

The Responsibility to Protect after Syria: Challenged or Confirmed?

Ten years after its endorsement by the U.N. world summit, the status, meaning and applicability of the responsibility to protect (R2P) as either just political rhetoric or an emerging legal norm remain disputed. Unsurprisingly, NATO's intervention in Libya 2011 reinforced the view of critics who continue to see it as an encroachment on the sovereignty of weak states and as a hegemonic project of the West. And Western Non-Intervention in Syria raises the discussion whether the R2P is dead, or has at least failed. At the same time, however, there is a tendency among some non-Western powers to legitimize their military interventions in humanitarian terms. Russia's interventions in Georgia 2008 and in the Crimea 2014, where humanitarian reasoning has been coupled with the politics of irredentism, are cases in point. Other examples of authoritarian interventions are Turkey's intervention in Syria, or Saudi Arabia's and Iran's intervention in Yemen. The seminar sheds light on such instances of Western and non-Western military humanitarianism by asking a number of empirical, conceptional and theoretical questions: **(1)** Are references to humanitarian principles simply meant to disguise geopolitical motives in the abovementioned cases? Or is there an element of norm diffusion, or non-linear norm evolution at work? **(2)** Do military efforts to "save strangers" and to "save our people" question the cosmopolitan foundation of humanitarian ideas? Do humanitarian norms have constitutive effects on a global scale? **(3)** Is it still adequate, or has it ever been adequate to understand the R2P debate in terms of a divide between democratic and non-democratic or Western versus non-Western states based of an understanding of positive, linear norm evolution? The seminar encourages students of International Relations thinking and arguing within and between different theoretical traditions to discuss all these and other fundamental questions and, thus, to rethink the R2P in light of contemporary politics of human rights protection. The above-mentioned examples also require us to rethink the validity and conceptional boundaries of theories of norm entrepreneurship, diffusion and contestation. They also might lead to new analytical efforts to operationalize the concept of norm abuse (and, thus, to establish it as a scientific rather than just a political term).

BASS Modul 12 International Relations

Course Aims:

- Reconstructing the history of the R2P and the development of humanitarian interventionism from the just war tradition via the concept of the „Humanitarian Intervention“ to contemporary and new understanding of sovereignty in international law
- Discussing the ambivalence of sovereignty (anti-interventionism) and human rights protection (interventionism)
- Discussing whether the R2P is political rhetoric or an emerging legal norm – or failed/dead
- Discussing a new Authoritarian Interventionism

Performance requirements

- (1) Participation in the seminar;
- (2) Reading and discussing the texts;
- (3) Presentation of a topic;
- (4) Thesis (10 -12 pages), deadline for submitting is 30. September 2017

COURSE PLAN

1. Course (24. April 2017)

Organization of the Seminar and Introduction into the Issue

Stahn, Carsten 2007: Responsibility to protect: political rhetoric or emerging legal norm? in: American Journal of International Law 101: 1, **99-120**.

1 May

I. From „Just War“ via “Humanitarian Intervention” to the R2P

2. Course (8. May)

“Humanitarian Interventions” during the Cold War

Franck, Thomas/Rodley, Nigel 1973: After Bangladesh. The Law of Humanitarian Intervention by Military Force. In: American Journal of International Law 67: 2, **275-305**.

Furthermore:

Wheeler, Nicholas J. 2000: Vietnam's Intervention in Cambodia: The Triumph of Realism Over Common Humanity?, in: Saving Strangers. Humanitarian Intervention in International Society. Oxford: University Press, **78-110**.

Wheeler, Nicholas J. 2000: India as Rescuer? Order versus Justice in the Bangladesh War of 1971, in: Saving Strangers, **55-77**.

Wheeler, Nicholas J. 2000: Good or Bad Precedent? Tanzania's Intervention in Uganda, in: Saving Strangers, **111-136**.

3. Course (15. May)

After the Cold War: Bringing *Responsible Sovereignty* on the “Agenda for Peace”

Deng, Francis 1996: Normative Framework of Sovereignty, in: Sovereignty as Responsibility: Conflict Management in Africa. Washington D.C.: Brookings Institution, **1-33**.

Furthermore:

Brock, Lothar 2005: The Use of Force in the Post-Cold War Era: From Collective Action to Pre-Charter Self-Defense?, in: Bothe, Michael/O'Connell, Mary Ellen/Ronzitti, Natalino (eds.), Redefining Sovereignty: The Use of Force After the Cold War. Ardsley/New York: Transnational Publishers, **21-51**.

Boutros-Ghali, Boutros 1992: An agenda for peace: preventive diplomacy, peace-making and peace-keeping, UN Document.

Jackson, Robert H. 1995: International Community beyond the Cold War, in: Lyons, Gene M./Mastanduno, Michael (eds.), Beyond Westphalia: State Sovereignty and International Intervention. Baltimore/London: Johns Hopkins University Press, **59-86**.

4. Course (22. May)

„Liberal Interventionism“ in the 1990s: Bosnia and the Kosovo War

Wheeler, Nicholas J. 2000: The Limits of Humanitarian Intervention from the Air: The Cases of Bosnia and Kosovo, in: Saving Strangers. Humanitarian Intervention in International Society. Oxford: University Press, **242-285**.

Furthermore:

Simma, Bruno 2000: Die NATO, die UN und militärische Gewaltanwendung: Rechtliche Aspekte, in: Merkel, Reinhard (Hg.), *Der Kosovo-Krieg und das Völkerrecht*. Frankfurt: Suhrkamp, **9-33**.

Wheeler, Nicholas/Owen, Rachel 2007: Liberal Interventionism versus International Law: Blair's Wars Against Kosovo and Iraq, in: MacDonald, David B. et.al. (eds.), *The Ethics of Foreign Policy*. Aldershot: Ashgate, **83-98**.

Furthermore:

Byers, Michael/Chesterman, Simon 2004: "You the People": Pro-democratic Intervention in International Law, in: Fox, Gregory H./Roth, Brad R. (eds.), *Democratic Governance and International Law*. Cambridge: University Press, **259-327**.

Franck, Thomas M. 1992: The Emerging Right to Democratic Governance, in: *American Journal of International Law* 86: 1, **46-91**.

Reisman, Michael W. 2004: Sovereignty and Human Rights in Contemporary International Law, in: Fox/Roth (eds.), *Democratic Governance and International Law*, **239-258**.

Slaughter, Anne-Marie/Burke-White, William 2003: An International Constitutional Moment, in: *Harvard International Law Journal* 43: 1, **1-22**.

Wheeler, Nicholas J. 2000: Humanitarian Intervention and International Society, in: *Saving Strangers. Humanitarian Intervention in International Society*. Oxford: University Press, **21-52**.

II. The Idea of the *Responsibility to Protect*

5. Course (29. May)

The power of norms in international Politics

Guest Lecture by Dr. **Melanie Coni-Zimmer** (PRIF), "Norms and transnational actors in international politics".

5 June - Pfingsten

6. Course (12. June)

The R2P within the framework of the U.N. Charter

Cater, Charles/Malone, David M 2016: The origins and evolution of Responsibility to Protect at the UN, in: *International Relations* 30: 3 (Special Issue on Critical Perspectives on the R2P: BRICS and Beyond), **278-297**.

Furthermore:

Bannon, Alicia 2006: Comment: The Responsibility to Protect: The U.N. World Summit and the Question of Unilateralism, in: *The Yale Law Journal* 115, **1157-1164**.

Brock, Lothar 2008: Von der „humanitären Intervention“ zur „Responsibility to Protect“: Kriegserfahrung und Völkerrechtsentwicklung seit dem Ende des Ost-West-Konflikts, in: Andreas Fischer-Lescano, Hans-Peter Gasser, Thilo Marauhn, Nataliono Ronzitti (Hg.): *Frieden in Freiheit. Festschrift für Michael Bothe zum 70. Geburtstag*. Baden-Baden: Nomos, **19-32**.

ICISS 2001: The Responsibility to Protect. Report of the International Commission on Intervention and State Sovereignty. Ottawa: International Development Research Centre, **1-9**.

2005 World Summit Outcome (World Summit, Sept. 14-16, 2005), U.N. Document A/60/L.1

Thakur, Ramesh 2006: The responsibility to protect, in: *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*. Cambridge: University Press, **244-263**.

Weiss, Thomas G. 2006: R2P after 9/11 and the World Summit, in: *Wisconsin International Law Journal* 24: 3, **741-760**.

Welsh, Jennifer 2016: The Responsibility to Protect at Ten: Glass Half Empty of Half Full?, in: *International Spectator* 51: 2 (Special Issue on the R2P), **1-8**.

7. Course (19 June)

The R2P as a Western Hegemonic Instrument? The Libya Case

Hehir, Aidan 2013a: The Permanence of Inconsistency: Libya, the Security Council, and the Responsibility to Protect, in: *International Security* 38: 1, **137-159**.

Furthermore:

Bellamy, Alex/Williams, Peter D. 2011: The New Politics of Protection? Cote d'Ivoire, Libya and the Responsibility to Protect, in: *International Affairs*, 87: 4, **825-850**.

Dembinski, Matthias/Reinold, Theresa 2011: Libya and the Future of the R2P. African and European Perspectives. Frankfurt am Main: Peace Research Institute (PRIF), PRIF-Report No. 107.

Doyle, Michael W. 2016: The politics of global humanitarianism: The responsibility to protect before and after Libya, in: Gallagher, A./Brown, G. W. (guest eds.): *The Responsibility to Protect Ten Years On from the World Summit*, in: *International Politics, Special Issue*, 56: 1, **14-31**.

Fröhlich, Manuel 2011: Der Fall Libyen und die Norm der Schutzverantwortung, in: *Zeitschrift für Politikwissenschaft* 21: 1, **135-151**.

Hehir, Aidan 2013b: The Responsibility to Protect as the Apotheosis of Liberal Teleology, in: Hehir, A./Murray, R. (eds.), *Libya, the Responsibility to Protect and the Future of Humanitarian Intervention*, **34-57**.

Hinsch, Wilfried/Janssen, Dieter 2006: Die ausgebliebene Intervention: Darfur, in: *Menschenrechte militärisch schützen. Ein Plädoyer für humanitäre Interventionen*. München: Beck, **202-222**.

Lehmann, Volker/Schütte, Robert 2011: Die Zukunft der „Responsibility to Protect“ nach dem Fall Gadafis. Arbeitspapier der Friedrich-Ebert-Stiftung, Oktober 2011 (8 Seiten).

Müller, Harald 2011: Ein Desaster: Deutschland und der Fall Libyen. Frankfurt: Hessische Stiftung Friedens- und Konfliktforschung (HSFK), Standpunkt 2/2011 (**12 Seiten**).

Pradetto, August 2014: Normen, Interessen, Projektionen: Deutschland und die militärische Intervention in Libyen 2011, in: Beestermöller, Gerhard (Hg.): *Libyen: Missbrauch der R2P?* Baden-Baden: Nomos, **65-115**.

Schoch, Bruno 2014: Die Libyen-Intervention: Warum Deutschlands Enthaltung im Sicherheitsrat falsch war, in: Beestermöller, Gerhard (Hg.): *Libyen: Missbrauch der R2P?* Baden Baden: Nomos, **115-138**.

Schmeer, Elis 2010: Responsibility to Protect und Wandel von Souveränität. Untersucht am Fallbeispiel des Krieges in Darfur. Berlin: Berliner Wissenschaftsverlag.

Seibel, Wolfgang 2013: Libyen, das Prinzip der Schutzverantwortung und Deutschlands Stimmenthaltung im UN-Sicherheitsrat bei der Abstimmung über Resolution 1973 am 17. März 2011, in: Daase, Christopher/Junk Julian (Hg.), *Internationale Schutzverantwortung - Normative Erwartungen und politische Praxis*. Friedens-Warte 88: 1-2, **87-116**.

Verlage, Christopher 2013: Die Sicherheitsratsresolution 1973 zum Fall Libyen – Ein Meilenstein für die völkerrechtliche Verankerung der Responsibility to Protect, in: Daase/Junk (Hg.), *Internationale Schutzverantwortung*, **63-86**.

8. Course (26. June)

Collapsed or failed states as a challenge for norms such as the R2P

Guest Lecture by Prof. Dr. **Christian Neuhäuser** (TU Dortmund), “Responsibility and failed states“.

Furthermore:

Krasner, Stephen D. 2004: Sharing Sovereignty. New Institutions for Collapsed and Failing States, in: *International Security* 29: 2, **85-120**.

Moore, Tode 2009: Violations of Sovereignty and Regime Engineering: A Critique of the State Theory of Stephen Krasner, in: *Australian Journal of Political Science* 44: 3, **497-511**.

9. Course (3. July)

Rising Powers and the R2P

Kozyrev, Vitaly 2016: Harmonizing “Responsibility to Protect”: China’s vision of post-sovereign world, in: *International Relations* 30: 3 (Special Issue on Critical Perspectives on the R2P: BRICS and Beyond), **328-345**.

or

Ziegler, Charles E. 2016a: Russia on the rebound: using and misusing the Responsibility to Protect, in: *International Relations* 30: 3 (Special Issue on Critical Perspectives on the R2P: BRICS and Beyond), **346-361**.

Furthermore:

Baranovsky, Vladimir/Mateiko, Anatoly 2016: Responsibility to Protect: Russia’s Approaches, in: *International Spectator* 51: 2 (Special Issue on the R2P), **49-69**.

Bin Talal, E.H./Schwarz, R. 2013: The Responsibility to Protect and the Arab World: An Emerging International Norm?, in: *Contemporary Security Policy*, 34: 1, **1-15**.

Burai, E. 2016: Parody as Norm Contestation: Russian Normative Justifications in Georgia and Ukraine and Their Implications for Global Norms, in: Kurtz, G./Rotmann, P. (guest editors), *Contesting and Shaping the Norms of Protection: The Evolution of a Responsibility to Protect*, Special Issue of the *Global Society* 30: 1, **67-77**.

Chen, J. 2009: Explaining the Change in China’s Attitude toward UN Peacekeeping: A Norm Change Perspective, in: *Journal of Contemporary China* 18: 58, **157-173**.

Cheng, J.Y.S. and Shi, H. 2011: From Noninterference to a Responsible Major Power: China’s Engagement in Darfur, in: *Issues & Studies* 47: 3, **101-139**.

Ganguly, Sumit 2016: India and the Responsibility to Protect, in: *International Relations* 30: 3 (Special Issue on Critical Perspectives on the R2P: BRICS and Beyond), **362-381**.

Krause, Dan 2014: Und sie bewegt sich doch! Indiens Haltung zur R2P, in Staack, Michael/Krause, Dan (Hg.): *Schutzverantwortung in der Debatte. Die „Responsibility to Protect“ nach dem Libyen-Dissens*. Opladen. Verlag Barbara Budrich, **181-216**.

Kuhrt, N. 2014: Russia, the Responsibility to Protect and Intervention, in: Fiott, D./Koops, J. (eds.) 2014, *The Responsibility to Protect and the Third Pillar: From Norm to Operationalization*. Palgrave: Macmillan., **97-114**.

Kurowska, X. 2014: Multipolarity as Resistance to Liberal Norms: Russia's Position on Responsibility to Protect, in: Rotmann, P./Kurtz, G./Brockmeier, S. (guest editors): *Major Powers and the Contested Evolution of a Responsibility to Protect*. Special issue of *Conflict, Security & Development* 14: 4, **489-508**.

Mühlberger, Wolfgang 2016: Egypt’s Foreign and Security Policy in Post-R2P Libya, in: *International Spectator* 51: 2 (Special Issue on the R2P), **99-112**.

Regler, Sonja 2014: Chinas Haltung zur R2P zwischen Skepsis und Offenheit, in Staack/Krause (Hg.): *Schutzverantwortung in der Debatte*, **229-246**.

Shapovalova, O. 2011: The Role of Russia as a Kin-State in Protecting the Russian Minority in Ukraine, in: Kemp, W./Popovski, V./Thakur, R. (eds.): *Blood and Borders: The Responsibility to Protect and the Problem of the Kin-State*, 168-187, Tokyo et al. United Nations University Press, **168-187**.

Wu, Ch. 2010: Sovereignty, Human Rights and Responsibility: Changes in China’s Response to International Humanitarian Crises, in: *Journal of Chinese Political Science* 15: 1, **71-97**.

Ziegler, Charles E. 2016b: Critical perspectives on the Responsibility to Protect: BRICS and beyond, in: *International Relations* 30: 3 (Special Issue on Critical Perspectives on the R2P: BRICS and Beyond), **262-277**.

III. After Syria: Is the R2P dead?

10. Course (10. July)

After Syria: Is the R2P dead?

Morris, Justin 2013: Libya and Syria: R2P and the spectre of the swinging pendulum, in: International Affairs 89: 5, **1265–1283.**

or

Thakur, Ramesh 2013: R2P after Libya and Syria: Engaging Emerging Powers, in: The Washington Quarterly, 36: 2, **61-76.**

Furthermore:

Brock, Lothar 2013: Dilemmata des internationalen Schutzes von Menschen vor innerstaatlicher Gewalt. Ein Ausblick, in: Daase, Christopher/Junk Julian (Hg.), Internationale Schutzverantwortung - Normative Erwartungen und politische Praxis. Friedens-Warte 88: 1-2, **163-186.**

Deitelhoff, Nicole 2013: Scheitert die Norm der Schutzverantwortung? Der Streit um Normbegründung und Normanwendung der R2P, in: Daase, Christopher/Junk Julian (Hg.), Internationale Schutzverantwortung - Normative Erwartungen und politische Praxis. Friedens-Warte 88: 1-2, **17-40.**

Pradetto, August 2014: R2P, der Regimewechsel in Libyen und die Nichtintervention in Syrien: Durchbruch oder Sargnagel für die Schutzverantwortung?, in: Staack, Michael/Krause, Dan (Hg.): Schutzverantwortung in der Debatte. Die „Responsibility to Protect“ nach dem Libyen-Dissens. Opladen. Verlag Barbara Budrich, **15-54.**

Şeyşane, Volkan/Celik, Cem 2015: R2P and Turkish Foreign Policy: Libya and Syria in Perspective, in: Global Responsibility to Protect 7, **376-397.**

11. Course (17. July)

The pitfalls of the R2P: Back to a New Military Humanitarianism

Hansel, Mischa/Reichwein, Alex 2016: Rethinking Responsibility: Towards a New Authoritarian Humanitarian Interventionism. 57th ISA's Annual Conference, Atlanta/GA, 16-19 March 2016.

or

Reichwein, Alex 2017: A dangerous responsibility: Protecting national minorities, religious fellows or irredentism movements under the R2P umbrella, ISA's 58th Annual Convention, Baltimore/Maryland, 22-25 February 2017.

Furthermore:

Chandler, David 2011: Understanding the Gap between the Promise and Reality of the Responsibility to Protect, in: Cunliffe, Philip (ed.), Critical Perspectives on the Responsibility to Protect. Interrogating Theory and Practice. London: Routledge, **19-34.**

Cunliffe, Philip 2011: A Dangerous Duty: Power, Paternalism and the Global 'Duty of Care', in: Ders. (ed.), Critical Perspectives on the R2P, **51-70.**

Daase, Christopher 2013: Die Legalisierung der Legitimität - Zur Kritik der Schutzverantwortung als emerging norm, in: Daase, Christopher/Junk Julian (Hg.), Internationale Schutzverantwortung - Normative Erwartungen und politische Praxis. Friedens-Warte 88: 1-2, **41-62.**