responsibility to protect doctrine. While this was an initial exploration into the larger debate on the responsibility to protect doctrine, we can draw larger implications for this analysis.

First, longstanding definitions of sovereignty are rapidly changing in a globalized environment. The creation of R2P, the consensus of the World Summit, and the recent attempts to codify the principles of responsibility to protect suggests that slowly, but surely, an international norm on internal sovereignty is developing. Evidence of this norm can be found in NATO's Kosovo intervention to stop ethnic cleansing, the intervention by Australia into East Timor in 1999, and the African Union force trying to keep the peace within Darfur. More recently, the intervention by NATO forces into Libya to stop Moammar Gaddafi's attacks on citizens was characterized as an important first step for the responsibility to protect doctrine (Thakur 2011). In giving approval for the Libya intervention by the United Nations Security Council, the language of the resolution they put forth strongly resembled the principles of R2P. In addition, more and more states have been putting the welfare of the individual, an emphasis on human security instead of state territorial sovereignty, into their foreign policy platforms (e.g. Canada). The action of the Security Council, coupled with initiatives by individual nations, suggests that the concern of individual populations will become more prominent in international affairs. It may be that the international community is more willing to care for those populations if they are abused by sovereign governments. Future research could examine how governments have instituted the policies of R2P within their foreign policy platforms and also its conceptual cousin human security. As more governments adopt these ideas, they will create greater acceptance of this international norm (see Prantl and Nakono, 2011 for an excellent study). Moreover, a full discussion of how the debate over R2P affected and/or is affecting the decision to intervene in Libya and continue

that military campaign would lay important groundwork as to how R2P may be operationalized in the future.

Second, there appears to be a developing consensus regarding specific circumstances that would invite intervention into the internal affairs of nation-states. The narrow parameters of R2P make it easier for governments to make arguments that they should intervene—diplomatically, economically, and militarily—where genocide, war crimes, crimes against humanity, and ethnic cleansing are taking place. While this is no guarantee that the international community will create the political will to stop genocide or ethnic cleansing, the fact that this issue has received so much attention demonstrates that there is a subtle, positive shift in how armed force should be used, as Feste (2003) argued, in dealing with outlaw regimes that severely abuse their people. Examining how political leaders have justified their intervention into places like Kosovo, East Timor, and Darfur would illuminate how these leaders are constructing this issue and the rhetorical *topoi* they use in making the case for the commitment of their armed forces.

Finally, it has been the claim of this paper that Ban Ki-Moon's definition of R2P and redefinition of sovereignty have set the agenda for the larger debate that is taking place within the U.N. General Assembly. A comparison study of the Secretary General's discourse and those that support the operationalization of responsibility to protect would be interesting to see if his ideas have taken hold. Additionally, looking at how the opposition frames this debate will help us unlock its overall contours. A major debate on the subject of R2P occurred in the fall of 2009. That debate would be a good place to start where scholars could compare the different arguments that people used supporting, opposing, or being neutral toward this new doctrine.

Despite these implications and the potential for further research there are limitations for this study; two of which I would like to highlight here. First, this study is merely an

exploratory essay. The Secretary General's rhetoric can help set the parameters of R2P for future debates, but that does not mean it can and/or will not be modified by the United Nations. In outlining the parameters of R2P and how it may alter definitions of sovereignty for a twenty-first century, I cannot make any claims that other nation-states support the Secretary General's ideas or that there might not be severe push-back by several powerful states including the United States and China (see Prantl and Nakano 2010; Teffit 2011). Despite some initial traction for R2P gaining force as a doctrine of international behavior (such as in the Libya intervention) there is no guarantee that R2P will continue to be used by nation-states for other problem spots around the world. It also does not answer the discussion of the specific decisions where, how, and why states might intervene under the auspices of the responsibility to protect doctrine, but not intervene in others (for example, Darfur—see Benjamin, 2010). That is a problem this study cannot answer and may never be answered fully.

Second, while the study of rhetoric is a valuable tool for understanding how intellectual ideas evolve (it is my area of academic expertise), studying the rhetoric of any political figure cannot specifically discern an effect on the foreign policies of nation-states. It would be difficult, if not impossible, to determine whether or not nation-states are altering how they conduct their foreign policy because of the rhetoric of the Secretary General. Thus, trying to develop causal links between rhetoric and potential effects are problematic. Along similar lines, rhetoric is an important tool in public diplomacy, but it is a tool that can be totally ignored by states who may disagree with such rhetoric. It does not have the force of economic sanctions or some kind of military intervention. Thus, the power of words may have little impact on a state's behavior, even if they subscribe to the viewpoint put forth by the Secretary General.

That said, the responsibility to protect doctrine has the potential to be one of the great advancements in international law within the last one hundred years. Whether nation-states act on the principles they uphold will be the ultimate test for these principles. Considering that there will almost assuredly be a state that commits acts that fall under R2P, how the international community reacts will determine whether or not a global consensus has really been met on this issue. This area of research will no doubt be a fruitful line of research for scholars in rhetoric, political science, history, sociology, reconciliation, and peace and conflict studies for years to come.

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