Has the Iraq War Torpedoed the "Responsibility to Protect"?

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Abstract

At a U.N. World Summit in 2005, the nations of the world approved the "responsibility to protect." This emerging principle of international law, charges each individual state with the responsibility to protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity. If a nation fails to protect its populations from these barbarities, the nations of the world declared that they would act, through the Security Council, in accordance with the U.N. Charter, to stop the violence against innocents everywhere and protect imperiled peoples. In theory, Chapter VII of the U.N. Charter gives the member states the military muscle to intervene inside a sovereign state in order to prevent future Rwandas.

Keywords

Human rights, Humanitarian intervention, Human rights enforcement, United Nations

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Former U.S. Ambassadors Morton Abramowitz and Thomas Pickering, in this month's Roundtable centerpiece article, advocate certain instruments to allow the U.N. to enforce the "responsibility to protect." The Ambassadors seek to empower the U.N. to effectively "face down governments that massively mistreat their people." The Ambassadors' three-prong line of attack involves a "streamlined U.N. decision-making process, ready U.N. access to military and other forces, and strong investment in diplomacy by key states and institutions." To accomplish these objectives, Abramowitz and Pickering hope that the U.N. Security Council's five permanent members— China, France, Russia, the United Kingdom, and the United States— could agree "not to use their vetoes to block proposals for coercive intervention in extreme humanitarian crises." They further make the case for the creation of a standing army of 25,000 well-trained and well-equipped troops to add credibility and professionalism to U.N. peacekeeping operations and to be able to militarily intervene quickly in a humanitarian emergency. In this regard, the authors go beyond the areas of jurisdiction outlined in the "responsibility to protect," which were limited to interventions to stop genocide, war crimes, ethic cleansing, and crimes against humanity. The Ambassadors argue that the U.N. should also be ready to intervene with force after a natural disaster (hurricanes, cyclones, and so on) when a national government is doing little to aid the survivors.

Unfortunately, at this moment in history, such pleas from former American Ambassadors that call for strengthening global governance to forcefully intervene inside sovereign states, in the name of human rights and humanitarianism, will most likely be resented and then ignored by the majority of the world's states and peoples. To a large degree, this is an unfortunate legacy of the Iraq war.

After exhausting the other rationalizations for the war in Iraq (WMD, al-Qaeda connections, and so on), the Bush administration justified its killing as a humanitarian action to bring democracy and freedom to the oppressed Iraqi people. The so-called "liberal hawks" in the U.S., in particular, supported this call for a humanitarian intervention to liberate the Iraqi people from the brutality of the Hussein regime. Yet, as is well-known, the overwhelming majority of the nations of the world vehemently rejected these arguments for war before the 2003 intervention. In fact, it was not just the governments who opposed the war, but according to opinion polls the

overwhelming majority of the world's people as well. An unprecedented global anti-war demonstration took place in sixty countries, involved eight hundred cities, and included over ten million people around the world. This outpouring of protest was all designed to prevent a war from breaking out. Never before in history had such an event occurred before a war had actually begun.

As the U.S. ignored these voices, the world's peoples looked to the U.N. to represent their interests. With their veto power, France, Russia, and China were able to prevent a U.N. endorsement of the globally unpopular U.S. preventive war in Iraq. This U.N. action—standing up to the biggest military power in the world—was ridiculed inside the U.S. But, outside this country, the majority of the planet applauded the U.N. and the international organization gained a new level of legitimacy.

There are at least two conclusions to draw from this recent history that are relevant to the Ambassador's proposals to strengthen the U.N.'s ability to intervene for humanitarian purposes. First, this Iraq experience led many to a new appreciation for the veto power of the five permanent members of the Security Council. As a result, this may be the wrong time for Abramowitz and Pickering to be calling for a "blunting of the power of the veto" during a humanitarian crisis. To many in the Southern Hemisphere, this call will most likely be seen as an attempt to blunt the power of Russia and China and open the door for U.S. unilateralism abroad. Even though the Security Council did not prevent the U.S. from invading Iraq, it was of tremendous moral significance that the U.N. refused to endorse this effort. Any talk now of removing or down-grading the veto power from those who opposed U.S. actions, will smack of retribution.

Second, the Iraq experience confirmed for many the ways in which the language of "humanitarian intervention" is used by the powerful to advance their interests at the expense of the weak states. Abramowitz and Pickering's proposals to empower the U.N. could thus be seen as merely a means to give the powerful more freedom to intervene in the affairs of the weak. This will not necessarily increase global cooperation in response to humanitarian emergencies. Unfortunately, the great powers consistently analyze humanitarian crisis through the lens of national interest and act accordingly. China's support and protection of the genocidal regime in Sudan comes foremost to mind.

As with China, the U.S. is also viewed by many as highly hypocritical in its human rights and humanitarian actions. The U.S. recently had an opportunity to change this negative reputation of utilizing the language of human rights and humanitarianism to advance an agenda of power politics. In September 2008, Hurricane Gustav devastated Cuba, damaging more than 100,000 homes and wiping out key sugar and banana-growing regions. The cumulative storm damage has been placed at $3 billion to $4 billion. Despite this humanitarian crisis, the U.S. has been unwilling to relax the outdated trade embargo and let Americans help Cuba. Instead, the U.S. offered Cuba a paltry $100,000, with enough "strings" attached that the State Department knew Cuba would reject the offer. This fiasco has again demonstrated that the U.S. applies "humanitarian" aid and intervention to promote its foreign policy agenda. It was a lost opportunity for the U.S. to prove its critics wrong.

Until the major powers—including China and the U.S.—demonstrate a firm commitment to humanitarian principles across the board, proposals to strengthen the U.N. bureaucracy ring hollow. It is putting the cart before the horse.

William F. Felice is professor of political science and head of the international relations major at Eckerd College. Dr. Felice was named the 2006 Florida Professor of the Year by the Carnegie Foundation for the Advancement of Teaching. He is the author of <u>The Global New Deal: Economic and Social Human Rights in World Politics</u> *(2003),* <u>Taking Suffering Seriously: The Importance of Collective Human Rights</u> *(1996), and numerous articles on the theory and practice of human rights. More information can be found on his department website http://www.eckerd.edu/academics/irga/faculty/felice.php.*