

How Important is the “Responsibility to Protect” for Understanding Recent Cases of Military Intervention and Non-Intervention?

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1: Introduction

The ‘Responsibility to Protect’ doctrine (R2P) is an international norm with the objective of ensuring that the international community never again fails to prevent mass atrocities like those seen in the past, exemplified by the Holocaust and the Rwandan genocide. Since the adoption of R2P as an international norm by the UN in 2005, there has been a significant number of military operations justified under the banner of the R2P and humanitarianism. Though R2P is not a legally binding treaty, the normative aspects of R2P implicate that it is the responsibility of the international community to act timely and according to a possible threat of mass atrocities to a population. The use of R2P in practice, however, has been clouded by controversy and considerable debate, with some scholars arguing that the norm of R2P is weak and exploitative.

This raises the research question of this article, how important is the “Responsibility to Protect” for understanding recent cases of military Intervention and non-intervention? This essay argues that the normative aspects of the ‘Responsibility to Protect’ doctrine has vital importance as a political tool to justify military intervention but does not hold practical significance. This means that, the R2P doctrine is important to sway public and international opinion for conducting certain military operations, however in practice, R2P has severe “structural problems” limiting its effectiveness. Additionally, this essay seeks to build upon Roland Paris’s “structural problems” argument by analysing UN Security Council veto powers and the military/economic capabilities of states committing atrocities. To sufficiently answer my research question, I will begin this essay with a literature review in section 2,

followed by my theoretical framework and methodology in section 3. My empirical analysis and final discussion in section's 4 and 5 will complete this article.

2: Literature Review

Scholars such as Roland Paris (2014, pp570) argue that the results of western military intervention Libya did not indicate future successes of the R2P doctrine. While there has been notable analysis on the legal and normative aspects of R2P, there is limited research on how exactly preventive military action is used to stop mass atrocities (Paris, 2014, pp571). Paris challenges the “logic” of preventive humanitarian intervention, by explaining “structural problems” within R2P. The “mixed motives problem” discussed by Roland Paris (2015, pp572) argues that humanitarian intervention to “prevent mass atrocities” is still engaging in war but provides a “politically important” justification for going to war. Paris suggests that the lack of international legal frameworks clearly outlining a distinction between war and humanitarian intervention enables a mixed motives problem, as it is “virtually impossible to imagine a military intervention that is motivated solely by humanitarian considerations”. This means that states conducting humanitarian interventions usually have ulterior self-profiting interests, for example, seizing natural resources. Another important structural problem of R2P outlined by Paris is “the conspicuous harm problem”. Here, Paris highlights that despite the good intentions of R2P, collateral damage and accidental deaths of innocent people is inevitable in humanitarian military operations. Even if a preventive military operation achieves its overall goal of averting mass atrocities, collateral damage and accidental deaths demonstrate a fundamental issue with R2P in practice. The purpose of R2P is to prevent harm, yet many humanitarian operations inadvertently still cause harm to innocent people, damaging the legitimacy of R2P.

Moreover, Paris (2014, pp578) also addresses the “inconsistency problem” as there will always be scenarios in which the international community choose not to intervene. A variety of reasons could explain why the international community may fail to intervene in some cases, for example, the pace of which an atrocity is occurring may be faster than anticipated (Paris, 2014, pp578). In some cases, military intervention might cause more harm than good, therefore states choose not to intervene. Whatever the reason for the international community to choose not to intervene in a crisis zone, inconsistency “reflects and deeper tension between the substance and symbolism of R2P” (Paris, 2014, pp579). Paris argues that R2P is stuck in a “logical trap” as the symbolic nature of R2P provides a “moral authority” for states to enact

on. However, the inconsistency of such authority discredits the doctrine, but engaging in every case of mass atrocities would also tarnish R2P as constant intervention would inevitably create “ill-considered deployments”. David Chandler (2015) builds upon this view, by adding that military intervention in Libya by western states was committed without guarantees of “western responsibility for the outcomes”. Thus, the leading issue of R2P is the overlap between military actions and western accountability of these actions.

3: Theoretical Framework and Methodology

Understanding the criticisms of the R2P doctrine demonstrated by Paris and Chandler have formulated the theoretical approach taken in this paper. As stated by Paris with his “mixed motives problem”, R2P is a “politically important” justification for war, which indirectly implicates Clausewitz’s theory that war is a “continuation of political intercourse, carried on with other means”. According to Clausewitz, the theory of states being “self-satisfied with conclusions and rules... is of no practical use” as rules such as the R2P doctrine fail to recognise human elements of “boldness, even rashness”. With this Clausewitzian conception of war and human nature, this essay will examine the importance of R2P in contemporary military interventions and non-interventions through the conceptual lens of classical realism. Analysis drawn from classical realist, Thucydides in his account of the Peloponnesian War, suggest that human nature and subsequently the state operate to pursue self-interests and survival over morality and justice. Relating to this theory, the three central arguments of this essay are:

1. States will only engage in military humanitarian intervention if it is in their own strategic/material interests to do so, with R2P discourse used as a justification for war.
2. Security Council veto powers is another structural problem of the R2P doctrine, if one of the five permanent security council members have strong economic/political ties with a regime committing atrocities.
3. The main reason for non-intervention in contemporary cases is the fear of the military/economic capabilities of the state committing atrocities, thus posing a greater risk to the self-interests of the intervening state.

Based on these three arguments, the main approach of this essay is to develop case studies of both military interventions and non-interventions in recent history. By synthesising my critiques of the R2P doctrine with my theoretical approach of classical realism, I will be able

to demonstrate why R2P as a political concept may be important, but as not as a practical tool. Each case study will predominately comprise of secondary data to help develop my arguments.

4: Empirical Analysis

Case Study A: French Intervention in Mali

Operation Serval and the ongoing Operation Barkhane are a part France's military intervention in Mali since 2013, with the objective of repulsing an Islamic militant offensive and maintaining the sovereignty of the Malian government. The French military deployed approximately 4000 troops, with the assistance of around 6000 African troops from neighbouring countries in Operation Serval (Shurkin, 2014). Operation Serval was a military victory for the French and their allies, achieving their goal of repulsing Islamic militant offensives. Overwhelming airpower, experienced troops and superior tactical intelligence were all vital factors for the French military victory (Boeke & Schuurman, 2015, pp816).

The operation was conducted in the name of humanitarianism, with the French President at the time, François Hollande stating that, "the terrorists must know that France will always be there to support a population that lives in democracy" (Cody, 2013). Adding to this, the former French Minister of Foreign Affairs, Laurent Fabius declared that it was the duty of the international community to commence interventions in Mali (Seyedfarshi, 2015, pp5). The rhetoric used by President Holland and Laurent Fabius derive from pillars ii and iii of the R2P doctrine, which expresses the international community have a responsibility to assist a state that is trying and sometimes failing to protect their population. Though the R2P doctrine is not a legally binding treaty, using this narrative provides the French government with a 'just cause' to intervene in Mali. Therefore, one may argue that the responsibility to protect Malian citizens from insurgency is a permissible reason for France to go war under the principle of 'Jus ad bellum' according to Just War Theory.

However, a key principle of Jus ad bellum is using force as a last resort, when it is absolutely a "requirement of necessity" (McMahan, 2007, pp673). As Pujari (2020, pp5) highlights, there is a lack of comprehensive evidence that "mass atrocities" were committed in Northern Mali by the Islamic rebels. Therefore, this raises the question if all possible resolutions were exhausted before French intervention and the legitimacy of French leaders using the language of R2P to justify the intervention. This leads to the possibility of Roland Paris's "mixed motives problem". One may argue that the primary concerns for the French in Mali were

based on economics and national security (Boeke & Schuurman, 2015, pp806). Uranium reserves in Mali's neighbouring country, Niger, is exploited by the French state-owned company, Areva and is responsible for 75% of electricity in France. These uranium reserves are permanently monitored by French Commandos to prevent terrorist organisations from Mali attacking the uranium mines (Boeke & Schuurman, 2015, pp807). Due to the clear economic incentives for France to repulse a hostile Jihadi offensive in Mali to secure their controlled Uranium mines and trade in the region, there is certainly grounds to call the French intervention in Mali neo-colonial and is an example of Roland Paris's "mixed motives problem". As a result, the case of French intervention in Mali demonstrates the first central argument of this essay that states will intervene if they have strategic/material interests in the region. Furthermore, French senior politicians claiming that the intervention is under the guise of R2P, does however show that the R2P doctrine is an important political tool to justify going to war, but lacks practical importance. This is demonstrated by the fact that the intervention has triggered Paris's "conspicuous harm problem" as there has not been sufficient rebuilding efforts in Mali and intervention has further plunged the country into a "bottomless vortex of death, destruction and violence" (Pujari, 2020, pp21).

Case Study B: Intervention and Non-Intervention in Syria

The Russian military intervention in Syria further intensified an already extremely violent and complex civil war. Despite Russian claims that their intervention in the conflict were to dispel ISIS terrorists from Syria, data suggests that their bombing raids predominately targeted rebel factions that opposed Syrian President Al-Assad. Also, according to the Syrian Archives, there has been 1418 incidents that have been video recorded of Russian forces targeting civilians and civilian infrastructure in rebel-controlled areas. Moscow's campaign in Syria was to maintain Al-Assads control, reduce American influence and further expand Russian ascendancy in the region (Borshchevskaya, 2020, pp27). As the data shows, the means of achieving these goals was by bombing the Syrian general population into submission (Borshchevskaya, 2020, pp24).

Similar to the case of French intervention in Mali, Russia has considerable material interests in Syria. Since 2005, Russian companies have heavily invested in searches for new oil and gas deposits in Syria and the construction of a gas pipeline connecting Turkey to Egypt through Syria (Allison, 2013). Additionally, according to the Stockholm International Peace Research Institute, between 2006-2010, Russia was responsible for 48% of Syria's military

equipment imports. From 2012, Russian ships delivered 60 tonnes of ammunition, KAB-500 guided aircraft bombs and Mi-24 combat helicopters (Wezeman, 2013, pp270). However, these arms deals have now engulfed the Al-Assad regime with a US\$3.6 billion debt to Russia that they have been unable to pay (Allison, 2013). Therefore, it is in the interest of Moscow to defend Al-Assad from a Libyan style intervention from the west, which could imperil Russian economic ties with Syria. Some scholars have argued that Russian aggression in Syria are based upon Moscow's discontent with Western military interventions since the adoption of R2P as an international norm. Russia's actions in Syria support's western analysis, insisting Russia is countering western-inspired international norms like the R2P doctrine. Russia vetoed a UN Security Council Resolution that would place economic sanctions of the Syrian government, showing "Russian concerns about domestic political legitimacy" (Averre & Davies, 2015) in Syria, reinforcing their aim of maintaining Al-Assad's power.

The Russian and Chinese vetoing of proposed UN Security Council Resolutions for the Syrian conflict demonstrate the second central argument of this essay. One may argue, that the vetoing powers of permanent security council members is a structural problem for R2P. The Russian and Chinese use of R2P rhetoric was to suggest concern over the possibility of western states implementing R2P for intervention in Syria, the same way they implemented R2P in Libya (Morris, 2013, pp). Therefore, this was used a pretext to veto western attempts of intervention against the Syrian regime. Morris (2013) claims that Russia's ardent policy of opposing any propositions of regime change in Syria, like what was seen in Libya, meant that R2P's effectiveness in the west's calls for intervention was weak, demonstrating its lack of practical importance. China's persistent threats to veto any international resolution for intervention in Myanmar reinforces the argument that veto powers for permanent security council members is a structural problem for R2P. Though western states did intervene in Syria in the war against ISIS, it is impossible to deny the human rights violations committed by the Syrian regime, such as the use of biological weapons on its own people. Therefore, the failure of the West to intervene against the Syrian regime, has led to reporter Mina Al-Oraibi hailing that the R2P doctrine is "one more casualty of the Syrian War".

Case Study C: Non-Intervention in the Xinjiang Province

Martin Shaw (2007) identifies three components of genocide, identifying a particular group as an enemy, the intention to destroy the power of this group and killing members of this

group. Based on this criteria for genocide, there is strong grounds to call what is happening in the Xinjiang Province of China a genocide. According to Amnesty International, China currently holds “hundreds of thousands” of Uyghur Muslims in “internment camps” and are subjected to torture and prosecution. The Chinese government has claimed that the purpose of the camps was for “re-education”, likely aimed to bridge the cultural gap between the Uyghur Muslims and the ethnic Han majority in China. The Xinjiang province accounts for 40% of coal reserves, over 20% of oil and gas and 20% of solar wind potential in China (Vox, 2019). The threat of separatism for the Uyghur ethnic group in the economically vital region of Xinjiang, explains China’s inhumane policies towards Uyghur Muslims.

To build upon Paris’s “inconsistency problem”, a key constituent for non-intervention is the relative military/economic strength of the state committing atrocities. Non-Intervention from the West in response to the genocide of Uyghur Muslims in China rejects the fundamental principles of the R2P doctrine. As previously mentioned in this essay, pillars ii and iii of the R2P doctrine is based around the principles of the international community protecting populations from mass atrocities such as genocide, war crimes or ethnic cleansing.

However, as Clausewitz points out, the purpose of war is to disarm the opponent, which often leads to extremes. The possibility of disarming a nuclear weaponised opponent through military intervention would be unthinkable and undoubtedly has the capacity to lead the world into a war of extremes. The lack of military intervention in North Korea, despite a long history of horrific human rights violations supports this argument. Nonetheless, contrary to most interpretations of the R2P doctrine, the idea of responsibility to protect does not have to entail military intervention. The purpose of the R2P doctrine is to prevent atrocities whether this is through consensual means such negotiations or through coercive resolutions such as economic sanctions. The fact that China has a 14.7% share of global merchandise exports (Ma, 2021) and holds more than \$1 trillion of the U.S national debt means that economic sanctions against China would be met with a severe economic backlash. As a result, the R2P doctrine has no credibility nor importance in the genocide of the Uyghur Muslims in China.

5: Final Discussion

This article sought to expand on Roland Paris’s structural problem analysis. I have argued that the R2P doctrine is only important in the understanding of recent cases of military intervention and non-intervention as a political tool to legitimise going to war in the name of humanitarianism, but unimportant in practice. One may argue that the “success” of R2P in

case of French intervention in Mali, by repulsing Islamic militant offences is insufficient enough to uphold the principles of R2P, as Malian civilians still live in the presence of war and violence. However, from a classical realist perspective, the use of R2P language used by French politicians and their intervention in Mali has protected their exploitive economic interests in the region. This highlights the first central argument of this essay, suggesting that states will only engage in “humanitarian intervention” if it is in their economic interests to do so and R2P rhetoric is predominately used to justify war. The case of Russian intervention in Syria supports this as their ruthless intervention in Syria, killing civilians and western allies demonstrate the extent to which states will go to protect the strategic/economic interests. Western non-intervention in the cases of Al-Asaad and Myanmar military atrocities is the epitome of the second central argument of this essay, since Russian and Chinese vetoes of intervention display a fundamental structural or R2P in practice. Finally, non-intervention in the case of China’s genocide of Uighur Muslims and crimes against humanity by the North Korean government demonstrate that the R2P doctrine is worthless if the state committing atrocities has considerable military or economic capabilities. As a result, I conclude that the R2P doctrine does not have significant importance in the understanding of recent cases of military intervention and non-intervention.



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