

Responsibility to Protect: Development of the Concept, and a Critique

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Genocide and Mass Atrocities: A Problem in Need of a Solution?

As the Berlin Wall fell and the Cold War between the United States and the Soviet Union came to an end in the late 1980s and early 1990s, Western pundits and political scientists were euphoric. Widespread optimism was pervasive, as were predictions that humanity had reached “the End of History,”¹ in which the world steadily becomes wealthier and more democratic. Yet the collapse of the old order failed to lead to the establishment of the new and better one. Although the world was devoid of a major ideological-strategic conflict, such as that between the North Atlantic Treaty Organization (NATO) capitalist countries and the socialist Soviet bloc’s Warsaw Pact, the 1990s were filled with just as much violence and warfare as previous decades. Often sparked by disintegrating Cold War structures, this violence frequently grew chaotic, as conflict situations spiraled out of control and the world witnessed ongoing rounds of genocide and ethnic cleansing. The interethnic warfare in Bosnia and Herzegovina from 1992 to 1995, the genocidal rampage that took place in Rwanda in 1994, and the chaos and total disintegration of Somalia throughout the decade are the most pronounced examples of this violence.

During the Cold War, the US and the Soviet Union were directly or indirectly involved in almost all local conflicts, but notable in each of the examples above was the relative lack of involvement of the international community. Violence in these conflicts was largely allowed to run its course. The overarching principle behind this inaction was the 1648 Treaty of Westphalia, which established the principle of non-intervention in the domestic affairs of sovereign states as the norm for international relations. In attempting to reconcile the contradictions between this long-established right of sovereignty and international commitments to prevent genocide, uphold human rights, and prosecute war crimes, members of the international

community tried to create a new principle to respond to the kinds of atrocities on such public display in the 1990s.

This new doctrine, nobly titled the “Responsibility to Protect,” is the outcome of years of research studies and extensive negotiating between the UN and member states. As an idea, the Responsibility to Protect (“R2P,” or sometimes “RtoP”) is groundbreaking. It asserts that all states have the responsibility to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity, and that the international community has an obligation to help when states fail in this regard. In practice the doctrine remains bound to the idea that military force is an ultimate solution to intractable problems; it is also subject to manipulation by powerful nations. While I believe we must affirm the Responsibility to Protect, we must be conscious of the ways it can be manipulated for covert political goals, and we must repudiate the concept that protection is enhanced by military action.

Historical Roots of the Responsibility to Protect

The United Nations was formed after World War II as an organization of sovereign states that put forward the radical idea of outlawing war as a means of solving international conflict. It went so far as to prohibit all use of military force with the exception of self-defense when attacked² or when authorized by the Security Council under Chapter VII of the Charter in situations of grave threats to peace and international security.³ The UN Charter actually prohibits international interference in all other cases: “Nothing contained in the . . . charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state”⁴ In this sense, the Charter upholds the notion of sovereignty as a guarantor of international peace and security. By defending the territorial integrity of each state, the new UN system sought to protect the interests of all states by averting a repeat of World War II.

The organization’s structure was established by the victors of that war, however, and tends to protect the interests of those powerful nations while often subjugating the interests of others. All decisions to authorize war, blockades, economic sanctions, or peacekeeping missions are made in the UN Security Council, which possesses “primary responsibility for the

maintenance of international peace and security.”⁵ The Council is composed of five Permanent Members (known as the P5: China, France, Russia, the United Kingdom, and the US) who have veto power, as well as ten Elected Members (the E10) who are chosen for a two-year term by regional groupings and who have a vote but no veto.

It is easy to see how this affects the decisions about where the UN sends peacekeeping troops. The Security Council was able to pass a resolution and send peacekeeping troops to protect the citizens of Sierra Leone or Liberia, but was unable to approve a resolution to send peacekeeping forces to protect the people of Chechnya from Russian troops (there would have been a Russian veto) or the people of Afghanistan from US and NATO troops (there would have been a US veto). The UN also does not have a police force or a standing army, so if the Security Council authorizes a peacekeeping force anywhere in the world, the force can go forward only if there are nations that offer the necessary police, soldiers, and/or military equipment.

Although it was established by sovereign states and operates largely to protect the interests of these states, the United Nations also houses several treaties and conventions meant to guarantee the rights of individuals within and across state boundaries. Chief among these is the Universal Declaration of Human Rights. In addition to upholding the personal, legal, and political rights familiar to Western democracies, the document radically affirms economic and social rights such as the right to decent working conditions, health, and education.⁶ Another crucial document guaranteeing the rights of individuals, and an important precursor to the Responsibility to Protect, is the Convention on the Prevention of the Crime of Genocide, which was passed on December 9, 1948 by the General Assembly and entered into force January 12, 1951.

The Convention commits states to prevent and punish those who perpetrate or plan “acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group,”⁷ offering legal protection for populations who fear extermination at the hands of the state. The recently approved International Criminal Court (ICC) also claims the right to judge individuals for genocide, war crimes, or crimes against humanity when national governments are unable or unwilling to prosecute those individuals.⁸ This landmark new body, created by the Rome Statute of 1999, has issued

several arrest warrants, but has yet to bring a case to trial.

Building on these formal institutions, the tragic events of the 1990s called into question the morality and efficacy of the norm of non-intervention in the affairs of sovereign states. Francis M. Deng (currently the Special Adviser to the UN Secretary General on the Prevention of Genocide) and his colleagues from the Brookings Institution were among the first to suggest that the concept of sovereignty needed reframing. Deng states that rather than being a shield behind which states and governments can barricade themselves from criticism, sovereignty is the ability or capacity of states to protect their citizens from violence and mass atrocities.⁹ Framed in this manner, sovereignty is the normative function of the state rather than a default status that legitimizes its actions. The purpose of a government is to protect its citizens – that is simply what sovereign states do.

A parallel process to those discussed is the hopeful development of the European Union, which has expanded the notion of sovereignty to include most of a continent; but even among European nations there seems to be reluctance to cede state sovereignty too extensively in the direction of a continental union, much less in the direction of a world government that could guarantee the rights of, and protection for, all citizens. Reinterpretation of this notion of sovereignty as well as treaties to promote justice and human rights are all movements towards granting individual rights that transcend the rights of sovereign states. However, implementing these rights within sovereign states remains largely voluntary, and the UN's power to enforce these principles against the will of a state is left largely to moral suasion.

Introducing the Responsibility to Protect

Just as the tension between sovereignty and human rights is growing, in practice the international community, particularly the UN Security Council, has begun to change how it deals with issues of “international peace and security.”¹⁰ Despite the “debacle” of Somalia, the “pathetically inadequate” response to Rwanda, and the “lamentable failure” of the UN in the Balkans,¹¹ the decade of the 1990s did witness a growing willingness of the Security Council to respond to civil war, state failure, and other violent calamities that put civilian populations at risk. Although famine and violence in Somalia were largely internal matters, the Security Council chose to define the

situation as a threat to international peace and security, authorizing a Chapter VII intervention.¹² The Council also validated the intervention of regional organizations when it gave *ex post facto* blessings to the interventions of the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG) in Liberia in 1992 and Sierra Leone in 1997.¹³

Support for interventionism gained additional voices outside of the UN itself. French Foreign Minister Bernard Kouchner and others went so far at the time as to claim a “right to intervene.”¹⁴ Such sentiments and actions signal an increasing awareness by some members of the international community of the cross-border implications of internal conflict and violence. They also point to a shift in how global and regional actors respond to crises of sovereignty when states are unable or unwilling to prevent atrocities against their populations, or worse, are complicit in these atrocities.

UN Secretary General Kofi Annan identified the problems with the non-interventionist approach in his addresses to the General Assembly in 1999 and 2000. In his 1999 address, Annan challenged member states to resolve the “dilemma of . . . humanitarian intervention,” and declared that the UN’s greatest challenge in the new century is to create unity behind the principle that “massive and systemic violations of human rights . . . should not be allowed to stand” while leaving open the option of “coercive” measures, undertaken by the international community in concert, to enforce accountability for such violations.¹⁵ In presenting his landmark Millennium Report to the General Assembly a year later, Annan reiterated his challenge to protect vulnerable peoples, noting that in the decade of the 1990s, five million people were killed by internal wars alone. He stated that the international community must do a better job of preventing these conflicts in the first place, while asserting that “these threats . . . require us to think of security less in terms of merely defending territory, and more in terms of protecting people.”¹⁶

International Commission on Intervention and State Sovereignty

This challenge laid down by the Secretary General was seized by the Canadian government. At the September 2000 plenary meeting of the UN, the government of Canada and several major private foundations announced the creation of a high-level International Commission on Intervention and State

Sovereignty (ICISS), co-chaired by Gareth Evans (Australia) and Mohamed Sahnoun (Algeria). In its report, presented to the Secretary General in 2001, the Commission outlined a doctrine termed the “Responsibility to Protect.”¹⁷ Their report, which attracted a great deal of praise and controversy, forms the ideological foundation for the present debate.

In the words of the Commission, the term “Responsibility to Protect” reflects “the idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe – from mass murder and rape, from starvation – but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states.”¹⁸ The report examines three ways in which the international community discharges the responsibility to protect – the responsibility to prevent, the responsibility to react, and the responsibility to rebuild.

The ICISS report emphasizes the paramount importance of prevention efforts as the first element of R2P. The Carnegie Commission on Preventing Deadly Conflict estimates that the world spent approximately \$200 billion on managing seven different major interventions during the 1990s, of which \$130 billion could have been saved by a stronger preventative approach.¹⁹ The ICISS report describes prevention efforts as falling into either of two categories. The first level of prevention efforts is directed at root causes and entails support for weak states at risk for the commission of mass atrocities. This means dealing with political situations by strengthening fragile democratic institutions and supporting appropriate constitutional arrangements, addressing economic needs such as development and trade, promoting legal protections for vulnerable groups, and pushing for security sector training and accountability.²⁰ The second level entails short-term efforts to directly prevent vulnerable situations from flaring up to the point where intervention is necessary. Political and diplomatic engagement, economic and political sanctions, offers of arbitration and adjudication, threat of prosecution, and deployment of observers are all instruments that the international community may use to intercede prior to a humanitarian crisis and military action.²¹

The most controversial proposal of the ICISS report is the “responsibility to react” – the idea that when a state is incapable of addressing, or refuses to address, a situation where a population undeniably

requires protection, “then interventionary measures by other members of the broader community of states may be required.”²² Such interventionary steps must meet six requirements: (1) An intervention must have a just cause, which the Commission limits to large scale loss of life that is the product of state action, neglect, failure, or policies of ethnic cleansing; (2) It must be motivated by the intention to halt or avert human suffering, should be multilateral, and have the consent of the population being “helped”; (3) Military action must be an operation of last resort; (4) The level of force must be the minimum necessary to fulfill the purpose of the intervention; (5) The intervention must have a reasonable prospect of success; (6) The intervention must have authority from the Security Council, the UN General Assembly’s “Uniting for Peace” procedure, or a regional organization that has sought the Security Council’s support for an intervention within its boundaries.²³

The final step of R2P is the responsibility to rebuild. After an intervening force has met its goal of ensuring protection for the threatened population, it has the responsibility to repair the damages caused by the mass killing and the military response. Such reconstruction efforts entail peacebuilding measures, rebuilding infrastructure, providing security, undertaking disarmament, demobilization and reintegration of former combatants, supporting development, buttressing justice and reconciliation efforts, and building capacity and local ownership of the post-conflict process.²⁴

The 2001 report of the International Commission on Intervention and State Sovereignty was a groundbreaking step in reordering the guiding principles of international responses to crisis situations. Building on the painful lessons of the 1990s, the Commission sought to reconcile the competing claims of strong states that felt justified in intervening to stop atrocities and smaller states that feared this rationale would become an excuse to undermine their governments. However, rather than offering a verdict on this debate, the Commission’s articulation of a “responsibility to protect” attempted to change the focus of the discussion from the rights of states to the rights of individuals and vulnerable communities. The report shifted discussion from *legitimizing* the use of force to *mandating* protection.

As grand as this vision was, it was neither universally accepted nor

binding. The report placed obligations on both strong and weak states to prevent humanitarian crises and accepted that military action would sometimes, albeit rarely, be necessary to respond to such atrocities. These requirements chafed against both those countries fearing intervention and those uncomfortable with the idea that they had a duty to prevent crises and respond to atrocities. Further, although the report cited prevention as the key component of R2P, the authors devoted most of it to the circumstances under which armed intervention would be acceptable, the subject they knew would be most controversial. This, combined with the tragic timing of the report, published only months after the 9-11 terrorist attacks, slowed down the development of the R2P doctrine.

The Adoption of R2P

Although focus was diverted from R2P, it was not lost. In 2004, the High Level Panel on Threats, Challenges, and Change, commissioned by UN Secretary General Kofi Annan, released its report on the major threats to international peace and security and identified policies to deal with these challenges. The report endorsed the R2P doctrine and reaffirmed the definition of sovereignty as a requirement of the state to protect its own people and meet its obligations to the community of nations.²⁵ In striking language, the Panel declared that “there is a growing recognition that the issue is not the ‘right to intervene’ of any State, but the ‘responsibility to protect’ of every State when it comes to people suffering from avoidable catastrophe. . . .”²⁶ To meet this responsibility, the Panel described the importance of nonviolent means of averting or ending hostilities, while acknowledging that when such a response is insufficient to stop mass atrocities, the Security Council must be prepared to respond with force as a last resort.²⁷

In his own report, “In Larger Freedom,” released the next year, Kofi Annan returned to several themes he had covered in his Millennium Report five years earlier, including R2P. He declared that a globalized world calls for a holistic notion of security that deals with a wide range of threats, both traditional and unconventional, which must be met early, with a strong focus on prevention.²⁸ Most crucially, he affirmed R2P, placing special emphasis on the peaceful elements of the doctrine geared towards protecting human rights and civilian well-being, but affirming the role of the Security Council

to take more coercive action according to the UN Charter.²⁹

The most crucial endorsement of R2P came later in that year, when the General Assembly passed a landmark World Summit Outcome Document that served to codify the doctrine as the UN's official position. The Outcome Document declares that all states have the responsibility to protect their populations from "genocide, war crimes, ethnic cleansing, and crimes against humanity."³⁰ It commits the United Nations to consider on a case-by-case basis, using Chapters VI and VII of the UN Charter, how to protect populations from these crimes using "appropriate diplomatic, humanitarian and other peaceful means."³¹ Should these fail, UN member states may take timely action in the Security Council, leaving open the use of Chapter VII of the Charter, and in cooperation with regional organizations, where necessary. Member states committed themselves to helping all states build the capacity to protect their populations, and to assist states under stress before situations flare into open conflicts or crises.

In addition to marking the first time that an international body affirmed R2P and agreed to adhere to it, the Outcome Document is significant because of what it does and does not say. First, it limits the responsibility to protect to four crimes or atrocities: genocide, war crimes, ethnic cleansing, and crimes against humanity. Previous statements recognized "serious violations of international humanitarian law"³² or large scale loss of life caused by state action, neglect, or failure as acceptable justifications for intervention.³³ Because of the ambiguity and non-universality of these standards, member states chose to use the more established definitions of genocide, war crimes, ethnic cleansing, and crimes against humanity as the foundation for R2P.

Second, the Outcome Document refers to Chapters VI and VIII of the UN Charter. Chapter VI deals with the powers of the Security Council to facilitate the peaceful resolution of disputes. It also empowers the Council to investigate threats to international peace and security and recommend their redress. Chapter VII empowers the Council to authorize various measures, including military action, to deal with these threats. The reference to Chapter VII in the Document is highly pertinent to the function of R2P. It affirms the role of the Security Council in sanctioning the use of force to intervene and halt the four violations cited in the text. While efforts to prevent these atrocities are given paramount importance, R2P is nonetheless a doctrine

that legitimizes military action.

Third, the Outcome Document gives the Security Council sole responsibility for authorizing military intervention to stop the four crimes listed. While the 2001 ICISS report declares that interventions authorized by the Security Council are preferable, it offers a number of alternatives to action by the Council, including action by ad hoc coalitions of willing states.³⁴ That the Document does not reference such coalitions of the willing precludes the possibility of R2P intervention ever being used against any member of the P5 or their close allies, and it noticeably restricts the circumstances in which military force may be legitimately used to respond to the four crimes.

Follow-up to the Adoption of R2P

The evolution of R2P did not end with the 2005 World Summit Outcome Document. In 2006, the Security Council twice referenced the General Assembly's endorsement of the doctrine in resolutions on the protection of civilians in armed conflict and the deployment of the African Union/United Nations Hybrid Mission in Darfur.³⁵ Security Council resolution 1674, on the protection of civilians in armed conflict, only briefly references R2P,³⁶ but its presence in the resolution is important. Endorsement of the doctrine obligates the Council, and by extension its members, to implement it. This implies that the Council will play a more robust role in identifying situations of elevated potential for genocide, war crimes, ethnic cleansing, and crimes against humanity, and, if necessary, authorize military action to respond to these crimes.

This endorsement of R2P was first tested one month after Resolution 1674, when, in response to the crisis in Darfur, Sudan, the Security Council passed Resolution 1706 authorizing the African Union/United Nations Hybrid Mission in Sudan (UNAMID). UNAMID was the first Council action to invoke R2P. It is noteworthy that this action was military in nature. The tragedy in Darfur is awful and worthy of the highest levels of international attention and condemnation. Yet, despite all the safeguards built into the doctrine, it is particularly troubling to me that its first implementation would be in a resolution authorizing a military force.

R2P and the Potential for Manipulation

Darfur illustrates the problems and limitations of the Responsibility to Protect. Although there is generally strong moral support for R2P, when one puts it into practice problems arise. My first concern lies in the potential for the doctrine to be subverted to justify self-serving military intervention by powerful nations. My second and even greater objection is with the moral legitimacy and assumed efficacy of armed intervention.

As for the first concern, despite the helpful words about prevention and rebuilding after intervention, when stripped to its bones R2P is in essence a 21st-century “just war” theory. As with all war justification, the final decision on whether a war is “just” depends largely on who is doing the analysis. All wars are justified in the eyes of the nations that initiate them. We must remember that Hitler invaded the Sudetenland in 1938 in a humanitarian intervention to protect the oppressed civilian population. Further, although R2P requires the approval of the UN Security Council (which was never given), after the rationales of “weapons of mass destruction” and “Al Qaeda” had vanished, George Bush and Tony Blair used R2P to justify their invasion as the protection of the Iraqi people from the tyranny of Saddam Hussein. In 2004, Prime Minister Blair delivered a speech in his home constituency justifying the Iraq war in which he declared that “we surely have a responsibility to act when a nation’s people are subjected to a regime such as Saddam’s.”³⁷ This after-the-fact justification of a war that has resulted in the deaths of tens of thousands of Iraqis and generated 2 million refugees and 2.7 million internally displaced persons³⁸ is sadly demonstrative of how far countries will go to claim moral grounds for their actions.

In today’s polarized and politicized world, only the five permanent members of the Security Council, or countries with very close allies in that group, can trust the Council with deciding when the world community should intervene to protect vulnerable civilian populations. Historically, imperialist ventures have always been cloaked in noble sentiments like bringing civilization or Christianity to benighted populations, and the citizens and soldiers of those nations, if not always their leaders, actually believed the rhetoric. King Leopold II of Belgium, who founded one of the most brutalized colonies in Africa, used his membership in the Aborigines Protection Society and an Anti-Slavery Conference in the late 19th and

early 20th century to establish his claim to the Congo so as to protect the Congolese from Arab slave traders.³⁹

R2P and the Call to “Do No Harm”

If we live in a world where horrible things are happening, and where “spin” and disinformation distort our knowledge of these events, how do we fulfill our responsibility to protect? As Mennonites we believe in following Jesus’ teaching and example in using the power of love and truth to confront hatred and oppression. Genocide, war crimes, ethnic cleansing, and crimes against humanity are very real, and we have a responsibility to protect that should go even beyond these definitions. As people faithful to God’s call, that responsibility includes poverty, malnutrition, HIV/AIDS, education, and development. From God’s question to Cain (Gen. 4:9), to Jesus’ parable of the Good Samaritan (Luke 10:25-37), Scripture makes it very clear that we are our “brother’s keepers” and have a responsibility to protect all who are vulnerable. My problem with R2P is not the recognition of that responsibility but the suggestion that when all else fails, war is the best solution.

In fulfilling our responsibility to protect, the means we use must be consistent with the ends we hope to achieve. A cornerstone for understanding this is one of the oldest binding contracts, which is still used in the medical profession today, the Hippocratic Oath (c. 400 BC), which can be summarized as “First, do no harm.” The German/American philosopher Hannah Arendt pointed out that since we cannot know the results of our actions, the means we use are often more significant than the ends we hope to accomplish. What she wrote in *On Violence* in 1970 could have been written about the current bodies proposing R2P:

[T]here are, indeed, few things more that are more frightening than the steadily increasing prestige of scientifically minded brain trusters in the councils of government....[T]hey reckon with the consequences of certain hypothetically assumed constellations without, however, being able to test their hypotheses against actual occurrences....The end of human action, as distinct from the end products of fabrication, can never be reliably predicted. The means used to achieve political

goals are more often than not of greater relevance to the future world than the intended goals.⁴⁰

Nonviolent Alternatives to R2P: Vietnam

How can people of faith, using the power of love and truth, accept our responsibility to protect vulnerable populations while confronting enormous and very powerful evil? I don't have a set formula for this, but I can tell of my personal experience attempting to act out this principle. During the War in Vietnam, many Americans, including me, believed that the good people of South Vietnam were being attacked by the Godless Communists of North Vietnam. After the Gulf of Tonkin Incident, we were told that an American ship was hit in an unprovoked attack by the North Vietnamese. In response, the US government sent 500,000 American military personnel to try to rescue the people of South Vietnam.

Not content with giving the US government the last word, the Mennonite Central Committee and Vietnam Christian Service also sent me and about 150 other pacifists to the South to teach, rebuild bombed-out schools, and develop sustainable livelihood projects. Years later, we learned that the Gulf of Tonkin Incident had been fabricated by our government, and that Ho Chi Minh, though a Communist, was primarily a nationalist who favored good relations with the US, partly as protection against Vietnam's large Communist neighbor, China. Both the US soldiers and the MCC service workers initially misunderstood the dilemma of the Vietnamese people we were trying to protect. The US government, supposedly after all other options had failed, used military force to try to "protect" the South Vietnamese. The US military ended up killing 5 million Vietnamese and losing 58,000 American soldiers.

MCC used only nonviolent methods to try to protect the people of South Vietnam, and although I cannot report on the rest of the MCC programs, by the time I left Tam Ky, the village where I worked, 4,000 Vietnamese children had learned to read and write Vietnamese in schools we had organized using Vietnamese high school students as teachers, and 50 Vietnamese families were supporting themselves through a Bamboo Crafts Cooperative and a Sewing Cooperative that we started. When the US military pulled out in defeat in 1975, the American government broke diplomatic

relations with Vietnam, and instituted sanctions and a trade embargo that lasted for the next 19 years. Today, economics has supplanted geopolitics and the US is one of Vietnam's largest trading partners. Through it all, MCC continued its programs to protect and support the people of Vietnam. Our programs continued after the troops left, and we have sustained that work ever since.

Nonviolent Alternatives to R2P: Bosnia

Perhaps the most difficult struggle I ever faced in trying to carry out my responsibility to protect was during the war in Bosnia. At the end of the Cold War, Yugoslavia started to dissolve into the various republics formerly comprising the unified state. When Bosnia voted to secede from Yugoslavia in 1991 and become a multi-ethnic republic under a Muslim president, Serbia, the largest of the former republics, decided to arm the ethnic Serbs in Bosnia and drive out all the citizens who were not ethnically Serb. The situation burst into a full-fledged ethnic war, with the Serbs, who had inherited the Yugoslav military's weapons, fighting and trying to "ethnically cleanse" the country of the largely unarmed Bosniak civilian population. Hundreds of thousands of civilians were killed, and millions were driven from communities where their families had lived for hundreds of years.⁴¹

It was complicated for me, in that the Serbs were nominally Orthodox Christians while the Bosniaks were nominally Muslim. Arkan (Zeljko Raznatovic), the notorious leader of the Serbian "Tiger Militia" responsible for the ethnic cleansing of scores of Muslim villages stated, "We are fighting for our faith, the Serbian Orthodox Church. We are fighting for a united Serbian state. This party will believe in God and Serbia."⁴² How could I, as a Christian pacifist, credibly respond to a genocide where "Christians" were slaughtering "Muslims" in the name of God?

I struggled for months and finally joined some Muslim friends to set up the Bosnian Student Project, a program of the Fellowship of Reconciliation, which found homes and schools for Bosnian students who were unable to continue their education. We developed a network of allies in Bosnia and Croatia to identify qualified students and help them get to Croatia for visas and flights to the US. In the States we developed a network of Christians, Muslims, and Jews who would find schools willing to give full scholarships

to qualified students, and families who would host the students while they studied. We required host families to love and accept the Bosnian students as they were, helping them to attend mosque if they were interested (most of the students were from Muslim or mixed families) or inviting them to attend the house of worship of the host family if they were interested. During the last three years of that war we brought 162 Bosnian students out of the war zone and into some of the best American high schools, colleges, and universities. Almost all the students completed college, with many staying on to finish Masters and Doctoral degrees.

United Nations efforts to use military force in the protection of Bosniaks during the war was a disaster. The mandate of the UN Protection Force (UNPROFOR) for most of the war was only to protect UN relief operations, not the civilian population (mandates are determined by the Security Council, which was divided on the issue of Bosnia). In 1993 the UN designated a number of Bosnian towns and cities as a “Safe Area,” and sent small contingents of armed UN soldiers to protect civilians in those places.⁴³ Srebrenica, a small southeastern Bosnian city of about 40,000, was a “safe area” where 400 Dutch UN Peacekeepers were stationed. In July 1995, Serb military forces overwhelmed these 400 soldiers and captured the Srebrenica “safe area.” The Bosniak women and children were separated from the men and boys. The women and young children were loaded on city buses brought in from Serbia and delivered to the Bosnian city of Tuzla. The 8,000 Bosniak men and boys were slaughtered over three days and buried in mass graves nearby.

Shortly after the end of the war I was in Bihac, Bosnia, visiting the family of a student who lived in my home during the war. Samir’s family had invited me to a picnic attended by General Dudakovic, the legendary Bosnian general who is credited with saving the city of Bihac and the whole northwestern corner of Bosnia; after the war he went on to become the General Commander of the Army of Bosnia and Herzegovina. I was worried about the encounter, because I knew that one of the students in the Bosnian Student Project had been an active duty soldier under his command before coming to the US to participate in our program. I was astounded when General Dudakovic said he not only knew that Igor had a scholarship in the US before he issued him a 3-day pass, he also had given him \$500

to bribe the guards at the Croatian border. “By saving and educating the brightest and best of the Bosnian youth,” he explained, “your organization contributed more to the future of Bosnia than the UN, any other NGO, or even any government.”

Since the results of our actions when trying to protect vulnerable populations, whether using military force or the power of love and truth, “can never reliably be predicted,” the only thing we can say for certain is that when love and truth are used, rather than armed force, no additional members of the vulnerable population will be hurt by our actions. Jesus understood this when he asked his followers to abandon the old ways of dealing with evil, and to follow his new path of love and compassion.⁴⁴

Notes

¹ Francis Fukuyama, *The End of History and The Last Man* (New York: Avon Books Inc., 1992).

² United Nations Charter, Article 51.

³ UN Charter, Article 42.

⁴ UN Charter, Article 2.7.

⁵ UN Charter, Article 24.

⁶ “Universal Declaration of Human Rights,” United Nations High Commission for Human Rights; www.unhcr.ch/udhr/lang/eng.htm, accessed 10 July 2008; see particularly Articles 22-28.

⁷ “Convention on the Prevention and Punishment of Genocide,” United Nations High Commission for Human Rights; www.unhcr.ch/html/menu3/b/p_genoci.htm, accessed 10 July 2008, article 2.

⁸ “Rome Statute of the International Criminal Court,” International Criminal Court, 17 July 1998, www.icc-cpi.int/library/about/officialjournal/Rome_Statute_English.pdf, accessed 10 July 2008; also circulated as UN Document A/CONF.183/9.

⁹ Rachel Davis, Benjamin Majekodunmi, and Judy Smith Höhn, “Prevention of Genocide and Mass Atrocities and the Responsibility to Protect: Challenges for the UN and the International Community in the 21st Century,” *The Responsibility to Protect Occasional Paper Series*, International Peace Institute, June 2008, 5. See also Francis Deng, “MacArthur Foundation Award for International Justice – Panel Discussion,” 20 March 2008, New York City; <http://secondslog.blogspot.com/2008/03/opening-of-international-justice-center.html>.

¹⁰ In the UN Charter, Chapter V, Article 24, the Security Council is given “primary responsibility for the maintenance of international peace and security.”

¹¹ Gareth Evans, “The Responsibility to Protect: Moving Towards a Shared Consensus,” in *The Responsibility to Protect: Ethical and Theological Reflections*, ed. Semegnish Asfaw et al. (Geneva: World Council of Churches, 2005), 4.

¹² Ibid., 4.

¹³ Gareth Evans, Mohamed Sahnoun, et al., *Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Research Centre, 2001), 16, 48 (Sections 2.25, 6.5).

¹⁴ Evans, “The Responsibility to Protect: Moving Towards a Shared Consensus,” 4.

¹⁵ UN Department of Public Information, 1999 (A/54/398); www.un.org/News/press/docs/1999/a54398.html, accessed 8 July 2008.

¹⁶ UN Department of Public Information, 2000 (A/54/PV.94); www.un.org/millennium/sg/report/state.htm, accessed 8 July 2008.

¹⁷ *Report of the International Commission on Intervention and State Sovereignty*, Evans, Sahnoun, et al.

¹⁸ Ibid., viii.

¹⁹ ICISS Report, 20 (Section 3.7).

²⁰ ICISS Report, 23 (Section 3.21-3.24).

²¹ ICISS Report, 24-25 (Section 3.26-3.33).

²² ICISS Report, 32 (Section 4.16).

²³ ICISS Report, 32-37, 47-48 (Section 4.19-4.42, 6.2-6.7).

²⁴ *Report of the International Commission on Intervention and State Sovereignty*, Evans, Sahnoun, et al., 39-43 (Section 5.1-5.40).

²⁵ “A More Secure World: Our Shared Responsibility – Report of the High-Level Panel on Threats, Challenges, and Change,” United Nations Department of Public Information, 2 December 2004, A/59/565, 22 (paragraph 29); www.un.org/secureworld/report.pdf, accessed 8 July 2008.

²⁶ Ibid., 56 (Paragraph 201).

²⁷ Ibid., 57 (Paragraphs 202-205).

²⁸ Kofi Annan, “In Larger Freedom,” UN Department of Public Information, A/59/2005, Paragraphs 77, 81; www.un.org/largerfreedom/chap3.htm, accessed 8 July 2008.

²⁹ Ibid., Paragraph 135.

³⁰ “2005 World Summit Outcome,” United Nations Department of Public Information, A/RES/60/1, 24 October 2005, 30 (Paragraphs 138-139); <http://daccessdds.un.org/doc/UNDOC/GEN/N05/487/60/PDF/N0548760.pdf?OpenElement>, accessed July 9, 2008.

³¹ Ibid., 30 (Paragraphs 138-139).

³² “A More Secure World,” 57 (Paragraph 203).

³³ ICISS Report, 32 (Section 4.19).

³⁴ ICISS Report, 32-37, 47-48 (Sections 4.19-4.42, 6.2-6.7).

³⁵ “Key Documents on the Responsibility to Protect,” International Crisis Group; www.crisisgroup.org/home/index.cfm?id=4521&l=1#docs, accessed 9 July 2008.

³⁶ S/RES/1674, United Nations Department of Public Information, 28 April 2006; <http://daccessdds.un.org/doc/UNDOC/GEN/N06/331/99/PDF/N0633199.pdf?OpenElement>, accessed 9 July 2008.

³⁷ 5 March 2004, “Blair Terror Speech in Full,” BBC; http://news.bbc.co.uk/2/hi/uk_news/politics/3536131.stm, accessed 10 July 2008.

³⁸ United Nations High Commission for Refugees (UNHCR); www.unhcr.org/cgi-bin/texis/

[vtx/iraq](#), accessed 10 July 2008.

³⁹ Adam Hochschild, *King Leopold's Ghost* (New York: Mariner Books, 1988).

⁴⁰ Hannah Arendt, *On Violence* (New York: Harcourt, Brace & World, 1970).

⁴¹ At the conflict's peak, the UN High Commission for Refugees assisted some 3.5 million displaced persons in Bosnia and 700,000 refugees; www.unhcr.org/cgi-bin/texis/vtx/balkans-country?country=bosnia, UNHCR, accessed 10 July 2008.

⁴² "An Outlaw in the Balkans is Basking in the Spotlight," John Kifner, *New York Times*, 23 November 1993, 1.

⁴³ Security Council Resolution 819, 16 April 1993; <http://daccessdds.un.org/doc/UNDOC/GEN/N93/221/90/IMG/N9322190.pdf?OpenElement>

⁴⁴ Matthew 5: 38-48.

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