



GLOBAL INSTITUTIONS



**Human Rights and Humanitarian
Norms, Strategic Framing,
and Intervention**

Lessons for the responsibility to protect

Melissa Labonte



Human Rights and Humanitarian Norms, Strategic Framing, and Intervention

The human rights and humanitarian landscape of the modern era has been littered with acts that have shocked the moral conscience of mankind, and there has been wide variation in whether, how, and to what degree states respond to mass atrocity crimes, even when they share similar characteristics. In many cases concerned states responded, either through moral suasion, gentle or coercive diplomacy, or other non-forcible measures, to prevent or halt the indiscriminate human rights violations that were occurring. In others, states simply turned away and left the vulnerable to their fate. In still other cases states responded robustly, using military force to stop the atrocities and save lives.

This book seeks to examine the effects of strategic framing in US and United Nations policy arenas to draw conclusions regarding whether and how the human rights and humanitarian norms embedded within such frames resonated with decision makers and, in turn, how they shaped variation in levels of political will concerning humanitarian intervention in three cases that today would qualify as responsibility to protect (R2P) cases: Somalia, Rwanda, and Sierra Leone. Labonte concludes that in order for humanitarian interventions to stand a higher likelihood of being effective, actors advocating support of such actions must find a way to persuade policy makers by appealing to both the logic of consequences (which rely on material and pragmatic considerations) and logic of appropriateness (which rely on normatively appropriate considerations)—and strategic framing may be one path to achieve this outcome.

Offering a detailed examination of three key cases and providing an original and important contribution to the field, this work will be of great interest to students and scholars alike.

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Routledge Global Institutions Series

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First published 2013
by Routledge
2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

Simultaneously published in the USA and Canada
by Routledge
711 Third Avenue, New York, NY 10017

Routledge is an imprint of the Taylor & Francis Group, an informa business

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British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

Library of Congress Cataloging in Publication Data

Labonte, Melissa.

Human rights and humanitarian norms, strategic framing, and intervention : lessons for the responsibility to protect / Melissa Labonte.
p. cm. – (Routledge global institutions series; 71)

Includes bibliographical references and index.

1. Humanitarian intervention. 2. Human rights–Government policy. 3. Human rights–International cooperation. 4. Responsibility to protect (International law) I. Title.

JZ6369.L33 2012

341.5'84–dc23

2012019664

ISBN: 978-0-415-62160-1 (hbk)

ISBN: 978-0-203-08094-8 (ebk)

Typeset in Times New Roman
by Taylor & Francis Books

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Foreword

Melissa Labonte's *Human Rights and Humanitarian Norms, Strategic Framing, and Intervention: Lessons for the responsibility to protect* is the 10th in a growing number of research volumes in our "global institutions" series examining crucial global problems as well as policies and solutions to address them. These volumes serve as lengthier and more specialized treatments of given topics than is possible in the general series. As such, they are essential components in advancing the overarching aim of the series—that is, to render more visible the often complex and poorly understood world of "global governance."

In addition to these longer research volumes, the series strives to provide readers with user-friendly and short (usually 50,000 words) but definitive guides to the most visible aspects of what we know as "global governance" as well as authoritative accounts of the issues and debates in which they are embroiled. We now have over 70 books that act as key reference points to the most significant global institutions and the evolution of the issues that they face. Our intention has always been to provide one-stop guides for all readers—students (both undergraduate and postgraduate), interested negotiators, diplomats, practitioners from nongovernmental and intergovernmental organizations, and interested parties alike—seeking information about most prominent institutional aspects of global governance.

Labonte pries open the infamous "black box" of political will for the emerging norm of the responsibility to protect (R2P) and probes the devilish details lurking inside. In the best tradition of social science, she asks "R2P, so what?" While many of us assume the importance of norms and normative entrepreneurs, Labonte wants to know under what conditions the human rights and humanitarian norms that are so prevalent in rhetoric and lie at the heart of policy making about mass atrocities actually affect the formation of sufficient political will to respond decisively and effectively. A mirror reflection of her concerns involves the

conditions that make humanitarian assistance and humanitarian diplomacy good substitutes for actually doing something to halt the murder of innocents. Clearly norms are a necessary first step, but they are hardly sufficient.

This unusual and provocative book analyzes the strategic framing of mass atrocities within both US and UN policy arenas to shed light on how the norm of humanitarian intervention, and more recently R2P, affected outcomes in Somalia, Rwanda, and Sierra Leone. Labonte is to be congratulated for challenging received wisdom. Ideally, this and other volumes in the research stream will be used as complementary readings in courses in which other specific titles in this series are pertinent—a selection of which can be found in the “about the series” section at the front of this book. Our aim is to enable topics of importance to be dealt with exhaustively by specialists as well as enabling collected works to address issues in ways that bring more than the sum of the individual parts, while at the same time maintaining the quality of the series.

As always, we look forward to comments from our readers.

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April 2012

Acknowledgments

The intellectual seeds for this project germinated over several years and, as they became further refined, found nourishment from colleagues at a number of institutions, particularly Fordham University, where I have been afforded tremendous encouragement and support. I am indebted to members of Fordham's Department of Political Science, who have provided an engaging professional home, and especially to Jeff Cohen, Jonathan Crystal, Bob Hume, Monika McDermott, and Nick Tampio for their insights and guidance throughout this process. I was aided considerably in the development of select parts of the manuscript by the generous assistance of the Graduate School of Arts and Sciences, Dean Nancy Busch, and Dr Kevin M. Cahill, who made it possible for me to spend a research leave at the United Nations observing and interacting with diplomats and policy makers. I am extremely thankful to these professionals, as I am to the many New York and Washington, DC-based diplomats and policy makers, and international humanitarian nongovernmental organization (NGO) staff who willingly shared their time and wisdom to contribute to this project. Special thanks are due also to Brendan Cahill, who welcomed me into the fold at Fordham's Institute of International Humanitarian Affairs, and to Jenna Felz, Kasia Laskowski, Laura Rismini, and Alex van Tulleken, who continue to make my involvement with the Institute thoroughly enjoyable.

The manuscript has benefited enormously from exchanges with and feedback from colleagues who have been on the academic- and/or field-level front lines of humanitarianism, including Nezh Altay, Eric Berman, Tom Biersteker, Antonio Donini, Anne Edgerton, Larissa Fast, Arancha Garcia del Soto, Lee Gordenker, Peter Hansen, Larry Hollingworth, Terry Hopmann, Kim Hudson, Jean Krasno, Tony Land, Kurt Mills, Norah Niland, Dirk Salomons, Ana Siscar, Tina Szabados, and the co-editors of this series, Tom Weiss and Rorden Wilkinson. Each has left a marked

impact on my thinking and helped shape my approach to the subjects this book addresses. All errors within are, of course, my own.

Finally, I am so very grateful to have had the unfailing love and encouragement of my family while completing this project, but it is to Peter, Theo, and Miss S. that I reserve the deepest thanks and most heartfelt devotion. It is through them that I am reminded of all that is good in life, and it is to them that I dedicate this work.

Melissa Labonte
Bronx, NY
March 2012

Abbreviations

AFRC	Armed Forces Revolutionary Council
AU	African Union
BBC	British Broadcasting Corporation
CARE	Cooperative for Assistance and Relief Everywhere, Inc.
CDF	Civil Defense Forces
CIA	Central Intelligence Agency
CNN	Cable News Network
CRS	Catholic Relief Services
ECOMOG	ECOWAS Ceasefire Monitoring Group
ECOWAS	Economic Community of West African States
EU	European Union
IASC	Inter-Agency Standing Committee
IATF	Inter-Agency Task Force
ICC	International Criminal Court
ICISS	International Commission on Intervention and State Sovereignty
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the Former Yugoslavia
ICVA	International Council of Voluntary Agencies
IDP	internally displaced person
IGO	intergovernmental organization
ILC	International Legal Commission
IMC	International Medical Corps
InterAction	American Council for Voluntary International Action
IRC	International Rescue Committee
IWG	Interagency Working Groups

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JCS	Joint Chiefs of Staff
LAS	League of Arab States
LoA	logic of appropriateness
LoArg	logic of argumentation
LoC	logic of consequences
MARO	mass atrocity response operation
MSF	Médecins sans Frontières
NATO	North Atlantic Treaty Organization
NEO	non-combatant evacuation operation
NGO	nongovernmental organization
NPRC	National Provisional Ruling Council
NRMD	Mouvement Républicain Nationale pour la Démocratie et le Développement (National Revolutionary Movement for Democracy and Development)
NSC	National Security Council
OAU	Organization of African Unity
OCHA	Office for the Coordination of Humanitarian Affairs
OFDA	Office of Foreign Disaster Assistance
OIC	Organization of the Islamic Conference
OPR	Operation Provide Relief
PDD	Presidential Decision Directive
PSD	Presidential Studies Directive
R2P	responsibility to protect
RPF	Rwandan Patriotic Front
RUF	Revolutionary United Front
SAVE	Save the Children
SCSL	Special Court for Sierra Leone
SLA	Sierra Leone Army
SRSG	Special Representative of the Secretary-General
UK	United Kingdom
UN	United Nations
UNAMIR	UN Assistance Mission for Rwanda
UNAMSIL	UN Mission in Sierra Leone
UNDP	UN Development Programme
UNHCR	UN High Commissioner for Refugees
UNICEF	UN Children's Fund
UNITAF	Unified Task Force
UNMIK	UN Interim Mission in Kosovo
UNMIS	UN Mission in Sudan
UNOSOM I	UN Operation in Somalia I
US	United States

USAID	US Agency for International Development
USC	United Somali Congress
WFP	World Food Programme
WV	World Vision

Introduction

- **Norms and strategic framing**
- **Mass atrocity crimes and norm transgressions**
- **Design and methodology**
- **Conclusion**

The living victims of siege and mass atrocities don't care who saves them, they just want someone to save them.¹

The modern humanitarian landscape is littered with acts that have shocked the conscience of mankind and violent affronts to the moral sensibilities of ordinary men and women.² The Armenian genocide, the Holocaust, the Cambodian killing fields, Rwanda, Srebrenica, and Darfur are among the most well-known mass atrocity cases of the past century. In their wake alone, tens of millions fell victim to genocide, war crimes, ethnic cleansing, and crimes against humanity. To paraphrase one scholar on this issue, mass atrocities are a “hoary phenomenon.”³

In contrast to the entrenched pattern of twentieth- and twenty-first-century atrocities, wide variation has persisted in whether, how, and to what degree states respond extraterritorially to such cases. Indeed, the international community's track record in preventing and/or halting mass atrocities is decidedly mixed and the refrain of “never again” has often rung hollow. The international legal architecture has only been marginally modified to deter and/or hold accountable perpetrators of mass atrocities. In some crises, concerned states responded with mixed action, either through moral suasion, gentle or coercive diplomacy, or other non-forcible measures, to prevent or halt indiscriminate human rights violations. In others, states simply turned away and left individuals and communities to their fates. Still yet in other cases, states responded robustly, using military force to stop atrocities and save lives.

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Take two recent crises where mass atrocities were imminent and unfolding—Rwanda and Kosovo. In Rwanda, the international community of states, through the United Nations (UN) Security Council, did nothing to save more than 800,000 Tutsis and moderate Hutus from slaughter. In the words of the International Commission on Intervention and State Sovereignty (ICISS), the failure “laid bare the full horror of inaction.”⁴ In Kosovo, however, military humanitarian intervention was taken by the North Atlantic Treaty Organization (NATO) with *post hoc* Security Council authorization and, while critics maintain that military action may have expedited ethnic cleansing and retribution crimes, supporters argue that a mass slaughter of civilians was prevented.⁵

In other cases, such as Zimbabwe, where mass atrocities continue to be perpetrated by the state against its civilian population, the response has mainly involved sub-regional diplomatic pressure and economic sanctions. It has not prompted states, regional/sub-regional bodies, or the UN to consider supporting more robust action that might include the use of military force. In other cases, such as Côte d’Ivoire and Sierra Leone, where both state and non-state actors perpetrated horrific violence against civilians, former colonial powers (France and the United Kingdom, respectively) obtained critical regional and international support to field limited military interventions with strong protection mandates and permissive rules of engagement, alongside deployed UN multilateral peacekeepers.

Yet amid all the variation in the way states respond to mass atrocities, each and every case shares a common element that critically shaped outcomes: the concept of political will. Political will may well be the most often-used phrase in politics today. It is widely considered to be a “collective” concept—denoting the separate but interconnected wills of elites and the general population.⁶ It comprises preferences and their intensity, and level of salience of the issue under consideration. In democratic republics, it is conversely correlated to the level of national interest a state has in a given issue area (e.g. vital, core, other). Political will has been invoked to explain similar decisions taken in response to different events, as well as different decisions taken in response to similar events. Especially within the sphere of humanitarian politics, political will has served at times as the hero and at other times as the villain of outcomes involving mass atrocity cases. Why didn’t the international community of states prevent the Rwandan genocide? Lack of political will. Why did NATO intervene in Kosovo? Because the necessary political will was galvanized among key member states. However, how much do we really know about political will for robust humanitarian

action, besides the fact that it is at a minimum a necessary (but not always sufficient) condition to generate policy outcomes aimed at protecting populations from mass atrocity crimes?

Relatedly, how much do we know about whether and how human rights and humanitarian norms that lie at the heart of policy making concerning mass atrocity crimes affect the formation of political will to respond decisively and effectively in cases where innocents are being massacred? Why are humanitarian assistance and humanitarian diplomacy so often used as substitutes for political will, especially in the direst of cases where stronger measures appear to be both legitimate, responsible, and practical to halt mass atrocity crimes (and regardless of their legality)? These issues stand today at the center of political debates surrounding humanitarian intervention and the emerging doctrine of the responsibility to protect (R2P), which affirms that host states have a primary responsibility to protect their populations from four classes of mass atrocity crimes: genocide, war crimes, ethnic cleansing, and crimes against humanity. When states manifestly fail in upholding their primary responsibility, a residual, secondary responsibility falls to the international community of states to respond effectively in protecting civilians from these crimes, through a wide range of policy measures including non-forcible and, where appropriate, forcible measures.⁷

Indeed, supporters stress that R2P's "relevance and power derive from its capacity to help spur political will for implementing widely accepted and long codified universal standards,"⁸ as well as its potential to shape and condition state behavior to respond effectively to mass atrocities. They also claim that it would have decidedly altered outcomes of mass atrocity cases that pre-date the norm. For example, UK Foreign Minister, Jack Straw, claimed in 2005 that had R2P been around in the 1990s, Rwanda and Srebrenica would have turned out differently.⁹ However, how do we know that the norms underpinning the doctrine can really help do this? Unfortunately, we don't have the option of winding back the clock to determine whether or not Straw was correct. We can, however, explore his claim by examining it analytically and assessing whether and how the human rights and humanitarian norms that featured in the policy debates concerning mass atrocity cases resonated with policy makers. We can also identify how, if at all, they may have shaped policy decisions supporting robust policies to protect civilians in those cases.

This book analyzes the strategic framing of mass atrocity cases in US and UN policy arenas to build knowledge concerning whether and how the humanitarian and human rights norms embedded within those frames affected decision outcomes in each of three mass atrocity cases:

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Somalia, Rwanda, and Sierra Leone. By exploring strategic framing in relation to the interactive nature of decision-making logics that policy elites utilize in formulating responses to mass atrocity cases, especially complex policy decisions like humanitarian intervention, we can discern how human rights and humanitarian norms travel and compete with other prevailing norms in the policy-making process.

Norms and strategic framing

Norms comprise shared understandings of appropriate behavior reflecting legitimate social purpose for actors with a given identity, forming important building blocks of international reality.¹⁰ Strategic frames also influence the political will to act. As an integral vehicle for transmitting norms, they help create shared understandings of the world and individuals within it that further legitimate and motivate collective action. Examples of strategic framing include modifying perceptions of landmines as instruments of cruel and unusual (and arbitrary) punishment that injure and harm innocent civilians, especially children, rather than as military armaments; and characterizing female *circumcision* as female *genital mutilation*. Mass atrocity cases that are strategically framed using human rights and humanitarian norms may, in theory, help establish a permissive policy environment to legitimate and justify support for robust response actions on both pragmatic and ideational grounds.

Key questions to ask, then, are: Do human rights and humanitarian norms resonate with policy makers and, if so, how and under what conditions? What motivates policy makers to invoke human rights and humanitarian norms in justifying their support for policies aimed at preventing and halting mass atrocity crimes, including the use of military force? R2P is considered by many to be a principled policy tool that should prevent, deter, or stop mass atrocity crimes—an amplifier for human rights and humanitarian norms.¹¹ Yet what if systematic analysis demonstrates that mass atrocity cases framed using coherent appeals to human rights and humanitarian norms are seldom sufficient to motivate the political will to support effective civilian protection responses? To help answer these questions, I re-examine two assumptions used in conventional explanations in this issue area: the role of ideational norms and the role of actors other than states in policy making.

Norms and ideas in policy making

Realists have long assumed that policy elites make decisions about intervening in mass atrocity cases based on traditional or pragmatic

perceptions of security interests. They tend to dismiss the ideational or normative dimensions of decision-making. Others claim that aspirational norms alone cannot possibly influence policy making unless other pragmatic or material considerations related to vital or core national interests operate alongside them.¹² However, these are largely untested assumptions. To say that states always act in their self-interest tells us little about how the nature of interests themselves evolves over time to possibly include human rights and humanitarian norms that affect consideration of whether to support the often costly and risky, but possibly morally necessary, business of humanitarian intervention.

Ideas and norms have, at a minimum, quasi-causal impact on outcomes in international politics.¹³ Evidence suggests that the rules, meanings, and social purposes to which states can and should use force have historically accommodated human rights and humanitarian norms well before these norms were appropriated under the R2P umbrella.¹⁴ Thus is it sensible to engage closer examination of the role of these norms in shaping international political outcomes in mass atrocity cases. Strategic framing offers one avenue for doing this, as it allows us to focus on ideational and normative diffusion and internalization, intersubjectivity, persuasion, empathy, liking, and affect in policy making.

More specifically, I assess whether and how the human rights and humanitarian norms embedded within strategic frames affect the formation of political will to respond robustly in such cases. Strategic framing should be most effective in shaping policy-maker preferences when it links new and established ideas to construct convincing messages that are highly resonant. Strategic frames can also contribute to expanding or contracting the political space necessary for policy preferences to be reviewed and reconsidered, and for new dynamics to be created in support of new or alternative policy to the status quo. Their effects are not always anticipated, however. Strategic framing can, for example, generate cues that are incongruent with other prevailing norms, create norm contests, and/or cloud rather than clarify a policy maker's decision-making calculus. These dynamics decrease the likelihood of supporting robust policy options such as humanitarian intervention, and instead reinforce the status quo or low-risk policy options. Studying these dynamics and how policy decisions are formed helps fill some of the gaps in our knowledge about how norms operate and assist (or not) in generating political will.

Empirically, we can observe changes in policy-maker understandings of the nature and scope of a mass atrocity case as challenger frames emerge and eventually (not in all cases) become prevailing strategic frames. When challenger frames gain traction in policy-making arenas,

they prompt policy-maker reassessment of the normative appropriateness and material utility of supporting certain policy options over others. When they do not, we tend to see support stabilize or recede for policies that are perceived to be costly, risky, or normatively suspect.

In recognizing that ideas themselves are insufficient alone to warrant policy change, I also consider the extent to which other environmental or contextual factors may have competed for policy-maker attention in these cases, and to what degree they affected the outcomes we are able to observe in each of the three mass atrocity cases. My goal is to distill a set of plausible warranting conditions from thorough comparative analysis that builds a quasi-causal narrative, one that is rich in detail but also identifies generalities that may be used in other studies.

International humanitarian NGOs as policy-making actors

Realism also assumes state actors to be central to the policy-making process, and largely ignores the possibility that non-state or nongovernmental actors play influential roles in policy decision making. It is true that states, unilaterally within national capitals or collectively through intergovernmental forums, make the final decisions concerning responses to mass atrocity cases. However, the policy-making process is shaped by a range of other actors that are legitimate focal points to investigate the effects of norms on policy making. Among them are rebel groups; intergovernmental organizations (IGOs) and nongovernmental organizations (NGOs); local civil-society groups; religious authorities; for-profit enterprises; the international media; and eminent personalities. Most importantly and because of their close association with human rights and humanitarian norms, I pay particular attention to international humanitarian NGOs as norm entrepreneurs in the policy process.

The contributions of NGOs to policy-making outcomes have been analyzed in issue areas such as conflict resolution; landmines; gender-based violence and women's rights; small arms trafficking; and climate change and environmental politics.¹⁵ The organizations most closely associated with the norms at the center of policy-making debates in response to mass atrocity cases are international humanitarian NGOs. They include actors as organizations operating mainly within the field of humanitarian action, generally (but not always) headquartered in one country, with operations that are international in scope. NGOs are defined as organizations that operate on a not-for-profit basis, have a voluntary membership base, operate locally or indigenously, quasi-governmentally, or internationally, and focus their operations in any field. International humanitarian NGOs share most of these characteristics, but are further

distinguished by their protection and assistance work with populations characterized by life-threatening conditions, suffering, displacement, and vulnerability. Examples of some of the best-known international humanitarian NGOs are Save the Children (SAVE), Médecins sans Frontières (MSF), Cooperative for Assistance and Relief Everywhere, Inc. (CARE), Catholic Relief Services (CRS), the International Rescue Committee (IRC), Oxfam, and World Vision (WV).

Increasingly, international humanitarian NGOs play key roles as policy advocates and norm entrepreneurs in mass atrocity cases and complex humanitarian emergencies, as well as humanitarian intervention debates.¹⁶ They engage key actors within national and intergovernmental policy-making communities, as well as the general population; help shape policy debates; and, in some cases, influence decision-making outcomes. These organizations have also helped raise new expectations for states to uphold international human rights norms and establish correctives to failed attempts to do so.¹⁷ International humanitarian NGOs also operate differently than other international actors, such as the International Committee of the Red Cross (ICRC), which disavows political advocacy, prefers quiet diplomacy, and guards fiercely the principle of neutrality, while still offering protection activities to civilians in complex emergencies and mass atrocity cases.

Yet international humanitarian NGOs as a group or class of actors have not always been in unison with each other on what states should do to prevent or halt mass atrocity crimes. Individually they have not always supported robust policies like humanitarian intervention and, in many cases, have advocated for alternative policies such as preventive diplomacy and capacity building.¹⁸ This diversity of views is reflected in detail across the case studies explored in this book.

Much of the scholarship on the role of international humanitarian NGOs in policy responses to humanitarian or mass atrocity crises is highly descriptive and lacks well-tested models. It is ideal, therefore, to view international humanitarian NGOs as one group of influential actors among many who contribute to policy-making debates by acting in their capacity as influence brokers or norm entrepreneurs.¹⁹ By virtue of the ideas and norms their members and staff carry, international humanitarian NGOs can be powerful (and persuasive) precisely because of their *identity* as carriers, which legitimates their views and advocacy.²⁰

To be effective, norm entrepreneurs need organizational platforms or opportunity structures. As national governments and IGOs engage issues related to mass atrocities and humanitarian intervention, opportunity structures have emerged for a range of actors to advocate on these matters, including international commissions, eminent personalities,

civil society groups, and even international humanitarian NGOs.²¹ Norm entrepreneurs use opportunity structures to spotlight and create issues, interpret information, and engage in policy-relevant cognitive framing.

These actors also count on communicative action opportunities with policy makers and donor governments to persuade and convey their preferences for policy outcomes. Since the end of the Cold War in particular, states and IGOs have come to rely heavily on international humanitarian NGOs to deliver on civilian protection where they cannot or will not in complex humanitarian emergencies and mass atrocity cases. This means that international humanitarian NGOs are important information sources, and in some mass atrocity cases where other key information actors are absent, they may exclusively hold information that makes them especially influential with policy makers in advocating policy preferences.

Relatedly, the field-level demands on these organizations have catapulted them onto the policy stage in unanticipated ways. It is no longer the norm for international humanitarian NGOs to restrict their activities to refugee camps across the border from zones of conflict. For many, having a permanent presence on the ground means operating in the middle of war zones where mass atrocities unfold in their midst.²² This proximity to conflict and violence complicates the delivery of relief and raises issues about the need for protection from combatants. Both of these considerations are humanitarian, but they are also vitally important to policy debates concerning humanitarian intervention and the responsibility to protect. Many international humanitarian NGOs have abandoned a former strict adherence to de-politicization and shifted their mandates and advocacy toward activities that are not only non-neutral, but that are very much political. Complex humanitarian emergencies involving mass atrocity crimes are man-made acts. They involve political means, purposes, and objectives. Thus, humanitarian assistance activities, by their very nature, are enmeshed with these political acts and form part of the political environment.

By any measure, international humanitarian NGOs have played and will continue to play a key role in articulating human rights and humanitarian norms, and in shaping humanitarian intervention debates. Civilian protection, particularly of women and children in armed conflict, now features centrally in the international policy discourse, and this includes protection from mass atrocities and the kinds of human rights violations that shock the moral conscience of mankind. Recent examples include Security Council resolutions 1674 and 1888, which address protection of vulnerable groups; and resolution 1706, which authorized deployment of UN Mission in Sudan (UNMIS) peacekeepers to

Darfur. Alongside state and intergovernmental actors, international humanitarian NGOs are vital implementing partners of these resolutions, either through advocacy (e.g. with the Office for the Coordination of Humanitarian Affairs (OCHA), its Inter-Agency Standing Committee (IASC), and global Clusters); international consortia (e.g. the International Council for Voluntary Agencies (ICVA)); or at field level (e.g. as members or co-leads of country-level Clusters).

In sum, international humanitarian NGOs are perceived by many (but not all) policy actors as possessing expert, policy-relevant knowledge and have gained formal access to key individual and institutional players in UN policy-making circles.²³ Their members participate in advisory panels and consultative committees where state and IGO policy and strategy concerning mass atrocity cases are developed, including the Security Council (e.g. the NGO Working Group on the Security Council, now known as the Consultation Group). Indeed, the “reach” of these organizations within international diplomatic circles is impressive. This does not, however, mean that international humanitarian NGOs blindly or uniformly support robust responses in mass atrocity cases. For example, the UK chapter of SAVE opposed the 1992 humanitarian intervention in Somalia, whereas the US chapter supported it. Amnesty International routinely avoided taking a public position on humanitarian intervention until the Rwandan genocide. MSF has always been highly cautious about supporting use of force to redress mass atrocity crimes. It supported humanitarian intervention in the case of Rwanda, but it has publicly distanced itself from R2P, especially its use of force provisions.²⁴

We now turn to an examination of what constitutes mass atrocity crimes, and how determinations are made regarding transgressions of the human rights and humanitarian norms that constitute such crimes.

Mass atrocity crimes and norm transgressions

The international legal prohibitions against mass atrocities, particularly those committed during conflict, have become increasingly codified since the late nineteenth century and the first 1899 Hague Convention (see Table I.1). Many of these instruments were developed in an era when conventional understandings of state sovereignty and the norm of non-interference prevailed, and thus compliance has generally remained voluntary.

It was not until the 1990s that new forms of multilateral cooperation emerged regarding the politics of the international community’s response to mass atrocity crimes. In 1992, for example, the Security Council

Table 1.1 International declarations, conventions, statutes, and standards of conduct relating to human rights and humanitarian “protection,” including from mass atrocity crimes

1948	Universal Declaration of Human Rights
1948	Convention on the Prevention and Punishment of the Crime of Genocide
1949	Geneva Conventions and the 1977 Additional Protocols
1951	Convention Relating to the Status of Refugees and its 1967 Protocol
1966	International Covenant on Civil and Political Rights and its two Optional Protocols
1966	International Covenant on Economic, Social, and Cultural Rights
1968	Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity
1973	International Convention on the Suppression and Punishment of the Crime of Apartheid
1975	Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
1979	Convention on the Elimination of All Forms of Discrimination against Women
1981	African (Banjul) Charter on Human and Peoples’ Rights
1989	Convention on the Rights of the Child and its 2000 Optional Protocol on the Involvement of Children in Armed Conflict
1994	Code of Conduct for the International Red Cross and Red Crescent Movement and International Non-Governmental Organizations (NGOs) in Disaster Relief
1998	Guiding Principles on Internal Displacement
1998	Rome Statute of the International Criminal Court
2000	Constitutive Act of the African Union
2004	Humanitarian Charter of the Sphere Project Minimum Standards and its 2011 update
2009	ICRC Professional Standards on Protection Work
2009	Kampala Declaration on Refugees, Returnees, and Internally Displaced Persons in Africa

agreed that non-military sources of instability, including humanitarian ones, could constitute threats to international peace and security, and stipulated that the “UN membership as a whole, working through the appropriate bodies” should give the highest priority to resolving such issues.²⁵ Later that same year it adopted resolution 794, which designated the humanitarian situation and civil war in Somalia a threat to international peace and security, and authorized a multilateral intervention there as an exceptional response. In the arena of peacekeeping, specific mandates concerning protection of civilians and humanitarian and UN staff now feature in all peace operations.²⁶ Relatedly, the UN and its specialized agencies, funds, and programs have fashioned a highly complex, multilateral architecture to manage the effects of mass atrocity cases, as well as to prevent and mitigate their underlying causes.

The ideational underpinnings of the international legal architecture regarding mass atrocities are found in human rights and humanitarian norms, which are constituted by shared understandings of appropriate behavior and legitimate social purpose as they relate to universal principles, especially those emphasizing human dignity and the laws of humanity. Often referred to as “humanity’s law,” international human rights and humanitarian law have helped clarify actions and behaviors which constitute mass atrocity crimes as well as legitimate and lawful responses.²⁷ The observable implications of these norms can be discovered either through their transgression or their promotion or protection. For the purposes of this research, I focus on their transgression. The norms pertaining to violations and the elements of the crimes themselves are enumerated in detail in the documents listed in Table I.1. The commission of these crimes has, in the past, legitimated a range of responses by the international community of states, from inaction to robust action such as humanitarian intervention. I briefly review these crimes here and use them throughout the book to denote when human rights and humanitarian norms have been violated.²⁸

Genocide

The crime of genocide is defined in Article II of the *1948 Convention on the Prevention and Punishment of the Crime of Genocide* as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group.”²⁹ In addition to the material bases for genocide, conspiracy to commit, direct and public incitement to commit, attempts to commit, and complicity in committing genocide are all punishable offenses under Article III of the Convention. The prohibition against genocide constitutes *sui generis*, meaning that it stands alone as a unique set of exceptional crimes.

Prohibitions against genocide also form part of customary international law, and the human rights and humanitarian norms undergirding specific genocidal acts are considered *erga omnes*, *jus cogens*, and peremptory norms where universal jurisdiction applies in their punishment. They include norms associated with the right to life and dignity; discrimination; the right to citizenship and/or nationality; freedom of movement, religion, and expression; political and civic rights; the right to

education; and access to health care. They are further classified into three groups: widespread and systematic discrimination against members of a particular group; life integrity violations; and special circumstances.³⁰ Such norms are considered non-derogable, and their systematic violations have been catalogued as risk factors for genocide.

War crimes

War crimes are violations of the laws or customs of war, as codified in the 1899 and 1907 Hague Conventions, as well as Common Article 3 of the 1949 Geneva Conventions and the 1977 Additional Protocols. All states are parties to the four Conventions, and their provisions are considered binding under treaty and customary law.³¹ These crimes embrace norms the aim of which is the regulation of violence in armed conflict. In both inter- and intrastate conflict, war crimes violate two main norms: distinction between civilians and combatants, and proportionality in the use of force.

Actions that can constitute war crimes include any devastation that is not deemed militarily necessary; destruction of municipalities or historic monuments; plunder of property (public or private); the willful killing, torture, ill-treatment, serious injury to body or health of civilians in an occupied territory or prisoners of war; civilian deportation; hostage taking; denying prisoners of war or civilians the right to a fair trial; medical experimentation, rendering civilians or undefended communities victims of attacks; the “perfidious” use of any of the symbols associated with the Red Cross or Red Crescent. Like genocide and crimes against humanity, violations that represent “grave breaches” of the laws of war trigger universal jurisdiction. “Non-grave breaches” may still constitute war crimes, but do not create the same obligations or duties among states to prosecute alleged perpetrators. As regards intrastate conflict, war crimes must be judged to have had “grave consequences” for the victims and constitute the violation of a norm that protects socially important rules. War crimes committed during civil wars, then, can include acts of violence involving life or health of civilians and/or outrages upon personal dignity (e.g. enforced pregnancy, prostitution, rape, murder, ill-treatment, torture and/or mutilation, summary executions), hostage taking, and pillaging.

Ethnic cleansing

While not legally defined in international conventions or statutes, ethnic cleansing is characterized as removing, through intimidation, threat of

violence, or actual violence, individuals or groups identified by certain religious, ethnic, or racial labels, from a particular geographic area. Perpetrators can employ torture, murder, summary executions, rape, hostage taking, pillaging, robbery, deportation, or engage in wanton destruction of community property and attacks on non-military structures such as hospitals and schools, to compel members of an ethnic group to flee an area. Ethnic cleansing can serve as an antecedent to genocide, and specific war crimes and crimes against humanity (e.g. large-scale massacres, forced displacement, or deportation, systematic rape, forced pregnancy) may also be considered actions designed to ethnically cleanse a territory or group.

Crimes against humanity

Crimes against humanity are violations of norms associated with the laws of humanity, either in times of war or peace, and regardless of whether such acts conform to the domestic legal systems in the locales where they are committed.³² They refer to specific acts of violence of a widespread or systematic nature, including inhumane acts against civilians, enslavement, murder, extermination, deportation, enforced disappearance, apartheid, forcible transfer of populations, torture, forced pregnancy, and rape. The inhumane nature of these crimes violates essential norms like life, liberty, physical welfare, health, and human dignity.³³ Thus, they constitute *jus cogens* norms of international law, are generally non-derogable and justify universal jurisdiction and a duty on the part of states to prosecute or extradite alleged perpetrators to another state willing to prosecute.

Design and methodology

In the chapters that follow, I explain *how* the human rights and humanitarian norms used by international humanitarian NGOs in the strategic framing of mass atrocity cases contribute to the policy-making process where humanitarian intervention is a possible policy outcome. As the “ultimate” policy response associated with mass atrocity cases, I focus on how norm entrepreneurs like international humanitarian NGOs help shape policy-maker perceptions and understandings of whether the use of force for humanitarian purposes is possible materially or pragmatically, and/or desirable ethically or normatively. They do not always succeed in their efforts. Rather, international humanitarian NGOs strategically frame mass atrocity cases in ways that produce both anticipated and unanticipated effects on policy makers.

In analyzing the policy debates concerning the mass atrocities that unfolded in Somalia, Rwanda, and Sierra Leone, I focus on two forums: the US government, and the UN. In fact, in all three cases the debates about the humanitarian response often shifted back and forth between these two forums. The justification for enhanced attention to the US policy sphere is twofold. First, national governments are decisive actors for any policy response to mass atrocity crimes, including provisions for forcible response; therefore, it is sensible to gain insight into at least one influential state's policy-making process where strategic framing is used.

Second, the United States is a primary decision maker in international politics generally and within the Security Council specifically—it functions as a “controller.”³⁴ Controllers are actors whose views are typically consulted before policy decisions are taken because of their legitimacy, formal authority, or resources. Thus, while the UN is “global in membership,” the United States is global in “reach and power.”³⁵ It plays a highly important role in shaping international policy concerning responses to mass atrocities, including humanitarian intervention. Moreover, without US support it would be extremely difficult (possibly impractical) for the Security Council or a coalition of the willing to sanction the use of force to halt or prevent mass atrocities, including cases that today would be classified as R2P cases. In other words, the international community of states will not be persuaded to take robust action in halting mass atrocities if Washington is not persuaded. The US focus generates insights into how political will to respond may (or may not) be formed in a state that has nearly unparalleled military capacity to intervene but historically has had tremendous difficulty mustering the necessary political will to respond in the face of mass atrocity cases.³⁶

The United States, however, does not single-handedly drive the international policy process concerning mass atrocity cases, whereas it does benefit from marshaling support for policy preferences through forums that others regard as legitimate.³⁷ Certainly a range of governments, especially the four other permanent members of the Security Council (China, France, Russia, and the United Kingdom) continue to play a critical and disproportionately powerful role relative to other nations in global decision making regarding policy outcomes in response to mass atrocity cases. This has especially been true since the adoption of R2P in 2005, which has endowed the Security Council with a near-absolute authority to determine the parameters of any international community response to mass atrocities.

However, undertaking to examine in detail the politics of humanitarian intervention from the perspective of each of the other four permanent

members of the Security Council falls well outside the scope of what is practical here, although it would make for a fruitful future research endeavor. That said, the politics of decision making within the Council concerning humanitarian intervention is important to this analysis, and my research integrates facets of it in each of the three cases. Moreover, and for the purposes of identifying lessons for the future of R2P, a subject taken up in the final chapter, including a treatment of Security Council politics alongside US policy making may bridge the pre- and post-R2P time periods analytically. Thus, the Security Council is a common structural factor uniting the pre- and post-R2P discourse about human rights and humanitarian norms, and international responses to mass atrocity crimes.

There is no shortage of crises or complex humanitarian emergencies where mass atrocity crimes have been committed from which to draw in examining the impact of human rights and humanitarian norms on policy making where use of force is considered. While such emergencies are typically shaped through a confluence of factors, most share a set of common elements strongly indicative of mass atrocities or gross violations of human rights such as genocide, war crimes, ethnic cleansing, or crimes against humanity. The perpetrators of those crimes are typically the host state or non-state actors (insurgents or rebels) who seek to challenge a central authority, to engage in criminalized anarchy, or to dominate other groups in a society. This does not mean, however, that all complex emergencies or all human rights violations would be considered mass atrocity cases. Conscience-shocking behavior, actual or potential, is necessary for a case to be considered a mass atrocity case. Mass atrocity crimes also have unique characteristics. They require acts of commission, involve widespread and systematic uses of violence, and are purposive and planned, targeted and strategic.³⁸

In each of the three cases examined here (Somalia, Rwanda, and Sierra Leone), high levels of violence perpetrated by state and non-state actors resulted in millions of individuals being forcibly displaced from their communities. In each case responsive institutions of governance had deteriorated or broken down completely and the national governments had “manifestly failed” in upholding their primary responsibility to protect the human rights of the civilian population.

In all three cases (see Table I.2), civilians were targeted with mass atrocity crimes, suffered large-scale human rights violations, and were made highly vulnerable to starvation, illness, and disease. In Somalia, a US-led, UN-authorized humanitarian intervention was implemented in December 1992. In Rwanda, the United States and the UN opposed humanitarian intervention in response to the genocide, which spanned

April to July 1994. In Sierra Leone, a quasi-humanitarian intervention was led by the United Kingdom with the support of the United States and the UN in May 2000.

Somalia, Rwanda, and Sierra Leone are ideal and comparable cases through which to study how human rights and humanitarian norms influence policy making for two additional reasons. First, they hold relatively constant the issue of vital interest, making them difficult test cases across which to analyze variation in robust policy outcomes requiring high levels of political will like humanitarian intervention. For both the United States and many UN member states, there are few vital national interests at stake when conflict and mass atrocities break out in Africa, particularly sub-Saharan Africa. This does not, however, mean that other interests are absent concerning these nations. In fact, the strategic context within which humanitarian matters have been taken up by the Security Council has been dominated by debates concerning the continent, so much so that in the mid-2000s, nearly two-thirds of the Council's time was spent on dealing with its conflicts and mass atrocities.³⁹ What this means is that Africa registers on the foreign policy radars of great powers like the United States and multilateral forums like the Security Council, but this does not necessarily translate into high levels of political will to respond effectively to crises involving mass atrocities when they occur there. Thus, attempting to explain or gain further insight into this trend is both policy-relevant and timely.

Second, R2P has its origins in Africa. Indeed, in many ways the work of ICISS was shaped in part through the interventions in West Africa taken by the Economic Community of West African States (ECOWAS) in Liberia and Sierra Leone, and in the articulation of the principle of “non-indifference” which constitutes Article 4(h) of the African Union's (AU) 2000 Constitutive Act.⁴⁰ Accordingly, Rwanda and Somalia would clearly be considered mass atrocity (or R2P) cases if they were occurring today. Sierra Leone would likewise be considered an R2P case because of the systematic and widespread nature of the violence committed during the civil war, the extreme and prolonged levels of displacement and human suffering, the failure of the national government to protect its civilians and, in some instances, its complicity in allowing atrocity crimes including war crimes and crimes against humanity to be carried out (e.g. the government-allied Civil Defense Force's use of child soldiers).

I utilize a process-tracing method to develop a fine-grained analysis of the Somalia, Rwanda, and Sierra Leone case studies to explore the pathways through which actor beliefs are influenced by “receptivity” to and assessment of new information and understandings about a particular

Table I.2 Mass atrocities: Somalia, Rwanda, and Sierra Leone

	<i>Constitutive elements</i>	<i>Somalia (1991– 93)</i>	<i>Rwanda (1994)</i>	<i>Sierra Leone (1999– 2000)</i>
Genocide*	Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:	–	X	–
	Killing members of the group	–	X	–
	Causing serious bodily or mental harm to members of the group	–	X	–
	Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part	–	X	–
	Imposing measures intended to prevent births within the group	–	X	–
	Forcibly transferring children of the group to another group	–	X	–
War crimes*†	Willful killing	X	X	X
	Torture	X	X	X
	Inhumane treatment	X	X	X
	Biological experiments	–	–	–
	Willfully causing great suffering	X	X	X
	Destruction and appropriation of property	X	X	X
	Compelling service in hostile forces	–	X	X
	Denying a fair trial	X	X	X
	Deportation and transfer	–	–	–
	Unlawful confinement	X	X	X
	Hostage taking	X	X	X
	Attacking civilians and/or civilian objects	X	X	X
	Attacking personnel or objects involved in a humanitarian assistance or peacekeeping mission	X	X	X
	Excessive incidental death, injury, or damage	X	X	X
	Attacking undefended places	X	X	X
	Wounding a person <i>hors de combat</i>	X	X	X
	Improper use of a flag of truce, or flag, insignia, or uniform of the hostile party	–	–	X
	Improper use of a flag, insignia, or uniform of the UN	–	–	X

Table I.2 (continued)

<i>Constitutive elements</i>	<i>Somalia (1991– 93)</i>	<i>Rwanda (1994)</i>	<i>Sierra Leone (1999– 2000)</i>
Improper use of the distinctive emblems of the Geneva Conventions	–	–	–
Transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer or all or parts of its population of the occupied territory within or outside of this territory	–	–	–
Attacking protected objects	X	X	X
Mutilation	X	X	X
Medical or scientific experiments	–	–	–
Treacherously killing or wounding	X	X	X
Denying quarter	X	X	X
Destroying or seizing the enemy's property	X	X	X
Depriving nationals of the hostile power of rights or actions	X	X	X
Compelling participation in military operations	–	X	X
Pillaging	X	X	X
Employing poison or poisoned weapons	–	–	–
Employing prohibited gases, liquids, materials, or devices	–	–	–
Employing prohibited bullets	–	–	–
Employing weapons, projectiles, or materials or methods of warfare listed in the Annex to the Statute	–	–	–
Outrages upon personal dignity	X	X	X
Rape	X	X	X
Sexual slavery	–	–	X
Enforced prostitution	–	–	X
Forced pregnancy	X	X	X
Enforced sterilization	–	–	–
Sexual violence	X	X	X
Using protected persons as shields	X	–	X
Attacking objects or persons using the distinctive emblems of the Geneva Conventions	X	X	X
Starvation as a method of warfare	X	–	–

Table 1.2 (continued)

<i>Constitutive elements</i>		<i>Somalia (1991– 93)</i>	<i>Rwanda (1994)</i>	<i>Sierra Leone (1999– 2000)</i>
	Using, conscripting, or enlisting children	X	X	X
	Murder	X	X	X
	Cruel treatment	X	X	X
	Outrages upon personal dignity	X	X	X
	Sentencing or execution without due process	X	X	X
	Displacing civilians	X	X	X
Ethnic cleansing	Removal, through intimidation, threat of violence, or actual violence, individuals or groups identified by certain religious, ethnic, or racial labels, from a particular geographic area	–	X	–
Crimes against humanity*	Murder	X	X	X
	Extermination	–	X	–
	Enslavement	–	–	X
	Deportation or forcible transfer of population	X	X	X
	Imprisonment or other severe deprivation of physical liberty	–	X	X
	Torture	X	X	X
	Rape	X	X	X
	Sexual slavery	–	–	X
	Enforced prostitution	–	–	X
	Forced pregnancy	–	–	–
	Enforced sterilization	–	–	–
	Sexual violence	X	X	X
	Persecution	X	X	X
	Enforced disappearances of persons	X	X	X
	Apartheid	–	–	–
	Other inhumane acts	X	X	X

Notes: * Genocide, war crimes constituting “grave breaches,” and crimes against humanity trigger universal jurisdiction; † as regards intrastate conflict, war crimes must be judged to have had “grave consequences” for the victims and constitute the violation of a norm that protects socially important rules.

issue or situation that are, in part, conveyed by strategic frames.⁴¹ My research included compiling and analyzing a wide range of primary source documents, including internal documents, research reports, and public statements from a select range of international humanitarian NGOs as well as international media reports that included interviews with field-level humanitarian staff. I analyzed verbatim records of congressional testimony and Security Council debates in each of the three cases, as well as policy briefings, reports, and statements from the Department of State, Joint Chiefs of Staff (JCS), Department of Defense, National Security Council (NSC), the UN Secretariat, and the Security Council. I also examined high-level international advisory committee reports, press briefings, and policy positions taken by select UN member states.

To complement the extensive desk research, I conducted in-depth interviews with a range of international humanitarian NGO staff. Open-ended interviews were also conducted with current and former UN officials and staff, as well as senior staff of the Office of Foreign Disaster Assistance (OFDA), the US Agency for International Development (USAID), the Foreign Service, and the Department of State, to gauge what these individuals were thinking during the policy-making periods in question, and to ascertain how the human rights and humanitarian norms embedded within those frames affected (if at all) their understandings of the appropriateness and utility of specific policy options.

To put the cases into relative perspective, I combine the individual analyses into a broader, descriptive typology of strategic framing efforts and policy outcomes, and draw appropriate conclusions concerning the effects of human rights and humanitarian norms in policy making where use of force is considered as a policy option in response to mass atrocity cases. I pay particular attention to the conditions that make a strategic frame effective, which include capitalizing on information asymmetries, utilizing opportunity structures effectively, and levels of coherence and coordination. In addition, I analyze the resonance conditions of the human rights and humanitarian norms embedded within the strategic frames that characterized each mass atrocity case over time. These include providing credible and compelling evidence of mass atrocity crimes; establishing clear links between perpetrators and victims; the degree to which universal values concerning human dignity were linked to other prevailing norms; and determining whether claims about the “responsible” use of force to protect were made. I then apply the lessons from these cases to the nascent doctrine of R2P, the foundational norms of which are firmly rooted in international human rights and humanitarian law, and specify where and how this analysis can contribute to addressing the challenges involved in its implementation.

Conclusion

During the August 2010 General Assembly session on R2P, delegates from over 30 member states, the European Union (EU), and civil-society groups sought the floor to make comments. Many spoke of the noble ethics that R2P embodied and lauded its promise as a nascent policy tool to protect civilians from the worst behaviors of their governments. In his introductory remarks, Secretary-General Ban Ki-moon emphasized the “compelling moral imperative” in R2P and urged member states to “let us not forget what is at stake” by recalling the horrors of the Holocaust, the killing fields of Cambodia, the failure of “never again” in Rwanda, and the mass graves of Srebrenica.⁴² It was clear from the overall tone of the debate that R2P norms now form part of the stock in trade of multilateral diplomacy surrounding mass atrocity cases.

However, one of the most pointed questions asked concerning R2P’s implementation had little to do with human rights norms per se. Rather, it brought into focus the pragmatic issues surrounding implementation of R2P as presently envisioned by the secretariat and its supporters. In his comments to the General Assembly, the Indian permanent representative described a conversation just prior to the start of the session with fellow career international civil servant, B.G. Ramcharan, one of five featured panelists at this event. He asked Ramcharan whether, if the UN had had in place in the mid-1990s the Secretary-General’s proposed new internal mechanism designed to “expedite and regularize” the world community’s response to mass atrocity cases, Rwanda and Srebrenica could have been avoided.⁴³ Ramcharan’s response was very cautious and diplomatic, but not at all affirmative. In his own comments later in the session, Ramcharan attempted to clarify this by noting that any implementation of R2P would always require pragmatism and political judgment to both interpret correctly the facts about mass atrocity crimes as they unfold and the political motivations of alleged perpetrators and governments. He noted that by the time he himself was dispatched by the UN to Srebrenica in 1995, the massacres had already taken place, hinting that the UN was slow off the mark in responding to calls that ethnic cleansing and atrocities were unfolding in what had been labeled a “safe haven.” In the case of Rwanda, he claimed, early warning information was never channeled up to the level of the Secretary-General.⁴⁴ Therefore, he noted, the human rights and humanitarian norms embedded within R2P would mean nothing by themselves if they were not part of a political dynamic informed by early warning and

assessment, alongside sufficient political will. After all, he emphasized, “the Secretary-General can only pull the trigger on any R2P case once. You have to get it right if you want to bring the Security Council along ...”⁴⁵

This begs the question: Do aspirational norms based on human rights and humanitarian principles render policies like humanitarian intervention or newer doctrines like R2P appealing to policy elites? If this is the case, then we should see evidence of it in policy decision-making processes. Or do material and strategic factors prove decisive in policy decision making in mass atrocity cases? The conventional wisdom regarding policy making, especially when it involves security considerations such as the use of force or deployment of troops, is that material factors matter most in explaining variation in outcomes and human rights and humanitarian norms are mere window dressing. If the challenges that are most likely to stand in the way of effective mass atrocity responses are political, institutional, and operational, then we should find it helpful to examine the assumptions drawn from realism in international politics, thus diminishing the intrinsic value of human rights and humanitarian norms per se as determinative factors of policy outcomes.

As is the case with most international political phenomena, it may well be that a mixture of both the ideational and the material—the normative and the pragmatic (constructivist and realist)—has to be taken into consideration in generating prescriptive conclusions concerning mass atrocity responses, including and especially those that bear high costs and risks such as humanitarian intervention. To date, these assumptions have not been subjected to systematic analysis.

Ideas have intrinsic value and they can constitute social reality. This, in turn, means they have the potential to affect policy-maker preferences and their decision-making logics. When framed strategically, norms can combine with material factors in unanticipated ways and, in some cases, can resonate so strongly with policy makers that shifts in policy preferences result. In other cases, norms and strategic framing based upon them reinforce the material decision-making factors that realists and rationalists have long claimed to be the primary explanatory factors for policy outcomes, particularly those related to national or international security.

Before turning to these concerns, however, I examine in the following chapter the concept and application of contemporary humanitarian intervention, noting key issues that have characterized the global debate, especially since the latter half of the twentieth century. These include the role of key norms in shaping perceptions of and attitudes toward

humanitarian intervention, such as sovereignty, non-interference, as well as human rights and humanitarian norms. Alongside this discussion, issues related to the legitimacy and legality of humanitarian intervention, the matter of motives, right authority, the goals and effectiveness of humanitarian interventions, and whether humanitarian intervention constitutes a duty or right are also covered.

1 Contemporary humanitarian intervention in theory and practice

- The long and winding road of saving strangers
- Humanitarian intervention—prevention form or failure?
- Do intent and motives matter?
- Humanitarian intervention as an oxymoron
- Is humanitarian intervention a duty, a right, both, or neither?
- Conclusion

Emerging slowly, but I believe surely, is an international norm against the violent repression of minorities that will and must take precedence over concerns of State sovereignty.¹

This chapter focuses on how humanitarian intervention is defined, and a review of its evolution as a legal, ethical, and political concept. Scholars currently use a wide range of definitions for humanitarian intervention, reflecting the fact that it is a highly politicized and contentious concept both in its abstract and in operational forms. Humanitarian intervention is generally differentiated from other forms of intervention by the status of the actors involved, the objectives of the action taken by the intervener rather than the act of using force itself, the issue of consent, the means utilized, and the legality of the action.² It has been defined by some as “interference by a sovereign state, group of such states, or international organization, involving the threat or use of force or some other means of duress, in the domestic jurisdiction of an independent state against the will or wishes of its government.”³ I use the following definition: “military action taken by a state or group of states, in the territory of another state against that state or its leaders, without that state’s consent, which is justified partially or in whole by a humanitarian or protective concern for the population of the host state.”⁴

The long and winding road of saving strangers

So, why do states intervene in the domestic affairs of other states, without the host state's consent and ostensibly to save the lives of strangers? In particular cases, morality may demand it. In other cases, strategic national interest may compel it. When the greatest danger a civilian population faces comes from its own government, a pressing dilemma of international politics is whether people in such danger should be rescued by military forces from outside.⁵

While the tension between sovereignty and human rights sits at the heart of the debate over the legitimacy and legality of contemporary humanitarian intervention, the ascendance of liberalism during the latter half of the twentieth century brought with it the expansion of commitments to individuals as both subjects and objects under international law, especially in the realm of human rights. The obligations states have to others outside their borders, the individual accountability of perpetrators of mass atrocity crimes (including sitting leaders), and shifts in the absolute nature of territorial (or national) sovereignty have all contributed to what is an unsettled debate concerning the use of military force for humanitarian protection purposes.

The moral foundations of humanitarian intervention are said to have been established before the birth of Christ in the era of St Ambrose, who claimed "fulsome is the justice that protects the frail."⁶ Humanitarian intervention also featured prominently in medieval Christian theology and politics, and has close links to the Just War tradition.⁷ Prior to the Second World War, customary international law provided the precedent to justify humanitarian intervention, thus permitting states to "intervene in situations where another state mistreated its own citizens in a way falling so far below the 'general standards recognized by civilized peoples' as to 'shock the conscience of mankind.'"⁸ However, the potential for abuse of the norm led policy makers to oppose any emerging doctrine of humanitarian intervention.

While forming a bedrock principle of the post-Westphalian global order, sovereignty has never truly been inviolable or sacrosanct. Indeed, there is ample empirical evidence to confirm that by the early twentieth century, the social purpose of the use of force had begun to expand to include the possibility of legitimizing extraterritorial intervention on the basis of human rights norms and the global interest (which include the kinds of human rights and humanitarian norms that are transgressed by mass atrocity crimes), thus signaling a new idealism in humankind's use of war.⁹ Such actions were not without their critics. Often, the motives of interveners came under heavy scrutiny, including assertions

that the humanitarian label was used to mask other economic, political, or geostrategic interests. It was not until the 1945 adoption of the UN Charter, however, that the political and legal prohibitions on the use of force converged, and the Security Council emerged to embody formally “right authority” through its legitimating function concerning interventions of any kind, including those labeled “humanitarian.”¹⁰

There are, however, three justifications for overriding the principle of non-intervention that may expand the legal and political space to legitimate humanitarian intervention: 1 express consent by one state allowing another to transgress its sovereign boundaries; 2 preservation of international peace and security; and 3 humanitarianism.¹¹ Humanitarianism, however, has always been the most tenuous form of justification. During the Cold War era, states rarely appealed to human rights or humanitarian norms, or the protection of civilian populations from abuses by their governments to legitimate the use of force against other states.¹² Rather, most interventions from this period were justified by appealing to norms of self-defense, as provided for by Article 51 of the UN Charter. Attempts to legitimate intervention using the language of humanitarianism were generally condemned. For example, in the 1980s the United States attempted to justify its paramilitary activities in and against Nicaragua on the grounds that it had the right to assist a rebel movement seeking to defend themselves from human rights abuses as well as to come to the defense of neighboring countries facing cross-border military attacks from Nicaragua. However, US motivations also were shaped in large part by a desire to punish Communist-sympathizing regimes as well as to deter and prevent such regimes from securing a foothold in Central America.¹³ The International Court of Justice (ICJ) agreed with the latter interpretation, rendering judgment against the United States. Thus, in the absence of Security Council approval, humanitarian interventions may well be considered illegitimate and will almost certainly be deemed illegal.¹⁴

The seeming inviolability of sovereignty was brought into focus again following the conscience-shocking failures of the international community to respond to the 1994 Rwandan genocide and the Security Council’s initial paralysis in responding to the 1999 crisis in Kosovo. Then UN Secretary-General Kofi Annan reintroduced the idea that sovereignty is not absolute, not even in UN Charter provisions, when it constitutes an immunity shield from intervention or to give “license for governments to trample on human rights and human dignity. Sovereignty implies responsibility, not just power.”¹⁵ Moreover, he emphasized that in cases where international peace and security were seriously breached or fractured, or in cases of wars between states, the UN

under Article 2(7) may well have a responsibility to intervene. The 2011 Security Council authorization of the North Atlantic Treaty Organization (NATO)-led intervention in Libya is a case in point.¹⁶

Alongside reconsideration of the norm of sovereignty, evolving perceptions of the importance of international human rights and accountability of states to their populations, along with advances in international criminal justice have all contributed to changes in the way states think about intervention, the use of force under the UN Charter, and altered expectations concerning appropriate conduct on the part of states and other actors.

During the last decade of the twentieth century, debate over humanitarian intervention has centered around two issues representing evolving normative shifts and changes in state practice in the wake of the Holocaust and the Second World War, as well as the growth and development of an international human rights regime. The first is whether such interventions can be justified by elevating respect for human rights and self-determination above the rights imbued in state sovereignty, thus weakening the norm of non-intervention by one sovereign authority in the domestic affairs of another.¹⁷ Under this view, the new “international ethics” treats sovereignty as merely an expression of the values of individual life and communal liberty that undergird the international system.¹⁸ Thus, in such cases, consensus exists that humanitarian intervention is justified in cases of genocide and ethnic cleansing.

Additional support for this position has been fostered by the widespread belief that human rights are no longer considered to rest exclusively within state jurisdiction. Certain non-derogable rights (security, subsistence, liberty) have become institutionalized in multilateral treaties and organizations, mandate correlative duties among states, and are understood to be *erga omnes* of the international system.¹⁹ This consensus has rendered less relevant the principle of non-intervention as embodied in Articles 2(4) and 2(7) in cases where gross violations of human rights occur. Relatedly and because many states have historically poor track records protecting the rights of their citizens, a corollary justification for humanitarian intervention centers on the norm of self-determination (e.g. cases of liberation from colonial domination).²⁰ However, governments are typically wary of intervening in such cases because they may fear future self-determination claims within their own borders.

The second issue is whether humanitarian intervention can be justified by the fact that complex humanitarian emergencies can constitute threats to international peace and security.²¹ For example, the UN Security Council elevated the “status” of the Somalia crisis from a

“potential” threat to international peace and security in resolution 746 to an “actual” threat in resolution 794. The latter resolution went on to authorize use of force to redress the situation and protect humanitarian operations on the ground.

The early 1990s, in particular, found many states embracing the promotion of liberal values and universal rights, including compelling others (through use of force if necessary) to uphold certain duties to their populations, lest they become failed or weak states.²² Expectations grew that the UN, in particular, could contribute to resolving complex humanitarian emergencies where mass atrocities were occurring. Alongside these trends, the growth of the international media, the emergence of the 24-hour news cycle, and the rise of advocacy-minded nongovernmental organizations (NGOs) meant that no part of the planet was too far off the beaten path to become a household word, as Mogadishu, Kigali, and Freetown have illustrated. By the mid-1990s, however, both ardent supporters and opponents of humanitarian intervention became highly sobered by the international community’s experiences in Rwanda and Srebrenica, as well as the international community’s “experimentation” with humanitarian intervention.²³

Following these notable mass atrocity response failures, Annan delivered a series of speeches drawing on common themes related to the need to universalize human rights standards and protections; articulate and agree upon the duties of states in cases of mass atrocity crimes; and the need to rethink the absoluteness of sovereignty in such situations. He repeatedly emphasized that in the face of grave abuses, the international community must always speak out. To do otherwise would be a dereliction of duty as members of the global constituency. To say that rights are relative or that what occurs within a state’s borders is of no concern to the UN was, in Annan’s view, simply unacceptable: “[A] United Nations that will not stand up for human rights is a United Nations that cannot stand up for itself.”²⁴ He urged the Security Council to consider elevating human rights protections for civilians in armed conflict, and within months that body formally endorsed this idea, articulating a willingness to “respond where civilians are being targeted or humanitarian assistance is being deliberately obstructed, including through the consideration of appropriate measures at the council’s disposal.”²⁵

Perhaps most importantly, Annan called upon the General Assembly to find a way out of the false choice between standing idly by while civilians were being slaughtered or taking military action that threatened state sovereignty. He encouraged member states to reconsider UN response options to mass human rights violations and humanitarian emergencies and to engage seriously the issue of political will and the

downside of selectivity, especially in cases where the “daily toll of death and suffering ought to shame us into action.”²⁶ Annan established four aspects of intervention that hold important lessons for resolving future conflicts. Within a year’s time, these dimensions of intervention formed the basis for the mandate of the International Commission on Intervention and State Sovereignty (ICISS):

- 1 Define intervention broadly, including activities ranging from pacific to coercive; applied consistently region to region;
- 2 Redefine national interests to include prevention of mass atrocities. This would help facilitate unity among states in pursuing basic Charter values such as democracy, pluralism, human rights and the rule of law;
- 3 Right authority to legitimate interventions is retained by the Security Council. Its enforcement and deterrent power should be harnessed to respond effectively to humanitarian crises that might require intervention; and
- 4 Post-conflict transitions must be addressed by the international community, including the underlying causes of conflict.²⁷

The debate Annan envisioned for the world organization ended before it had a chance to begin. A number of UN member states made it amply clear that there would be no discussions of establishing legal or political formulations to respond to mass atrocities if such dialogue would lead down the path of degrading territorial sovereignty of the state.²⁸ Only Canada took up the call and launched ICISS, which sought to engage a range of international actors in reaching consensus on the conditions under which military intervention could ever be justified or legitimately undertaken (and if so, by whom) in mass atrocity cases.

Over the course of its year-long international and regional consultations, it became clear to ICISS Commissioners that the term “humanitarian intervention,” while still used widely, was perceived as anathema to the goal of protecting civilians from large-scale atrocities. ICISS chose instead to refer to such actions as “military interventions for humanitarian protection purposes.”²⁹ Consensus emerged to shift the parameters of the debate by focusing not on whether there could be agreement on the “right to intervene,” to exploring how to articulate an effective “responsibility to protect.” Thus, R2P asserts the primacy of individuals as rights-bearing entities and qualifies the sovereign prerogative concerning domestic jurisdiction. It embeds rights and responsibilities of states within a common normative discourse of human rights and humanitarianism, and structures the possibilities for international

response to R2P under three pillars (the responsibility to prevent, react, and rebuild).

ICISS sought to establish wider support for the idea of humanitarian intervention in certain cases, either as a last resort or in the face of supreme humanitarian emergencies. It aimed to ensure that interventions carried out would be done so according to the Just War tradition and its *jus ad bellum* principles of just cause, right authority, right intention, last resort, proportional means, and reasonable prospects of success. ICISS situated humanitarian intervention as a policy response within a broad spectrum of policy options available to the international community of states. Among them are the responsibility to prevent (e.g. through capacity building and addressing root causes of conflict to avoid escalation of mass atrocities and the establishment of national, regional, and international early-warning mechanisms); and the responsibility to rebuild (e.g. post-conflict or post-intervention reconstitution of institutions that would aid in strengthening prevention and facilitate durable peace, as well as enhance capacity-building efforts). The Commission situated the possibility of using force under R2P in certain exceptional mass atrocity cases within a much broader framework of non-forcible policy response options, many of which states and the UN already utilize in defusing international crises (e.g. Chapter VI measures which emphasize pacific settlement of disputes). In extreme cases, R2P legitimates the use of force by individual states or groups of states through UN Charter mechanisms, including Chapter VII, on a case-by-case basis when pacific responses are deemed inadequate.³⁰

The concept of R2P was reintroduced into the intergovernmental realm in the form of two reports that laid the groundwork for negotiations on an outcome document for the World Summit, held in 2005. UN Secretary-General Kofi Annan's report on the High-Level Panel on Threats, Challenges, and Change, *A More Secure World: Our Shared Responsibility*, put forward the idea that states cannot rely on the non-intervention norm to shield them when they engage in behavior such as mass atrocities that threatens international peace and security and that state sovereignty is not a defense against such acts. In his *In Larger Freedom: Towards Development, Security, and Human Rights for All* report, Annan encouraged member states to bridge the "stark" and "deadly" gap between rhetoric and reality in international humanitarian law, emphasizing that "[i]t cannot be right, when the international community is faced with genocide or massive human rights abuses, for the United Nations to stand by and let them unfold to the end, with disastrous consequences for many thousands of innocent people."³¹ He again raised the need to reach agreement as a world body on "when

and how force can be used to defend international peace and security,” including whether member states have “the right—or perhaps the obligation—to use it protectively to rescue the citizens of other States from genocide or comparable crimes.”³²

During the 2005 World Summit Outcome Document negotiations, member states debated at length over R2P, and the concept underwent major transformation, all in the service of creating stakeholder support to forge consensus. In the World Summit articulation of R2P, states agree that they have an enduring, primary responsibility to protect their populations from four specific types of mass atrocity crimes: genocide, war crimes, ethnic cleansing, and crimes against humanity. They further affirmed the international community’s willingness to act on a residual, secondary responsibility, to be prepared to take timely and decisive collection action, through the UN system and in accordance with Charter provisions, via a range of non-forcible and/or forcible policy measures in cases where the host state “manifestly fails” in fulfilling its primary responsibility. R2P also expresses a commitment on the part of the international community to help build state capacity to prevent future failures from occurring.³³

The ideals of R2P are notable, yet UN member states remain divided over how it can or should be implemented. UN Secretary-General Ban Ki-moon has disseminated to member states three proposals that outline his perspectives and objectives for implementation.³⁴ However, as of mid-2012, the General Assembly had not passed a definitive resolution supporting those plans. Nor had it presented its own plans for implementation. Instead, the General Assembly issued a brief, perfunctory resolution acknowledging its receipt of Secretary Ban’s 2009 report and resolved to continue a dialogue about implementation. The resolution did not commit to any specific set of implementation recommendations.³⁵

While advocates claim that the political tides are more favorable than ever for R2P to become an effective policy instrument for use in mass atrocity cases, close examination of the diplomatic rhetoric surrounding the R2P debate, as well as shifts in the Secretary-General’s implementation focus, suggest that this enthusiasm merits fuller analytical scrutiny. The annual General Assembly debates on R2P have centered on an ambitious but as yet unendorsed implementation report; early warning and assessment; and the role of regional and sub-regional arrangements in implementing R2P. Each of these debates has and likely will continue to help clarify R2P as a concept and further encourage member states to begin reconciling national and global interests concerning its implementation, but these sessions have all but bracketed away serious discussion concerning the thorniest aspects of R2P.³⁶

In the more than five years that have passed since R2P's formal adoption, the process of implementation remains punctuated and uneven. If recent trends are an indication of future paths, the implementation debate is moving further and further away from dealing seriously with the use of forcible measures such as humanitarian intervention, if peaceful means are found to be inadequate to address mass atrocity cases (e.g. Syria). These issues constitute the second pillar of the ICISS report, the responsibility to react, and form a portion of the third pillar of R2P as outlined in the Secretary-General's 2009 implementation report, timely and decisive response.³⁷

Scholars have divided into a variety of camps on R2P, with some of its most ardent supporters arguing that it is on the verge of becoming an established norm or doctrine that is transforming the way states respond to mass atrocities.³⁸ Others are more cautious in their analyses and point to important obstacles that stand in the way of effective implementation.³⁹ Among the concerns they raise are the limited operational potential of R2P in the absence of significant Security Council reform and threshold criteria for robust action; the Secretary-General's focus on prevention and capacity building, the non-controversial elements of R2P, as an accommodating device to gain member state support at the expense of tackling the more highly contentious issues surrounding use of force in certain cases; and the dangers of overstressing the concept of R2P so it begins to look more and more like peacebuilding and development than a policy tool for civilian protection in the face of mass atrocity crimes.

We now turn to an examination of several key issues that characterize the humanitarian intervention debate as well as debates over the use of force provisions within R2P. These issues include: whether humanitarian intervention is a form of prevention or prevention failure; who can authorize interventions and which actors should intervene; what the goals of intervention should be; whether the intentions and motives of the intervener matter; whether the term "humanitarian intervention" is an oxymoron; and whether there is a duty to intervene in certain circumstances. These issues are constant features in policy forums where response options to mass atrocities are contemplated, alongside discussions that center on the feasibility and practicality of humanitarian interventions, and the chances for success in the event an intervention is implemented.

Humanitarian intervention—prevention form or failure?

Just where humanitarian intervention "fits" into international discourse and where and how it should be classified within broader strategies for civilian protection or the maintenance of international peace and

security, have shifted considerably over the past two decades. Meaningful deliberations about humanitarian intervention during the late 1990s situated it within the broader concept of conflict prevention. For example, humanitarian intervention was included within what the Carnegie Commission on Preventing Deadly Conflict termed *operational prevention*. Operational prevention includes strategies used “in the face of crisis,” which are distinguished from measures that address the root causes of conflict or *structural prevention*.⁴⁰

Early engagement is paramount to operational prevention. Acting early, the Carnegie Commission argued, can facilitate the conditions under which host states and responsible leaders are able to manage and address the antecedents to mass atrocity crimes. Four elements constitute an operational prevention strategy: 1 a mobilizing actor for prevention (e.g. a state, international organization, or eminent personality); 2 a “coherent” approach that includes political and military options to halt violence, respond to humanitarian needs, and integrate all facets of response; 3 sufficient resources dedicated to preventive engagement; and 4 a post-conflict strategy to restore authority, rule of law, and other institutions designed to prevent further mass violence from recurring.⁴¹ While not guaranteed to end violence across cases and time, these measures should effectively expand the political and diplomatic space to implement corollary and parallel conflict resolution measures.

The inclusion of humanitarian intervention as part of a comprehensive prevention strategy contrasts with later treatments of the concept, which classified it under strategies of “reaction” or “action.” For example and as noted above, the ICISS final report was structured on three pillars: the responsibility to prevent, react, and rebuild.⁴² However, discussion of the conditions under which use of force could be legitimated and implemented featured only in the second pillar (responsibility to react). This arrangement was mirrored in the first of two reports developed by the UN Secretary-General in the lead up to the World Summit. An implicit link between prevention and the use of force for humanitarian purposes is made in the section of the report dealing with collective security and the challenge of prevention.⁴³ It emphasizes that the international community must be ever vigilant in preventing mass atrocities and that when “prevention fails, there is an urgent need to stop the killing and prevent any further return to war.” A much lengthier discussion, however, features in the report’s sections focusing on collective security and the use of force.⁴⁴ This distinction was not lost on member states, many of which considered the articulation and placement of R2P in this manner as a novel way to justify armed intervention by the strong against the weak.⁴⁵

It was not until the release of the 2005 World Summit preparatory report, *In Larger Freedom*, that the concept of civilian protection from mass atrocities and the use of force were completely disaggregated. They feature, respectively, in sections focusing on freedom to live in dignity and on freedom from fear.⁴⁶ The separation ameliorated some, but certainly not all of these concerns. The articulation of R2P in the World Summit Outcome Document maintains this distinction by noting that only in cases where prevention, peaceful measures, and/or the national authority fails in its responsibility to protect would collective action, including the possibility of forcible measures, be considered on a case-by-case basis by the Security Council.

Essentially, what this has meant is that humanitarian intervention (or military intervention for humanitarian protection purposes, or military humanitarian intervention) is considered primarily as a last resort or a measure to take only when others fail, rather than as forming part of a coherent prevention strategy. It reflects Annan's own characterization in 1999 of armed intervention being "itself a result of the failure of prevention."⁴⁷ This perception has also shaped prevailing ideas on right authority and the goals of intervention, which are covered in the following two sub-sections.

Right authority: who decides and who should act?

In the matter of what Just War Theory terms "right authority," the general consensus of the international community of states since 1945 is that humanitarian interventions gain their legality from the imprimatur of the Security Council, not necessarily by virtue of ethics or political theory per se. As noted by ICISS, "there is no better or more appropriate body than the Security Council to deal with military intervention issues for human protection purposes."⁴⁸ Of course, while states generally uphold this view, some have noted their reservations to it. The United States, for example, has publicly expressed the view that it retains the right to, on occasion and where circumstances warrant, take unilateral action against another state in defense of vital national security interests, which in theory could include humanitarian interests.⁴⁹ This arrangement prevails today, in spite of the two recent cases where military actions have been taken outside of council authorization: Kosovo and Iraq. Thus, scholars like Martin Wight consider humanitarian intervention, where it is not "justified by a specific rule to the opposite effect" (e.g. Security Council authorization), to be an illegal act, as it involves "interference with matters within the exclusive jurisdiction of a subject of international law."⁵⁰

Some have emphasized, however, that all the focus on legality obscures the more important fact that humanitarian intervention involves “moral dimensions and moral responsibilities that in some cases can make it the right thing to do.”⁵¹ According to Michael Walzer, for example, humanitarian intervention does not equal “aggression” as classically understood, and thus warrants examination of non-material considerations.⁵² Humanitarian intervention thus belongs in the realm of moral choice, not international law. Others have established compelling links between the legal and moral imperatives for humanitarian intervention, arguing that the principle of universal jurisdiction can be used as a gauge of which human rights violations are so egregious as to become morally subject to humanitarian intervention.⁵³ However, the contemporary positivist legal frameworks that dominate international politics fail to account for the “moral realities” of humanitarian intervention. The consensus among many international legal scholars has been that international law does not expressly recognize humanitarian intervention.⁵⁴ Still in other cases, agreement is widespread but not universal that states (in some circumstances) do have a right and a duty to concern themselves with activities within the sovereign jurisdiction of other states. While states can be said to have relinquished some of their own sovereign prerogatives when joining institutions that uphold these rights, such as the UN, ultimately, sovereignty prohibits interventions except in extraordinary cases.

Still others argue that given the mismatch between its current working methods and contemporary political realities, the Security Council should not be the sole arbiter in determining the legality or the legitimacy of intervention, whether as humanitarian intervention or under a robust application of R2P.⁵⁵ In a number of cases, the council has been paralyzed from acting decisively in dealing with non-traditional threats to international peace and security, including in alleged mass atrocity cases (e.g. Chechnya, Gaza, Syria, Tibet, Xinjiang, and Zimbabwe). This is most likely to occur when the perpetrator of those atrocities is one of the five permanent members (P5) (or possibly even a non-permanent member), or a strategic ally of one of the P5. This leaves some member states highly cautious, emphasizing that even if R2P becomes an accepted international legal instrument, its effectiveness will continue to be influenced by Security Council politics. Sudan, for example, recently argued that giving the council the “privilege of being executor of the concept of the responsibility to protect would be tantamount to giving a wolf the responsibility to adopt a lamb.”⁵⁶

Limited provisions do exist, however, for other bodies to take up the issue of humanitarian intervention. Under Articles 10 and 11 of the

Charter, for example, the General Assembly can consider and discuss any matter falling within the UN's scope of authority, including issues related to peace and security, even when the Security Council is also considering similar issues. Article 12, however, prohibits the General Assembly from making any recommendations on such issues so long as the Security Council is exercising its assigned functions on that same issue, unless the Security Council expressly asks for that body's recommendation on the matter. Aside from express Charter provisions for a General Assembly role in matters of international peace and security, this forum has also utilized its powers under resolution 377 (Uniting for Peace), which triggers an Emergency Special Session to debate and issue non-binding recommendations on urgent issues that the Security Council is not addressing. To date, the Uniting for Peace resolution has been used to legitimate armed action in Korea (1950), Egypt (1956), and Congo (1960). None of these cases were considered humanitarian interventions, but they do represent the legitimation outside the Security Council of the use of force in certain extreme cases given the universal membership of this organ.⁵⁷

In addition to UN organs, regional and sub-regional organizations may also be called upon by the Security Council to implement military action for humanitarian protection purposes under Article 52 of the Charter. These organizations may also be authorized under their own constitutions and mandates to sanction or legitimate humanitarian intervention. For example, Article 4(h) of the AU's 2001 Constitutive Act clearly provides for the use of force in "grave circumstances," including three of the four crimes stipulated under R2P (genocide, war crimes, and crimes against humanity). Prior to this, ECOWAS authorized two interventions in the 1990s—one in Liberia (1989) and another in Sierra Leone (1997)—both of which were given *post hoc* but tacit endorsement by the Security Council.

Importantly and as emphasized by a number of foundational sources in international human rights and humanitarian law, this may constitute an emerging form of right authority that would allow for the possibility of supporting humanitarian intervention in certain circumstances to protect civilians from mass atrocities.⁵⁸ While these frameworks exist outside the conventional Chapter VII UN Charter mechanisms, they are nonetheless grounded in natural law and in the duties contracting parties have under international conventions, parts of the Charter dealing with human rights, the *Universal Declaration of Human Rights*, 1949 Geneva Conventions and 1977 Additional Protocols, the Genocide Convention, the *Rome Statute of the International Criminal Court (ICC)*, and other human rights instruments.

What are the goals?

No humanitarian intervention proceeds with certainty. It is this uncertainty of outcomes that has led some to consider whether the ultimate objective of humanitarian intervention should be limited to alleviating immediate suffering and acute needs or whether it should offer redress for the root causes of a conflict, including broader notions of human security.⁵⁹ It may well be, however, that the latter is impossible through humanitarian intervention.⁶⁰ Great harm can result from such good intentions. Humanitarian interventions should be of short duration and seek limited political objectives, primary among them being to ensure that the *status quo ante bellum* does not prevail.⁶¹ They should, first and foremost, save lives by preventing and/or halting mass atrocity behavior. Other scholars support this notion by drawing upon the longstanding assertion that addressing root causes, which include responsive governance arrangements, cannot be superimposed by external actors.

Recent scholarship has extensively considered the issue of goals, and argues that especially in the case of saving lives, intervention should be disaggregated further depending on which actors constitute the focus of an intervention and what wrongs, exactly, the intervention is designed to redress.⁶² For example, the goals of humanitarian interventions focused on protecting civilians are different than interventions that are focused on defeating perpetrators in order to protect civilians. Relatedly, protecting civilians from privation (e.g. emergency relief such as food, water, shelter, and access to medical treatment) requires different goals than those that protect civilians from direct violence. Military planners and policy makers must take precaution to match goals and strategies in order for humanitarian interventions to fulfill the Just War principle of reasonable chance of success.⁶³

A further development in the humanitarian intervention literature is the phenomenon of military interventions designed to be “mass atrocity response operations” (MAROs).⁶⁴ Premised on the assumption that mass atrocities represent unique operational challenges to would-be interveners, these operations can be integrated as part of broader national, regional, or international military strategies by modifying existing military concepts and planning for timely and effective response. While the modalities of MAROs would resemble other kinds of “offensive and defensive stability operations,” including establishing safe havens, no-fly zones, and armed humanitarian escorts, the context within which a MARO is implemented is radically different than other types of military operations and this reality must be both recognized and incorporated into strategic and tactical planning. MAROs would attempt more

limited goals than use of force under R2P, and are specifically designed as contingency operations taken early in an unfolding mass atrocity crisis—making them congruent in some ways with the Carnegie Commission’s operational prevention strategies.⁶⁵ Like Taylor Seybolt’s conception of the use of force to protect civilians, MAROs use force as an end in itself—to stop the slaughter of civilians—rather than as a means to some other ends (e.g. peacebuilding, retributive justice).

In contrast to more nuanced and limited understandings of what humanitarian intervention goals should be, under the ICISS and World Summit Outcome Document articulations of R2P, states should focus on preventing the root causes of mass atrocities rather than focus on reacting to them. In addition to prevention, states, the UN, and regional organizations should play a central role in building the capacity of the host state to uphold its primary responsibility to protect its population from mass atrocities, and (re)build governance institutions which, over the long term, can mitigate cultures of impunity and lessen the likelihood of future mass atrocity crimes occurring. In cases where humanitarian intervention is supported by R2P, therefore, longer-term goals would form part of the strategy (e.g. peacebuilding or nation-building). Paralleling these discussions, recent literature on an emerging third pillar of Just War Theory, justice after war (*jus post bellum*), suggests that in order for interventions to be just, the intervening actors must consider and take steps to ensure that rebuilding follows the use of force, including following humanitarian interventions.⁶⁶

Related to the issue of what the goals of humanitarian intervention are or should be, there are considerable operational considerations that must be resolved before support can be marshaled for the use of force to save lives. This is especially true where vital or core national interests are not at stake, or where the conditions for success are less than clear.

Force, likely met in kind, could create new dilemmas and even end in the political demise of governments that swiftly respond with humanitarian intervention based on contested UN norms. All political actors would be well advised to note that such forceful humanitarian intervention inevitably harms the population it seeks to rescue.⁶⁷ Supporting interventionist policy is different from risking casualties for the rescuer and the rescued.⁶⁸ Such critical considerations prompt exploring, in the following section, the intentions of interveners.

Do intent and motives matter?

The “long trail” of justifications left in the wake of humanitarian interventions are important as legitimating factors, but they also help scholars

understand the normative context and social purpose of the use of force.⁶⁹ Because nothing akin to “pure will” exists in political life, humanitarian intervention cannot be made to depend on the “moral purity” of policy makers.⁷⁰ States justify humanitarian intervention using a variety of material and normative considerations, and mixed motives most often characterize arguments concerning humanitarian intervention.⁷¹ Indeed, the motives of the intervener are a subject of heated debate, particularly within intergovernmental forums such as the UN. For many observers and scholars, the possibility of mixed motives among the actors implementing a humanitarian intervention is highly worrisome;⁷² for others it is not especially so.⁷³ Political and human rights theorists also grapple with this issue. Drawing on Immanuel Kant, Seyla Benhabib emphasizes the need to distinguish between the “political moralist,” who misuses moral principles to justify political decisions, and a “moral politician,” who tries to remain true to moral principles in shaping political events.⁷⁴ When interveners are disinterested, the likelihood of abandonment will increase when costs rise or conditions change unexpectedly. Without a serious and firm commitment reflective of national interest, using force to save lives is thus seldom effective.

After all, international law and sovereignty are not the primary obstacles to effective humanitarian intervention—the absence of political will is.⁷⁵ Others disagree with this view, claiming that any use of force by one state (or a group of states) against another threatens the inviolability of sovereignty and the norm of non-intervention. Humanitarian rhetoric can conveniently mask otherwise nefarious motives for the use of force, a possibility that may set a dangerous precedent for the global order.⁷⁶ Indeed, China has long expressed the view that because human rights do not reflect universal values, using a human rights discourse to convey motives for the use of force would alter and weaken the ordering principles of sovereignty and non-intervention as articulated under the UN Charter. China considers this unacceptable.⁷⁷

Humanitarian intervention as an oxymoron

While some take issue with the fact that states may invoke mixed motives to justify humanitarian intervention, others focus on the problems inherent in the term itself. Humanitarian intervention has been called an oxymoron by some and a “fallacious concept, tantamount to marrying evil to good” by others.⁷⁸ The debate largely centers on whether the term “humanitarian” can ever be used to describe the nature of an intervention or whether it should only pertain to its outcome. Some argue that the motive or purpose of an intervention determines whether it is

“humanitarian” or not.⁷⁹ This fulfills the Just War tradition’s criterion of *just cause*. Others claim that the term “humanitarian” should be applied to the rationale of the operation (including end goals), as well as activities undertaken throughout the operation (short-term goals and modalities) that are characteristically understood to form the basis of humanitarian assistance.⁸⁰ Still others stipulate that the only thing about the use of military force in another state without that state’s consent is the possible nature of the outcome, which could be determined to be humanitarian or in the service of humanity.⁸¹

There is nothing “humanitarian” about the use of force per se, especially in its operational modalities. Using force kills, maims, causes suffering, and runs the risk of creating further human rights and humanitarian norm violations. However, the results of an intervention may well be humanitarian and forge lasting contributions to durable peace in states that otherwise have long histories of mass atrocities. If lives are saved and peace is restored, then an intervention may be characterized as effective and legitimate.⁸²

Is humanitarian intervention a duty, a right, both, or neither?

This discussion of the relationship between the intentions and motives of those implementing humanitarian intervention is closely linked to the ethics of intervention.⁸³ The classical ethics of intervention are a *negative* ethics, premised on a sovereign state’s fundamental right to non-intervention as a prevailing norm.⁸⁴ This norm exists in an uneasy relationship with the doctrine of humanitarian intervention and international human rights norms. Humanitarian intervention embodies a *positive* ethics where the proactive protection of an individual’s right to not be the victim of mass atrocities is balanced against (and possibly displaces) the right of sovereign authorities to treat their populations in any manner they choose. It is thus the balancing of individual rights versus sovereign rights that forges a primary normative consideration in deciding questions of intervention in response to intentionally wrongful acts such as mass atrocity crimes. Indeed, the protection focus of ICISS represents one attempt to reconcile this tension, and is further reflected in paragraphs in the 2005 World Summit Outcome Document.

Others, however, have long argued that when people are being massacred, no passing of a self-help test is required before intervening forcibly to save them.⁸⁵ In such circumstances, the defeat of perpetrators of mass violations of human rights or the protection of civilians (perhaps both) is morally necessary or at least morally permissible. Humanitarian intervention, under this logic, is akin to international law enforcement,

as authorized by the international community of states or the UN Security Council. Any state capable of stopping such acts is morally bound to do so, because “when a government turns savagely upon its own people, we must doubt the very existence of a political community to which the idea of self-determination may apply.”⁸⁶

Action taken unilaterally or multilaterally to halt or prevent mass atrocities may be justified in the international legal discourse on state responsibility, an issue the UN’s International Legal Commission (ILC) has spent nearly a half-century attempting to codify in its *Draft Articles on the Responsibility of States for Internationally Wrongful Acts*.⁸⁷ However, and unlike the non-legal and non-binding nature of “responsibility” under R2P, responsibility under the ILC’s draft articles pertains to both state behavior vis-à-vis one another and in cases where international law has been breached.⁸⁸

Under international humanitarian and human rights law, and as noted in the Introduction, states have certain actionable rights when a highly specified set of international legal norms are transgressed. Violations of peremptory norms can legitimate action by any state (universal jurisdiction) that is willing to undertake enforcement measures in response to such transgressions, particularly through investigation, prosecution, and punishment.⁸⁹ Three of the four classes of crimes commonly associated with mass atrocities (and R2P) also constitute violations of peremptory norms: genocide, war crimes, and crimes against humanity. In some instances, legal action can be complemented by other forms of intervention as stipulated by international conventions or treaties when peremptory norms are violated.

For example, the crime of genocide constitutes the violation of both *erga omnes* and *jus cogens* (peremptory) norms. Subsequent to making a determination that genocide is imminent or occurring, contracting parties *shall* take necessary action to both try and punish those responsible under Articles IV, V, and VI of the Genocide Convention. In addition and because genocide, much like other peremptory norms violations, renders the perpetrators *hostis humanis generis* (enemies of all mankind), contracting parties *may*, under Article VIII, call upon the UN and its organs to take such action, under the UN Charter, as appropriate to prevent and suppress such genocidal acts. In theory, then, the Convention imposes duties on its contracting parties to pursue justice when genocide is determined, either through their national legal systems or other international tribunal mechanisms, but it does not create a similar type of duty to prevent and suppress acts of genocide.

It is here that a key delineation has been drawn between the right and the duty to intervene in cases of large-scale atrocities. Humanitarian

intervention can be justified as a duty more so than a right. Moreover, the duty may well be “imperfect” because it embodies both an ethical duty of virtue and of wide obligation, permitting flexibility in compliance. When the duty is fulfilled, it may be meritorious whereas when it is unfulfilled there is no blame or culpability, only a “deficiency in moral worth.”⁹⁰ This understanding of humanitarian intervention is similar to what Aidan Hehir terms a “discretionary entitlement,” where states (or in this case, the Security Council) may accrue rights without accruing obligations or duties, unless they voluntarily agree to accept such duties and obligations.⁹¹ However, “imperfect” duties generally do not “belong” to any specific actor in the international system.⁹² Under this logic, ultimately no state is morally bound to intervene. There is no absolute “humanitarian imperative” for intervention. Characterizing humanitarian intervention as an imperfect duty greatly reduces the risks states may court by supporting it as a response to mass atrocities. Such an interpretation also lends itself neatly to inaction or action, depending on the interests of the intervener.

By and large, UN member states have concurred with this position. From the US perspective, for example, neither unilateral nor multilateral humanitarian interventions have ever been conducted as “impulses,” but neither have they been “designed to produce identical effects,” a quality suggestive of a perfect duty as it does not permit flexibility in compliance.⁹³ Indeed, the passage on “reaction” to mass atrocities in both chapter 4 of the ICISS report and in Pillar 3 of the Secretary-General’s proposed R2P implementation strategy suggest that preventing and halting mass atrocities constitutes a wide, but imperfect duty.

Conclusion

The trajectory of humanitarian intervention reflects the fact that normative developments and “operative reality” are seldom aligned, and the international community of states more often than not lags behind in terms of its capacity and will to enforce the norms embedded within these customary practices. This may reflect the fact that sometimes in history the norm entrepreneurs, including those who argue in support of humanitarian intervention, are ahead of the policy curve and sometimes they remain behind it. The 1991 US-led humanitarian intervention in northern Iraq (Operation Provide Comfort), for example, had no normative precedent. In contrast, the 1999 NATO-led intervention into Kosovo was a case of military action following normative developments evolving from the failures of Rwanda.⁹⁴ Darfur remains a case where justifying humanitarian intervention on normative or even

legal grounds has been highly disconnected from a UN that merely “stands ready” to take collective action in a decisive and timely fashion. The UN has presumably been “standing ready” to take such action in this case since the conflict erupted in 2003 and obviously has a very flexible definition of what “timely and decisive” action actually means to civilians suffering on the ground.

Relatedly, the human rights and humanitarian norms that might otherwise help policy makers develop effective responses in mass atrocity cases interact within a contested terrain alongside other norms, including non-interference and sovereignty. The primary obligations states have to protect their populations from mass atrocity crimes and the international community’s secondary responsibility to act in the case of manifest failure by the host state to uphold those responsibilities may exacerbate rather than ameliorate these tensions.

Debates about humanitarian intervention have proceeded and will continue to proceed in an ad hoc and punctuated manner, and will contend with the fact that many states remain skeptical of the concept itself, its goals, and the motives of interveners. The international political climate may be more conducive than in the past to taking decisive action to uphold human rights and humanitarian norms where mass atrocity crimes are imminent or unfolding, but the tensions such endorsements convey also remain and further complicate how states fulfill their commitment to the rallying cry of “never again.”⁹⁵

What appears to have changed, however, is that humanitarian intervention debates are no longer bounded by consideration of material and structural norms. The *when* and *why* of intervention decisions has undergone significant change over time, and now reflects changes in the understandings of new meanings and values associated with the use of force for humanitarian protection purposes. The fact of intervention is no longer called into question; rather, its form and meaning are. Therefore, *how* the normative grounds for justification are framed is also important. For example, Kosovo and Rwanda were framed as cases that created a “duty” on the part of the international community of states to intervene, and they were both framed as acts of genocide. Yet humanitarian intervention proceeded in Kosovo while it did not in Rwanda. Enhancing our understanding of how strategic framing of mass atrocity cases can affect intervention outcomes would thus be especially critical in investigating the roles and functions of norms in such cases.⁹⁶ We now turn to an exploration of this process.

2 Making a good argument and mobilizing political will

- Norms and decision-making logics
- Norm entrepreneurs
- Persuasion
- Strategic framing
- Resonance
- Combining strategic framing and policy-maker decision-making logics
- Conclusion

If we believe that all human beings are equally entitled to be protected from acts that shock the conscience of us all, then we must match rhetoric with reality, principle with practice. We cannot be content with reports and declarations. We must be prepared to act. We won't be able to live with ourselves if we do not.¹

Although abstract and operational aspects of humanitarian intervention have been long and deeply debated, the decisional mechanisms have had less attention. Two key challenges to using force to protect civilians and stop mass atrocities need further treatment. These are: understanding political will to support intervention; and assessing the roles of human rights and humanitarian norms in shaping policies.

In this chapter I establish a framework to explain the outcomes of policy making for intervention. It integrates social constructivist thinking with realism and other related logics of decision making. This framework organizes the analysis of the case studies—Somalia, Rwanda and Sierra Leone—in the following chapters. By examining how human rights and humanitarian norms resonate with debating policy makers, it points up conclusions about what motivates decisions to undertake

particular responses to mass atrocity cases, including the possibility of armed intervention.

Political will is a woolly concept. The elements most often associated with it include information or evidence; belief or faith; affect and liking; awareness or concern; capacity and resources; and leadership. It can be understood as the mobilizing force undergirding policy decisions that are context-dependent and established case by case. In mass atrocity cases, for example, the problem in motivating policy makers to take effective action is hardly related to lack of information. Early warning signs typically abound in such cases and data are readily available from reputable sources.² Yet mobilizing political will entails much more than simply funneling information to the right individuals who are well-positioned to respond effectively to mass atrocities. Darfur, Sri Lanka, and Syria are cases in point.

So how is political will created? Although this question has no satisfactory answer, several leads can be inductively suggested that relate to the nature of the argument and the logics policy makers use in their decision making. Where national interests shape foreign policy preferences of governments, the kinds of cases we would reasonably classify as mass atrocity cases intersect with long-established human rights and humanitarian norms. In some cases these norms have helped shift policy-maker mindsets to be more amenable to doing not just what is materially *possible*, but what is ethically *appropriate* given both the context and nature (as well as the horrors and urgency) of a particular mass atrocity case. This involves expanding a government's universe of obligation, so to speak, as well as appeals to national image and the positive reputation effects of being a good international citizen.³ Relatedly, building political will requires a normative shift concerning whether the use of force to save lives constitutes a "responsible" policy option.⁴ Additionally, political will is shaped by assessing material resources and risks. The costs of taking forcible action are always high, but if prior policy decisions have been shown ineffective or injurious to halting or preventing mass atrocities, use of force may become a cost-effect choice.

In sum, building political will requires not only building a good argument, but getting the right message to the right person(s) at the right time in the policy process so that it resonates and persuades. Sustained energy and creativity help advance good arguments, as do leadership and even luck.⁵ Identifying critical policy makers who are controllers or agenda-setters can advance a good argument. Presenting key policy makers with information that helps them narrow their preferences among policy alternatives may also help snowball a good argument within and across policy arenas.⁶

Norms and decision-making logics

Even when many of the elements needed to mobilize political will are present in cases of large-scale human rights violations, policy makers may still favor inaction. Yet we know that states have supported humanitarian intervention to respond to mass atrocity crises. How, then, do we explain this variation in preferences across cases sharing similar characteristics? To answer this question, we turn to an examination of norms and decision-making logics, and assess how they are used in the policy-making process.

Norms and norm contests

Do ideas contribute to the making of good arguments that can influence policy making? According to Max Weber, ideas have profound effects on the course of all political events. They serve like “switchmen who direct interest-based action down one track or another.”⁷ As social facts, norms reflect shared ideational understandings of the standards of appropriate behavior reflecting legitimate social purpose for actors with a given identity. Thus, norms are important building blocks of international reality, and possess the potential to enable the creation of conditions conducive to actions and outcomes.⁸

Because norms operate in highly structured social contexts, actors who seek to persuade others to adopt new norms often utilize strategic framing, manipulation of information, or affective mechanisms such as empathy and liking. By exploring how policy actors justify their preferences and actions using “standards of justice or, perhaps more generically, to standards of appropriate and acceptable behavior,” we are able to highlight this normative context and investigate the role of human rights and humanitarian norms as explanatory factors of international political behavior.⁹ For example, given the possible universe of rhetorical tools available to policy makers to defend their policy preferences or convince peers to modify their preferences, where policy makers choose to build their public arguments by drawing explicitly on human rights and humanitarian norms (or strategic frames that connect those norms to specific policies), we can conclude that these norms are shaping the policy-making environment and helping align policy outcomes with policy-maker goals.

However, we cannot assume that ideas and norms cause policy outcomes simply because their presence or absence can be traced across the policy-making process. Different ideas and norms have different effects at different stages of the policy-making process. For example,

during political crises, old ideas and norms can become delegitimized through failed policies, which may open political space for new ones to emerge and affect policy preferences. Ideas and norms can do this in three ways (pathways): as road maps; focal points; and through institutions.¹⁰ When ideas and norms move along these pathways, the impact they are likely to have on policy outcomes becomes stronger.

As road maps, ideas can create two paths. First, “causal ideas” affect behavior by elaborating causal patterns and denoting strategies for attaining certain policy goals. Second, “principled ideas” affect behavior by generating compelling normative and ethical motivations that cause policy makers to act in a certain way. Because policy decisions are based on choices *of* ideas rather than choices *given* ideas, it is appropriate to focus on whether norms alter policy-maker preferences and priorities.¹¹ Human rights and humanitarian norms often serve as “road maps.” Their highly principled origins can create affect and empathy, both of which help policy makers shift among response options according to their “appropriateness.”

Where ideas and norms serve as “focal points,” they affect strategic interactions within the policy-making process by focusing and bringing actor expectations and understandings of political behavior in line with the intrinsic quality of the idea or norm that is functioning as the focal point. However, this proposition does not account for the fact that ideas and norms possess certain values and meanings (capable of change over time) by virtue of the human beings that so construct and endow them.¹² Human rights and humanitarian norms have the potential to function as focal points. However, their contested nature renders their impact on policy making mixed. The concept of norm “tipping” helps us understand why this is the case.¹³ A norm can be said to have “tipped” if one-third of states in the international system have adopted the norm, including “critical” nations possessing both the requisite material power and/or moral legitimacy to help realize the norm. Unanimity among critical actors regarding the norm is not a necessary condition for norm tipping to occur (e.g. the norms undergirding the establishment of the International Criminal Court (ICC), the Kyoto Protocol, and the International Landmine Ban Convention all have been realized in spite of active US opposition).¹⁴ Humanitarian intervention itself has never been endorsed universally. However, the human rights and humanitarian norms that constitute the contemporary international human rights regime have “tipped.” Nearly all states are contracting parties to the Genocide Convention and all states are signatories to all four of the 1949 Geneva Conventions and endorse the Universal Declaration of Human Rights. Hundreds of states have ratified the International Covenant on Civil

and Political Rights, and 120 countries are States Parties to the Rome Statute.

Finally, where ideas are embedded in the rules and norms that constitute institutions, their effects on policy behavior can be said to be extremely strong and perhaps even causal. There is little evidence at the time of this writing to suggest that ideas about human rights and humanitarian norms have met this threshold. The 2005 World Summit Outcome Document “codifies” human rights and humanitarian norms in the responsibility to protect (R2P), and R2P itself is becoming increasingly integrated within the international policy discourse. However, human rights and humanitarian norms have not yet been formally integrated into the rules and decision-making procedures of the United Nations (UN) concerning humanitarian intervention, or within national-level institutions.

The concept of norm “cascading” is likewise helpful here to enhance our understanding of why this is the case. For it is only when actors have institutionalized new norms (in their rules, in international law, in bilateral foreign policy) that a norm can be said to have “cascaded.”¹⁵ Institutionalization sets the baseline for actor behavior with regard to the norm, as well as allowing for the determination of violations of behavior, and sanctions for violation. In order for human rights and humanitarian norms to “cause” policy outcomes as “focal points,” it would be necessary for them to have “cascaded.” While these norms may have “tipped,” they are a long way from fulfilling the conditions for cascading.

Norms that challenge the prevailing consensus can succeed or fail, or remain in competition with other norms. For example, norms that do not reflect a voluntary consensus (coerced persuasion) may be considered illegitimate and, therefore, have low levels of appeal.¹⁶ Even powerful and persuasive norms are seldom adopted and internalized without some contest taking place against prevailing or deeply entrenched norms. However, our knowledge of why one set of norms/knowledge claims/ideas wins out over others remains limited. One measure would be to examine the relative “appropriateness” of competing norms. Yet examining a norm’s substantive or intrinsic value yields insight into only part of the explanation of why certain norms “win out” over others in a norm contest. Policy makers can, for example, shift emphasis among a range of strategic frames in which norms are embedded while still advancing a singular or broader policy goal. Therefore, a unique policy Y can be explained by multiple frame Xs, and vice versa, a singular frame X can help explain multiple policy Ys.¹⁷ Moreover, other factors like resources and/or the impact on policy making of norm entrepreneurs can also influence the outcome of a frame contest.¹⁸

Empirically, we are able to observe when new norms are in contest with prevailing norms, especially through strategic framing. New norms may emerge by aligning with existing norms embedded within a prevailing frame, or where a new frame and its norms directly challenge the legitimacy of the prevailing frame. For example, framing female *circumcision* as female genital *mutilation* generates different kinds of validity claims to policy makers.¹⁹ The former frame conveys a practice (circumcision) that many cultures have internalized as normatively appropriate, at least when applied to males. Policy-maker perceptions about the normative legitimacy of circumcision, however, are directly challenged by the validity claims made by the challenger frame (mutilation), which entails behavior that transgresses powerful human rights norms, including the right not to be tortured. The frame conveys a practice that is illegitimate and, thus, policy makers would be less likely to support policies that endorsed or turned a blind eye to such behavior.

Decision-making logics

The literature on social movements reminds us of two important factors when studying the impact of norms on policy outcomes. First, norms impact policy making through communicative rationality, whereby reciprocal exchanges occur between norm entrepreneurs and policy elites that challenge a prevailing strategic frame's validity. This may help generate the political space needed for persuasion to occur and policy change to become possible. Second, our understanding of the impact of norms on policy-making outcomes cannot be divorced from the overarching power structures within which they are embedded.²⁰ A range of contributions to the literature on policy processes study the ways in which policy-maker perceptions of "utility" are deeply enmeshed with those of "legitimacy."²¹ In addition to the self-critiques undertaken by realists and rationalists on this topic,²² neoliberal institutionalists, "thick rationalists,"²³ and even social constructivists assert that scholarship in contemporary international relations should be more receptive to the notion that a combination of ideas and interests drives political behavior. After all, the ideas that policy makers hold affect how they define their interests in the first place.²⁴

Policy-maker understandings of material utility and normative or ideational legitimacy are not mutually exclusive. Policy makers possess beliefs about their own nation's duties toward other states and institutions. These beliefs are undergirded by norms. Thus, norms help determine which actions are perceived as legitimate and efficient in carrying out those duties. Norms and ideas change over time and, likewise, so

do the duties government policy makers believe they have toward other states. In order for a policy such as humanitarian intervention to meet its goals and be beneficial or useful politically it must be effective in material terms but it also must achieve goals that states and domestic publics perceive and accept as being normatively legitimate. The processes through which states construct rules about intervention—and the mechanisms that help explain changes in state behavior in this area—should not be assumed to be purely instrumental or static. States debate long and hard, both within and among themselves and their constituent institutions, about whether to intervene, who should intervene, and what social values, exactly, are being secured by forcible actions.

At a behavioral level, enforcement actions that form part of broader policies concerning R2P may establish the basic rules of the international system in responding to mass atrocities and help determine when the use of force is permitted and reconceptualize the boundaries of state sovereignty. At cognitive and normative levels, then, it is the debates surrounding humanitarian intervention in mass atrocity cases that help to establish the authority and normative legitimacy of those rules. R2P has, in many ways, reopened what has always been a caustic debate concerning the use of force in support of humanitarian and human rights goals. Changes in our understanding of humanitarianism and the justness of humanitarian intervention are linked closely with historical shifts in our normative perceptions of sovereignty and human rights. Norms are nearly always constitutive of these “highly structured social contexts.”²⁵

When contextual change occurs, the relevance or acceptance of one set of norms and ideas may also change. This may facilitate challenge of the prevailing norm and idea groupings by competing or challenger norms and ideas. Eventually, these challenger norms and ideas may themselves prevail until the process of change and contestation begins anew. For example, many of the changed patterns of military intervention do not derive strictly from new weapons technologies or altered power capabilities. Strong states continue to intervene when and where it suits them. However, what has changed is “when” it will suit them—not the “fact” of intervention, but the form and meaning of it. What have changed are state understandings of the purposes to which they can and should use force.²⁶ In the case of humanitarian intervention, understandings of just exactly whom the interveners protect and how they intervene have both changed over time. Normative imperatives for humanitarian intervention to protect innocent civilians are weighed against the values assigned to self-determination and expanding a state’s duty or responsibility to ensure protection against mass atrocities.

Formulating explanations of policy-maker decision making, therefore, cannot rely exclusively on the effectuation of material power any more than they can rely solely on emotional or moral values. Policy making is a process that results from the interplay of structural and material, as well as ideational and normative factors. It follows, then, that the methods (or logics) of decision-making policy makers utilize to formulate preferences and reach policy decisions should also reflect this combination of interests, norms, and ideas that are said to influence policy outcomes. Analyzing whether and how the human rights and humanitarian norms that are embedded within strategic frames trigger higher or lower levels of policy-maker resonance within and among decision-making logics contributes to our knowledge of ideas and norms as quasi-causal mechanisms that persuade and influence. This interpretivist approach to policy decision making also establishes the key factors that contribute to particular policy outcomes by capturing a snapshot of these warranting conditions. Such conditions render a specific outcome more or less feasible, more or less appropriate, and more or less justifiable.²⁷ I utilize three decision-making logics in the framework elaborated below: the logic of consequences, the logic of appropriateness, and the logic of argumentation.

The logic of consequences (LoC) draws on the concept of “can.”²⁸ Under this logic, actor behavior is based on instrumental actions resulting from utilitarian, cost-benefit analyses. A problem is defined, a range of solutions is sought, and the possible future consequences of one solution relative to the others are calculated. The solution that meets organizational needs efficiently and has the lowest potential cost will be selected. Many realists and rationalists emphasize this operative logic to explain political behavior in the international system. Actions that are taken using the logic of consequences can be said to be strategic in nature. Where human rights and humanitarian norms can be said to resonate with a logic of consequences would be in the areas of cost effectiveness, or the degree to which those norms or the responsibilities they convey dovetail with a state’s perception of its national interest—and whether it is congruent with the global interest.

In contrast, the logic of appropriateness (LoA) is based upon the concept of “ought.”²⁹ Under this logic, actor behavior is based on notions of right and wrong, good or bad, or other normative and ideational values. Actions that are taken using the logic of appropriateness are considered to be norm-governed. Likewise, actor preferences under this logic are based on identifying with normatively appropriate behavior rather than calculating the benefits accrued from a decision. Indeed, the entire aim under this logic is to make appropriate choices—to match

situations requiring a solution to socially constructed norms that provide the cues or validity claims that help legitimate a particular policy decision. This may depend a great deal on how well such norms resonate with policy makers. Some scholars, for example, argue that norms which encompass as many as possible of the five principles central to world culture (universalism, individualism, voluntaristic authority, rational progress, and world citizenship), or that humanize others are most likely to be compelling to policy elites.³⁰ Additionally, norms involving bodily integrity and prevention of bodily harm for vulnerable or innocent groups, especially when a short causal chain exists between cause and effect, may be more likely to be embraced by policy makers.³¹

While each of these logics represents an ideal or pure type of actor behavior, empirically some combination of them operates continuously and across issue areas.³² It would be impossible, however, to explain why decision makers opt for one policy outcome over another without analyzing the strategic interaction that takes place within the decision-making process itself. Analysis that isolates either of the logic of consequences or appropriateness from the other does not allow us to account for the processes through which some actors “advocate, disseminate and in some way get others to accept and internalize new norms.”³³

In order to do this, we need a model that accounts for the agency required to challenge and alter policy preferences among policy makers from one point in time to another. It is for this reason that I have integrated the logic of argumentation (LoArg) into my framework as a third, although closely linked logic to the LoC and LoA.³⁴ This logic emphasizes the role of argumentation and deliberation as key factors in persuading actors to reconstitute and adopt new ideas, norms, and interests, as well as to generate shared understandings that further constitute their identities as policy actors. The structure of political discourse and language shapes how policy ideas are communicated and translated into practice.³⁵ These factors may soften or harden the constraints that dominate a particular policy forum or issue, such as humanitarian intervention. Moreover, prevailing discursive structures (e.g. concepts, metaphors, or rules of logic) affect the likelihood that alternative policy options will be perceived, understood, and possibly supported or opposed by policy makers.

Under this logic, ideas and norms impact political behavior by virtue of their appeal to universal values. Appeals made to norms of truth, justice, right, and sincerity generate intersubjective meanings between actors, and the validity claims they comprise compel certain forms of political behavior over others. The logic of argumentation also involves the notion of consent. Actors must be open to the possibility of being persuaded

by others. This dimension of the decision-making logic may be more problematic than others for humanitarian intervention. As the debates on this issue have demonstrated, perceptions among policy elites vary tremendously regarding whether the use of force to protect civilians against mass atrocities should trump other powerful norms like sovereignty and non-intervention.

Norm entrepreneurs

Analyzing the effect of material and normative factors on policy outcomes can ideally be undertaken by focusing on the role of non-state actors.³⁶ Because ideas “do not float freely,” examining the roles played by advocacy actors or norm entrepreneurs is critical to capturing the dynamics of the policy-making process.³⁷ International humanitarian nongovernmental organizations (NGOs) function as norm entrepreneurs and norm carriers in a range of national and intergovernmental policy forums. By extension, studying their effects on policy debates and the interplay among policy-maker decision-making logics should contribute to our understanding of how persuasion occurs. It also enhances our knowledge about how political will is generated and whether human rights and humanitarian norms affect the likelihood that states will commit to using force to protect civilian populations from mass atrocities.

Some are skeptical about the power of these organizations to advocate and influence political behavior.³⁸ Indeed, international humanitarian NGOs may be limited in the effects they can have on the policy-making process. In some cases, they are unable to utilize opportunity structures and advocate effectively. In other cases, they may fail to formulate coordinated and coherent policy positions that will resonate with policy makers. In other cases, they may only be willing to advocate for specific policy outcomes that may appear to be conflicting with their operational principles (e.g. humanitarian intervention) rather than taking publicly supportive positions.³⁹

To better understand the factors that contribute to these limitations, we need to examine the policy-making process itself. We know far more about the broader social processes of change in state behavior than we do about the specific mechanisms that bring out incremental changes resulting from individual policy decisions that feed into those broader processes. Policy decisions are singular events, but they are linked to the meta-political environment and reveal important shifts in the normative and ideational leanings of policy makers and governments. Relatedly, analysts rarely specify the detailed or facilitating mechanisms whereby decision makers become persuaded by new validity claims or

follow new rules in considering the use of force for reasons other than self-defense or national strategic interest. Humanitarian intervention compels states to engage in this debate, both rhetorically and substantively. Yet there are relatively few explanations that examine how specific patterns of intervention behavior by states evolve and change. In mass atrocity cases, human rights and humanitarian norms may help shape policy-maker preferences regarding policy alternatives to the status quo. Or, other norms like sovereignty and non-intervention may prevail in influencing policy preferences.

Because international humanitarian NGOs do not possess material power as states do, they rely mainly on effectively communicating norms and ideas to influence policy makers (e.g. persuasion) to support or oppose policy decisions, including those related to international human rights and humanitarian law. Along many dimensions, these organizations have become more and more adept in their advocacy in policy-making circles than at any previous period in the history of their relationship with US and UN policy makers.

As noted by the International Commission on Intervention and State Sovereignty (ICISS) in its final report, “NGOs have a crucial and ever increasing role, in turn, in contributing information, arguments and energy to influencing the decision-making process, addressing themselves both directly to policy makers and indirectly to those who influence them.”⁴⁰ Policy elites have become deeply familiar with international humanitarian NGOs and their work, and vice versa. This does not mean, however, that humanitarian actors are entirely lacking in material power. Certainly within the universe of actors other than states, these organizations compete fiercely for market share, contracts, resources, reputation, expertise, and overall organizational survival.⁴¹ Collectively, international humanitarian NGOs control hundreds of millions of dollars in annual budgetary resources; employ hundreds of thousands of international and national staff; and are sought out by governments, multilateral, and regional organizations for information, consultation, and operational expertise.

As institutions, international humanitarian NGOs have steadily professionalized and policy makers view them as being indispensable sources across party lines and administrations.⁴² Moreover, professional cross-over between government, UN, and international humanitarian NGO senior staff has become commonplace. For example, the former President of the American Council for Voluntary International Action (InterAction), the late Julia Taft, had served previously as head of the Office of Foreign Disaster Assistance (OFDA) and as Assistant Secretary of State for Population, Refugees, and Migration. After leaving

InterAction, she directed the UN Development Programme's (UNDP) Bureau for Crisis Prevention and Recovery. Bernard Kouchner, former International Committee of the Red Cross (ICRC) official and co-founder of Médecins sans Frontières (MSF), went on to establish Médecins du Monde. He also served as the Special Representative of the Secretary-General (SRSG) and Head of the UN Interim Mission in Kosovo (UNMIK), and held senior ministry posts in the French government, including as Foreign Minister. James Bishop, former Director of Humanitarian Policy and Practice with InterAction, was also a former career US Foreign Service officer, holding the positions of Deputy Assistant Secretary of State for Africa, Principal Deputy Assistant Human Rights and Humanitarian Affairs, and US Ambassador to Somalia, Niger, and Liberia. Andrew Natsios, former head of the US Agency for International Development (USAID) in the George W. Bush administration, also served as vice-president of World Vision.

The policy influence of international humanitarian NGOs has grown, particularly in the absence of either clear US or UN policy in response to mass atrocity cases. They affect the formation of policy on humanitarian issues in at least four ways. First, their presence in the field gives them street credibility and renders them important as sources of information for government agencies and policy makers. Second, the often very large economic and social scope of international humanitarian NGO operations in crisis zones carries implications for government response because of the impact that any intervention may have on those activities. Third, these organizations (not all, but a large number) are highly professional advocates in policy-making circles, with direct access to some of the highest level policy makers in government circles. Fourth, they have a broad impact on the public and the media—they organize national education campaigns on human rights and humanitarian issues, can harness media attention, and mobilize public pressure in policy debates.⁴³

The kinds of roles international humanitarian NGOs play in the policy process vary from issue to issue and case to case. For example, they can serve as “initiators.”⁴⁴ Initiators are actors who are strategically well placed vis-à-vis other policy actors (e.g. states or intergovernmental organizations (IGOs)) and have some control over political resources or over lines of communication with these actors. They can also serve as norm entrepreneurs or “influence brokers.”⁴⁵ Influence brokers help get items on the political agenda; they also serve as liaisons between participants and decision makers in the policy process. International humanitarian NGOs may also play more than one role simultaneously in a given policy-making process.

In addition to the policy advocacy international humanitarian NGOs carry out, the specific mechanisms through which these institutions attempt to persuade and possibly influence the policy-making process in mass atrocity cases can be studied by analyzing the purposive actions of individuals representing these institutions. For example, in order to be influential, individual staff members of international humanitarian NGOs specify internally (or within institutional groupings) the goals to be attained in a particular political environment. They then formulate strategies of external action to attain those goals. Analyzing this process helps us delineate more clearly how norm entrepreneurs and influence brokers translate and transmit human rights and humanitarian norms embedded within strategic frames concerning mass atrocities into policy-making forums.

International humanitarian NGOs utilize human rights and humanitarian norms to help shape policy debates concerning appropriate and effective national, regional, and international responses in mass atrocity cases, including situations that may necessitate the use of force. At the regional and international levels, international humanitarian NGOs help codify norms about human dignity and the humanitarian imperative. They also contribute to debates over whether and how the use of force might uphold and protect those norms through multilateral mechanisms and international legal instruments. They have established transnational social movements, navigate transgovernmental networks, and cultivate epistemic communities in pursuit of these goals. At all levels, international humanitarian NGOs have utilized mechanisms of “persuasion,” especially strategic framing, to generate resonance among policy makers on particular issues. These mechanisms are explored in the following sections.

Persuasion

Persuasion can be defined as efforts to change the utility function of other players when “agent action becomes social structures, ideas become norms, and the subjective becomes the intersubjective.”⁴⁶ Persuasive communication is fundamentally important in norm building and establishing or institutionalizing shared understandings.⁴⁷ It is one method by which international humanitarian NGOs can attempt to convince policy makers to redefine their preferences and interests, as well as affect policy decisions and political behavior. The activities associated with persuasion tend to conform to the dominant models of advocacy utilized by non-state actors.⁴⁸ Namely, international humanitarian NGOs utilize networks to mobilize political, economic, and diplomatic pressure,

as well as affective mechanisms of liking, affect, empathy, and social influence, to change government behavior.

According to some, affect can be an important component of mobilizing support for robust policy outcomes. However, it has its limits. The “emotional rather than rational component” of decision making “appears to be dulled rather than enhanced by large numbers.”⁴⁹ For example, use of the staggering death toll linked to the 1994 Rwandan genocide did little to increase the salience of arguments concerning armed humanitarian intervention to halt the killing. Rather, persuasion is most likely to occur when good arguments are made that appeal to morality, material costs and risks, institutional interest, and political interests.⁵⁰ These arguments will resonate with policy makers when they maximize the interactive effects of three logics of decision-making behavior: the logic of consequences, appropriateness, and argumentation is maximized, which are described in further detail below (see Figure 2.1).

How, though, does persuasion actually occur? First, actors go through a process of cognition, reflection, and argumentation about new information. Second, actors are more likely to accept new ideational or material views because they like, trust, or respect the source of those views. For example, arguments made by senior executives of international humanitarian NGOs who are “trusted” or “liked” may be more compelling than those made by individuals who are not. The functional proximity

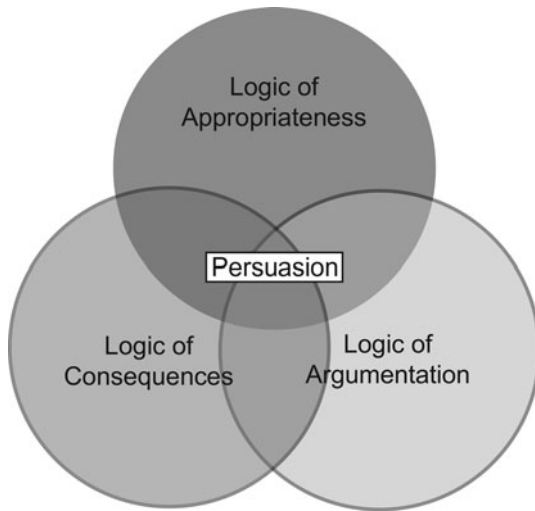


Figure 2.1 Persuasion as an outcome of the interaction between three decision-making logics

of actors can also affect the likelihood of persuasion occurring. Actors whose paths cross frequently are more likely to engage in communicative argumentation, which may, in turn, strengthen affect and liking. Third, actors accept new views because they hold few (or weak) prior beliefs on the topic, because the information “fits” logically with prior-held information, or both.⁵¹ The likelihood of one actor being persuaded by another can also vary depending upon the prevailing perception of the value of the message, idea, or norm that is being transmitted, or through ideational affinity with a particular policy maker or group of policy makers.⁵² Past policies that are judged as successful are normally repeated until they fail, whereas failed policies generally necessitate a search for new alternatives. While policy elites may be influenced by prior cases, they do not necessarily learn from them.⁵³

Empathy can also be used to persuade. Creating empathy can facilitate changes in identification by one set of actors with others, and is seldom fixed. In some cases, the evocation of empathy is the very point of international humanitarian NGO activity. For example, these organizations can foster empathy among policy makers by providing explicit and arresting evidence that implicates certain groups (including governments) in the perpetration of heinous human rights violations and large-scale human suffering. They can organize site visits for policy makers and bureaucrats to crisis zones where mass atrocity crimes and human suffering are widespread, to raise levels of empathy.

In addition to liking and empathy, activities associated with back-patting and naming and shaming can also increase the likelihood of persuasion.⁵⁴ The former involves positive reinforcement of policy-maker behavior; the latter involves a form of negative reinforcement. At the individual level, positive affect with a group attempting to influence may render an individual more susceptible to persuasion. At the aggregate level, the ability of law, institutions, and epistemic communities ultimately to change the policy behavior of states depends to a large degree on social influence and shaming.

International humanitarian NGOs combine many of the above-described persuasion efforts into broader strategies of “framing” to increase their impact on the policy-making process. These organizations are not the sole purveyors of framing, but they play a key role in this process.

Strategic framing

Derived from the social movement literature, framing is defined as the conscious strategic efforts by groups of people to fashion shared

understandings of the world and of themselves that legitimate and motivate collective action.⁵⁵ It includes persuasive devices used to “fix meanings, organize experience, alert others that their interests and possibly their identities are at stake, and propose solutions to ongoing problems.”⁵⁶ Strategic framing helps connect new and existing ideas and norms and contributes to the construction of persuasive messages.⁵⁷ These messages or cues are thus framed in order to resonate as highly as possible with decision makers.

Framing is intimately related to persuasion, and can be considered as a central part of what norm entrepreneurs “do.”⁵⁸ In turn, the ways in which a conflict or mass atrocity case or any issue under debate within policy-making forums is framed helps shape preferred responses and is “critical for getting the right policy response.”⁵⁹ While we can only discern in hindsight what the most effective policy response may have been, the way in which a mass atrocity case is characterized to policy makers does affect the mobilization of political will. When framing maximizes the interplay among the three decision-making logics used by policy makers, persuasion will be more likely to occur. The possibility of policy change occurring that “fits” with the normative and material factors embedded in the strategic frame will also increase.

Frames locate issues within broader social and historical constructs, and where effective, help achieve cognitive consistency and resonance with some intended target audience. They do this by providing contextualization for the interpretation of a particular situation and then indicate appropriate behavior for that context. Indeed, frames are the basic building blocks for broader resonant norms, and therefore for legitimate normative order. For example, effective strategic framing can help policy makers identify causes of a policy dilemma or crisis, speculate about its consequences, identify the actors responsible for the dilemma or crisis, and develop policy options to resolve the dilemma or crisis. The techniques international humanitarian NGOs have used to embed human rights norms into the strategic framing of humanitarian crises, including the mass atrocity cases under focus in this project, include providing credible and compelling evidence of mass atrocities, making direct linkages between victims and perpetrators, and explicitly linking prevailing norms with other “universal” values concerning human rights and human dignity. Framing can also include making the case (or its opposite) that because force is being used *inappropriately* by a sovereign authority (e.g. torture, rape, forced displacement, massive human rights abuses, genocide), then *responsible* use of force should be used to restore peace and stability, as well as protect the rights of civilians.

Resonance

The effectiveness of strategic framing is closely linked to resonance and aids in generating political will. Resonance itself correlates with the concept of “intensity of interest,” which forms part of the process of influence. It is derivative of and conditional to the properties of ideational and material factors.⁶⁰ In order for an idea or norm to resonate, for example, it must be framed in a way that elicits some threshold of “interest” to persuade an actor to modify his/her preferences or interests, be they material or ideational, or a hybrid of the two. For example, international humanitarian NGOs can utilize frames to boost a norm or idea’s profile or downplay other normative or ideational appeals in the political arena, thus creating salience or resonance for that norm in order to increase the likelihood of it being accepted or adopted in a policy.

Actors seeking to persuade through framing must actively construct a logical fit with other basic normative and ideational principles.⁶¹ However, ideational and material factors vary in how well they are “packaged” and “fit” with others embedded within policies, as well as the underlying ideas and norms that policy makers already possess.⁶² Resonance, therefore, does not depend upon the objective merits of an idea or norm, but rather on their ability to fit with existing ideas and ideologies—an idea or norm’s meaning and how it is interpreted. Therefore, resonance is a necessary condition for persuasion to occur and, in some cases but certainly not all, can be sufficient to affect changes in those preferences and interests, and policy outcomes. For example, the threshold or legitimacy criteria originally formulated for military intervention for humanitarian protection purposes by ICISS (replicated in *A More Secure World* and the *In Larger Freedom* reports) may resonate with policy makers as guiding principles to help shape their decision making, but there is no automaticity concerning outcomes if, in fact, they are utilized as part of the broader policy-making process.

The degree to which a frame resonates with policy makers can also be reflected in the levels of attention and support given to a norm or normative issue. Levels of salience can be affected by the way in which the strategic framing of an issue is presented or by changes in the policy environment (e.g. national or international crises). Policy issues that are not framed in such a way as to resonate with decision makers are not as likely to be supported, let alone change, actor preferences. In cases where a strategic frame’s resonance is especially low, we should see lower levels of interplay between the three decision-making logics and the likely outcome will be inaction or a status quo position. In

cases where resonance is especially high, we should see higher levels of interplay between the three decision-making logics and the likely outcome will be a policy change of some sort.

Combining strategic framing and policy-maker decision-making logics

Developing a framework to guide the analysis of the complex universe of policy making and political will in mass atrocity cases where use of force may be needed is likely to be imperfect, much like the social enterprise of politics itself. However, I consider it to be an important contribution to ongoing discussions of humanitarian intervention, one that enhances our knowledge of the roles that human rights and humanitarian norms play in the policy-making process. It also represents new ways of thinking about the concept of political will, which is often bandied about in policy debates without any serious examination of what is meant by the term or how it is constituted theoretically.

Four criteria guided the development of this decision-making framework. First, it expresses as a core assumption the notion that ideas and norms, as well as international humanitarian NGOs, are agential in affecting the policy-making process. Second, it specifies the principal mechanisms through which actors like international humanitarian NGOs advocate and attempt to impact the policy process, and it fleshes out the relationships between the factors and their effects on policy decision making. Third and relatedly, it identifies the conditions under which strategic framing in mass atrocity cases will be more or less likely to affect policy outcomes. Lastly, the specific mechanisms that constitute the framework must be testable using empirically observable cases where human rights and humanitarian norms featured in the policy-making process but where policy outcomes, including humanitarian intervention, varied.

The complete framework is illustrated in Figure 2.2. It establishes links between strategic framing, norms, resonance, decision-making processes, and persuasion, as each of these concepts is in one way or another related to the broader notion of political will. I do not consider the framework to represent a complete portrayal of the decision-making process, however. In particular, the overarching political environment and the roles played by other actors in the policy process are considered, but not as deeply as international humanitarian NGOs and the human rights and humanitarian norms they advocate. Rather, I have tried to capture a portion of the policy-making process by illustrating the mechanisms at work during debates concerning mass atrocity responses

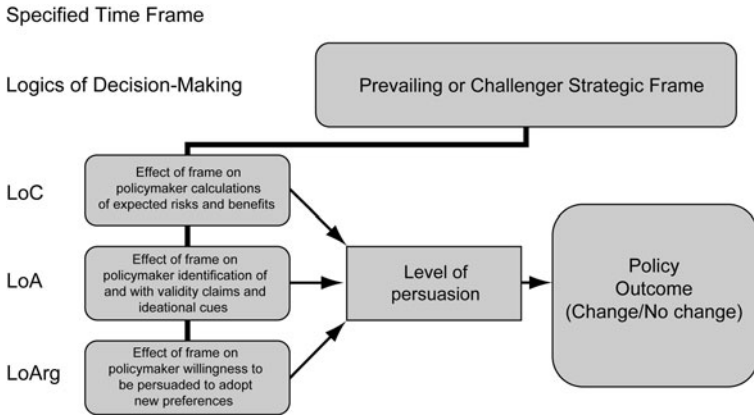


Figure 2.2 Strategic framing, persuasion, and policy outcomes

and the possible use of force to achieve those goals. Specifically, my interest is in examining the impact of ideational and material norms on policy making by examining the effect of the prevailing (or challenger) strategic frame on policy-maker preferences in a particular mass atrocity crisis at given moments or phases. The ideational and material norms that constitute the frame, in turn, elicit interplay among the logics of decision making that policy makers utilize to help shape their policy preferences on that crisis. Depending on whether that interplay is maximized (e.g. a particular frame does or does not resonate, appeal, or logically “fit” with as many of the three logics of decision making as possible), persuasion levels may change, resulting in possible policy change.

Conclusion

The ways in which human rights and humanitarian norms impact the policy environment in mass atrocity cases where humanitarian intervention is considered, and the specific mechanisms involved in strategic framing and policy-maker decision making unfold in the following manner. First, international humanitarian NGOs evaluate the prevailing frame that policy makers are using and develop a challenger frame based on their field-level presence and advocacy positions regarding an unfolding mass atrocity crisis. This challenger frame embodies both ideational and material norms that generate validity claims based on factors such as expert knowledge, scientific evidence, and exclusive information. A challenger frame will be more likely to be effective if it generates high levels of resonance among policy makers, and it will be more likely

to persuade policy makers to shift their policy preferences to “fit” with the norms communicated by the frame if the interplay among three logics of decision making (consequences, appropriateness, and argumentation) is maximized. A challenger frame will be less likely to persuade policy makers to support or oppose particular policy outcomes (e.g. humanitarian assistance, humanitarian intervention) in mass atrocity cases if the interplay among the three logics is low, where international humanitarian NGOs and/or policy makers fail to capitalize on opportunities for “communicative action,” or if other external constraints produced by the prevailing political environment close off such opportunities.

Second, depending upon exactly whether and how a mass atrocity crisis unfolds further (or ebbs and flows), the opportunity to construct new challenger frames may emerge if the initial challenger frame fails to elicit a change in policy outcome, and if the situation on the ground necessitates a frame change. In addition, the broader and deeper the shared understandings of a mass atrocity crisis become through strategic framing, the more likely it should be that the challenger frame will resonate strongly among policy makers, who are now receiving similar “cues” from multiple sources.

Third, the impact on the policy-making debate of human rights and humanitarian norms can be distinguished from material norms by studying closely the rhetoric used by international humanitarian NGOs, the media, and policy makers themselves during the policy debate to justify their policy preferences. *Post hoc* references to ideational or material norms that may have influenced policy makers can also be assessed. If the policy change reflects behavior that is congruent with the human rights and humanitarian norms embedded within the strategic frame, we can claim that the norms have helped shape these outcomes.

Conventional strategic, zero-sum analyses of decision making that focus on the power of competing states are not sufficient to capture the relationships between other key actors involved in policy decision making, including nongovernmental actors such as international humanitarian NGOs. Humanitarian actors engage in a great deal of activity to convince governmental representatives at home and in intergovernmental settings to take seriously, defer to, or follow their propositions.⁶³ The framework presented here offers an explanation for how political will is formulated by examining how the human rights and humanitarian norms that are embedded within strategic frames affect logics of decision making used by policy makers in mass atrocity cases. It is used to guide the empirical analysis in the cases of Somalia, Rwanda, and Sierra Leone, to which we now turn.

3 Humanitarian intervention in Somalia

- **Background**
- **The international humanitarian community in Somalia**
- **Human rights and humanitarian norms, and strategic framing in Somalia**
- **Conclusion**

The Somali people are bewildered by what they see as the callous indifference of the international community, but their eyes are nevertheless focused on the United Nations. They are pleading with you to stop the bleeding of their country. Please help by acting now.¹

This chapter explores the effects of strategic framing and human rights and humanitarian norms on US and United Nations (UN) policy debates over Somalia between 1991 and 1992, and the decision to intervene militarily there. The role of international humanitarian nongovernmental organizations (NGOs) is highlighted, alongside other important actors who contributed to the debates and policy outcomes in this case. From mid- to late 1992, the normative and material factors embedded within the strategic frames generated in this case began resonating strongly with policy makers. This framing affected the interplay among three logics of decision making used by policy makers (the logic of consequences, appropriateness, and argumentation) and facilitated support for a robust course of action. As mass atrocities in Somalia unfolded, consensus emerged both within the US government and the Security Council that the use of force could and would ensure the *security* of the humanitarian operation in Somalia. Having previously favored a policy focused on humanitarian relief and assistance, by December 1992, policy makers in Washington, DC, and New York supported a humanitarian intervention in Somalia.

Human rights and humanitarian norms affected the policy process in two principal ways. First, the strategic framing of the crisis opened up political space for a military option to emerge. It highlighted the unsustainability and undesirability of pursuing the status quo policy of delivering emergency relief, which was failing. The costs and risks associated with staying the course became considerably higher than those associated with more robust options.² Second, these norms were complementary to what became an overarching goal of US and UN policy toward Somalia: restoring the security environment so humanitarian operations could proceed effectively. This compelled policy makers to seek out alternative policies that would be both normatively appropriate *and* materially feasible. However, a number of corollary factors also affected the policy process. For example by summer 1992, the broader international political environment was conducive to consideration of humanitarian intervention, which was successful in 1991 in northern Iraq (Operation Provide Comfort). Relatedly, the United States felt increasing pressure from the media and other nations to “do something” about *either* Somalia or Bosnia. This helped establish relativity between the two crises and elevated Somalia as the more favorable choice in terms of taking action.

Perhaps most importantly, the Somalia case demonstrates that while human rights and humanitarian norms were consistently incorporated into the strategic framing of the crisis, the challenger frame that reshaped policy-maker preferences to support the use of force in Somalia portrayed it as a “security emergency.” This frame reflected these norms indirectly. For example, in its debate on Security Council resolution 794 endorsing the multilateral (US-led) intervention, the United Kingdom stressed that the humanitarian crisis was not being driven by too little emergency relief, but rather by too much insecurity. Council members agreed that without increased security, the mass atrocities and humanitarian suffering would only worsen.³

Certainly, the justifications proffered by President George H.W. Bush and senior policy makers were replete with human rights and humanitarian references. However, close examination of the policy debates in Washington, DC, and New York indicates that while these norms resonated with policy makers over the course of the crisis, the “security” norms embedded within the prevailing strategic frame in late 1992 provided the key motivation to endorse the use of force in order to protect UN and humanitarian staff, as well as humanitarian aid supplies—but not specifically to protect Somali civilians. The Somalia intervention can be characterized as action taken to address the humanitarian *effects* of a mass atrocity crisis, rather than deal decisively with its causes or civilian protection.

Background

The civil war in Somalia has been well-documented in the literature.⁴ It is useful, however, to highlight briefly a number of aspects of the conflict. Somalia historically had been governed by six principal clan families and numerous smaller clans and sub-clans.⁵ Its increasingly authoritarian leader, Siad Barre, spawned unrest and violence throughout the country, and by May 1988 forces loyal to him engaged in civil war with opposition forces.⁶ Following more than two years of fighting, in January 1992 Barre was forced to flee the capital, Mogadishu. Fighting continued between Barre's army and Mohamed Farah Aidede's United Somali Congress (USC) forces, until May 1992, when Barre went into exile in Kenya and, subsequently, Nigeria.⁷ Rather than end the war, Barre's departure exacerbated a power struggle between Aidede and fellow USC leader, Ali Mahdi Mohamed. Civil war was reignited between Ali Mahdi (self-declared interim president), whose forces controlled northern Mogadishu and most of central Somalia, and Aidede, whose forces controlled the southern part of Somalia and southern Mogadishu.

The war took a tremendous humanitarian toll on Somali civilians. Barre's militias carried out a scorched earth policy, decimating local villages and ravaging nearly all the arable land in the south-central region of the country. Humanitarian suffering reached unprecedented levels, compelling international humanitarian NGOs and regional actors such as the League of Arab States (LAS), the Organization of African Unity (OAU), and the Organization of the Islamic Conference (OIC) to lobby international response. While data compiled by these and other groups from 1991 and 1992 on governance failure, civilian displacement, and mortality were subject to error given field conditions, they revealed a country wracked with vulnerability and mass atrocities. Some 60 percent of the government infrastructure had been destroyed by the war, the health care system was in ruins, and 70 percent of the livestock had perished. Farmers could not plant or harvest. Nearly a third of the pre-war population (6 million) was internally displaced and approximately 1 million Somalis had crossed into neighboring countries, including 400,000 to Kenya. This led to localized famine that quickly spread to what became known as the "triangle of death" between the cities of Kismaayo, Bardheere (Bardera), and Baidoa. In 1992 it was estimated that more than 4.5 million Somalis urgently required food assistance and 1.5 million faced starvation.⁸ While Somalia lacked a fully functioning national government, it was patently obvious that Somali citizens were left completely unprotected from systematic and widespread mass atrocities, including war crimes and crimes against humanity.

As the fighting worsened in 1992 it helped spread the war-exacerbated famine country-wide. Crude mortality rates, especially among children under the age of five, reached alarming levels and the mortality rate among the general population was 50 times higher than mortality rates in similar developing countries at the time.⁹ During the first eight months of 1992, the Refugee Policy Group, a Washington, DC-based humanitarian NGO, reported that between 15,000 and 40,000 Somalis had died as a direct result of the fighting. In contrast, the number of individuals killed by famine in 1991 and 1992 ranged between 300,000 and 350,000 (30,000 per month).¹⁰

The international humanitarian community in Somalia

The International Committee of the Red Cross (ICRC) served as the lead agency for the overall humanitarian relief operation in Somalia.¹¹ Its work was complemented by UN agencies such as the UN Children's Fund (UNICEF), the World Food Programme (WFP), and the UN High Commissioner for Refugees (UNHCR). The number of international humanitarian NGOs operating in Somalia fluctuated between January 1991 and September 1992, but many (e.g. Cooperative for Assistance and Relief Everywhere, Inc. (CARE), Catholic Relief Services (CRS), International Medical Corps (IMC), Médecins sans Frontières (MSF), Oxfam, Save the Children (SAVE-UK, SAVE-US), the Somali Red Cross) retained a field presence throughout the conflict, mainly in Mogadishu or in northern Kenya near the Somali border. Others functioned intermittently, their departures and returns linked closely to security conditions. From approximately September until the launch of Operation Restore Hope in December 1992, the number of humanitarian actors present in Somalia increased steadily. By late November 1992 there were approximately 40 organizations operating in various parts of the country.¹²

Collectively, these organizations attempted to alleviate the humanitarian and human rights suffering among Somali civilians. The distribution of emergency food and medical relief was the primary means to achieve this objective. For example, the ICRC operated 350 "wet" feeding centers across Somalia, which provided cooked food for more than 600,000 Somalis daily. MSF-France and the International Medical Corps (IMC) operated medical clinics in and around Mogadishu. CARE was operational through most of the country. SAVE-UK and SAVE-US established nearly 20 intensive-health care clinics in Mogadishu and health care centers north of the capital. UNICEF established its operations primarily in the cities of Mogadishu, Kismaayo, and Baidoa.¹³

The “humanitarian” impact that these organizations had on the Somalia crisis is debated among practitioners and scholars. Some were highly critical of the humanitarian operation, arguing that aid and relief were fast skewing the conflict dynamic and increasing vulnerability.¹⁴ Others emphasized that without the resources provided by humanitarian organizations (even if those resources were distributed imperfectly), millions more Somalis would have starved to death or died from disease.¹⁵

Human rights and humanitarian norms, and strategic framing in Somalia

What role did human rights and humanitarian norms play in persuading US and UN policy makers to adopt new preferences and ultimately to support humanitarian intervention in Somalia? US policy makers had, as early as January 1991, referred both privately and publicly to Somalia as a civil war fueled by ancient ethnic hatred. Under this dual frame, decision makers perceived the conflict as irresolvable by outsiders. Indeed and while Security Council resolution 733 labeled Somalia a threat to international peace and security, policy makers in Washington, DC, and New York backed the standard response to emergencies framed in this manner: support a political solution and delivery of humanitarian assistance. The resolution authorized the scaling up of humanitarian assistance to Somalia, called upon parties to the conflict to cooperate with humanitarian aid operations, and urged them to ensure humanitarian staff security. It also levied a Chapter VII arms embargo on the parties to the conflict, and requested that the Secretary-General notify and encourage them to end hostilities and enter into a ceasefire.

During 1992, however, a range of actors, including international humanitarian NGOs, established challenges to the prevailing dual frame. These actors relied on a combination of their collective national and international reputations, dense and loyal membership networks, strong links to international media, communicative action opportunities, as well as taking advantage of the information asymmetry that had been created by the departure of intelligence and diplomatic staff from Somalia.

The first frame challenge involved expanding perceptions of the crisis in Somalia to reflect it as a “food emergency.” This frame drew upon human rights and humanitarian norms such as life and human dignity, and the right to humanitarian assistance in times of war, and accurately reflected the humanitarian situation on the ground in mid-1992. It generated policy support among Bush administration officials and the Security Council to undertake a massive humanitarian relief

assistance operation, Operation Provide Relief (OPR), which aligned closely with the UN's 90-day Plan of Action for Emergency Humanitarian Assistance.¹⁶

The second frame challenge came on the heels of a dramatic escalation of violence in fall 1992 associated with the enhanced humanitarian operation. The crisis was re-portrayed to policy makers as a "security emergency." Under this frame, human rights and humanitarian norms related to the protection of Somali civilians became secondary to other security norms, such as ensuring the safety of humanitarian staff and the integrity of humanitarian deliverables. The shared understandings elicited by this frame prompted US and UN policy makers to consider more robust forms of response. By mid-November 1992, consensus emerged among a small but influential group of US policy elites and key Security Council members to support the use of military force to achieve security objectives that would, in turn, ameliorate humanitarian suffering in Somalia. The policy decision to lead such an intervention was taken by President Bush in consultation with three of his closest advisors. The Security Council swiftly endorsed the mission in early December 1992, and within weeks, some 21,000 US troops and nearly 10,000 international troops from 20 nations were deployed to Somalia to shore up beleaguered UN forces on the ground, secure humanitarian relief operations across the country, and in so doing, save dying Somalis.¹⁷ The remainder of this chapter explores the ways in which human rights and humanitarian norms featured in the policy-making process concerning humanitarian intervention in Somalia.

The prevailing frame—"ancient ethnic hatred/civil war"

Throughout 1991 and the first half of 1992, US and UN decision makers perceived the civil conflict in Somalia in very narrow and static terms that relegated consideration of human rights and humanitarian norms to the margins of policy making. Key Bush administration officials, for example, understood the conflict in Somalia as being fueled by "ancient ethnic hatred," where deeply held animosities were being fought out in order to gain control of the state.¹⁸ Little was known about the complex political, social, and economic antecedents to the conflict in Somalia prior to 1991.

Until late summer 1992, the international media had not covered the events unfolding there in great detail.¹⁹ Where coverage occurred, the news media reinforced the prevailing frame of Somalia as a case of "ancient ethnic hatred," portraying the situation there as "lethal anarchy," "lawless," and a place where "madness now reigns."²⁰ *The Economist*

in February 1992 characterized Somali militiamen as having “no human feeling ... there is complete anarchy, they are out of control.”²¹ Even policy analysts used references that generated shared understandings of Somalia as a case of “ancient ethnic hatred,” describing it as a place where “people hate each other because of their tribal affiliation, their ethnic background, or their religion.”²²

Until January 1991 when the US Embassy in Mogadishu was closed and its staff and ambassador airlifted out by US marines, the US government held a monopoly on information regarding Somalia.²³ That information asymmetry steadily eroded once the US Embassy closed and the UN presence was scaled back to a handful of staff. Situation reports were transmitted to the State Department by a Foreign Service officer serving in Nairobi, and Somalia did not rise high on its radar again until mid-1992.²⁴ Toward the end of 1991, the main actors on the ground providing information to US policy makers were humanitarian actors. These organizations, however, did not initially capitalize on the information asymmetry.

Because many Bush administration officials simply considered Somalia to be beyond resolution—a perception generated by the prevailing dual frame of “ancient ethnic hatred/civil war,”—the government’s policy toward Somalia consisted of supporting multilateral efforts to secure a ceasefire and assisting in coordinating hundreds of thousands of metric tons of food aid and emergency relief to refugees and internally displaced persons (IDPs). That policy remained in place, largely unaltered, in spite of the fact that the civil war was continuing unabated, famine was spreading rather than abating, and the relief effort was not meeting its goals.

The UN’s position on the crisis involved supporting humanitarian assistance activities, but also brokering a ceasefire, which was signed in March 1992. Preparations were made for a technical team to devise plans for a UN monitoring mechanism for the ceasefire, and to recommend ways to ensure humanitarian aid delivery would be unimpeded.²⁵ This alleviated pressure to “do something” about the worsening human rights situation and humanitarian suffering. Indeed, the violence in Mogadishu appeared, for a short period, to be decreasing, which created a “new and positive political climate.”²⁶ Conflict in other parts of the country continued, however, and the Security Council once again was summoned to consider its options.

In his background report, which served as the basis of the council’s Somalia debate in March 1992, Secretary-General Boutros-Ghali connected the war directly to widespread death and destruction, and the grave threat of famine, as well as impediments to delivering humanitarian

relief.²⁷ The Security Council President at the time (Venezuela) noted that Somalia represented the legacy of a “dangerously impoverished people, dangerously over-armed and dangerously undernourished.”²⁸ Other council members characterized Somalia as a case of “vicious coexistence of war and famine.”²⁹ Some considered Somalia a “horrible internal war” that has brought the nation to the “brink of chaos and disarray,” with immense humanitarian repercussions.³⁰ The United States also noted the scale of human suffering, calling it “a tragedy of heart-breaking magnitude,” but linked that suffering directly to the violent struggle for territory and power.³¹

Under this frame, human rights and humanitarian norms including civilian protection and human dignity were recognized as being violated because they were the effects of conflict. An appropriate and pragmatic solution to these atrocities would be to enhance humanitarian assistance activities and engage the warring parties to find a political solution. The council subsequently authorized sending a technical team to Mogadishu under resolution 746 to develop a high-priority plan to establish mechanisms to ensure the unimpeded delivery of humanitarian assistance. The resolution noted the fragile nature of the ceasefire and the continuing humanitarian suffering, and urged warring parties to honor it and cooperate with humanitarian aid delivery. It requested the Secretary-General to continue his humanitarian efforts and appealed to member states to assist in this effort.

Within the US government, however, there was scant room for dialogue between the various branches concerning policy alternatives to supporting the UN response for Somalia in early 1992. It was not until later in the spring when opportunities for communicative action emerged. For example, Congress held only two hearings where US policy toward Somalia was discussed in the spring of 1992; no others were held until late July. Moreover, Somalia was not the primary focus of either of these sessions. Rather it was discussed as a refugee issue and in comparison with the nascent civil war in Bosnia-Herzegovina.³²

This illustrates the strength of the prevailing frame concerning the Somalia crisis. For example, Senator Paul Simon (D-IL) chaired a meeting of the Senate Foreign Relations Committee’s subcommittee on African Affairs on 19 March 1992. During that session, Assistant Secretary of State for African Affairs Herman Cohen and USAID Assistant Administrator Andrew Natsios testified on the situation in Somalia. Simon asked pointedly whether there were things the government could do to assist UN efforts in Somalia to ensure greater stability and facilitate an effective humanitarian effort. Cohen stressed that US policy toward Somalia was and should be *strictly humanitarian*. He also

emphasized that the primary responsibility for finding a political solution to the conflict rested with the UN, the LAS, and the OAU—not with the Bush administration. Natsios echoed Cohen's sentiments, expressing skepticism that a durable or workable political solution could be found in the short term to end the civil war, because "Mogadishu is not the capital of anything, because there's no country left in Somalia."³³

A small group of policy makers within the US government³⁴ and select members of the Security Council, however, were becoming convinced that the prevailing Somalia policy should be rethought, including the possibility of taking more robust action. There was, however, no clear way forward to stem a crisis the humanitarian dimensions of which were only worsening. The United States looked primarily to the UN to resolve matters through peacekeeping, and on 24 April 1992 Security Council members unanimously adopted resolution 751, authorizing the UN Operation in Somalia (UNOSOM I). The mission was to consist of 50 unarmed military observers to monitor and report on the status of the Mogadishu ceasefire, and 500 armed security personnel to protect UN personnel and safeguard the humanitarian relief operation in and around Mogadishu (e.g. the port and airport).³⁵

This response aligned closely with the frame of Somalia as a civil war. Deploying unarmed observers to monitor a ceasefire and appointing a Special Representative of the Secretary-General (SRSG—Mohamed Sahnoun) to seek a diplomatic solution to the conflict constituted the UN's conventional response to such situations. However, sending armed security personnel to protect aid and humanitarian staff was far more innovative. Among the warlords on the ground, Ali Mahdi readily accepted the mission, while Aideed was hesitant but did not overtly object to the presence of armed troops on Somali soil. Member states' concerns were in part allayed by the highly delimited nature of UNOSOM I's mandate. It was designed as a deterrent force, but its security personnel would be sufficiently armed to defend themselves if attacked. They would not have "law-and-order responsibilities" and were not authorized to protect civilians.³⁶

The consistent US position toward Somalia in the early part of 1992 can be attributed to the widespread acceptance within the policy-making community of the prevailing frame that Somalia was an irresolvable conflict best left to others to risk sorting out. Humanitarian actors, foreign governments, international diplomats, and others were only just beginning to engage in serious dialogue on this issue. International humanitarian NGOs in part kept the administration informed about changes on the ground in Somalia, but this information was not channeled into a broader goal of policy change. This kept the interplay

among the three logics of decision making policy makers would have used to reconsider policy options in Somalia at extremely low levels. In addition, there was no significant challenge to the dual prevailing frame of Somalia as “ancient ethnic hatred/civil war.” The outcome, both in US and UN policy-making circles, therefore, was to support policy continuation rather than embark upon policy change requiring a stronger response. Supporting the humanitarian operation in Somalia, albeit now one protected by armed security personnel, “fit” with the prevailing frame. For the UN, negotiating a durable ceasefire and engaging leaders in national reconciliation, alongside making the humanitarian effort more effective by securing it from physical threats, also aligned with the framing of the crisis as a civil war. These findings are summarized in Figure 3.1.

In terms of the logic of consequences, supporting major changes in policy during the spring of 1992 would involve high risk and high costs. Moreover, policy makers did not perceive Somalia as a threat to US national interests per se. From the perspective of the Security Council, Somalia represented a threat to international peace and security, but the humanitarian suffering occurring there was connected to the political crisis. In terms of the logic of appropriateness, it was not possible to link the prevailing frame to any particular normative guideposts that would prompt new directions in policy. Moreover, the frame did not create additional moral demands or strong validity claims. The ideal response involved expressing sympathy for the victims of the strife, feeding them where possible to keep them alive, and attempting to bring the warring parties to the table to settle their differences. In terms

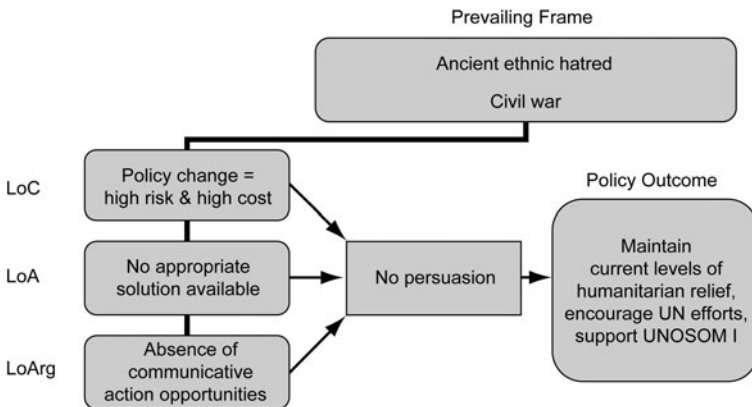


Figure 3.1 Strategic framing and persuasion, January 1991–June 1992

of the logic of argumentation, the prevailing frame left only a modicum of political space for dialogue between humanitarian actors and policy makers. This was especially true of the military planners within the US government.

Within a few short months, however, policy makers began expressing growing concerns as to why so much attention was being paid to complex emergencies in places like Ethiopia and drought in southern Africa, while so little attention was being paid to what was increasingly being described as the world's worst humanitarian catastrophe in Somalia.

Frame challenge 1—from “ancient ethnic hatred/civil war” to “food emergency”

As the information asymmetry on Somalia formerly favoring policy makers in Washington, DC, and New York eroded more fully in favor of international humanitarian NGOs during the first half of 1992, a corresponding shift occurred in the capacity of these organizations to shape the policy process. Among other things, it facilitated a frame challenge that focused on conveying the idea that the crisis in Somalia was a “food emergency.” In contrast to the prevailing frame of “ancient ethnic hatred/civil war,” the challenger frame comprised a number of norms related to basic human rights, as well as humanitarian norms regarding the provision of succor to non-combatants under the Geneva Conventions.

International humanitarian NGOs operational in Somalia assisted in channeling a wide range of data and evidence on the famine and its effects on civilians that helped shape this frame. These, in turn, were instrumental in shaping the UN's 90-day Plan of Action for Emergency Humanitarian Assistance, finalized in April.³⁷ Noting that Somalia was in ruins owing to decades of neglect and civil war, the Action Plan's goal was to link the political resolution of the conflict to the delivery of a wide range of urgent emergency relief and humanitarian assistance to a total of five million Somalis, including combatants willing to disarm.³⁸

The Security Council made clear, however, its expectation that combatants would honor these arrangements and cautioned that the Action Plan would be ineffective otherwise. Thus, the report emphasized the inviolable nature of all UN assets participating in the operation, including those involved in protecting relief workers traveling along designated corridors to zones of peace.³⁹ By declaring these zones and those who moved and worked within and between them as sacrosanct, the Security Council unknowingly laid the normative groundwork for future policy shifts in support of humanitarian intervention that eventually took place later in the fall of 1992.

By July 1992 the UN was satisfied that the ceasefire had held reasonably well, but tensions remained high and sporadic fighting and violence plagued various parts of Mogadishu.⁴⁰ The food situation and threat of widespread famine had, once more, become critical, owing mainly to deepening violence, rising food prices, and drought.⁴¹ National reconciliation efforts continued, but the arms embargo was totally ineffective. It was against this backdrop that the “food emergency” frame emerged. In response, the Security Council adopted resolution 767, which accelerated the humanitarian relief operation. It also established four operational zones for UNOSOM I to aid in the relief effort and encouraged all parties to assist and facilitate the security of UN and humanitarian staff and security personnel. Unlike earlier council decisions, however, resolution 767 underscored that failing such cooperation it could consider other mechanisms to *ensure* the delivery of humanitarian assistance, thus leaving the possibility of more robust measures on the table.⁴²

International humanitarian NGOs further advanced the challenger frame strategy in a number of ways. First, they engaged political opportunity structures more fully than they had previously. Organizations like InterAction (and its members) stepped up face-to-face interactions with key US policy makers to discuss policy options on Somalia.⁴³ It enlisted a Director of Government Affairs and Public Outreach to advocate with a wide range of Bush administration officials, including staff from the substantive and regional bureaux of the State Department (e.g. Human Rights and Humanitarian Affairs, Africa bureau, International Organization bureau), the Joint Chiefs of Staff (JCS), USAID, the Office of Foreign Disaster Assistance (OFDA), Congress, and the White House.

Second, following the closure of the US Embassy in Mogadishu, much of the government’s knowledge regarding the Somalia crisis came from international humanitarian NGOs and, to a lesser extent, from US Embassy staff in Kenya. International humanitarian NGOs used their street credibility and presence on the ground in Somalia to provide compelling evidence that the prevailing frame of “ancient ethnic hatred/civil war” was outmoded and increasingly ineffective in guiding policy. For example, between July and August 1992 then president and CEO of InterAction, Peter Davies, made two trips to Somalia. Following each trip he held press conferences and meetings with US government and UN officials to brief them on the changing political, security, and humanitarian conditions on the ground.⁴⁴ Davies and others linked the perpetuation of violence to the violation of human rights and humanitarian norms concerning the universal human right to food, including the humanitarian implications of deliberate food deprivation. This

information correlated with other sources.⁴⁵ According to one policy insider, the consistent and coherent framing of Somalia during this phase of the crisis provided him with credible and actionable information that aided in “moving agendas ahead” in other parts of the administration.⁴⁶

Relatedly, humanitarian actors held frequent information-sharing sessions with humanitarian planners at OFDA and USAID, which further bolstered their framing efforts. Details of congressional testimony given by Natsios and others during this time frame illustrated how international humanitarian NGOs helped channel information and data up the policy chain, including critical eyewitness reports regarding changes in the range and intensity of the famine. In their discussions with Washington, DC policy elites regarding a possible policy change, SAVE-US, InterAction, and many of its members did not argue for more robust action involving the military. Rather, they supported a country-wide humanitarian relief operation that could defuse the humanitarian emergency, avert famine, and possibly ameliorate inter-clan violence.⁴⁷ The message conveyed uniformly to policy makers was that *famine*, rather than ancient ethnic hatred or the civil war, was the central problem in search of a solution in Somalia.

Third, international humanitarian NGOs were able to establish empathy and affect among key US policy makers to persuade them that policy change on Somalia was both normatively appropriate and materially feasible.⁴⁸ For example, despite a US government ban prohibiting members of the administration from traveling to Somalia due to security reasons, senior staff of InterAction encouraged the latent interest among select members of Congress to visit Somalia and witness first-hand the deteriorating human rights conditions resulting from the food emergency on the ground there.⁴⁹ Congressional visits by Senators Nancy Kassebaum (R-KS) and Paul Simon (D-IL) in July 1992 (the first US government officials to travel to Somalia) immediately led to the scheduling of four subsequent hearings on Capitol Hill between July and August 1992 to discuss what more could be done in Somalia. Framing Somalia as a “food emergency” also prompted questions among policy makers as to whether current US or UN policy was ethically and pragmatically acceptable in the face of the dramatic escalation of human suffering and mass atrocities caused not only by the pre-war drought conditions, but most importantly, by the manifest failure of any authorities in Somalia to halt the suffering.

The challenger frame eventually resonated at the highest levels of the US government. For example, the widely circulated August 1992 “Hempstone Cable” to President Bush illustrated in stark detail the

inhumane conditions facing Somalis seeking succor and protection in Kenyan refugee camps near the Somali border.⁵⁰ Amid the data and statistics, Ambassador Hempstone also made an appeal to norms of human dignity, writing “[t]he soul of a 2-year-old baby that weighs 10 pounds ... and there are many such ... must be very small.”⁵¹ The 42 feeding centers operating there had a daily capacity to feed 168,000, yet the number of Somalis in need of urgent food aid had climbed to 400,000. Famine-related disease had crept into the camps, including pneumonia, osteomyelitis, anemia, conjunctivitis, measles, and whooping cough. Some 75 percent of the cattle and 60 percent of sheep and goats—primary food sources for Somalis—were dead. Without much-needed rain, the remainder of the animal population was forecast to die by October. Ambassador Hempstone concluded his cable by saying that “[i]f the world averts its eyes and the rains do not come, the human suffering in the northeast will be on a scale unknown in Kenya’s history.”⁵²

The prevailing frame gradually gave way to recognition that a country-wide, largely man-made, famine was imminent, and this eventually shaped the official State Department view of the Somalia crisis. According to Cohen, an internal directive was issued that Somalia was to be described as a “food problem.”⁵³ It provided policy makers with the impetus to reassess policy. Moreover, the challenger frame refocused policy-maker attention away from the anarchic violence and lawless perpetrators, and toward suffering civilians.⁵⁴

The challenger frame of Somalia as a “food emergency” elicited a process of general policy review within the Bush administration and congress.⁵⁵ It became increasingly recognized that US policy was inadequate to the changing dynamics on the ground in Somalia.⁵⁶ For example, in July President Bush communicated to the State Department, USAID, and the Pentagon his dissatisfaction and instructed National Security Advisor, Brent Scowcroft, to begin exploring an enhanced airlift effort. The Interagency Working Group (IWG) established to develop policy options for Somalia, however, failed to reach consensus on a new policy. A frustrated Bush tasked his most senior advisors, including Secretary of State Howard A. Baker III, Secretary of Defense Dick Cheney, and Scowcroft, to establish the parameters for an expanded humanitarian effort.⁵⁷

Alongside these deliberations, on 14 August 1992 the Bush administration announced its support for Security Council resolution 767, which authorized a multilateral humanitarian airlift, OPR, to southern Somalia. For its part, Washington agreed to provide humanitarian food aid and relief, and transport aviation for relief supplies (e.g. C-141s, C-130s and other air and ground assets for local logistics). The United States

also committed to providing transportation and logistics resources in connection with the timely, effective deployment of UNOSOM I, which was mandated to protect those involved in implementing OPR. The mission did not, however, include provisions for protecting Somali civilians. In announcing this policy change, the Bush administration held a special State Department press briefing featuring Natsios (now serving in the additional role as Special Coordinator for Somalia Relief), Robert Wolthuis (Director of Humanitarian Affairs at the US Department of Defense), and Davies.

Framing Somalia as a “food emergency” posed an effective challenge to the prevailing conception of Somalia as an irresolvable “civil war” based on “ancient ethnic hatred.” It synthesized human rights and humanitarian norms more effectively than in the previous phase. The frame resonated strongly with a sufficient number of key US policy makers, including senior senators, and high-level officials in the executive branch, as well as the Security Council. The use of force was not foremost on the minds of many, but was nevertheless not far from the surface during policy debates. Indeed, the challenger frame itself helped shape the US decision to serve as one of the lead actors in OPR. This committed the United States to a Somalia policy that was congruent with human rights and humanitarian norms concerning the right to food, life, and human dignity, among others. More importantly, perhaps, the challenger frame created political space whereby policy makers were amenable to being persuaded to consider modifications in the prevailing policy response. This was in part due to the way in which the material and ideational norms embedded within the frame of “food emergency” maximized the interaction between the three logics of decision making among key policy makers. These findings are summarized in Figure 3.2.

In terms of the logic of consequences, a “food emergency” triggers a number of standard operating procedures within US government bureaucracy. USAID, OFDA, and the State Department make recommendations regarding levels of humanitarian relief and assistance, and consult with other parts of the administration (e.g. Department of Defense) to work out logistics and transport details. Increasing humanitarian assistance to Somalia was basically akin to a change in the magnitude of a policy that was already being followed. Therefore, it did not pose high risks, and was considered to be low cost relative to other options that could involve higher levels of involvement. Also, in order to be effective, credible evidence demonstrated the urgency of augmenting the humanitarian assistance operation with much-needed food aid, as well as other relief items.

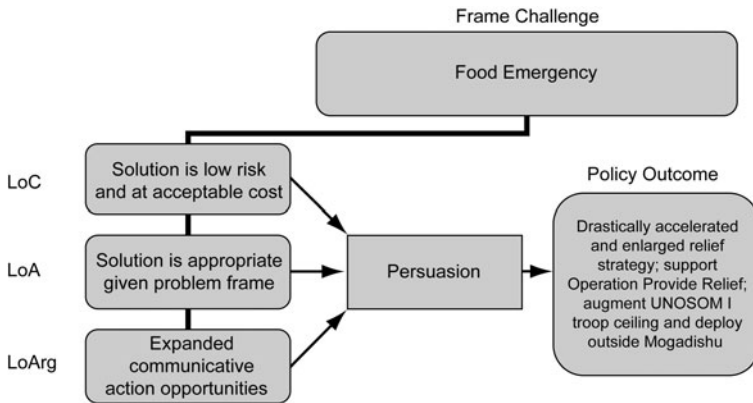


Figure 3.2 Strategic framing and persuasion, July–August 1992

In terms of the logic of appropriateness, the ideas and norms embedded within the challenge frame of Somalia as a “food emergency” generated a series of validity claims. These claims derive in part from human rights and humanitarian norms and universal principles of humanitarianism—namely the principle of “humanity”—that suffering wherever it is found must be alleviated. The human suffering resulting from food shortages, deprivation, and obstructed access constituted a transgression of human rights norms and denoted a failure on the part of the warring parties to adhere to international humanitarian legal frameworks.⁵⁸ Significantly increasing levels of US humanitarian assistance was understood by policy makers to be an ethically appropriate policy option for restoring those rights—by ensuring that food reached starving civilians. The challenger frame also highlighted that implementing an enhanced humanitarian effort in Somalia would fulfill the norm of impartiality, which stipulates that humanitarian assistance should be given on the basis of need alone, rather than political considerations. Policy makers understood that OPR would fulfill the US government’s responsibility toward the people of Somalia; it was the “right” thing to do based on the ideas and norms generated by the challenger frame, as well as changed policy-maker perceptions of the crisis.

In terms of the logic of argumentation, international humanitarian NGOs found that policy makers were increasingly amenable to communicative action regarding a possible policy modification on Somalia. Persuading policy makers to perceive Somalia as “food emergency” rather than as “ancient ethnic hatred/civil war” can be attributed to two main factors. First, humanitarian actors were a critical source of

evidence-based information that the famine had spread throughout most of the country and human suffering was increasing to unthinkable levels, mainly owing to violence and mass atrocities associated with food deprivation. Second, the growing scale of humanitarian suffering and transgression of human rights and humanitarian norms warranted reconsideration of current policy. Policy makers thus consulted those they felt could contribute to such a dialogue, especially humanitarian actors. The increased openness for dialogue may also have been enhanced due to a newly emerging attitude about Somalia within some parts of the Bush administration and in the Security Council, as policy makers in both forums appeared to be taking a more substantive interest in the crisis. For example and alongside interagency debates, the Department of Defense established its own task force on Somalia in the summer of 1992, and President Bush was reported to be following events in Somalia with growing concern.⁵⁹

Frame challenge 2—from “food emergency” to “security emergency”

By late August 1992, OPR had made inroads to relieving widespread human suffering in Somalia. Yet the humanitarian operation had also generated a new dynamic within the conflict, which necessitated the reframing of the Somalia crisis as a “security emergency.” This reframing, in turn, prompted some international humanitarian NGOs and policy makers in Washington, DC, and New York to argue that a sizeable external military intervention might well be needed to improve security and right a struggling humanitarian relief operation.⁶⁰

The entry of the new challenger frame in US policy debates lagged behind the changing conditions on the ground, however. Shortly after OPR was launched, for example, Natsios delivered a State Department press briefing on its progress. His remarks signaled cautious optimism that OPR could achieve its goals, owing to data indicating that the security situation had reached its lowest possible point and was unlikely to worsen. The airlift had caused food prices in some areas of the country to drop by 25 percent, and refugee flows into Kenya and Ethiopia had decreased by 90 percent. Natsios noted, however, that further deterioration of the security situation could upend the operation, leaving large segments of the population to starve.⁶¹

One of the first indications policy makers received that OPR was failing came from international humanitarian NGOs on the ground in Somalia. Their projections of how much food would be needed in Somalia to stem the famine in the coming months surged, and they estimated that in some areas across the country the airlift was meeting only 40

percent of humanitarian need.⁶² Internal displacement rose as people traveled from city to city in search of food. Refugee flows into Kenya increased once again. Moreover, relief workers reported that attacks by militias were growing more commonplace, and overall security conditions were rapidly deteriorating. Human rights violations, acts of violence against aid workers, and targeting of aid convoys became more and more widespread.

In New York the lag was less pronounced. No sooner had the ink dried on resolution 767 than the Secretary-General began pushing for a robust upgrade of the UN's role in Somalia. The timing of this effort mirrored increases in looting of relief and fuel supplies in Mogadishu and other key distribution points. Security conditions threatened overland transport of aid, which further exacerbated the food crisis. It rendered an already delicate ceasefire even more tenuous, which prohibited the deployment of UN military observers. Thus, he recommended increasing UNOSOM I's authorized troop ceiling,⁶³ adding security units, and decentralizing deployment to enhance the mission's capacity to effectively implement OPR.⁶⁴ Boutros-Ghali further emphasized that the dilemma was "not the *delivery* of humanitarian relief supplies to ports and airports in the country ... but rather the *protection* of the convoys that transport supplies from port or airport to warehouses and distribution centres, together with the protection of those stores and centres themselves."⁶⁵ Council members, eager to see UNOSOM I succeed, unanimously adopted Security Council resolution 775, which included all of the Secretary-General's proposed measures.

It was not long before policy makers found themselves face to face with the ground truth. Instead of providing sustenance to civilians, the influx of food aid generated unprecedented levels of widespread and freelance violence. Warring militia groups took full advantage of their ability to control nearly every point in the emergency relief distribution process. Insurgents forced humanitarian actors to negotiate "landing rights," payments of approximately US\$100 for every relief delivery flight. They threatened to incite additional violence if porters from the militia groups were not hired to unload the planes. Inevitably, significant portions of each shipment were stolen during unloading. This violence exacerbated the famine and heightened security risks for humanitarian actors and civilians. The Pakistani troops with UNOSOM I were prevented by militiamen from deploying beyond Mogadishu airport. Natsios himself lamented: "[d]espite all our efforts to help avert disaster in Somalia, we are now facing, in all its horror and wasting, mass starvation directly attributable to insecurity that prevents relief workers from saving lives. The magnitude of the tragedy today is staggering."⁶⁶

These factors did not just prompt, but rather necessitated, a reframing of the crisis. Alongside the emphasis of Somalia as a “food emergency,” many began referring to it as a “security emergency.” This challenger frame reflected deteriorating conditions and events transpiring on the ground over a very brief period of time. In an indirect way, this frame drew upon human rights and humanitarian norms. Systematic and widespread violence against aid workers and relief operations is considered a war crime, and the crimes against humanity being perpetrated by militias against civilians also violated a wide range of human rights and humanitarian norms. However, the principal norms associated with the “security emergency” frame were those more traditionally related to defending national interests or the principle of self-defense. The focus was less on upholding the rights of civilians than on the perpetrators and their attempts to destabilize the relief operation. The frame challenge also occurred at a time when the unfolding crisis in Bosnia-Herzegovina was ascending on the US foreign policy agenda and shortly after the international media began to increase their reporting on Somalia. The level of information available to the public grew dramatically between August and December, and images of starving women and children were nightly finding their way onto the world’s television screens.

The media’s portrayal of the crisis in Somalia reinforced the challenger frame’s resonance with both the general public and policy makers. In an attempt to “unpack” the crisis for viewers, listeners, and readers, reporters relied on oversimplifications and value-loaded terms that essentially distilled Somalia into three basic elements: “warlords/gunmen,” “innocent civilian victims,” and “noble and courageous aid workers.”⁶⁷ By dissecting the crisis into its most basic components, the ability to grasp and understand, and perhaps most importantly, to empathize with, the victims of mass atrocities was enhanced, but so was the understanding that the crisis in Somalia was growing more intolerable day by day.

Some international humanitarian NGOs, such as CARE, replicated the media’s portrayal of the crisis in their advocacy efforts. Others did not. Robert Devecchi of the International Rescue Committee (IRC), for example, lamented in November that “[w]e can take care of the scorpions, we can handle the malaria, the dysentery, and so on, but a 14-year-old boy, high on qat, with a machine gun is something we haven’t reckoned for.”⁶⁸ Focusing policy-maker attention on Somalia was far easier when the crisis was no longer perceived as violence fueled by “ancient ethnic hatred.” In particular, it became easier under the frame of “security emergency” to distinguish between perpetrator and victim, and to propose policy options focusing on these factors.⁶⁹

Humanitarian actors in Somalia channeled a near constant stream of information back to policy makers concerning the security threats they faced over the course of OPR's implementation. Warlords and roaming bands of militias routinely threatened humanitarian workers, and in some cases, local staff had been killed attempting to deliver relief supplies. Food aid was being diverted and looted at a staggering rate. Many organizations, including the ICRC, employed armed guards to protect their supply warehouses and escort humanitarian aid convoys transporting aid outside Mogadishu. International humanitarian NGOs found themselves spending hundreds of thousands of dollars each month on security arrangements for their operations.⁷⁰

Yet the provisions taken by humanitarian actors to secure the relief operation failed completely. Organizations that refused to negotiate with militia groups for security became targets of violence. Militiamen hired to protect food aid more often than not were also involved in the looting and theft of that aid. WFP ships entering Mogadishu port were shelled and the Kismaayo port was closed because of looting. Approximately 50 percent of emergency relief that made it into the port of Mogadishu was distributed—the other half was simply taken by the militias.⁷¹

As OPR struggled into its third month, the challenger frame of “security emergency” sent a clear message to the US and UN policy makers. It became untenable to support an accelerated humanitarian relief, when very little of that relief was getting to its intended beneficiaries. Combined with compelling evidence provided to policy makers regarding the risks of continuing with the current policy, the frame challenge contributed to a rethinking of policy alternatives that ultimately led to the consideration of using military force for humanitarian purposes in Somalia.⁷² Policy makers in Washington, DC, and New York faced the challenge of *securing* the delivery of increased food aid and ensuring its *safe* delivery to suffering civilians.

In Washington, government officials remained divided over the issue of using force to feed starving Somalis. Assistant Secretary Cohen expressed doubt that the Bush administration or the American public would support such a precedent-setting decision, especially if it meant putting troops at risk.⁷³ In contrast, Representative Donald Payne (D-NJ) supported armed intervention, emphasizing that it might be necessary, given the “human conditions” in Somalia.⁷⁴ Without advocating for intervention, Natsios implored members of congress to consider the very real possibility that the downward spiral of insecurity could prompt humanitarian staff to leave the country, thus rendering the United States unable to run the relief program.

Support among the humanitarian community for a stronger and more forceful US involvement in Somalia was likewise mixed.⁷⁵ For example, in his consultations with humanitarian staff working in Somalia, Natsios noted “I asked a nurse from Save the Children UK and another nurse from Irish Concern ... and they said the same thing. They said all of the people are fed up with this and they want security forces in now.”⁷⁶ Other humanitarian staff were more cautious, underscoring that without the warlord approval, deploying military force to Somalia would only further exacerbate an already tragic humanitarian crisis:

[W]hen you have a gun in Somalia, if there’s no relief organization around to organize things, the people who need the food don’t get it. We have to have those organizations in. If they’re physically at risk, and many of them think they are, if we start introducing troops without trying to get some consensus, we may put them at risk ... Acting without considering the consequences could kill more people and it’s entirely possible that the relief that is getting in now would stop because the violence would get so bad.⁷⁷

However, sufficient consensus had emerged that the protection of humanitarian relief was *sine qua non* in determining whether more Somalis would die or be saved. Many relief groups did not believe that the UN mission could do this.

International humanitarian NGOs framed the situation in Somalia as a “security emergency” because it reflected what was transpiring on the ground. More importantly, many of these same organizations felt that this frame would resonate with policy makers, for whom the continued support of a failed policy would carry significant risks. The previous challenger frame of Somalia as a “food emergency” was not entirely replaced by the new challenger frame. Both situations reflected what was occurring at field level. Somalia continued to be a “food emergency” and because of the dramatic increase in violence (nearly all of it associated with the humanitarian relief effort), it had now become a “security emergency.” The former frame closely aligned with human rights and humanitarian norms, whereas the “security emergency” frame elevated norms associated with shared understandings of self-defense and national interest in order to prevent OPR from failing.

The source of the security threat—thugs and rogue militias—also helped sustain the connotation among a growing group of policy makers that forcible response would stand a reasonable prospect of success. Finally, there was widespread acceptance among policy elites that the

relief operation was, in fact, failing. This opened the door to consider whether forcible actions to protect it were now deemed vital and urgent enough to uphold a basic right to food among the Somali population. Protecting Somalis from mass atrocity crimes may have represented one dimension of policy-maker preferences in support of humanitarian intervention, but saving the relief operation and protecting the food and the aid workers who were distributing it took precedence over those norms.

Reframing Somalia as a “security emergency” resonated with policy makers. Policy makers were persuaded that something more than an enhanced humanitarian effort was needed to resolve the crisis there. Much like the corollary frame of “food emergency,” the challenger frame persuaded policy makers to rethink their preferences in terms of US and Security Council policy toward Somalia. A summary is presented in Figure 3.3. The new frame created critical opportunities for communicative action to occur between policy makers and humanitarian actors and, at a minimum, convinced policy makers that maintaining the status quo policy toward Somalia was fast becoming undesirable and impossible.

In Washington, it became clear that policy toward Somalia would undergo review and possibly would change. Policy makers reported that there was a sense of greater urgency surrounding Somalia in early-to-mid-November 1992. Finding a fix for what was a failing policy was a paramount objective and had the full support of President Bush and his senior advisors. Bush formally instructed the State Department to be “forward leaning” on developing a range of policy responses for Somalia. Interagency meetings were now being held daily, and Somalia had risen to the level where it was the subject of Deputies Committee

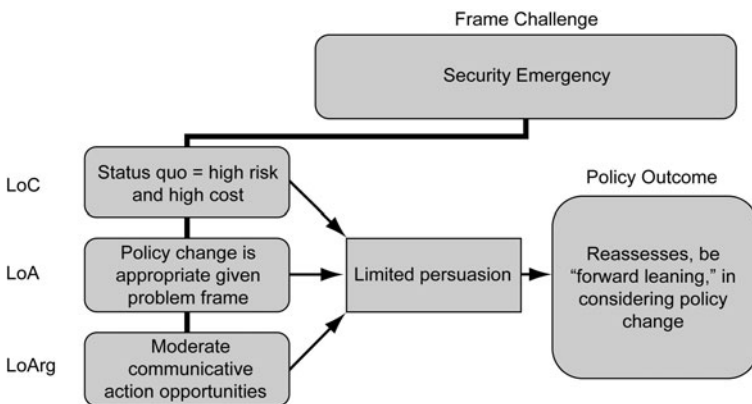


Figure 3.3 Strategic framing and persuasion, September–mid-November 1992

meetings as well. By mid-to-late November the dialogue among policy makers began in earnest to include the possible use of force in Somalia for humanitarian purposes.

In terms of the logic of consequences, maintaining the humanitarian relief operation and airlift posed increasing risks and costs. Pressure heightened to identify alternative solutions that would reduce those risks and costs. It was not quite clear at this time that humanitarian intervention was a viable policy option. In publicly reflecting upon the events leading to the decision to intervene in Somalia, Chairman of the Joint Chiefs of Staff, General Colin Powell, noted that “the level of violence was increasing faster than the humanitarian effort could try to deal with this situation.”⁷⁸ However, US Central Command (CENTCOM) had been working on a number of policy response scenarios for Somalia in early November, including humanitarian intervention.⁷⁹

In terms of the logic of appropriateness, normative pressure was building, within the United States especially, to get the policy right. Policy makers emphasized the need to develop alternatives that addressed what the US government *could* do to alleviate mass suffering in Somalia, as well as what it *ought* to do there to fix a failing policy. The normatively appropriate policy response was going to be one that integrated appropriate action to stem the crisis, halted the violence, and prevented the unnecessary suffering of innocent civilians and humanitarian agency staff.

In terms of the logic of argumentation, both international humanitarian NGOs and the policy elites were becoming fully engaged in communicative dialogue. The possibility of humanitarian intervention began resonating with policy makers, some of whom disclosed that use of force might be the only recourse that would be both appropriate and effective in Somalia.⁸⁰ The information these organizations provided to decision makers in Washington, DC, and New York, alongside the emergence of the “security emergency” frame, generated intense debate about using force to secure humanitarian goals, but not necessarily to protect Somali civilians from mass atrocity crimes. While this phase of the policy debate represented a major shift, human rights and humanitarian norms receded in importance while norms and interests that reflected traditional security preferences came to the fore.

From challenger to prevailing frame—“security emergency”

By mid-to-late November 1992, a consensus rapidly emerged among policy makers both in Washington, DC, and New York supporting the selective use of force in Somalia. The security situation had become unacceptable and political will favoring a robust policy was easier to

mobilize. Evidence provided by humanitarian actors reinforced the international community's perception that Somali warlords were stealing millions of dollars of food aid, paid for by donor governments, to purchase weapons and perpetrate mass atrocities. Indeed, the violence so severely limited the humanitarian effort that some aid groups considered leaving the country. Policy makers met frequently in Washington during mid-November to coordinate policy efforts. InterAction and its member organizations met nearly daily in November with representatives from the State Department and select members of congress. At these meetings, they overwhelmingly encouraged policy makers to rethink policy and many supported the use of force in Somalia.⁸¹ In New York, the Secretary-General kept the Security Council apprised of developments in Somalia, and by mid-November he presented its members with a series of policy options to address the crisis more robustly and effectively.

Alongside these developments, the international media had intensified its coverage of Somalia, and public pressure began building to do something. InterAction and SAVE seized on this opportunity to reinforce the challenger frame. In particular, SAVE representatives Willett Weeks (Horn of Africa Program Director) and Barnett Baron worked closely with a number of media sources, especially National Public Radio, to get the message out between October and November that more needed to be done in Somalia. Peter Davies of InterAction was interviewed by a host of press outlets, as were representatives from CARE, Oxfam, and other international humanitarian NGOs. They conveyed a unified message: more security is needed in Somalia and the only actor capable of doing this is the United States.⁸² Put bluntly by John Hammock, then Executive Director of Oxfam, "[i]t's time to stop pussy-footing around ... [t]he only way to stop this horror show is to have the sufficient security to guarantee that food will make it to the ports, and will make it out to people in need."⁸³

Further discussion of Somalia in Washington, DC was delayed until after President Bush's failed November presidential bid. Now a lame duck president, Bush and his staff focused on transitioning with the incoming Clinton administration. This reinforced efforts to strategically frame Somalia as a "security emergency." In late November, Congress sponsored two press conferences on Somalia. The first focused on the recent trip to Somalia taken by Senators Paul Simon (D-IL) and Howard Metzenbaum (D-OH). The senators reported on their meetings, including with humanitarian actors on the ground there, and addressed questions related to whether or not to support more robust response in Somalia, including the use of US troops.⁸⁴ They also conveyed their support for armed intervention to Acting Secretary of State Lawrence

Eagleburger, who subsequently suggested sharing their views directly with the President.

The second press conference was sponsored by Representative Bill Emerson (R-MO), then ranking minority member of the House Select Committee on Hunger.⁸⁵ It was coordinated by InterAction and its members and attended by members of Congress, USAID staff, as well as Defense Department and State Department officials.⁸⁶ Emerson and InterAction members reiterated that the lack of security was the primary obstacle to addressing mass suffering in Somalia, and called upon President Bush to deepen, broaden, and accelerate the security arrangements for humanitarian operations in Somalia. Their message did not include direct appeals to human rights or humanitarian norms, but focussed on how to ensure the security of the aid operation itself in order to fulfill humanitarian goals. Moreover, protection was discussed insofar as it related to humanitarian staff and humanitarian relief, not Somali civilians. Their unprecedented appeal, made directly to President Bush, called for a UN-authorized military intervention backed by a strong mandate featuring permissive rules of engagement.⁸⁷

Elsewhere in Washington, DC, policy deliberations concerning Somalia were becoming more closely aligned with the jointly coordinated efforts of international humanitarian NGOs and members of Congress. In addition to ongoing interagency meetings, four critical Deputies Committee meetings were held in late November to formulate policy recommendations on Somalia. The discussions centered on two policy options that did not involve use of US troops, and a third based on possible US military intervention. Initially, military planners in the Joint Chiefs of Staff were noncommittal on the use of force, but with urging from the Department of Defense, they grew more supportive and within days agreed that ground forces might be able to “do the job” of facilitating emergency relief.⁸⁸ Within days, National Security Advisor Brent Scowcroft, Joint Chiefs Chairman General Colin Powell, and CENTCOM Commander-in-Chief General Joseph Hoar all advocated in favor of a US-led military intervention.⁸⁹

Three policy options were ultimately forwarded to the President. First, the United States could continue the status quo policy and deliver humanitarian supplies by air and sea, but enhance the UN security personnel (UNOSOM I) presence on the ground. Second, the United States could establish a coalition of international forces under UN command, providing logistics support but offshore US troop deployment. Third, the United States could lead a UN-authorized ground operation involving significant US troop commitment. President Bush met with his National Security Advisors on 25 November to discuss the three

options. The consensus was strongest for option three: a US-led, Security Council-authorized humanitarian intervention in Somalia. President Bush immediately contacted the UN Secretary-General with the offer to deploy 21,000 US troops to Somalia to protect humanitarian operations there.

In New York, the Security Council debated two letters from the Secretary-General elaborating the impediments preventing UNOSOM I from implementing its mission.⁹⁰ These included lack of governmental authority, recalcitrant combatants, and acts of extortion, the plundering of humanitarian relief, and threats to humanitarian staff. Neither communication raised directly the issue of mass atrocities being perpetrated against civilians. Rather, they emphasized that humanitarian relief had become a major (and in some cases the sole) source of income for militia groups.⁹¹ The Secretary-General concluded that unless the “problems relating to security and protection of relief” could be overcome, the relief operation would, in all likelihood, fail.⁹² He implored council members to review the basic premises and principles of the relief operation, and noted the inadequacy of maintaining the status quo. The immediate humanitarian issue was first and foremost how to create security for the uninterrupted delivery to civilians of relief supplies, alongside a corollary goal of reinvigorating a political solution to the conflict, including national reconciliation and economic rehabilitation.

The Secretary-General presented five policy options to the council. The UN could continue with the status quo policy, or withdraw UNOSOM I altogether. The remaining options involved determining that Somalia constituted a threat to international peace and security, and implementing a Chapter VII enforcement measure. UNOSOM I could be strengthened sufficiently to act as a deterrent force against the warring parties, thus facilitating humanitarian aid operations. Alternatively, a temporary, country-wide enforcement operation, under US command, could be authorized to “resolve the *immediate* security problem.” The force would then be handed over to a UN peacekeeping mission. A final option was for the UN itself to field a country-wide enforcement operation.⁹³

In its formal deliberations, council members repeatedly described Somalia as an “intolerable” situation, and agreed that the status quo was unacceptable. Others argued that military intervention was not only feasible and congruent with UN Charter provisions, but that it was warranted and appropriate, given the *sui generis* nature of the crisis and the failure of previous resolutions.⁹⁴ The United States cited the need to achieve a “secure environment” for the humanitarian relief effort, and emphasized that Somalis themselves bore the responsibility to resolve other aspects of the crisis.⁹⁵ Others echoed this sentiment,

claiming that drastic steps were necessary to ensure success of the humanitarian operation and to signal that the council would no longer tolerate the threats to it posed by militia groups and “marauding gangs.”⁹⁶ A minority of council members (China, India, and Belgium) preferred that any intervention be under UN command.⁹⁷ Only one council member, France, made a direct link between support for a military intervention and human rights and humanitarian norms. Such action would reflect greater commitment by the international community to the “principle of establishing access to victims and of the right to emergency humanitarian assistance.”⁹⁸

The council unanimously passed Resolution 794 on 3 December 1992, authorizing a Chapter VII, US-led multinational force, the Unified Task Force (UNITAF), to intervene in Somalia. The term “humanitarian” featured in the resolution 20 times. It expressed grave alarm regarding widespread violations of international humanitarian law, including against non-combatants, aid workers, and relief convoys and facilities, and demanded that the parties to the conflict cease and desist from all such breaches. However, the resolution stopped well short of specifying that force be used to protect civilians from these violations, nor did it once use the term “human rights.”⁹⁹ Rather, UNITAF’s main goal would be to establish a secure environment for humanitarian relief operations, including a “shoot to feed” mandate. While the mission would not redress mass atrocities per se, by ensuring the security of the relief operation, it would indirectly be protecting at least the human rights and humanitarian norms associated with life integrity violations among civilians.

How was the interaction among the logics of decision making maximized over the course of November 1992 and in what ways, if any, did human rights and humanitarian norms feature in the strategic framing efforts in the lead up to this policy change? These findings are summarized in Figure 3.4.

In terms of the logic of consequences, policy makers in Washington, DC, and New York increasingly viewed the potential costs and risks of armed humanitarian intervention in Somalia not just in absolute terms, but also in terms relative to the unfolding Bosnian civil war.¹⁰⁰ For example, US military planners no longer viewed Somalia strictly as a case of “ancient ethnic hatred” where no military solution would work. Rather, the Somalia crisis looked as though it was the more “doable” operation when compared with the possibility of intervening in Bosnia. US troops in Somalia would likely only face rag-tag bandits, whereas in Bosnia the combatants included organized militaries.¹⁰¹ Moreover, the mission would follow the tenets of the Powell-Weinberger Doctrine,

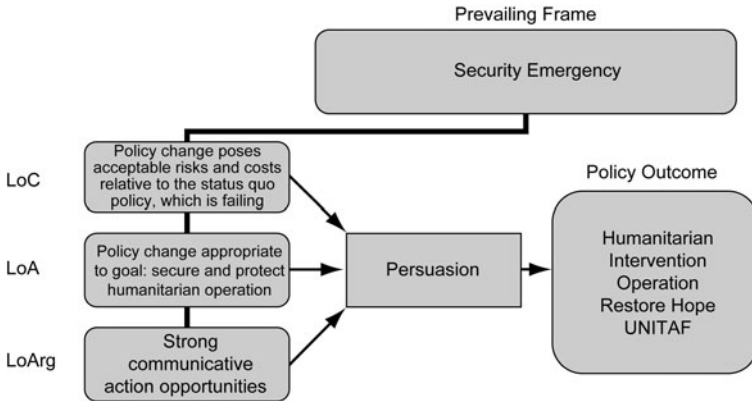


Figure 3.4 Strategic framing and persuasion, late November–December 1992

thus further reducing the perceived costs and risks to US troops. UNITAF was authorized to use overwhelming force and a clearly established exit strategy involving handover to UN troops. This would enhance the chances of its success and made intervention easier to support. Former opponents of intervention, including then Secretary of Defense Dick Cheney, subsequently defended it using this logic.¹⁰²

In terms of the logic of appropriateness, the sheer scale of human rights atrocities and human suffering taking place in Somalia during mid-to-late November 1992 resonated strongly with policy makers. Human rights and humanitarian norms, however, did not constitute the tipping point for policy makers to support use of force in Somalia. Two factors suggest this conclusion. First, while the use of force emerged as a morally appropriate policy response given that “thugs and crooks” were threatening the international community’s efforts to deliver life-saving relief, UNITAF was not given a civilian protection mandate. The mission’s first priority was to protect the humanitarian relief operation and humanitarian staff, not Somali citizens, from threats and acts of violence. In any humanitarian setting, however, the relief effort and its beneficiaries represent two sides of the same coin. Failure to shore up the relief effort would undoubtedly lead to further mass atrocities. However, and with the exception of France, policy makers did not invoke human rights and humanitarian norms associated with direct protection of civilians to justify their support for establishing UNITAF. Use of force symbolized the “right” thing to do in order to save the humanitarian relief operation. To be sure, policy makers expressed concern and even moral outrage at the violence being perpetrated against Somali

civilians. However, careful review of the policy debate in Washington, DC, and New York suggests that defending the humanitarian relief operation was the most normatively resonant issue among policy makers.

In terms of the logic of argumentation, policy makers in Washington especially were engaging daily with international humanitarian NGOs regarding Somalia. Communicative action between these actors was based on what was fast becoming the prevailing frame of “security emergency.” OPR was no longer effective, and few, if any, policy makers viewed the crisis as being fueled by “ancient ethnic hatred.” Creating security through the responsible use of force emerged as the policy most likely to succeed in protecting the relief effort and preventing subsequent mass loss of life.

On 4 December 1992 President Bush announced his decision to launch a humanitarian intervention into Somalia in a televised appearance. During that speech, he held up a letter signed by 11 members of Inter-Action urging him to support military intervention in Somalia.¹⁰³ President Bush noted that conditions in Somalia were dire and strong action was absolutely necessary to stop the horrific suffering that prevailed throughout the country. He also recognized the efforts of international humanitarian NGOs in both lobbying and persuading government officials that humanitarian intervention was both the most viably effective and appropriate response option given Somalia’s circumstances.¹⁰⁴ Human rights and humanitarian norms were thus used as rhetorical underpinnings for humanitarian intervention in Somalia. However, the policy itself reflected preferences to take action that would protect the relief mission, the food aid, and international aid workers. It would only be by extension that this operation would alleviate the human suffering in part being caused by the mass atrocities taking place in that country.

Conclusion

Efforts taken by humanitarian actors to challenge the prevailing strategic frame of Somalia as “ancient ethnic hatred/civil war” helped generate political will to do something more in response to the crisis and address humanitarian suffering. While human rights and humanitarian norms were resonant with policy makers during the frame challenge of Somalia as a “food emergency,” other norms came to the fore during the framing of Somalia as a “security emergency.” Yet without these framing efforts, it is difficult to imagine that the policy deliberations regarding the material and normative dimensions of humanitarian intervention would have prompted policy change within the Bush administration or in the Security Council. The status quo would have remained uncontested. It



Map 3.1 Somalia, Map No. 3690 Rev. 10, December 2011

Source: (United Nations, Department of Field Support, Cartographic Section)

is also unlikely that in the absence of a successful frame challenge to Somalia as “ancient ethnic hatred/civil war,” this case would only have resonated with policy makers insofar as its sheer irresolvability. Instead of humanitarian intervention, we may have seen the continuation of international humanitarian assistance to Somalia and corollary public proclamations of the regret and sympathy that millions were suffering and dying.

Successfully challenging the dual prevailing frame would not have been possible without access to key information. The information asymmetry that favored international humanitarian NGOs throughout most of 1992 enhanced their ability to pose effective challenger frames of Somalia as first a “food emergency” and subsequently a “security emergency.” In addition, the external political environment became increasingly conducive to shift policy-maker preferences toward the use of force for humanitarian purposes (but not necessarily to directly uphold human rights and humanitarian norms) in the case of Somalia. The United States had spearheaded an enormously successful humanitarian intervention in northern Iraq one year earlier, and the elections in South Africa had recently been completed. The unfolding crisis in Bosnia distracted Bush administration and Security Council attention from Somalia on numerous occasions, but ultimately and in relative terms, Somalia was perceived to be a crisis that they could and should resolve. The norms and ideas embedded within these frame challenges fit logically with other powerful and prevailing norms of this era, some of which were closely linked to human rights and humanitarian norms. They also elicited contestation with other firmly held norms guiding US and UN policy, including the norms of sovereignty and non-interference, the responsibility of Somalis to resolve their own conflict, and the idea that Somalis were not merely savages or shockingly indifferent to the suffering of their own people.

Effective cooperation among humanitarian actors and empathetic national and international policy makers also enhanced the likelihood that their strategic framing efforts would be persuasive. Finally, international humanitarian NGOs were acutely aware of the preferences that undergirded the strategic frames they utilized in the case of Somalia. They had a keen interest in seeing the humanitarian relief effort succeed. Initially, the policy of enhancing and accelerating emergency relief appeared to hold the greatest promise in achieving this goal. However, as the security situation deteriorated markedly, this policy was no longer effective, and a new strategic frame was needed. Many humanitarian actors felt that the challenger frame, even where it appeared to be building support for use of force, could help shape policy alternatives that were congruent with their interests, and the needs of beneficiaries on the ground.

4 Failure to intervene in Rwanda

- **Background**
- **The international humanitarian community in Rwanda**
- **Human rights and humanitarian norms, and strategic framing in Rwanda**
- **Conclusion**

It is an unbelievable travesty for Rwanda to burn while the United Nations fiddles.¹

Alongside the Holocaust, the Rwandan genocide has perhaps generated more soul searching and retrospective analysis than any other humanitarian tragedy in the twentieth century. It also spawned countless evaluations and “lessons learned” reports, and served as a key impetus for the establishment of the International Commission on Intervention and State Sovereignty (ICISS). As the genocide abated, Rwanda became noteworthy for several firsts: two presidents were killed in a single incident; the highest death toll of any modern-day African crisis; the largest single-day movement of refugees in recorded history (250,000 into Tanzania); and the largest refugee camp in the world (some 300,000 Rwandans housed at the Benaco camp near Ngara, Tanzania).²

Armed with considerable hindsight, it seems relatively easy to condemn the international community of states, the United Nations (UN), and the United States for the collective failure to respond.³ Recently declassified Central Intelligence Agency (CIA) intelligence briefs, for example, highlight the fact that senior Clinton administration officials, including the president himself, were provided with detailed information on a daily basis about the impending genocide.⁴ Explanations for the international community’s inaction are numerous. Nearly all emphasize the sheer lack of political will as a critical determinant shaping policy

debates in New York and Washington, DC.⁵ Some studies focus on US reticence to publicly use the term “genocide,” which might have compelled more decisive action.⁶ Some have noted that invoking the term genocide is rarely sufficiently compelling for powerful or concerned states to “do something.”⁷ Others contend that even if the term genocide had been used, the speed with which it unfolded would have complicated international attempts to effectively halt it.⁸

Taken together, these works are important to point out many of the structural and material constraints facing policy makers in this case. However, questions remain regarding the normative and ideational factors affecting US and UN policy makers during the Rwandan crisis. How did human rights and humanitarian norms, for example, shape the policy debates in Washington and New York and what affect did they have on policy-maker decision making? Why didn’t use of the term, “genocide,” which itself implies *the* most serious breaches of human rights and humanitarian norms, mobilize support for humanitarian intervention to halt the slaughter of innocent civilians? What happened to “never again”?

Background

The final four decades of Rwanda’s twentieth-century history were marked by intermittent violence between Hutu and Tutsi, two of Rwanda’s main identity groups.⁹ The majority of these episodes, however, involved Hutu violence against Tutsi, the latter of which were politically, economically, and socially marginalized.¹⁰ A one-party state from 1973 to 1991, Rwanda was governed continuously by the National Revolutionary Movement for Democracy and Development (NRMD), the political party of the Hutu majority. Bowing to Western political pressure, Rwanda adopted multiparty democracy in mid-1990, but the arrangement was never consolidated.

Civil conflict was triggered in October 1990 when the Tutsi-led Rwandan Patriotic Front (RPF) invaded northern Rwanda from Uganda. Its goals included pressuring the Hutu government in Kigali to honor its promises to bring democracy to Rwanda, and facilitate the return of the nearly 500,000 Tutsi refugees exiled in Uganda and other nations. The government portrayed the Tutsi offensive as an attempt to restore Tutsi dominance over the Hutu, which had characterized the colonial period immediately preceding Rwanda’s independence from Belgium in 1962. Unable to defeat the RPF militarily, the government negotiated a ceasefire in early 1991. It then stymied political progress toward creating a power-sharing government.

The war recommenced in 1993, and in August of that year the UN and Organization of African Unity (OAU) brokered a ceasefire and peace settlement. The Arusha Peace Agreement called for a coalition government of Hutu and Tutsi, and delegated powers formerly held by the president to a Transitional Broad-based Government.¹¹ It also authorized the deployment of a multilateral peacekeeping mission, the UN Assistance Mission for Rwanda (UNAMIR).¹² The mission, with its 2,500 troops, civilian police, and military observers, would oversee and monitor the RPF-government ceasefire, facilitate the implementation of the Arusha Agreement (including securing and demilitarizing Kigali), and coordinate humanitarian assistance activities. UNAMIR's civilian head of mission was Jacques-Roger Booh-Booh; its Force Commander was Canadian Lieutenant-General Roméo Dallaire.

As the first few months of 1994 passed, hardliners continually obstructed the Arusha Agreement from being implemented, resulting in the Security Council expressing its concern that failure to implement the agreement would adversely affect the humanitarian situation generally, and the security situation in Kigali specifically.¹³ Reports soon surfaced that the Rwandan army, with NRMD support, was training militia groups known as the *interahamwe*, arming them with guns, machetes, and hoes. By March, political and security tensions mounted further. A series of violent attacks and political assassinations prompted human rights and humanitarian organizations to call for a response to the deteriorating political and security situation. Mob violence and retribution killings began to rise, following assassinations of key Tutsi and Hutu political figures.¹⁴

By early April, the government faced deteriorating security conditions, which threatened to unravel an already delicate ceasefire. Rwandan President Juvénal Habyarimana flew to Dar es Salaam, Tanzania, to discuss further implementation of the Arusha Agreement. As the president's plane made its return approach to the Kigali airport, a missile was fired on it, causing it to crash and killing everyone on board, including Burundian President Cyprien Ntaryamira. This event renewed the civil war between the government and the RPF, but more importantly, it served as the pretext for a 100-day genocide that claimed the lives of approximately 800,000 Tutsis and moderate Hutus.

The international humanitarian community in Rwanda

The international humanitarian community had maintained a long-standing presence in Rwanda, mainly focusing on food and medical relief, and community development programming. Due to the volatility of the

security situation in the earliest days of the crisis, however, nearly all international humanitarian nongovernmental organizations (NGOs) and UN agencies evacuated their international staff. By 11 April, only the International Committee of the Red Cross (ICRC) and two others remained in Kigali.¹⁵ Among those that evacuated, several organizations, including Catholic Relief Services (CRS), Oxfam, and ActionAid, continued conducting food and non-food relief airlifts and ground transport convoys into western Rwanda from Goma, Zaire, and into southern Rwanda from Burundi. Cooperative for Assistance and Relief Everywhere, Inc. (CARE) also partnered with UN agencies such as the UN Children's Fund (UNICEF) and the UN High Commissioner for Refugees (UNHCR) to distribute emergency relief in Rwanda and along the borders in refugee camps. As the genocide escalated in May 1994, dozens of organizations established operations along the Rwandan border with Burundi, Tanzania, Uganda, and Zaire, to provide humanitarian emergency relief to a growing refugee population fleeing the violence.

Human rights and humanitarian norms, and strategic framing in Rwanda

How did human rights and humanitarian norms feature in the policy-making debates concerning humanitarian intervention in Rwanda? Between April and July 1994 international humanitarian NGOs and others strategically framed the crisis in Rwanda twice in an effort to persuade US and UN policy makers that humanitarian intervention would be both a pragmatically sound and morally appropriate response to the genocide. These framing efforts failed utterly, however, as policy makers remained unconvinced that they could or should modify their perception of Rwanda as a "civil war" and a case of "ancient ethnic hatred." This was due, in part, to the fact that policy makers in Washington, DC, and New York (knowingly or unknowingly) conflated the genocide with the civil war throughout the first month of the crisis. Humanitarian actors did not fully grasp how unshakable this perception would be.

Yet even when presented with irrevocable evidence that genocide was occurring *alongside* a renewed civil war, US and UN policy makers avoided adopting the "genocide" frame. Some policy makers feared the possible international legal entanglements that might be created by acknowledging this frame. Others aligned with the US military's position, which labeled Africa off-limits for future humanitarian interventions involving American troop deployment. This view gained traction with other UN member states, especially following the murder of 10 Belgian peacekeepers from UNAMIR.

Close examination of the policy process indicates that some international humanitarian NGOs believed that their strategic framing of the Rwandan crisis as “genocide” would quickly mobilize policy makers to support robust reaction to stem the tide of mass atrocities. However, their efforts did not even begin to resonate with policy makers until after mid-May 1994—more than a full month into the genocide. Perhaps most importantly, when policy-maker preferences were reshaped in late May by strategic framing involving human rights and humanitarian norms, it generated unexpected results. While many downplayed Rwanda as a case of “ancient ethnic hatred,” others began playing up the conflict as a “civil war.” While the “genocide” frame failed to resonate, the “human rights emergency” frame did eventually gain traction with policy makers in Washington, DC, and New York. This distinction is critical in helping explain the general policy of inaction in the Rwandan case.

The prevailing frame—“ancient ethnic hatred/civil war”

The international community’s engagement with Rwanda prior to the genocide consisted mainly of humanitarian and development assistance. Citing the possibility of famine, international humanitarian NGOs and UN agencies began calling for more emergency relief to address humanitarian suffering caused by persistent food shortages and drought.¹⁶ Human rights organizations, including Amnesty International and Human Rights Watch, issued warnings about deteriorating human security on the ground in Rwanda. They sought action by the international community to pressure the government in Kigali to disarm the various militia groups that were terrorizing civilians.¹⁷ While the UN noted the changing political, humanitarian, and security conditions, policy makers gave little, if any, serious policy attention to Rwanda until the genocide began. Indeed, US policy makers knew very little about Rwanda prior to April 1994. Following the downing of President Habyarimana’s plane, then Secretary of State Warren Christopher had to refer to an atlas to identify and locate Rwanda during a meeting with advisers. Likewise, Joint Chiefs of Staff (JCS) director of strategic plans and policy Lieutenant General Wesley Clark asked his aides, “Is it Hutu and Tutsi or Tutu and Hutsi?”¹⁸

The international media’s portrayal of the unfolding atrocities was also instrumental in reinforcing the initial strategic frame of the crisis. Many reports described the violence as being driven by a renewed civil war fueled by ancient ethnic hatred, four decades of savage blood-letting, and tribal hostilities, which themselves were deemed products of the country’s pre-colonial past.¹⁹ According to one reporter:

It's clearly the case that the killing is still going on. And unashamedly so ... I've looked in the eyes of people who have just killed other people and ... it doesn't seem to make any difference to them, the fact that there are people witnessing what are abominable acts. And they feel no sense of shame apparently. And that is very, very shocking to see.²⁰

Initial reports from the US Embassy in Rwanda echoed the notion that the fighting involved government military forces and the RPF. This was then communicated back to the media by senior Clinton administration officials.²¹ Then US Ambassador to Rwanda David Rawson claimed that the violence represented a struggle for political power between the Hutu-dominated government and the largely Tutsi-dominated RPF—a renewed and, albeit horrifically violent, civil war.²²

Lacking any significant presence on the ground and with most embassies having closed down, the international media turned increasingly to humanitarian actors for updates on the security situation and the nature of the deepening violence, but their limited field presence left them unable to capitalize on the growing information asymmetry in Rwanda the way they had in Somalia. Save the Children (SAVE)-US, for example, had no field-level staff in Rwanda, and it took some time for the SAVE's International Alliance to reach consensus on a unified advocacy position.²³ Likewise, many humanitarian organizations did not return to Rwanda until late April or early May 1994 and, like SAVE-US, avoided lobbying policy makers on the matter until they were back on the ground. Instead, the information humanitarian actors provided to policy makers in Washington, DC, and New York reinforced the prevailing frame. For example, the information and evidence international humanitarian NGOs received from local staff still on the ground in Rwanda tended to be patchy, uncorroborated, and derived from second- or third-hand sources rather than eyewitness accounts.

For example, ICRC and Médecins sans Frontières (MSF) reported that massacres, gunfights, and house-to-house raids were occurring across Kigali. The ICRC estimated that 10,000 had been killed and thousands injured during the first week of violence. Yet there was no way to verify the information, let alone provide reliable evidence regarding the motivations behind the killings. MSF staffer Vincent Vercruysse initially reported to journalists that the violence was “not really Hutu-Tutsi ... [i]t's more of a problem of extremist Hutu, and opposition Hutu and then the Tutsi, of course, were a part of the opposition.”²⁴ This could have been construed as violence attributable to two opposing political forces with armed elements, but certainly was not clear enough to be

perceived as a planned extermination of Tutsi by Hutu. Moreover, international humanitarian NGOs were not unified in their understandings that genocide was actually occurring. They seemed not to know what to make of the violence or how to interpret what were rapidly changing conditions on the ground. ICRC Rwanda head Philippe Gaillard noted that “[a]ll parties have apparently chosen a military solution ... I guess everyone is fighting against his own brother, and it is sad, sad, sad.”²⁵

In some cases, humanitarian staff conveyed mixed messages about the violence to journalists. When asked to characterize the initial violence, CRS project manager Bettina Malone, for example, emphasized, “[i]t’s not clear why the shooting started, or how, but it seems to me that at least inside Kigali the Presidential Guard is the only faction of the army that is now firing on the RPF ... ” When asked if she could tell who was doing the killing in another interview that same day, she replied, “everybody.” Prompted to distinguish whether there were clear sides to the conflict or whether the violence was totally random, Malone responded “[i]t’s a little bit of everything ... [including] settling scores.” Finally, when asked to confirm that both sides were engaging in conflict, she said “[i]t’s hard to say, because, because it’s happening on both sides. And, and, of course, some of the violence has an ethnic base to it, and some does not. Some of it is just random, people taking advantage of the situation and looting.”²⁶ Relatedly, when asked by a Cable News Network (CNN) reporter who was conducting the campaign of violence—the government or rebel forces—MSF doctor Rony Zacharias claimed, “it is very difficult to say who exactly is doing this. We have bands of militia and ... people with uniforms, green uniforms ... Everybody seems to be responsible.”²⁷ One day later, Zacharias reported the hospital he was running had been ransacked by the military and armed civilians, and it appeared that they had targeted only the Tutsi staff and Tutsi patients. He reported this to the Press Association, claiming that the Tutsi were being systematically cleansed, and his account was corroborated by others in the area.²⁸

Perhaps most importantly, there was no consensus regarding what the most effective and appropriate policy response should be. During the first days of the crisis, CARE’s representative, Steve Wallace, questioned whether it “made sense to be pouring money into [Rwanda] given the context of the whole society ... I am asking myself what it is we think we are doing in that country.”²⁹ Roger Winter, then head of the US Committee for Refugees, expressed deep disappointment in the lack of international response to the crisis, emphasizing that “the foreign powers have played this all wrong,” but also noting that intervention at this juncture “would be wrong and perpetuate the problem.”³⁰

Collectively, these features of the Rwanda crisis and the way in which it unfolded meant that policy debates in Washington, DC, and New York were largely unaffected as international humanitarian NGOs struggled to create a coherent and convincing challenger frame. It also meant that human rights and humanitarian norms, where they featured in the portrayal of Rwanda, were viewed through the prevailing lenses of “civil war” and “ancient ethnic hatred.”³¹

The first attempts to challenge the prevailing frame focused on correcting the misperception of Rwanda as a case of “ancient ethnic hatred.” Alison des Forges of Human Rights Watch, for example, disavowed the simplistic portrayal of violence in Rwanda as mere “tribalism.”³² She highlighted the political nature of the crisis and emphasized that the assassination of President Habyarimana was a pretext for, not the cause of, the ongoing slaughter. However, she misattributed the goal of Hutu hardliners as being limited to liquidating the internal opposition and eliminating “all those who give trouble to President Habyarimana.”³³

In Washington and still smarting from the Somalia aftermath, Congress was wary of discussing Rwanda and conventional wisdom recommended keeping expectations low. Senator Robert Dole (R-KS) opposed robust policy measures in Rwanda, emphasizing the lack of US national interests there.³⁴ His views paralleled those of Secretary of State Warren Christopher, who justified US policy in Bosnia relative to Rwanda on the basis of ongoing strategic interests in the former that simply did not exist in the latter.³⁵ In general, the Clinton administration favored keeping the policy debate on Rwanda squarely within the Security Council, while at the same time building momentum among key member states to support UNAMIR’s full withdrawal.³⁶

Led by the intense lobbying of US Ambassador to the UN Madeleine K. Albright, council members interpreted the deteriorating situation in Rwanda as a renewed civil war and the violence as motivated by ancient ethnic hatred.³⁷ The policy options presented to the council by the Secretary-General reflected this.³⁸ The first option involved expanding UNAMIR into a peace enforcement mission replete with several thousand additional troops and robust rules of engagement under Chapter VII of the Charter. The second alternative recommended reducing UNAMIR to some 270 troops who would attempt to liaise with the parties to the conflict in achieving a ceasefire, while also assisting in any renewed humanitarian assistance operations. The third alternative was the complete withdrawal of UNAMIR.

Council members converged on the second option and immediately adopted Resolution 912, which reduced the size of UNAMIR from 2,548 to 270 troops and rescinded portions of its original mandate that

specified protection and rescue responsibilities to foreign and national civilians.³⁹ In its deliberations, only five of the 15 council members offered formal remarks.⁴⁰ Each characterized the crisis as having ethnic and political dimensions, and while Nigeria, Djibouti, and even Rwanda expressed their preference for an expanded UNAMIR, all ultimately supported the scaling back of the mission as the only *feasible* and *workable* option under the given circumstances and relative to the other alternatives. In particular, Nigeria and Djibouti implored their colleagues to consider the moral implications facing the Security Council should their efforts in Rwanda fail.

Where human rights and humanitarian norms and ideas become embedded within a “civil war” frame, they resonate only marginally with policy makers. “Civil wars” and crises stemming from “ancient ethnic hatred” are thought largely to be irresolvable by outside force, regardless of whether such actions are justified on humanitarian grounds. It follows, then, that the likelihood would be slim that these frames would persuade policy makers to adopt new preferences or support a policy change on Rwanda. It also follows that policy makers would choose to maintain the status quo (including inaction) in such situations. Indeed, recent US and UN experiences in attempting to resolve active civil wars by use of force, Somalia and Bosnia, had not and were not faring especially well. Both Washington, DC, and New York were loath to undertake yet another peace enforcement mission.

Humanitarian actors failed to maximize the three logics of decision making utilized by policy makers during this phase of the Rwandan crisis. They did not generate a sufficiently strong, normatively coherent frame on Rwanda that might have helped shape national and international policy debates (see Figure 4.1). Relatedly, US policy-maker interpretations of the crisis in Rwanda had spill-over effects in the Security Council. In commenting on how Security Council members viewed Rwanda in late April, Secretary-General Boutros-Ghali’s chief of staff, Iqbal Riza, noted that “the violence was not connected to the planning of a genocide, nobody saw it like that. It was seen as a result of a political deadlock.”⁴¹

In terms of the logic of consequences, US policy makers and Security Council members supported the downsizing of UNAMIR because the mission could no longer fulfill its mandate and was at high risk of failing. It would be too politically costly to continue supporting UNAMIR at its present levels, given that there was no longer any peace to keep on the ground in Rwanda. The policy change was necessitated by a change in the conditions on the ground, but not necessarily a change in the prevailing frame. Policy makers in Washington, DC, and New York were convinced that the alternative policy of reducing the authorized

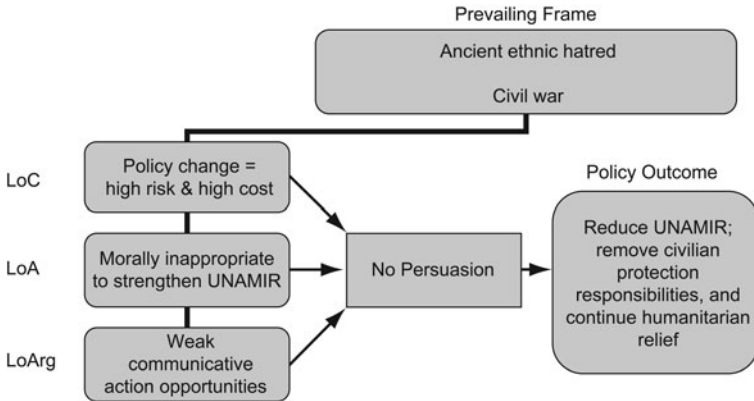


Figure 4.1 Strategic framing and persuasion, 6 April–21 April 1994

troop ceiling and reining in the force mandate would reduce those costs and risks. Given the poor track record of multilateral peace enforcement (including the Somalia debacle), the policy option of increasing UNAMIR's strength and buffeting its mandate would have been imprudent. At the time and despite impassioned arguments made by council members Nigeria and Djibouti, there was no compelling evidence to suggest that adopting this strategy would succeed in halting the violence. It would be far less costly and less risky to pursue diplomatic measures and attempt to bring the warring parties back to the negotiating table to restore the ceasefire. Moreover, US and UN diplomats linked the success of the overall humanitarian response to the reestablishment of a stable ceasefire.⁴² Tasking a downsized UNAMIR to secure a ceasefire might help achieve humanitarian goals and help assuage suffering civilians.

In terms of the logic of appropriateness, US and UN policy makers considered their decision to be normatively appropriate. Somalia set the precedent for pulling peacekeepers under fire out of harm's way. Maintaining the status quo or enhancing the mission would only invite more risk, which was normatively dangerous in both the short term (for the mission) and the long term (for the doctrine of multilateral peace operations). From the perspective of human rights and humanitarian norms, protection mattered to policy makers—but it was the protection of international peacekeeping troops, not Rwandan civilians, that formed the basis of policy-maker understandings of appropriateness.

Moreover, because policy makers continued to perceive Rwanda as a case of renewed civil war, the most urgent policy efforts should be

those that were linked directly to reestablishing the ceasefire, not policies that might further escalate the tension and violence.⁴³ President Clinton made just one public announcement about Rwanda during April. It lasted for one minute. He used the majority of those 60 seconds to call upon the RPF and the Rwandan Army to agree to an immediate ceasefire to end the conflict. While noting the “horrors of civil war and mass killings of civilians,” Clinton did not focus beyond this on the human rights dimensions of the conflict.⁴⁴

In terms of the logic of argumentation, international humanitarian NGOs were unable to engage a relatively uneducated and uninformed US policy-making community. Even had they been able to marshal incontrovertible evidence to contradict the prevailing frame, humanitarian organizations would have faced other challenges, including the relative weighting of supporting action in Bosnia. Communicative action opportunities were scarce, as was the likelihood of persuading policy elites to see beyond their certainties about Rwanda. Moreover, given the speed with which the violence was escalating, the flight of the Western diplomatic corps, and the confusion prevailing in the field, it was not surprising that policy makers chose to pull back. Interestingly, the media chose to interpret the Security Council’s decision in an unusually optimistic manner that would have far greater resonance in the coming months than possibly they could have realized: “[b]etween RPF gains and the promise of fresh ceasefire talks ... U.N. officials have enough cause to hope the council decision on Rwanda will not come back to haunt them.”⁴⁵

Frame challenge 1—from “ancient ethnic hatred/civil war” to “civil war/human rights emergency”

It was not until the third week of the crisis that humanitarian actors began communicating a clear and coherent message that there were *two overlapping conflicts* ongoing in Rwanda: a “civil war” and “genocide.” In conjunction with labeling Rwanda a civil war, the head of the ICRC’s Africa operations Jean Danielle Tauxe also described it as “the biggest massacre [of Tutsis] of the past decade.”⁴⁶ This helped generate a challenger frame replete with human rights and humanitarian norms, one which eventually made it untenable for policy makers to persist in their perception that the violence in Rwanda was the result of “ancient ethnic hatred.”

In an ideal policy world, the human rights and humanitarian norms embedded within the frame of “genocide” should have generated both a moral and pragmatic imperative to mobilize high levels of political will

to support robust policy options to halt the violence. In direct contrast to the dual frame of “civil war/ancient ethnic hatred,” the “genocide” frame should have increased the likelihood that policy makers would be persuaded to “do something more,” including sanctioning the use of force. It did not. This was especially true in humanitarian actor attempts to convince policy makers that they had a legal obligation under the Genocide Convention to act. What it did help facilitate, however, was increased support for a “human rights emergency” frame, which came to prevail alongside the already well-established “civil war” frame.

Why did this seemingly strong appeal to perhaps the highest echelon of human rights and humanitarian norms fail to resonate with policy makers? *The Washington Post* attributed the lack of moral indignation over Rwanda and the subsequent downsizing of UNAMIR to the constant reporting of the exceptional, which strips away compassion, clouds explanation, and creates incomprehension. Other journalists echoed this view, claiming that reporting bad news without a logical or rational reference point “reinforces all the negative stereotypes” that emanate from places like sub-Saharan Africa.⁴⁷

Coordination of the challenger frame gathered significant momentum within the international humanitarian community. Immediately following the decision to downsize UNAMIR, Oxfam called the decision “shortsighted” and “callous.”⁴⁸ World Vision noted that despite the organization’s aversion to being associated with the politics of rescue, it could not stand idly by and watch the international community of states do nothing. It deemed the lack of intervention “outrageous,” noting that “every day, every hour [of delay] means fresh slaughter.”⁴⁹ Alongside this enhanced coordination, international humanitarian NGOs suddenly found themselves able once more to secure access to populations in need. This had the corollary effect of strengthening their ability to gather, analyze, and corroborate information about the scope and magnitude of the killings. In the 24 hours between 28 and 29 April 1994, more than 250,000 individuals fled across a bridge over the Kagera River into Tanzania, making it the largest and fastest refugee exodus ever recorded. Humanitarian organizations scrambled to reestablish their operational presence along the Rwandan border. More importantly, many of these organizations utilized the opportunity to interview survivors of the genocide and derive reliable, corroborated accounts and evidence to reinforce the “genocide” frame. In short order, the information began being channeled back to policy makers in both Washington, DC, and New York.

The effects were hard to ignore. Access to such an enormous refugee population allowed humanitarian actors to argue credibly that the

humanitarian dimension of the crisis was now reaching epic proportions and demanded responsible leadership at all levels as well as a unified, robust international response. Almost immediately, the UN revised its estimates on displacement from the violence upward to 1.3 million and shortly thereafter to 2 million. Their newfound ability to capitalize on this information asymmetry notwithstanding, international humanitarian NGOs were now in a position to confirm beyond any doubt that the violence in Rwanda was planned and systematic, and was being perpetrated with the intent to destroy all Tutsis and moderate Hutus.⁵⁰ By the end of April, both Oxfam and Human Rights Watch described Rwanda as a case of “genocide” and the ICRC began using the term in private in its discussions with US and UN policy makers.⁵¹ Humanitarian actors also attempted to connect with key Clinton administration officials able to mobilize political will at other levels. They emphasized the ethical responsibility the United States had to not turn away from this crisis, stressing how important it was for the administration to provide leadership in its response. InterAction adopted a unified position supporting multilateral humanitarian intervention and the permanent jamming of hate radio broadcasts in Rwanda.⁵² A range of international humanitarian NGOs consulted with Defense Department staff, including Richard Clarke, the focal point for humanitarian policy. These organizations endeavored to meet approximately every two weeks with National Security Advisor Anthony Lake and other State Department officials involved in coordinating the inter-agency task force on Rwanda. In May, the president of InterAction flew to Rwanda with the head of CARE to take stock of the refugee situation and report back to both the Department of Defense and the Department of State. InterAction also attempted several times to meet with Ambassador Albright, but she declined.⁵³

Given the now undeniable escalation of violence and the inability of humanitarian organizations to provide adequately for refugees and internally displaced persons (IDPs), some international humanitarian NGOs became far more vocal in their support of humanitarian intervention in Rwanda to protect innocent civilians. They drew on human rights and humanitarian norms in their appeals, admonishing the United States and UN not to simply stand by and bear witness to the suffering.⁵⁴ For example, Oxfam intensified its advocacy efforts with the US policy-making community with information it hoped would snap the Clinton administration out of its paralysis on Rwanda. On 28 April the organization announced to the world that the death tolls being used for Rwanda had been grossly underestimated. Based on reports from some 30,000 Tutsi refugees, it estimated that nearly 500,000 Tutsis were unaccounted

for and/or endangered.⁵⁵ This was the first time such a staggering figure had been used by any humanitarian organization. Oxfam renewed its appeal to raise UNAMIR's troop ceiling and authorize the use of force to protect civilians and humanitarian operations throughout the country.

The impact was mixed. While policy makers knew they needed to do something, they were steadfast in their refusal to adopt the challenger frame. Clinton administration officials maintained that supporting UN efforts to reestablish a ceasefire and reinvigorate the Arusha Framework were top priorities in Rwanda. Policy makers also recognized the importance of establishing an accelerated UN humanitarian assistance operation, one that might help prevent the violence from spreading to neighboring countries like Burundi.⁵⁶ While Ambassador Albright was given strict instructions to be "mostly in listening mode" and express general sympathy for the "horrific situation" in her interactions with colleagues in New York, under no circumstances was she permitted to commit the Clinton administration to anything.⁵⁷

The media offered one explanation for the intractable indifference, emphasizing "[a]t first, the world was riveted in horror to scenes of carnage [in Rwanda] ... at a certain point, however, the eyes of the world closed, the cameras clicked off, the capacity to absorb such a living nightmare shut down ... [Rwanda] confirmed the clichés in the minds of many foreigners that Africa is doomed to an eternal hell of ethnic violence."⁵⁸

Rather than adopting the challenger frame of "genocide," a more nuanced framing of Rwanda as both a "civil war" and a "human rights emergency" began resonating in late April among policy makers in New York and Washington, DC. For example, the Secretary-General publicly recognized that Rwanda was embroiled in a renewed civil war as well as widespread massacres of civilians.⁵⁹ He went on to argue that while downsizing UNAMIR may have been an appropriate and practical response to the "civil war" half of the prevailing frame, it was not an appropriate response to the ongoing slaughter, which violated human rights and humanitarian norms.⁶⁰ Indeed, Boutros-Ghali urged council members to restore UNAMIR's capacity to halt the killings and address the massive human rights emergency. The council demurred, however, but unanimously condemned the massacres as breaches of international humanitarian law. Notably, it reminded Rwandan authorities that the "killing of members of an ethnic group with the intention of destroying such a group in whole or in part constitutes a crime punishable under international law."⁶¹ It did not, however, invoke the term "genocide." Rather, the Secretary-General expressed his conviction that the scale of human suffering in Rwanda left the council with no alternative but to "consider again what action, including forceful

action, it could take or could authorize member states to take, in order to restore law and order and end the massacres.”⁶²

In Washington, the “genocide” frame was also rejected, whereas the “human rights emergency” frame resonated in communications between senior Clinton administration officials, who described Rwanda as a “human rights catastrophe” and a “human rights crisis of the greatest magnitude.”⁶³ US policy makers were completely closed off to the possibility of being persuaded by the “genocide” challenger frame, and were unwilling to revise their policy preferences in support of a robust response to Rwanda. Avoidance became the default strategy not necessarily because of the staggering death toll or the horrific nature of the mass atrocities being perpetrated against civilians, but because the United States feared being forced to actually do something if it publicly acknowledged genocide was occurring in Rwanda.

Yet humanitarian actors continued pressing policy makers to reassess these preferences. For example, des Forges and Rwandan human rights activist Monique Mujawamariya met with the Deputy Assistant Secretary of State for African Affairs, Ambassador Prudence Bushnell, on 4 May and urged US support for an expanded UN force with a robust civilian protection mandate. They appealed to Bushnell on both pragmatic and normative grounds. For example, they explained that expanding UNAMIR was militarily doable. UN troops stationed in Nairobi could be redeployed to Rwanda within hours, and if the force moved in from the south, it would not face strong resistance from the irregular militias operating there. They also urged Bushnell to support UNAMIR expansion because to do otherwise was “morally unconscionable” in the face of mass slaughter of innocent civilians.⁶⁴ Human rights organizations added their voices to these efforts. For example, staff from Human Rights Watch invoked Anthony Lake’s use of the term, “extraordinary human rights disaster,” in describing Rwanda in congressional testimony, and emphasized the direct link between the Hutu perpetrators of a “tidal wave of abuses,” “mass slaughter,” and Tutsi victims.⁶⁵

Having abandoned its “ask but don’t tell” stance early on in this crisis, the ICRC reached the end of its proverbial advocacy tether—it had been using the term “genocide” to describe Rwanda for weeks and sought to convince policy makers in Washington, DC, and New York to take robust action. By the end of April the organization no longer held any optimism that the international community could (or would) do anything to stop the slaughter. Head of operations Jean de Courten met with Under-Secretary of State for Global Affairs Timothy Wirth in May to convey the ICRC’s “serious concerns” over Rwanda emphasizing that this was the “first time the ICRC has ever witnessed mass killings in such

a horrific manner.” He urged both humanitarian intervention and expanding UNAMIR’s mandate to include civilian protection, not just protection of humanitarian relief and staff. He argued that “the killings were being carried out under the command of well-known, high government officials and would continue unless military action was taken.”⁶⁶

A handful of members of Congress, including Representative Donald Payne (D-NJ), were so appalled by the decision to reduce UNAMIR to a token force that they demanded a humanitarian intervention.⁶⁷ Representative Sonny Callahan (R-AL) invoked human rights and humanitarian norms in emphasizing:

[i]f we look at human rights, then we ought to withdraw from all of the other 17 [peacekeeping missions], and move into Rwanda ... where 100,000 people have been slaughtered in the last two or three weeks, and we’re sitting back thinking maybe we ought to get involved, ... and I just wonder, how do we establish a priority, or what is the end of the cliff with respect to the United Nations tolerating this type of genocide that’s taking place in Rwanda?⁶⁸

Collectively these efforts were met with stunning silence from the White House. Direct congressional pleas to the president went unanswered for weeks, even those in which an argument was made that Rwanda had manifestly failed to protect its population from mass atrocities, that human life was at stake requiring “swift and sound decision-making,” and that standing idly by was not an “acceptable substitute for a foreign policy of leadership.”⁶⁹ The lack of a coherent approach to Rwanda was further exacerbated by the bureaucratic labyrinth that is the US government. The Deputies Committee tasked to deal with Rwanda delegated policy formulation to lower levels within the bureaucracy, namely the Inter-Agency Task Force (IATF) and Interagency Working Groups (IWG). The IATF included staff from the Joint Chiefs, departments of Defense and State, the US Agency for International Development (USAID), the National Security Council (NSC), and the intelligence community. It met daily on Rwanda but sessions were chaired by different government officials with different viewpoints on what the US response to Rwanda should be. The IWG, on the other hand, remanded Rwanda policy formulation to the Peacekeeping Core Group, which was chaired by Clarke, who opposed taking any action in Rwanda that would involve US troops.⁷⁰ Thus, it was unclear who, exactly, had decisive influence within the US policy community on this issue. Rather, it appeared that even those individuals who might be influential were not persuaded that the United States should do more to halt the genocide in Rwanda.

It was not until 4 May 1994—nearly one full month after the genocide began—that Congress held its first substantive session on Rwanda.⁷¹ It is worth presenting in some detail the views expressed at this session, as they illustrate how human rights and humanitarian norms factored into the policy debate. The hearing's purposes included determining who was killing whom in Rwanda, gaining a fuller understanding of the UNAMIR downsizing, and discussing what the United States could and should do in response to the ongoing crisis. The record of discussion in this forum demonstrates the varying levels of salience that framing Rwanda as either a "human rights emergency" or "genocide" had on members of Congress, and the continued confusion over whether there was an appropriate and practical solution for the United States to take in this case.

In opening the hearing, Harry L. Johnston (D-FL) emphasized that hundreds of thousands of Rwandans had died in the past month at the hands of the Hutu military and militia forces. In what was the first use of the term by a member of Congress, Johnston claimed that the Hutu government was largely responsible for the "continuing *genocide* in this country."⁷² Eliot Engel (D-NY) voiced his support for US leadership to take intense action in Rwanda, warning that the reduction of UNAMIR's troop ceiling was emboldening the extremists. Other participants seemed at a complete loss in determining how to respond to the normative messages and validity claims associated with preventing mass atrocity crimes they were receiving from a wide range of actors, including humanitarian groups. For example, Dan Burton (R-IN) expressed utter confusion over what was happening in Rwanda, describing the carnage as mystifying:

When you think of that mass of humanity being killed in that short a period of time, and the world sits back and wrings its hands and doesn't know what to do about it, it's just—it's kind of frustrating. We get elected, and we think we're going to ... make some great strides in trying to change the way mankind deals with one another, and then—and then we see this going on in just a matter of a few short weeks. It just—the sense of frustration that I feel, and I know everybody on this committee feels right now, is probably greater than at any time in the last year or so. I just wish there was something we could do.⁷³

The subcommittee's lack of clarity on Rwanda policy was only deepened by State Department official testimony. Bushnell's remarks, for example, suggested the intelligence she had received did not completely

refute the Hutu military's characterization of the violence, which blamed the "spontaneous" massacres on score-settling civilians. Essentially Bushnell told Congress that both sides to the conflict had dirty hands. She made no mention of whether she was receiving reports that the vast majority of the killings were being perpetrated by Hutu against Tutsi. This further clouded the resonance of the "genocide" frame among policy makers.

Relatedly, and in asserting US leadership on the issue, Assistant Secretary of State for African Affairs George Moose highlighted the benefits of sticking to the Clinton administration's strategy toward Rwanda.⁷⁴ He noted that the administration had days earlier dispatched Assistant Secretary of State John Shattuck and US Ambassador to Rwanda David Rawson to the region to apply diplomatic pressure, but failed to disclose that neither official would actually set foot in Rwanda.⁷⁵ Moose further justified downsizing UNAMIR as a decision taken with the mission's own security in mind, a talking point he had pushed with colleagues in New York.⁷⁶

Accompanied by Assistant Secretary of State for International Organization Affairs Douglas J. Bennet, Ambassador Albright's first testimony on Rwanda followed the downsizing of UNAMIR and coincided with the release of Presidential Decision Directive 25 (PDD-25).⁷⁷ The issue of reliable information was raised. When asked how many Rwandans had died since April and who was being killed, Albright responded, "It's mostly Tutsi, but it is mixed. It is also some Hutus who had been supportive—or had not been supportive of the government but supportive of some changes. So it is very hard. Getting information out of Rwanda is very difficult." Bennet confirmed, "[w]e don't know much about the number of dead—it's large."⁷⁸

Albright and Bennet justified downsizing UNAMIR in much the same manner as Moose had on the previous day, namely by appealing to the priority of protecting UN peacekeepers, not Rwandan civilians. Both agreed that the best chance to halt the violence was to secure a ceasefire. Albright, in particular, noted that it made no sense to put in an intervention force where the sides to the conflict were not ready to reach peaceful accommodation:

Rwanda looked as though it might be something that didn't need a U.N. operation and now all of a sudden it looks as though it needs something even larger, so I think it points up the problems and if I might say we have—the PDD factors have in fact made us think more carefully about whether we should be doing something in [Rwanda].⁷⁹

Bennet added that the humanitarian crisis that was now emerging in Rwanda was “totally unanticipated,” but that the administration was determined to focus its policy response on this dimension of the conflict. These statements imply a public connotation of Rwanda as being understood as a “human rights emergency.” Policy response under this frame would not favor use of force, but would consider devoting resources to humanitarian assistance.⁸⁰ On the one hand, Albright recognized the magnitude of the human rights emergency unfolding in Rwanda and exhibited empathy and affect, which human rights and humanitarian norms ideally can help elicit. On the other hand (and perhaps shockingly so), she did not seem to recognize that US inaction might be contributing to the human suffering and instead apportioned blame for the escalating emergency at the UN’s doorstep.

From these testimonies a picture emerges whereby senior Clinton administration officials viewed the violence in Rwanda differently in May than they had in April. While administration officials initially showed no outward signs of revising their position on UNAMIR and avoided using the word “genocide,” they appeared more receptive to acknowledging validity claims associated with the massive and widespread transgression of human rights norms in Rwanda. The violence had surpassed what many policy makers had earlier considered as “normal” for places like Rwanda. Overall, however, the human rights and humanitarian norms embedded within the strategic frame of “genocide” were insufficient to mobilize key policy makers. Standing policy, however, was viewed through the new context of a human rights emergency, which also highlighted to policy makers that the decision to emasculate UNAMIR would not resolve the crisis. It did not create an environment conducive to securing a ceasefire and would not convince the RPF or the Hutu government to return to the negotiating table. More and more innocent civilians were dying by the hour.

In New York, the Secretary-General warned of an impending and unprecedented humanitarian catastrophe. With the demand for emergency relief surging, he proposed expanding humanitarian activities where security conditions permitted.⁸¹ He also recommended restoring UNAMIR’s authorized troop ceiling and strengthening its mandate. Specifically, council members were asked to reach agreement on a mandate for a new force that would “support and provide safe conditions” for the displaced and others affected by the violence and in need of humanitarian assistance, provide security for humanitarian relief operations, and physically protect sites where large numbers of civilians were concentrated. While he did not propose to make UNAMIR II an enforcement force, it would be authorized to use force in self-defense

and in defense of its mandate. He implored council members to ensure that the mission was staffed with troops who would create an effective deterrent against attacks.

In their debate over the Secretary-General's proposal, nearly all council members referenced human rights and humanitarian norms in justifying support for the new mission's goals. Three members in particular (Djibouti, Spain, and the Czech Republic) were particularly forceful advocates of taking robust action,⁸² but only the Czech Republic actually invoked the term genocide to both characterize the crisis and register disappointment that other council members were unable or unwilling to take that step as well:

The crocodiles in the Kagera river and the vultures over Rwanda have seldom had it so good. They are feeding on the bodies of the thousands upon thousands of children and women, hundreds of whom were pregnant, and men who have been hacked to death during the past six weeks by what has turned out to be a most vicious regime ... This situation is being described as a humanitarian crisis as though it were a famine or perhaps a natural disaster. In the view of my delegation, the proper description is genocide.⁸³

The Security Council adopted resolution 918, which established UNAMIR II.⁸⁴ The mission would field 5,500 soldiers with a Chapter VII mandate to protect civilians and humanitarian relief, use force in self-defense, and secure humanitarian sectors or zones. It would not, however, be empowered to use force or take offensive operations to stop the killings.⁸⁵

Viewed through a human rights lens, it is admirable that decision makers supported a policy that prioritized civilian protection from mass atrocities. Two days following the UN's adoption of the UNAMIR II resolution, however, Ambassador Albright recast the US position on Rwanda in terms of "responsibility" to the mission and PDD-25:

[w]hat we have done is taken a more responsible approach to a mission ... Clearly those of us that have watched this horrendous thing and of the hundreds of thousands of people that have been massacred, it is horrendous, but sending in a force that doesn't know what it's going to do is not going to help anybody.⁸⁶

The message was clear: chalking up a success for PDD-25 took moral precedence over universal human rights or any normative proclivities guiding US policy making on Rwanda.

The human rights and humanitarian norms associated with “genocide” had only minimal impact on policy-maker preferences during this phase of the policy debate. With the exception of a small number of congressional policy makers, not a single key member of the Clinton administration (at the Principals or Cabinet level) and only a small group of Security Council members were moved sufficiently to support robust intervention in Rwanda to protect human rights or save civilians from mass atrocity crimes. The constituent human rights and humanitarian norms codified within the Genocide Convention simply did not resonate strongly. No sense of “ought” was generated by the numerous appeals to universal human rights principles in the strategic framing of Rwanda as “genocide,” and the frame did not compel policy makers to honor the spirit or execute the provisions of that international convention.

Policy-maker perceptions of Rwanda as a massive “human rights emergency” were an unintended outcome of the strategic framing effort to frame Rwanda as a “genocide,” and in hindsight it represented the (self-induced) limits of US and UN political will. By mid-May, however, the prevailing policy toward Rwanda came under great duress by a historically unprecedented refugee exodus into Rwanda’s neighboring nations which bore all the markings of an impending humanitarian emergency of monumental proportions. Policy change was possible, in part because human rights and humanitarian norms associated with the “genocide” frame had mobilized political will to support a change. However, the incontrovertible evidence of genocide that policy makers received was re-processed cognitively as a human rights emergency, and policy preferences shifted to options that would be congruent with this understanding of the crisis.

In terms of the logic of consequences, the policy of retaining a weakened UNAMIR force was failing. No ceasefire was in place, the death toll was increasing by nearly 10,000 per day, and the humanitarian situation was growing to an epic scale. Conceptualizing Rwanda as a “human rights emergency” rather than “genocide” provided a familiar reference point for policy makers. The United States was quite comfortable devising policies for a human rights emergency. Reaching consensus on how to respond to “genocide” was paralyzing possibly because the scale of atrocities defied rational comprehension among policy makers. It was clear under this decision-making logic, however, that the present policy of allowing UNAMIR to be reduced to nothing would be risky and costly. However, it would be significantly more risky and costly to field a humanitarian intervention. So a middle ground was forged whereby the UN force was expanded and given a slightly stronger mandate. However, its deployment was carefully constrained by US preferences,

which reflected policy resolve in Washington (e.g. PDD-25) to use Rwanda as a test case for future US participation in multilateral peace operations.

In terms of the logic of appropriateness, the human rights and humanitarian norms associated with the “genocide” frame channeled policy-maker focus on the ethical pitfalls of placing foreign troops on the ground in a crisis characterized by widespread insecurity and violence. It also reflected a gross mismatch in normative expectations (see Figure 4.2). Humanitarian actors expected the norms associated with genocide to resonate strongly because of their intrinsic value, whereas policy-maker expectations about the implications this frame carried (including international legal obligations) caused paralysis. To senior White House officials, especially, it was more normatively appropriate to draw on PDD-25 to formulate its policy response (or give the appearance thereof) in Rwanda than the Genocide Convention. Indeed, using PDD-25 to ensure that UNAMIR II would be deployed on the “best possible footing” (low-risk and low-cost) was thought to be the “right” thing for the Clinton administration and the UN, even if using the Genocide Convention as a policy guide might have been the “right” thing to do for ordinary Rwandans.

Moreover, if the magnitude of the killings proved true, then policy makers would have to consider intervening with massive force. Between 5,000 and 10,000 people were being killed each day. Under these circumstances and no matter what the political costs, adhering to PDD-25 became very important. It provided a framework—a set of rules upon which the United States could fall back either to support intervention or justify inaction. Surely no country could appeal to ethics in justifying

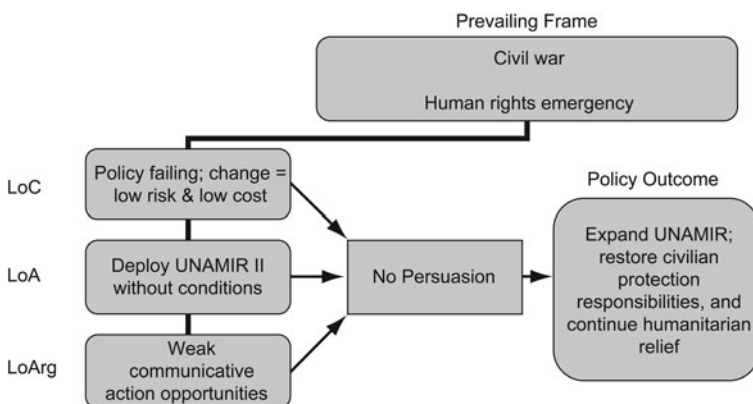


Figure 4.2 Strategic framing and persuasion, 22 April–17 May 1994

to its public why the government sent troops into a vortex of violence without a clear set of guidelines. When considered in the post-Somalia context, it was highly unlikely that a sizeable, US-led or -supported force would be deployed into a situation bounded by these factors. Even the emerging consensus among policy makers that a human rights emergency was indeed occurring (if not officially actual genocide) had the simultaneous normative impact of “repelling and compelling action.”⁸⁷

In terms of the logic of argumentation, communicative action channels were sporadic and limited during this phase of the crisis. Human rights and humanitarian norms were not only not “floating freely”—they were firmly tethered.⁸⁸ Humanitarian actors lobbied actively with US policy makers, but few were open to being persuaded that further action beyond establishing UNAMIR II under a tight framework would be the most effective and morally appropriate policy outcome. In the absence of concessions to these preferences, communicative action was ineffective.

Frame challenge 2—from “civil war/human rights emergency” to “genocide”

Following the authorization to expand UNAMIR, policy debates in Washington, DC, and New York shifted to two highly politicized issues: 1 whether or not publicly to acknowledge Rwanda as “genocide”; and 2 the deployment schedule for UNAMIR II.

Prior to this juncture in the crisis and with few exceptions, US officials avoided using the term genocide in relation to Rwanda.⁸⁹ Indeed, Secretary of State Warren Christopher did not officially describe Rwanda as genocide until 10 June 1994. He also insisted the term held no magical power insofar as shaping policy response.⁹⁰ Then US Ambassador to Rwanda David Rawson defended the administration’s reluctance, claiming, “[a]s a responsible Government, you don’t just go around hollering ‘genocide,’ ... you say that acts of genocide may have occurred and they need to be investigated.”⁹¹ By comparison, senior UN officials including the Secretary-General, international diplomats, and humanitarian actors had no difficulties invoking the term.⁹²

However, after mid-June, it simply became an untenable position for US policy makers to hold. Reticence to use the “G word” was openly ridiculed in the media and strongly criticized by other nations, human rights groups, international humanitarian NGOs, and others. As one senior humanitarian practitioner argued:

Let’s be clear ... [Rwanda] is not just another massacre. I have seen it up close, and this one is special in its staggering combination of

scope, intent and execution. I find it hard to believe that [President] Clinton would want to go down in history as the president who timidly allowed the clearest case of genocide that the world has seen in 50 years to proceed on his watch without taking action to stop it.⁹³

Yet using the term genocide did little to change the outward indifference projected by the Clinton administration. This was underscored by the fact that the president never made a single televised statement during the crisis. Anonymously, US officials acknowledged their discomfort with the silence, noting that “[y]ou find resignation, not indignation ... [i]t’s very hard to mobilize the world to deal with this problem ... [a] number of people have privately said, ‘[I]et the Rwandan Patriotic Front win, it’s the best thing.’”⁹⁴

By June, however, the human rights and humanitarian norms related to the “genocide” frame became strongly integrated into the humanitarian community’s advocacy appeals. For example, SAVE-US began pairing the term “genocide” with the phrase “never again” in their policy meetings with members of the Clinton administration and consultations in New York during May and June.⁹⁵ It constituted a consolidated message connecting perpetrator and victim, demonstrating a manifest failure of the host state to protect, and provided powerful evidence that universal human rights were being transgressed in the most shocking manner imaginable. According to one senior humanitarian practitioner, everyone was pushing this message in an attempt to convince policy makers that Rwanda represented a “moment of truth” and that a robust policy response was the right thing to do.⁹⁶ Senior staff of the US Committee for Refugees consulted widely, privately, and publicly on Rwanda, with State Department, NSC, Defense Department, Office of Foreign Disaster Assistance (OFDA), and other government officials, with international relief organizations, the media, and the US public. On 2 May it issued an “Action Alert” consisting of 13 policy recommendations drawing on human rights and humanitarian norms that urged greater action to protect civilians and strengthen the humanitarian response in Rwanda. It even published its own detailed analysis of the mass atrocity crimes in *The Washington Post*.⁹⁷

While strategic framing contributed to what was to become the prevailing perception of Rwanda as “genocide,” opposition to military intervention remained deeply entrenched at the highest levels.⁹⁸ The Pentagon’s position, in particular, remained unchanged throughout the crisis. It viewed the mass killings as unavoidable and the possible pull-out of UNAMIR as nearly inevitable.⁹⁹ Strategic framing efforts were simply not successful in making policy makers feel “guilty enough” to

support a more robust operation in Rwanda and protect civilians.¹⁰⁰ SAVE-US president and CEO Charles MacCormack remarked that he did not succeed in changing a single US policy maker's opinion about intervening in Rwanda; he could not even get government officials to say, on a personal level, that they agreed with SAVE's position on intervention. In his words, advocating for humanitarian intervention in the case of Rwanda was like "pushing very large rocks up a very steep hill."¹⁰¹

Many international humanitarian NGOs welcomed the establishment of UNAMIR II. However, when rumors surfaced that the deployment would be delayed by at least a month, the humanitarian community responded with alacrity.¹⁰² For example, Kenneth Roth of Human Rights Watch expressed his organization's disappointment over the pre-deployment conditions, noting the time-critical nature of at least establishing safe corridors for vulnerable civilians who were in the greatest jeopardy.¹⁰³ Likewise, MSF urged the UN to expedite UNAMIR II's deployment because delays would "come too late" for Rwandans. As the weeks passed and the mission remained grounded, MSF took the unprecedented step of editorializing its views in *The New York Times*. Secretary-General of MSF International Alain Destexhe decried as morally bankrupt the conditionality imposed on UNAMIR. He suggested the mission and its "toothless mandate" were smokescreens for humanitarian inaction, claiming that UNAMIR II's mandate should "in no way [be considered] as a serious attempt to face up to the horror of the tragedy that is Rwanda today."¹⁰⁴ For the first time in the organization's history, MSF called for humanitarian intervention.¹⁰⁵

In its debate prior to adopting Security Council resolution 925, which confirmed that acts of genocide had occurred in Rwanda, council members (especially Djibouti, Nigeria, and New Zealand) also expressed their frustration at the deployment delays.¹⁰⁶ Djibouti, for example, emphasized that while council members were in agreement that the "killings must be stopped now," it was deceiving itself in thinking its actions to date would actually achieve this goal.¹⁰⁷ He argued further that:

No one will deny that highlighting the criminal, genocidal and human rights violation aspects of the situation is necessary, but as an approach to the ongoing situation in Rwanda it leads us to focus on a cure after the fact, rather than dealing with the real cause and necessary prevention of the disease ... We cannot continue to push the issues of security and peace into the background of human rights headlines, however well it may play at home for some of us. The reason we have this tragic human rights situation, with human

beings dying every day in unacceptable numbers, is precisely that the fighting has been allowed to continue ... Simply creating more safe areas to protect the victims has become a diversion. We must suppress the factors that are creating victims, and this may come down to a question of the willingness and resolve of the international community to act meaningfully in this crisis.

In spite of all the human rights rhetoric and the acceptance by many that Rwanda was, indeed, genocide, UN member states failed to provide the troops and resources needed for UNAMIR II to deploy. No government with fully trained and equipped military troops had offered them to the mission without a barrage of conditions that would take weeks to negotiate.¹⁰⁸

Amid the international community's muddled attempts to field UNAMIR II, the enforcement measure many felt was direly warranted in June came in the form of a French offer to field a 2,500 troop "bridging operation," *Opération Turquoise*, until UNAMIR II could deploy fully. In large measure, the pressure humanitarian actors and the media were putting on the US and UN policy makers to support humanitarian intervention was deflected by France's plan to establish a safe zone in the southwestern part of Rwanda. *Opération Turquoise* was authorized through resolution 929, but council members were split in their views of the operation. Many simply felt they had no other option but to support the measure, given the alternative of further inaction in the face of genocide.¹⁰⁹

The Clinton administration strongly endorsed the French initiative. After all, it shifted global attention away from US inaction. Like UNAMIR II, *Opération Turquoise* was given a Chapter VII mandate to protect civilians, but also had the authority to establish and use "all necessary means" to secure humanitarian zones and halt the genocide. It deployed fully within 48 hours.¹¹⁰ What the UN had seemed so incapable of accomplishing through UNAMIR II, the French were able to accomplish in a matter of two days.

The genocide ended in July 1994 when RPF troops took control of Kigali. Suddenly, US policy makers took a newfound interest in discussing policy options for Rwanda.¹¹¹ Administration officials, humanitarian actors, and other groups came out in droves to debate the crisis and opine what more the Clinton administration *could have done* and *should be doing* in response to the newest phase in what felt like an unrelenting humanitarian tragedy. More than 2 million refugees had crossed Rwandan borders as the genocide was ending. Some 10,000 fled to neighboring Uganda, 500,000 to Tanzania, and some 1.6 million to then Zaire.

The tone and sentiment of policy-maker views expressed at these sessions were quite different than in April and May. The policy debate reflected core human rights and humanitarian norms associated with the international community's responsibility to protect civilians from mass atrocities, even if specific policy responses remained elusive. There was near unanimity among individuals participating in these post-genocide sessions that the United States had a clear leadership role to play and a responsibility to stem the unfolding and massive humanitarian crisis being created by the unprecedented tide of refugees pouring out of Rwanda.

The overwhelming (if not ironic) message generated by these hearings was that the United States could not and should not allow the human suffering of Rwandans to continue—decisive action had to be taken. For some policy makers, this reflected a near 180-degree turnaround in their policy preferences. For example, Senator Tom Lantos (D-CA) supported fully the pre-deployment conditions for UNAMIR II. By July, he reversed tack on what the “right” policy should be in Rwanda:

The key to living in a civilized post-Cold War world will be the determination of the civilized community with the capabilities to prevent such bloodbaths from occurring in the first place. And until and unless the civilized nations of the world will be prepared to have ready the necessary multinational military capabilities of preventing genocide, ethnic cleansing, bloodbaths, we will be confronted time after time after time with this nightmare task of trying to clean up after such a tragedy ... The underlying issue is to use force, overwhelming force, to prevent the unfolding of genocide.¹¹²

A summary of how human rights and humanitarian norms constituting the “genocide” frame intersected with the logics of decision making during this period is found in Figure 4.3.

In terms of the logic of consequences, it was still far more costly for the United States to endorse the norms associated with the “genocide” frame than to simply use the term to describe the crisis in Rwanda and stay the course of supporting UNAMIR II. Moreover, low costs were associated with supporting Opération Turquoise. It could stand behind both policies, pilot PDD-25, continue its support for humanitarian relief operations, cloak it all in human rights and humanitarian rhetoric—while simultaneously avoiding the potential for deeper entanglement that the norms associated with genocide might entail. Because human rights and humanitarian norms create imperfect duties which themselves suggest only wide obligations in terms of policy response, there

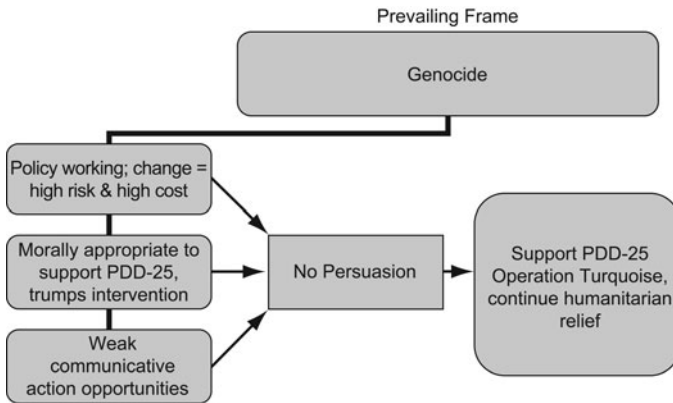


Figure 4.3 Strategic framing and persuasion, 18 May–18 July 1994

was little risk in delaying support for robust action. Moreover, failure to fulfill an imperfect duty carries very little cost beyond reputational damage, something the United States especially can fend off, given its preponderance of power in the international system.

In terms of the logic of appropriateness, policy makers in Washington, DC, were inclined to allow their commitment to the norms associated with PDD-25 to trump any attempts by humanitarian actors to get them to feel guilty enough about Rwanda to support humanitarian intervention to halt the genocide. Human rights and humanitarian norms did little to shape policy-maker views on the use of force as a responsible policy option.

In terms of the logic of argumentation, it was extremely difficult for international humanitarian NGOs to get access to certain policy makers after mid-May, much less persuade them to shift their policy preferences to align more closely with the human rights and humanitarian norms embedded within the “genocide” frame. Congress remained disengaged from Rwanda until late July. UN endorsement of UNAMIR II quickly proved hollow given the vulnerability of the mission to politicking by council members, especially the United States. Ultimately, where human rights and humanitarian norms did resonate, it was with the small group of policy makers and members of Congress who fostered the wider use of the term “genocide.” However, this was not sufficient to mobilize political will among the “right” policy makers to support intervention to halt the killings, and once *Opération Turquoise* was authorized, the pressure was lifted for Clinton administration officials and others to do more.

Shortly after the genocide ended, the Clinton administration mobilized *Operation Support Hope*, a major airlift to assist Rwandan refugees and

stem an unfolding cholera epidemic and measles pandemic. The airlift and relief operation initially received strong support from the humanitarian community. However, some humanitarian NGOs (e.g. MSF France) ultimately closed down their relief programs in the refugee camps because of the moral dilemmas posed by providing succor to the *genocidaires*, who dominated the camp populations.¹¹³

Conclusion

Some have attributed policy-maker intransigence to the Rwandan genocide to a “warped blend of political and principled logic saturated with tremendous apathy.”¹¹⁴ Indeed, the ongoing mass atrocities in the Darfur region of Sudan harken policy makers back to Rwanda more often than they would prefer. There are many parallels between the two crises, including inaction by powerful states and the Security Council to halt the slaughter of civilians.¹¹⁵

Conventional wisdom holds that if a case of genocide can be legitimately so-named, it should prompt a response by the international community of states. This would be in keeping with the spirit of emerging norms like the responsibility to protect (R2P) as well as the norms that undergird the Genocide Convention. Yet the case of Rwanda demonstrates that the relationship between naming a crisis and settling on a policy response to it are not straightforward matters. The label and the norms embedded within the concept of genocide are not something magical that automatically trigger intervention. Moreover, the operative provisions of the Genocide Convention do not compel signatories to take specific kinds of action to halt genocide or prevent one from occurring. Genocide branding seldom mobilizes sufficient political will for effective response and obscures other policy options by paralyzing, rather than energizing, policy makers.¹¹⁶

The successive challenger frames issued by humanitarian actors and empathetic US and UN policy makers during the Rwandan genocide at times were confused and uncoordinated, thus weakening the validity claims of the human rights and humanitarian norms embedded within them. At other times these norms, especially those associated with the “genocide” frame, misfired, producing unanticipated conceptual shifts among policy makers that did little to clarify specific policy responses that would be both materially feasible and normatively appropriate in halting the mass atrocity crimes being perpetrated against innocent civilians. Rather, the human rights and humanitarian norms that constituted the challenger frames either reinforced the initial prevailing frame (civil war/ancient ethnic hatred), or were premised on speculation and

uncorroborated information and evidence—and therefore did not resonate with policy makers.

This can, of course, be affected as well by the pace at which a particular crisis unfolds. The crisis in Rwanda evolved so rapidly, escalated so dramatically, and the security situation remained so fluid that it may have inhibited conclusive and clear framing and evidence that would strengthen the resonance of human rights and humanitarian norms with policy makers. According to one seasoned and senior humanitarian practitioner, “[y]ou can have a Rwanda, which is massive and fast moving and urgent to the highest degree—yet if action isn’t taken in days or weeks, then the game is lost. Other crises don’t move as fast—they are more incremental.”¹¹⁷

Humanitarian actors also failed to coordinate their strategic framing effectively until nearly mid-May. In the absence of a coordinated effort, their appeals to human rights and humanitarian norms were more easily drowned out by other factors. These norms resonated most strongly with policy makers under the “human rights emergency” frame that was advanced not by humanitarian actors per se, but rather by policy makers seeking to avoid the frame of “genocide.”

5 Mixed intervention in Sierra Leone

- **Background**
- **The international humanitarian community in Sierra Leone**
- **Human rights and humanitarian norms, and strategic framing in Sierra Leone**
- **Conclusion**

The plight of Sierra Leone and its people has become a crucial test for the fundamental solidarity between peoples, rising above race and above geography, which is the most basic guiding principle of this Organization.¹

The mass atrocities that occurred in Somalia and Rwanda rose to the attention of policy makers within a relatively short time span. Sierra Leone, however, did not. It takes mention of but two accounts from the war to convey the shocking nature of the crimes that came to characterize this mass atrocity case. “Will my fingers grow back?” Flora, a six-year-old victim of the civil war, posed this question to an international aid worker in early 1999 after rebels of the Revolutionary United Front (RUF) hacked off her hand as part of its campaign of civilian terror.² Kabba Williams, whom I met in 2010, is believed to be the youngest child soldier on record in Sierra Leone’s war. The RUF killed both his parents and he was forcibly conscripted in 1992 to fight for the rebels until escaping into government-held territory. He was six years old. Rather than rescue him, government soldiers forced him to fight for their side for the next three years. He raped, tortured, and killed in order to avoid being killed himself. Having served a third of his life as a bush fighter and spy, he was nine when he was finally rescued by the United Nations Children’s Fund (UNICEF) in 1995.³ Indeed, these and the accounts of literally tens of thousands of other mass atrocity victims are what prompted the International Rescue Committee (IRC) to label Sierra Leone the “world’s largest producer of misery.”⁴

The war began in March 1991—approximately the same time as the conflicts in Somalia and Rwanda. The central characteristics of this crisis closely resembled Somalia and Rwanda as well. In all three cases, gross violations of human rights, including mass atrocity crimes—war crimes and crimes against humanity—were perpetrated by combatant groups fighting for power, resources, land, or political grievance. Large portions of the population were forced to flee their homes; millions became internally displaced and hundreds of thousands spilled over into neighboring countries as refugees. In all three cases, a number of humanitarian actors were operational on the ground in the years leading up to the escalation of hostilities. In all three cases, a policy debate informed to varying degrees by human rights and humanitarian norms transpired in both the United States and at the global level through the UN to consider policy outcomes, including humanitarian intervention.

Soon, Sierra Leone became virtually synonymous with atrocities. Amputation, in particular, was a favorite rebel terror tactic. However, the war did not generate “staggering” death tolls, as had Rwanda. Nor was Sierra Leone caught in the grips of countrywide famine, as was Somalia. The violence in Sierra Leone did not register prominently on policy-maker radar screens until 1999, nearly eight years after its inception. It failed to capture US policy-maker attention in spite of President Clinton’s 1998 *mea culpa* to Africa, in which he solemnly proclaimed the United States (and the international community) had learned a valuable lesson from Rwanda about taking early and decisive action in response to crises on the continent.⁵

Yet close examination of the policy debates concerning Sierra Leone reveals that human rights and humanitarian norms played only a minor role in shaping policy outcomes. Moreover, the role of humanitarian actors as norm carriers and influence brokers was far less prominent in this crisis than in Somalia and Rwanda. However, this does not mean that human rights and humanitarian norms were not raised by other actors involved in the policy debate. Policy makers in Washington, DC, and New York, in particular, utilized these norms to legitimate a variety of policy positions concerning Sierra Leone.

Unlike the outcomes associated with strategic framing in the Somalia and Rwanda crises, policy debate on Sierra Leone resulted in a mixed form of humanitarian intervention. Operation Palliser was spearheaded by the United Kingdom and supported by the United States, but was not authorized by the UN. Its initial scope and mandate were limited—approximately 200 troops responsible for evacuating British nationals—but within weeks the mission transformed into a sizeable operation, including 4,500 ground troops and over-the-horizon naval and air assets,

and was given wide operational latitude, including protection responsibilities.⁶ Like the Unified Task Force (UNITAF) in Somalia, Operation Palliser was primarily responsible for protecting nearly everything and everyone on the ground in Sierra Leone, except Sierra Leoneans.

In this chapter, I examine the role that human rights and humanitarian norms played in the US and UN policy-making process leading to Operation Palliser. The intensity of international humanitarian nongovernmental organization (NGO) advocacy and strategic framing remained relatively low over the course of the conflict, but this was especially true during the time frame under study (early 1999 to mid-2000). For many humanitarian staff on the ground, the human rights and humanitarian situation in Sierra Leone was lamentable and perhaps even deserving of a stronger policy response. However, all sides to the conflict had “dirty hands,” and Sierra Leone was but one crisis among many vying for advocacy attention and resources.⁷

It was not until the prevailing frame of “civil war/human rights emergency” gave way to the challenger frame of “security emergency” that intervention became both feasible and desirable. When some 500 UN peacekeepers were taken hostage by RUF rebels in May 2000, policy makers were both shocked and outraged. Pressure mounted quickly for a policy change, but not necessarily because human rights and humanitarian norms had suddenly become resonant. Under the prevailing frame, the status quo policy—providing humanitarian relief and relying on regional actors and the UN to act—enjoyed strong support among policy makers. For the United States, United Kingdom, and other UN member states, however, the possibility of further humiliation and a disintegrating peacekeeping mission—direct spillover effects of the hostage crisis—constituted an urgent and existential threat to multilateral peacekeeping.

Background

Begun as a military incursion from Liberia in 1991, the stated aims of the RUF and its leader, Foday Sankoh, were to overthrow the government of Sierra Leone and bring social justice to the nation.⁸ Sankoh tapped into longstanding resentment of the government, especially among jobless youth, offering them a better future if they joined the RUF’s ranks. The rebel forces quickly made inroads into the rural countryside, garnering initial support and recruits among the local population. Soon RUF forces captured important diamond-mining districts in the south and east of the country, which greatly enhanced their ability to plunder and terrorize. A 1992 military coup, carried out by disgruntled Sierra Leone Army (SLA) officers led by Valentine Strasser, removed President

Joseph Momoh from power. Strasser himself was ousted in a second coup in early 1996, spearheaded by members of his own National Provisional Ruling Council (NPRC). Julius Maada Bio was briefly installed as head of the military junta, but handed over power following elections to Ahmad Tejan Kabbah in 1996.

Kabbah's government signed a peace accord with the RUF to end the war in November 1996, but he was subsequently overthrown in March 1997 by a group of SLA officers constituting the Armed Forces Revolutionary Council (AFRC). The AFRC invited the RUF to form an alliance, and the war continued until the Economic Community of West African States (ECOWAS) Ceasefire Monitoring Group (ECOMOG), led by Nigerian troops, routed the rebels from the capital, Freetown, and reinstalled the Kabbah government in March 1998.

The civil war intensified between 1998 and 1999, despite international community actions, which included an arms embargo, the deployment of UN military observers, and the continued military efforts of ECOMOG, the SLA, and the Civil Defense Forces (CDF). The AFRC/RUF controlled nearly the entire country and besieged the capital, Freetown. ECOMOG forces eventually regained a military advantage against the rebels in early 1999. Facing intense pressure from the United States, the RUF and the Kabbah government signed the Lomé Peace Agreement in July. Under its terms, ECOMOG forces would begin a phased withdrawal and be replaced by a multinational peacekeeping force, the UN Mission in Sierra Leone (UNAMSIL).⁹

As the last of the ECOMOG troops departed in late April/early May 2000, the RUF reignited the civil war. In addition to killing four Kenyan peacekeepers, the rebels took some 500 UNAMSIL troops hostage. The United Kingdom responded within days, fielding a military intervention that transformed into a quasi-humanitarian intervention. The Security Council immediately followed up the UK response by adopting two resolutions that respectively increased UNAMSIL's authorized troop ceiling (from 11,100 to 13,000) and provided the mission with an augmented, Chapter VII mandate and robust rules of engagement.¹⁰ Sankoh was captured, but the hostage standoff continued into June. It was ultimately resolved when the UN rescued the remaining 230 peacekeepers being held by the RUF. The rebel threat declined steadily and in January 2002, President Kabbah declared the civil war officially ended.

The international humanitarian community in Sierra Leone

Between 1999 and 2000, dozens of international humanitarian NGOs and agencies were operational in Sierra Leone. These organizations engaged

in programming related to food relief; health and emergency medical care; ex-combatant reintegration; group and therapeutic feeding centers; housing (re)construction; water sanitation and hygiene; agricultural regeneration and diversification; education, skills training; and youth development. Many partnered with the UN High Commissioner for Refugees (UNHCR) to assist refugee and internally displaced populations, and others worked with the World Food Programme (WFP) in food aid delivery and distribution.

The working relationship between humanitarian actors, ECOMOG forces, the government, and some local communities was at best tenuous and at worst overtly hostile. For example, many humanitarian organizations evacuated their staff from the country during the 1998/1999 siege of Freetown, leaving tens of thousands facing starvation and death. Most did not return until mid-1999 and were immediately accused of running scared when they were needed most. Other humanitarian groups were alleged to have misappropriated food aid and non-food relief items during the siege. Both ECOMOG and the government denounced a wide range of humanitarian organizations as corrupt and ineffective.¹¹ Moreover, wage inequities between expatriate and local humanitarian staff exacerbated tensions among the local population, and there was a general lack of transparency and accountability in the work being conducted by humanitarian actors on the ground.

The negative perceptions of the humanitarian community persisted. In addition to the many international humanitarian NGOs on the ground, the International Committee of the Red Cross (ICRC) was also operational in Sierra Leone. While it conducted programs in government-controlled areas, it also maintained a presence in rebel-held territory following the AFRC/RUF coup.¹² This led to accusations, leveled at the ICRC by the government in exile and ECOMOG, of rebel collaboration. ECOMOG even went so far as to attempt to shoot down an ICRC helicopter in November 1998,¹³ a move topped only by the government expelling ICRC from the country after being restored to power in early 1999.

Despite the significant operational challenges, human rights organizations including Amnesty International and Human Rights Watch engaged in global advocacy to raise awareness of mass atrocities in Sierra Leone. Their campaigns and strategic framing were focused on four main objectives that took on special prominence at varying points in the conflict, and directly tapped human rights and humanitarian norms. These included halting the recruitment of child combatants, linking the illicit trade in diamonds to crimes against humanity and war crimes, opposing the criminal amnesty accorded the RUF under the provisions

of the Lomé Agreement, and mobilizing international support for the establishment of a Truth and Reconciliation Commission and a Special Court for Sierra Leone.

Unlike Somalia and Rwanda, the relationship between UN agencies and international humanitarian NGOs in Sierra Leone was highly structured and, at times, conditioned.¹⁴ The UN established its humanitarian operations after the elections in 1996, and assigned the UN Development Programme (UNDP) as lead agency. Other agencies such as UNICEF and the Office for the Coordination of Humanitarian Affairs (OCHA) were also active UN Country Team members. The dual role of Humanitarian Coordinator and Resident Coordinator, however, was given to one individual who ensured a close institutional alliance with Kabbah (himself a former UNDP official) and his administration. This arrangement blurred the humanitarian principles of independence, neutrality, and impartiality, which are vital to all humanitarian response efforts. For example, during Kabbah's exile in Guinea, he and his advisors sought aid conditionality to demonstrate their displeasure with humanitarian organizations continuing to operate in a rebel-controlled nation. In a bold move, UN and UK funding for many humanitarian organizations was completely cut off. In addition, the government and the UN stood by as ECOMOG effectively blocked humanitarian relief supplies at the Guinean border from entering Sierra Leone (in violation of a mandated objective of the 1997 Conakry Ceasefire). Intended to isolate the AFRC/RUF junta, Kabbah's actions instead served mainly to exacerbate the suffering of the civilian population and irreparably damage its relationship with the humanitarian and human rights actors on the ground in Sierra Leone.

Human rights and humanitarian norms, and strategic framing in Sierra Leone

How did human rights and humanitarian norms contribute to policy debates concerning Sierra Leone and did strategic framing affect decision-making preferences in this case? The evidence suggests that these norms may have helped shape the humanitarian response, but they did not resonate sufficiently to build support for policy responses that would ensure civilian protection. Why not? Certainly, human rights and humanitarian norms formed important elements of the prevailing strategic frame, "civil war/human rights emergency," and unlike the Rwanda case, there was little cognitive resistance to the frame from policy makers, either. However, many international humanitarian NGOs operating in Sierra Leone set deliberate limits on their policy advocacy and strategic

framing efforts. Ultimately, when the prevailing frame was challenged by a new understanding of the crisis, human rights and humanitarian norms were subordinated by material norms associated with traditional perceptions of security and national self-interest.

It is important to note that the nature of the conflict dynamic in Sierra Leone also affected how strategic framing resonated with policy makers. Unlike the crises in Somalia and Rwanda where the scope and intensity of violence charted a steady, upward trajectory (creating strategic framing momentum), in Sierra Leone the scope of violence as well as the international community's level of attention to it tended to ebb and flow. A *Washington Post* editorial claimed, "[t]his is not a Rwanda-style genocide, after all, where a million or more were killed in the space of three months."¹⁵ This may have decreased the likelihood that strategic frame challenges, where established, would be effective. Extended periods of calm in both the war and the policy-making debate were common. These ebbs typically coincided with the rainy season or RUF retreats. Other points in the conflict were distinguished by particularly intense fighting, especially in the diamond mining districts and in areas near Freetown, resulting in spikes in mass atrocities which would regain temporarily the international community's attention.

The prevailing frame—"civil war/human rights emergency"

While the evidence is irrefutable that violence in Sierra Leone was contributing to a human rights emergency, the accuracy of the "civil war" frame remains open to debate. Arguments abound that greed and not grievance was the driving motivation for the war in Sierra Leone—and that the violence simply reflected the large-scale criminalization of the state.¹⁶ Sierra Leone diplomats, in particular, argued that the crisis was best understood as a "rebel war" rather than a "civil war."¹⁷

Strategic framing efforts were highly delimited in the Sierra Leone case. There were two primary reasons for this. First, and in contrast to the Somalia and Rwanda cases, international humanitarian NGOs did not hold the advantage of information asymmetry vis-à-vis policy makers during the conflict. Rather, policy debates in Washington, DC, and New York were informed by a multitude of sources, which also reduced opportunities for communicative action. For example, while the United States closed its Freetown embassy in late 1998, Ambassador Joseph Melrose continued direct engagement in the crisis from nearby Conakry, Guinea. He was never more than a short helicopter ride away from Freetown, and frequently visited Sierra Leone for site visits and political and security briefings. His staff also continued their work,

primarily from offices in Abidjan, Côte d'Ivoire. Relatedly, humanitarian access to populations in need was extremely curtailed following Kabbah's return to power. For example, the RUF controlled more than half the country during most of the final two years of the war. The rebels obstructed humanitarian access in many areas, thus limiting information and data gathering. Of the 2 million Sierra Leoneans in need of humanitarian assistance, international humanitarian NGOs had access to only 300,000 (12 percent), mostly in and around Freetown.¹⁸ These constraints affected levels of humanitarian actor "street credibility" among policy makers. Even organizations such as Cooperative for Assistance and Relief Everywhere, Inc. (CARE), which had three decades of experience in Sierra Leone, found themselves operating under tremendous humanitarian access impediments.

Second, the relationship between the government, the UN, major donors, and the humanitarian community was characterized largely by suspicion and mistrust. The government publicly pressured international humanitarian NGOs to discontinue their operations after the coup, citing security conditions. Privately, government officials knew that as long as these organizations remained operable, the rebels would be harder to defeat. Ironically, humanitarian access was higher during the junta period than it was ever again to be during the remainder of the war.¹⁹ Some humanitarian actors left the country rather than face continued government and international donor opposition to their work. Others moved their international staff to Conakry but managed their programs in Sierra Leone using national staff. A number of organizations that refused to "take sides" continued to work within the country, in spite of the political repercussions.

These conditions persisted throughout the crisis, and may have diminished US and UN policy-maker perceptions of humanitarian organizations working in Sierra Leone. It also would have affected the operational and policy-making environments in which these actors engaged one another, thus affecting important aspects of persuasion such as empathy, affect, and liking.

A number of humanitarian organizations, however, continued to meet regularly with senior policy makers in Washington, DC, and New York, including the State Department and congress, OCHA and the Inter-Agency Standing Committee (IASC), and the UN Department of Peacekeeping Operations, to discuss the crisis in Sierra Leone.²⁰ While the range of topics competing for agenda space at these sessions included mass atrocity crimes and the humanitarian situation, the Sierra Leone case itself was usually subsumed within a dialogue concerning crises in Africa writ large or peacekeeping reform. Yet international humanitarian

NGOs did not push particular policy goals because, according to one senior practitioner, in order to get consensus on whether and how to advocate with policy makers on any humanitarian crisis, something in the crisis itself must trigger that effort. That “something” must be sufficient to compel international humanitarian NGOs to reallocate resources and reprioritize advocacy efforts to influence the policy debate and help shape policy outcomes for that particular crisis.²¹

While international humanitarian NGOs proceeded cautiously in their framing efforts, the international media’s treatment of the conflict reinforced the prevailing frame of Sierra Leone as a “civil war/human rights emergency.” On the one hand, much of the reporting advanced the perception that foreign intervention would only serve to worsen, rather than resolve, the crisis. As one anonymous Western diplomat quipped, Sierra Leone is a “big mess ... [i]t is not a mess that will be easy to clean up.”²² On the other hand, coverage of the mass atrocities also played into Western stereotypes of violence in Africa. For example, the *Washington Post* reported:

In Sierra Leone, outside engagement with the war came to be dominated by the pity-inducing, context-empty images of the limbless, whether in media coverage or during visits by politicians to Freetown’s rehabilitation camps for amputees. These stripped-down, politics-free pictures of armless victims helped to consign Sierra Leone’s war to the mental box many Americans reserve for Africa. Few understood, for example, that most of Freetown’s victims were as urban and middle class as Pristina’s.²³

Where humanitarian actors attempted to marshal public attention on Sierra Leone through the media, the goal was to create empathy and raise affect levels by engaging in normative appeals and begging the question of why more wasn’t being done to halt such shocking crimes. The IRC, for example, implored *Washington Post* readers to “imagine that a civil war broke out in western Texas ... food is scarce, medical care nonexistent ... the hardship is enormous ... thousands die. Infants, young children and the elderly suffer the most. Imagine further that the world studiously ignores what’s happening.”²⁴

Human rights organizations also reinforced the prevailing frame in their attempts to persuade decision makers in Washington, DC, and New York to halt the violence and institute an international justice mechanism to hold the rebels accountable once the war ended. Human Rights Watch and Amnesty International, and the International Human Rights Law Group, for example, published and disseminated numerous

reports replete with evidence of war crimes and crimes against humanity being perpetrated in Sierra Leone, including systematic rape, summary executions, forcible recruitment of children and women as combatants and/or sex slaves.²⁵

Policy makers in Washington, DC, debated the crisis in Sierra Leone within the broader parameters of US policy toward Africa, but remained skeptical that outside action could resolve the civil war. Clinton administration officials publicly lamented the troubling nature of the violence and the desperate humanitarian situation prevailing there, emphasizing further that the United States had a “compelling moral imperative to end the suffering of innocent civilians” in Sierra Leone.²⁶ Regional diplomacy and an expanded humanitarian relief effort would help secure US interests, including promoting democracy and human rights on that part of the continent. Other policy makers described Sierra Leone using human rights and humanitarian norms that reinforced the prevailing frame. Assistant Secretary of State for Population, Refugees, and Migration Julia Taft described Sierra Leone as a “tragic humanitarian emergency” where rebels were committing horrific human rights violations that should not be left ignored, but rather be resolved through the “most effective humanitarian response possible.”²⁷ Her recommendation was based on both the analysis of her own staff research and in consultation with international humanitarian NGOs operating in Sierra Leone.²⁸

While humanitarian actors played a modest role in the policy debates on Sierra Leone, their views were sought out by Congress at various moments during the crisis. For example, Lionel Rosenblatt, President of Refugees International, invoked norms concerning the US role in the prevention of mass atrocity crimes.²⁹ Reynold Levy of the IRC described Sierra Leone as a case where “atrocities of the most depraved kind” were being perpetrated, while his IRC colleague Richard Jacquot noted that the civil war in Sierra Leone was not a civil war, a religious war, or an ethnic war, but rather a proxy war being fought almost entirely by children.³⁰ Jacquot admonished policy makers not to let Sierra Leone turn into another Rwanda, emphasizing that the genocide “led us to spend hundreds of millions of dollars in aid that we would not have needed to spend had the genocide been prevented ... It can happen again, and West Africa, with its immense refugee population, is fertile ground for an expanded conflict.”³¹

Regardless of their views on prevention, America’s foreign policy toward Africa had witnessed a definitive shift during the Rwandan genocide toward multilateral and/or regional political and military solutions and away from US-led ones. The Clinton administration preferred working through the UN to strengthen ECOMOG’s capacity to deal

with all military challenges posed by the rebels and to increase support for humanitarian relief efforts in Sierra Leone. The notion of sending US troops to Sierra Leone was considered materially impractical and morally inappropriate.

For their part, policy makers in New York focused on finding a diplomatic and political solution to the crisis, while continuing the humanitarian effort and condemning the ongoing atrocities and violations of international human rights and humanitarian law.³² In council deliberations, the United States agreed to enhance its financial and material assistance to ECOMOG, which exhausted State Department funding for peace operations in Africa.³³

The Lomé Peace Agreement was signed in July 1999. Portions of the accord were highly controversial from an ethical perspective, including the amnesty provided to RUF rebels, and the allocation of high-level posts to RUF leaders in a power-sharing government. To many, this was the equivalent of rewarding thugs and evildoers.³⁴ Human rights organizations lambasted the Clinton administration as having kowtowed to the rebels and sacrificed human rights for the political expedience of getting the peace agreement signed. For Human Rights Watch, Lomé “shook the concept of accountability to the core.” It represented a “major retreat by all the parties—the U.N., the Clinton administration, the others ... the signal is that atrocities can be committed—especially if they are frightening atrocities.”³⁵ Figure 5.1 captures the policy process through this phase of the crisis.

In terms of the logic of consequences, pressure to “do something” in response to the mass atrocities occurring in Sierra Leone resonated

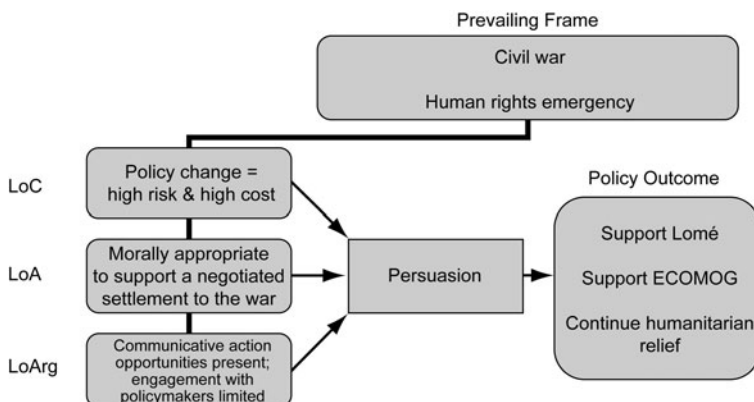


Figure 5.1 Strategic framing and persuasion, January–July 1999

modestly with US and UN policy makers but was conditioned in tandem with cost and risk factors. The traditional, low-risk, low-cost policy response to civil wars was to support a political solution and, if desirable, serve as a key contributor to a negotiated settlement. In addition, and for the United States, providing support to a regional peacekeeping force was materially complementary to its evolving policy on involvement in conflicts taking place in other parts of the world where America's vital national interests were not perceived to be directly threatened. In the aftermath of Somalia and Rwanda, US policy makers were convinced that the most cost-effective response to mass atrocity cases like Sierra Leone was to support financially and logistically the efforts of others (e.g. the UN or regional organizations like ECOWAS). This would help ensure African solutions to African problems.

In terms of the logic of appropriateness, facilitating the conditions for the signing of Lomé was certainly a normatively appropriate policy response for civil war. Concluding Lomé also was appropriate as a response to the frame of Sierra Leone as a human rights emergency. With a ceasefire in place and a commitment to end the hostilities, diplomats in Washington and New York could reassure themselves that they had not just done "something," but that they had done the "right thing." Political and military stabilization would remove impediments from humanitarian relief efforts, which in turn would have a positive effect on human rights and humanitarian norms. The question remained, however, as to how policy makers convinced themselves that the amnesty provisions of Lomé and the "carrots" offered to the RUF senior leadership in return for its signature constituted the "right thing to do" to redress massive human rights atrocities. Human rights organizations had lobbied policy makers on this issue, but human rights and humanitarian norms here appear to have been trumped by political interests and the urgency to get a settlement—any settlement—included.

In terms of the logic of argumentation, there is evidence that policy makers were open to communicative action with humanitarian actors concerning the mass atrocities taking place in Sierra Leone during this phase of the crisis. In large measure, however, the information provided by these actors did not resonate differently from information policy makers already possessed.

In New York, the signing of Lomé created an ebb in Sierra Leone's conflict cycle. The UN (and the United States) could claim that they had "done something" about the mass atrocities in Sierra Leone. Peace was now restored, at least on paper. For their part, humanitarian actors were hopeful that the peace agreement would improve humanitarian access and curtail human rights abuses. Some, like IRC, also expressed

cautious optimism that ECOMOG would help facilitate the delivery of humanitarian assistance. Most importantly, however, these organizations hoped that the RUF's commitment to peace was genuine, even if the terms of that peace made a mockery of human rights and humanitarian norms. On all fronts, unfortunately, this optimism would soon evaporate.

Sustaining the prevailing frame—“civil war/human rights emergency”

What the Arusha Agreement was to strategic framing in Rwanda, the Lomé Agreement was to Sierra Leone. Signed under heavy-handed pressure from the United States and the United Kingdom, the accord was a normatively flawed, political expedient for achieving a fragile peace.³⁶ Clinton administration officials defended the agreement, noting it was between the signatories to decide on the palatability of its human rights aspects.³⁷ From US policy-maker perspectives Lomé was the instrument that would help resolve both the civil war and the human rights emergency, and therein bring the mass atrocities to an end. Now that there was a peace to keep, the United States supported the authorization of a multilateral peacekeeping mission for Sierra Leone, UNAMSIL. Its mandate included civilian protection where individuals were under imminent threat of physical violence. Washington then moved on to other pressing matters like the crises in East Timor and Kosovo.

As the international community began implementing Lomé, however, it became clear that the agreement's material and normative foundations (including preventing and halting further war crimes and crimes against humanity) were extremely tenuous. Almost as soon as UNAMSIL peacekeepers deployed in the late fall of 1999, Sierra Leone was on the verge of returning to civil war. The RUF began testing the military resolve of the peacekeeping mission by flaunting the ceasefire. Rebels ambushed UN troops and stole their military assets and weapons. In a direct violation of Lomé, RUF leaders refused to allow their militias to participate in the UN-led disarmament, demobilization, and reintegration process.³⁸

The human rights and humanitarian situation deteriorated rapidly, and protection and security issues became more and more acute by early 2000. International humanitarian NGOs and UN agencies faced a growing number of obstacles that hindered their ability to operate effectively. The RUF and other militia groups routinely harassed, detained, or took hostage humanitarian aid workers; stole or looted their property; hijacked aid transports; and commandeered relief supplies.³⁹ Human rights atrocities against civilians escalated. In December 1999

two Médecins sans Frontières (MSF) staff were held hostage for 10 days by RUF rebels. In another incident, malnourished women and children being given transport by an aid organization were kidnapped and forced to accompany rebel militias back into the bush.⁴⁰ These events and rebel attacks on peacekeepers and ECOMOG forces suggested that the situation on the ground was changing—it was becoming more and more like a “security emergency.”⁴¹

This opened up political space for a possible frame challenge based on the impediments facing both military and humanitarian actors in Sierra Leone. Yet humanitarian staff exercised self-restraint in their roles as norm entrepreneurs and initiators. Certainly, the changing conditions on the ground could well have warranted a frame challenge, but many organizations had their hands full simply trying to manage their relationship with the rebels, the peacekeepers and ECOMOG, and the government. They had little time to engage in coordinated advocacy and strategic framing in such a dysfunctional working environment. Besides, engaging in more vocal advocacy ran the risk of being further criticized as agitators or rebel collaborators, or might even bring military and humanitarian actors into closer working proximity, which was anathema to organizations interested in preserving their independence.⁴² Many organizations resigned themselves to the fact that their advocacy could backfire and render humanitarian programming more precarious and less effective, not to mention generating false expectations based on human rights and humanitarian norms.⁴³

For their part, policy makers in Washington, DC, and New York remained convinced that peace in Sierra Leone could still be achieved by supporting ECOMOG, continuing humanitarian relief and sticking to the peace accord. In particular, the international community and the Kabbah government had come to rely on ECOMOG to handle the growing military threat posed by the rebels. The United States was more than willing to help pay for the peace these troops could provide, to the tune of tens of millions of US dollars.⁴⁴ While unruly and corrupt, ECOMOG forces were well-equipped, professionally trained, and had the resolve to engage in offensive operations and incur casualties that other nations, like the United States, were not.

In New York, Security Council members expressed concern that attacks on humanitarian staff and civilians had not abated, and noted that they appeared to have become more systematized over time. Others emphasized that the council should seek ways to ensure that NGOs and humanitarian staff received the protection they deserved.⁴⁵ Most, however, signaled optimism that as UNAMSIL, with its civilian protection mandate and partnering ECOMOG troops, was deployed

across the country, improvements in the human rights situation would follow. These issues turned out to be recurring themes in council debates during the coming months, particularly when Nigeria announced it would withdraw all of its troops from ECOMOG.⁴⁶ This decision profoundly altered the security environment on the ground in Sierra Leone. The RUF viewed it as a green light to re-open the war in earnest.

The Nigerian withdrawal also necessitated rethinking of the US and UN policy concerning both the security and the humanitarian situation in Sierra Leone. Pressure increased on US policy makers to consider expanding UNAMSIL's mandate to fill the vacuum that would be left once the Nigerians returned home. Enhancing UNAMSIL's mandate also held out the possibility that human rights and humanitarian norms undergirding many of the humanitarian dimensions of Lomé might be implemented after all. Thus, by early 2000, the policy debates in Washington, DC, and New York on Sierra Leone took on a new urgency, owing to the fact that violence against not only innocent civilians but also humanitarian workers and international peacekeepers had once more become widespread and systematic.

In Washington, DC, the views on endorsing a stronger Chapter VII mandate for UNAMSIL were generally positive. In New York, however, some council members cautioned that such a move would reveal the imperfections of the Lomé Agreement and the shortcomings in its implementation.⁴⁷ Others accepted that in order for UNAMSIL to be effective, new arrangements were needed, including an increase in the authorized troop ceiling. The human rights dimensions of the crisis underscored the importance of including in UNAMSIL's mandate specific provisions for civilian protection, including the ability to take necessary action to defend civilians against mass atrocities.⁴⁸ The United Kingdom, in particular, concurred that UNAMSIL's mandate should be formulated so as to respond effectively to all possible threats.⁴⁹

Resolution 1289 was unanimously adopted on 7 February 2000, but did little to improve the security emergency unfolding on the ground. UNAMSIL experienced multiple deployment difficulties, struggled to secure troop commitments, and many troop-contributing countries put troops on offer who lacked proper equipment and/or training. Most importantly, the mission proved completely incapable of discharging its mandate, particularly the provisions related to civilian protection. Humanitarian aid operations were able to access populations in some new areas of the country, but by and large attacks on civilians and humanitarian staff were becoming more egregious and widespread.⁵⁰

In discussing with a senior humanitarian practitioner the near total silence on the part of the humanitarian community during this phase

of the policy debate, he emphasized that for his organization, the decision not to challenge the prevailing frame in Sierra Leone at that juncture was reached only after having weighed carefully its multiple operational commitments and priorities, and evaluating the seriousness of the security situation relative to other crises:

When conflict is bubbling rather than spiking, humanitarian actors may not decide to try to influence policy ... there can be more pitfalls than rays of light if you try to formulate a strategy that requires picking and choosing ... no one is going to say that they're going to look only at Sierra Leone—at the expense of the others.⁵¹

A former senior Catholic Relief Services staffer echoed this view and stressed the importance of “knowing what else is going on in the NGO world” before deciding to turn one’s organization to advocacy and strategic framing for a specific crisis at the possible cost to the work being done in others. Moreover, he noted that even when a humanitarian organization decides to devote resources to strategic framing, the decision may be poorly timed and the effort made less effective as a result.⁵²

As the humanitarian and security situation in Sierra Leone deteriorated further, policy makers in Washington were again faced with the dilemma of how to restore security and address the civilian suffering. Some policy makers invoked norms associated with traditional security interests, while others drew on human rights and humanitarian norms in debating the way forward in Sierra Leone. For example, in arguing against expanding UNAMSIL and strengthening its mandate, John Bolton recalled images of failed multilateral interventions past and emphasized that “[Sierra Leone is] exactly the kind of circumstance where you don’t put a force in place because, in fact, the force can become part of the problem, can become a target, as ... we did in Somalia.”⁵³ He made an impassioned appeal opposing the use of humanitarian considerations in policy making and cautioned his colleagues against the negative consequences of folding mass atrocity responses under the umbrella of US national interests:

[h]umanitarian tragedy becomes in our national interest, a human rights violation becomes in our national interest ... there has been a separation from what we call traditional national interest thinking that means there’s almost nothing that can’t justify the use of American military force ... And once you get to that point, it is a small step, if any, to say that it justifies the presence of a UN peacekeeping force.⁵⁴

In contrast, other policy makers, like Ambassador Richard Holbrooke, urged their colleagues to support an expanded UNAMSIL, emphasizing that multilateral approaches were both cost-effective and an indispensable tool to achieve US national interests. Drawing on human rights and humanitarian norms, he argued that the violence in Sierra Leone posed a distinct threat to American values and the United States therefore had a “clear humanitarian interest in helping to consolidate peace.”⁵⁵ He also compared failure to support an expanded Sierra Leone mission with the deleterious US decision to downsize the UN mission in Rwanda five years previously, noting that the choice is “very stark in Sierra Leone: Vote for a modest increase in peacekeepers, or face a real blood bath.”⁵⁶

Congress and the Clinton administration listened to these competing views, but favored the status quo. Indeed, some members felt that diverting resources from Bosnia and Kosovo to Sierra Leone would be “disappointing.”⁵⁷ The unraveling of the Lomé Agreement did not facilitate an effective challenge to the prevailing frame of “civil war/human rights emergency.” Where the decision was made by select humanitarian organizations to weigh in on policy debates either in Washington, DC, or New York, it was done in terms that were largely congruent with existing policy-maker perceptions of the crisis. The impact of the prevailing frame on policy-maker decision making is summarized in Figure 5.2.

In terms of the logic of consequences, enhancing the humanitarian relief effort in Sierra Leone was far less costly than developing a policy to forcibly halt RUF atrocities, bring the rebels back to the negotiating

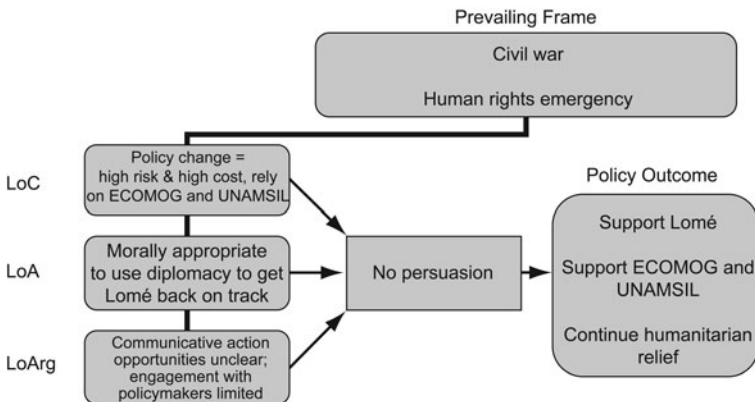


Figure 5.2 Strategic framing and persuasion, August 1999–April 2000

table or coercing them to honor its commitments to all aspects of the peace agreement. Both US and UN policy makers clearly understood that the Lomé Agreement had fallen apart. Putting it back on track was Sierra Leone's responsibility, not the international community's. So, despite warnings by policy makers that the "international community is watching,"⁵⁸ policy makers largely agreed that any policy shift involving robust reaction (beyond authorizing resolution 1289) would incur high risks and costs. There was virtually no pressure coming from the international humanitarian community to suggest that a policy shift would be either desirable or feasible, in spite of the mounting evidence that systematic and widespread mass atrocity crimes were being perpetrated against civilians. The prevailing dual frame of "civil war/human rights emergency" could be pragmatically addressed through existing policy, with minor adjustments at the margins.

In terms of the logic of appropriateness, the prevailing frame highlighted that it was normatively appropriate to focus on resurrecting a peace agreement and to continue humanitarian relief operations. Questions of accountability for rebel atrocities could be addressed once the parties had reestablished the terms for peace. Even as humanitarian suffering became more severe, the development of a strategic frame that would reflect this simply was not forthcoming. As a former State Department official noted, Sierra Leone was portrayed by international humanitarian NGOs and US intelligence sources as, "the tribal business of rogues running around committing gross violations of human rights. [Policy makers] viewed it as an outrage against humanity—and while refugees were fleeing into [neighboring states], which also [gave it] elements of a threat to regional peace and security, the problem was that the region that was threatened wasn't all that important."⁵⁹

In terms of the logic of argumentation, it is unclear whether policy makers would have been open to the possibility of being persuaded to support stronger policy responses in Sierra Leone. Aside from the escalation of violence (bubbling, but not spiking), much of it against peacekeepers, humanitarian staff, as well as civilians, there was little new information about the conflict and no clear evidence that the situation warranted a challenger frame. Generating a strategic challenger frame, had humanitarian organizations sought this path, would have been difficult to pursue without strong evidence—something these actors simply did not have, given how restricted their access to vulnerable communities had become. Most importantly, perhaps, and given the multitude of humanitarian commitments elsewhere, creating a challenger frame for Sierra Leone would have been difficult to justify internally and externally.

A frame challenge, but not from humanitarian organizations—from “civil war/human rights emergency” to “security emergency”

While policy makers remained satisfied that existing policy was sufficient in addressing the crisis the RUF capitalized on the departure of ECOMOG forces, the backbone of UNAMSIL. They brazenly attacked the remaining troops and, as the last ECOMOG contingent exited Sierra Leone in early May 2000, the RUF took a contingent of Zambian and Kenyan UNAMSIL peacekeepers hostage, killing four Kenyan troops.⁶⁰ International humanitarian NGOs immediately withdrew their expatriate staff from areas outside the capital. Fearing a repeat of the Freetown siege, many organizations evacuated Sierra Leone altogether and most did not return for several months.⁶¹

The UN expressed “grave concern” and blamed Sankoh for leaving the Lomé Agreement in tatters.⁶² Within days, the rebels abducted hundreds more peacekeepers, many of whom had been deployed to rescue their fellow soldiers, bringing the total held in various locations around the country to nearly 500. It was the most devastating attack against UN peacekeepers since 24 Pakistani forces were killed in Somalia by militias in 1992, and 10 Belgian troops were murdered in Rwanda by Hutu extremists in 1994. Sierra Leone’s UN Ambassador lamented, “it is not only a bad omen for the U.N. in Africa. It’s a bad omen for the U.N. everywhere in the world.”⁶³ The Secretary-General noted dryly, “[o]bviously, it’s not an ideal situation ... It’s not the proudest moment of the force.”⁶⁴ Indeed, peacekeeping had been brought to its knees, dealt possibly what some believed to be a fatal blow: “Sierra Leone has put the U.N.’s blueprint for peacekeeping at a crossroads. After failures in Somalia and Rwanda, the U.N. needs to make Sierra Leone work, or risk losing global credibility.”⁶⁵

In Washington, DC, and New York, policy makers recognized that the prevailing frame no longer mirrored conditions on the ground. Sierra Leone was now perceived as a “security emergency.” Clinton administration officials organized interagency meetings between the Central Intelligence Agency (CIA), Defense Department, and National Security Council, but took no policy decisions.

In New York, the frame of Sierra Leone as a “security emergency” began resonating with policy makers, and UN member states demanded a response.⁶⁶ The Secretary-General urged Security Council members to endorse an immediate and radical change in UN policy toward Sierra Leone. His appeals to key Security Council members for ground troops to participate in a rapid reaction force, however, fell upon deaf ears. African leaders expressed profound disappointment at this reluctance,

arguing “[w]hen it is Kosovo you are there in one minute and spend billions. When it’s East Timor you are there. When it is Africa, there are all sorts of excuses.”⁶⁷

As the human rights and humanitarian situation continued to worsen over the following weeks, widespread reports surfaced of summary executions, abductions, forced conscription of children, forced labor, systematic rape and sexual violence against civilians, and the destruction and looting of civilian property.⁶⁸ Forced to evacuate more than 250 UN civilian and humanitarian agency staff, the Secretary-General on the one hand implored member states to not allow Sierra Leoneans to succumb to the atrocities being perpetrated against them. On the other hand, he seemed resigned to the possibility that security in the region would forever be impacted by the lack of political will to respond: “[w]e know that the international community was not ready to go to Rwanda ... [a]fter Sierra Leone, I think there’s going to be very little encouragement for any [member states] to get involved in operations in Africa.”⁶⁹

Back in Washington, DC, the worsening humanitarian crisis put the Clinton administration’s foreign policy reputation under increased scrutiny. As *The New York Times* reported:

[a]fter Mogadishu, President Clinton chose to shy away from risking such casualties or humiliation again; after Rwanda, he said genocide could not be tolerated again ... But those are incompatible goals, and in its twilight months, the Clinton administration is strangled by its own constraints ... A collapse of the peacekeeping mission in Sierra Leone could portend far more than just the loss of a military effort in a small, desperate West African country. At stake, some officials argue, is the prestige of the United States within the United Nations.⁷⁰

The media equally condemned the international community’s dithering as a “half-baked middle ground” response, noting that the “lesson of Somalia” had “hobbled the ... response to genocide in Rwanda and it continues to resonate in Sierra Leone.”⁷¹

Amid the political wrangling in Washington, DC, and New York, however, political space had opened for a UK-led bridging mission in Sierra Leone, Operation Palliser. The British had readied plans for a non-combatant evacuation operation (NEO) in Sierra Leone prior to the hostage crisis. London had authorized a similar mission in early 1999, Operation Basilica, to evacuate its nationals during the siege of Freetown. Thus, when it became clear that British citizens were at risk from the escalating insecurity, UK troops were deployed to Sierra

Leone. The first mission contingents arrived in Freetown on 6 May and were joined the next day by aviation assets and paratroopers.⁷²

The operation quickly accomplished its objectives, but commanders on the ground felt strongly that its withdrawal would not only imperil the UN mission, but also precipitate the fall of the Kabbah government and unleash more mass atrocities. The decision was taken on the ground to expand the mission. London approved, Washington, DC, and New York nodded in agreement, and Operation Palliser was transformed into a quasi-humanitarian intervention. The initial force was augmented by air and naval assets, including some 4,500 British special forces, soldiers, commandos, paratroopers, sailors, and marines.⁷³ British troops secured Lungi airport and established a staging area to ensure the safety of incoming flights, including humanitarian relief shipments. Ground forces also assisted the government and UNAMSIL in shoring up security until troops from other countries arrived to reinforce the mission.⁷⁴ When asked about the mission's duration, British High Commissioner Alan Jones emphasized that it was not "their intention to leave in the short term," and that Operation Palliser would "be there for a little while yet."⁷⁵

Within a week of the intervention, the rationale shifted from rescuing UK nationals and propping up UNAMSIL and government forces, to, as then Prime Minister Tony Blair claimed, "do everything we responsibly can to safeguard democracy."⁷⁶ Western journalists in Sierra Leone reported seeing British soldiers in areas of the country well away from Freetown and near the front lines with UNAMSIL and government troops.⁷⁷ What had begun as a limited NEO was now a much larger mission, with troops prepared to use force in self-defense and to protect humanitarian relief efforts. The mission lacked a specific mandate to protect Sierra Leoneans, but by helping government and UNAMSIL forces regain a decisive military advantage against the rebels, the mass atrocities diminished rapidly. The British Broadcasting Corporation (BBC) reported, "[f]rom the beginning, the eight Royal Navy ships and thousands of British military personnel sent to Sierra Leone seemed a suspiciously large force just for an evacuation of foreign nationals. Now we know why."⁷⁸

As conditions in and around Freetown stabilized, humanitarian access was slowly restored. Policy makers in Washington, DC, and New York turned their attention to debating new policy options for Sierra Leone. As was the case earlier in the war, the contributions made by humanitarian actors to this process were indirect and somewhat ad hoc. Few, if any, international humanitarian NGOs were in a position to coordinate a strong frame challenge, given that many had evacuated the

country, while others were dispersed, and had low street credibility. Furthermore, those humanitarian actors remaining in Sierra Leone were reportedly pleased with the results created by Operation Palliser. Security conditions improved dramatically in and around Freetown. Two former State Department officials noted that among the humanitarian organizations with which they had spoken, many were convinced that the UK intervention was the “right” thing to do at the time. It was clear that with a highly skilled but small force, much could be done and the military presence became viewed by NGOs as vital to allowing humanitarian staff to carry out their work.⁷⁹

Back in Washington, DC, Clinton administration officials attempted to convince anyone who would listen that the United States was not writing off Sierra Leone as it had Rwanda. They emphasized to the media that President Clinton was “very, very seriously determined not to turn his back on [Sierra Leone].”⁸⁰ This position was difficult to defend, given that the administration was totally unwilling to commit to enforcing a peace or take decisive steps to protect civilians from ongoing mass atrocities. Reflecting on the trend developing in terms of Western response to mass atrocities, *The New York Times* noted cleverly, “Democratic Man has three stark choices if he wants to salve his conscience: Fight, pay someone else to fight, or stay home and wait for an easier peace to keep.”⁸¹

Indeed, the United States had come to rely more and more on option number two: support the UN and regional arrangements to handle crises like Sierra Leone and ensure that multilateral policy did not involve deploying US troops. For example, State Department officials condemned the RUF actions as “outrageous” and “criminal,”⁸² but also argued that this was very much a “Security Council issue” and not solely a US foreign policy issue. As a partial (and hopefully more fully baked) solution, the United States and United Kingdom jointly pressed Security Council members to support the return of Nigerian contingents from ECOMOG to UNAMSIL. According to one official, the Clinton administration was “pressing the U.K. to go [into Sierra Leone] with fuller force [and] to provide supervision and shore up UNAMSIL—not to leave UNAMSIL with troops that weren’t prepared.”⁸³

Policy makers from different parts of the Clinton administration pushed these preferences along parallel tracks. US officials met with the Secretary-General and British officials to discuss requirements for strengthening UNAMSIL. In particular, the United States lobbied for Nigerian troops to be “blue-helmeted” back into the mission.⁸⁴ The Pentagon then took the rather rare step of dispatching a team of negotiators to Abuja to persuade the Nigerians to send at least two battalions to Sierra Leone.

Congress was not supportive of this policy, and many members felt they had been burned in supporting resolution 1289, which expanded UNAMSIL and provided it with a civilian protection mandate. Because the mission had proven itself incapable of dealing with the rebels and could not shore itself up to protect civilians from mass atrocities, policy makers were loath to debate any policy options that could draw the United States into a wider conflict.

The debate was informed mainly by references to norms associated with traditional perceptions of security. However, policy makers also argued that the window dressing that was being passed off as effective civilian protection policy in the case of Sierra Leone reflected US shortsightedness and a failure to learn valuable lessons from earlier mass atrocity cases. For example, Senator Rod Grams (R-MN) expressed his dissatisfaction with multilateral peace operations generally and the pace of UN reform in New York specifically, arguing:

It's my considered opinion that 500 kidnapped UN peacekeepers and rebels riding around in UN armored personnel carriers reflect a lot more than weakness in the [Department of Peacekeeping Operations]. It reflects a shortsighted and ill-planned U.S. approach that is willing to jeopardize the future of UN peacekeeping for a symbolic show of support for engagement in Africa—a feel-good operation with no impact on keeping civilians safe ... [h]aven't we learned anything in the last couple of years?⁸⁵

Other portions of the debate hinted at a Rwanda redux. Grams queried his colleagues as to whether the ideal solution in Sierra Leone would be to withdraw UNAMSIL completely. Clinton administration officials implored Congress to support a policy that would convince Nigerian troops to deploy back into the country and do everything possible to ensure that UNAMSIL was brought up to its fully authorized troop ceiling in order to effectively discharge its mandate, including civilian protection.⁸⁶ Indeed, the “logic” of relying on regional or multilateral responses, according to anonymous US officials, was that “each region looks after its own trouble spots. Thus, NATO [the North Atlantic Treaty Organization] intervened in Bosnia and Kosovo, the Australians went to Timor last year and the West Africans may be poised to enforce the peace in Sierra Leone.”⁸⁷ Within the Clinton administration, policy makers were quoted as saying, “[T]he argument was straightforward: What is the United States national interest in Sierra Leone? There aren't any, other than humanitarian interests ... So, ... the administration favored countries of the region sending troops.”⁸⁸ National Security

Advisor Sandy Berger further qualified US preference for a regional solution to the crisis involving Nigerian troops: “[w]e are working closely with the Nigerians, who I think are prepared to go into Sierra Leone in a more robust way. When they were there, they were able to hold back these really outrageous rebel elements and I think it would be good for them to go back in.”⁸⁹

Human rights and humanitarian norms informed the US understanding of the crisis and what was needed to resolve it, and certainly helped shape support for a more robust policy to halt mass atrocities taking place in Sierra Leone. However, they did not resonate sufficiently to support American troop commitments in the service of these goals. Indeed, the United States offered to do just about everything needed to get the Nigerians into the field—including providing them with air transport, communications equipment, and other logistical support. Thus, these norms were not self-applied. Rather, they were externally projected to other nations within the international community, suggesting that someone else act first (but with US backing)—a “do as I say, not as I do” approach to handling mass atrocities.

When measured against Clinton administration policy during the Rwanda crisis, the US response in Sierra Leone reflected higher levels of engagement, including how to prevent or halt mass atrocities. Unfortunately, its offers of assistance to induce other nations to deploy their troops into the field proved hollow. To help airlift Nigerian troops into Sierra Leone, the United States planned to charge the UN three times the price of a regular, commercial transport (between US\$17 million and \$21 million). The UN turned down the exorbitantly costly arrangement and instead chartered a commercial airliner, saving itself over \$10 million.⁹⁰

In New York, Security Council members stepped up deliberations regarding UNAMSIL’s troop ceiling and the scope of its mandate. At issue was whether to authorize the mission to engage in peace enforcement operations where necessary to implement its duties, including civilian protection from mass atrocity threats. Most council members supported increasing the number of troops deployed under the mission. However, they were divided in their support for the proposal to transform UNAMSIL into a peace enforcement mission. The Secretary-General favored this option, emphasizing that Sierra Leoneans were entitled to expect humanitarian assistance and protection.⁹¹ Others, like Djibouti, accused the council of pursuing “peacekeeping on the cheap” by providing UNAMSIL with neither an adequate mandate nor proper troops to accomplish it. This, its delegate argued, “is tragically laughable when set against the mammoth efforts in power, arms and resources seen in Kosovo, East Timor or Bosnia ... Sadly, it was not the first capitulation to

warlords in Africa ... This is, in many respects, the situation we have seen in Somalia.”⁹²

Non-members of the council participating in the debate, however, including Portugal (representing the European Union), Pakistan and India (both UNAMSIL troop contributors), felt that the root of the emergency facing UNAMSIL and the UN did not derive from a flawed mandate. With properly equipped and trained troops, they argued, UNAMSIL should be able to discharge its duties, including addressing the security threat posed by the RUF and in protecting civilians from further mass atrocities.⁹³

While some council members characterized the situation on the ground as a “security emergency” that represented an unacceptable affront by “outlaws” to both peacekeeping and the world organization, other members invoked human rights and humanitarian norms to support transforming UNAMSIL in ways that would allow it to protect civilians effectively. For example, India urged council members not to consider withdrawing UNAMSIL, noting that “[i]n Rwanda in 1994, in a comparable crisis, when peacekeepers came under threat, the United Nations decided to abandon the operation, with consequences that no one would wish to see repeated.”⁹⁴ The Sierra Leone delegate added that “[e]very individual, irrespective of nationality, race or creed, has an inalienable right to the safety and security of his or her person.”⁹⁵

Two related events shaped US and UN policy-maker preferences during this phase of the crisis. First, Sankoh was captured and taken into custody on 17 May. Rebel threats to take more UN peacekeepers hostage if Sankoh was not released immediately did not materialize, however. It soon became clear that the RUF was fragmenting and Operation Paliser’s successes were helping turn the political and military tides decisively against the rebels. Second, British Minister of Defence Geoffrey Hoon announced in late May that the British force in Sierra Leone had completed its goals and would depart in mid-June.⁹⁶ The combined effect of these events alleviated any pressure the United States might have felt to enhance UNAMSIL’s capability to fulfill its civilian protection mandate.

On 19 May the UN unanimously adopted Security Council resolution 1299, which increased UNAMSIL’s troop ceiling from 11,100 to 13,000.⁹⁷ It noted that the security conditions on the ground warranted the increase, and left the mission’s mandate unchanged. The resolution represented a small step in the direction of further shoring up UNAMSIL. The Clinton administration continued to engage UN officials on the issue of mandate expansion for the next month. The issue of civilian protection was discussed as it related to UNAMSIL’s mandate, but the

focus was mainly on supporting Kabbah's sovereign power against the rebels, and defending the UN mission and humanitarian relief operations against additional security threats. With additional deployments of well-equipped troops, UNAMSIL successfully launched a July offensive operation to rescue the remaining 230 peacekeepers still being held hostage by the RUF.⁹⁸ This "victory" for UN forces did much to enhance both UNAMSIL's and the UN's image on the world stage.

Congress discussed US policy in Sierra Leone on one occasion following Operation Palliser and UNAMSIL's successful hostage rescue mission. Arguments were made in support of further strengthening UNAMSIL's mandate, particularly as a corrective against "the machete-wielding RUF," and concluded that if UNAMSIL collapsed, Sierra Leone would "implode."⁹⁹ On 4 August 2000 the Security Council unanimously adopted resolution 1313, which officially declared the Lomé Peace Agreement a dead letter. More importantly, the resolution radically overhauled UNAMSIL's mandate, authorizing its troops to deter and, where necessary, decisively counter the threat of RUF attack by responding robustly to any hostile actions or threat of imminent and direct use of force, including to protect civilians, UN and humanitarian staff, and facilitate humanitarian operations.

In terms of the logic of consequences, the Clinton administration and the Security Council recognized by May 2000 that policy in Sierra Leone was failing—sustaining it was becoming far more costly than taking the steps necessary to change it. The UN hostage crisis jolted council members into realizing that it was at serious risk of fielding yet another peace operation that could not accomplish its mandate. The reputation effects of inaction (or withdrawing the mission) were simply too great. Relying on UNAMSIL to fill the void left by the departure of ECOMOG troops was also no longer feasible. The "security emergency" created by the events of May 2000 also reflected the fact that the Lomé Agreement had failed and should no longer guide policy-maker decision making. Congress balked at providing more support for a failing policy, and council members grew increasingly hesitant to deploy their militaries to a UN mission unable to defend its own troops, let alone innocent civilians, from rebel thugs.

Moreover, US foreign policy in Africa relied increasingly on the UN (or regional arrangements) to "do something" when crises erupted in faraway places where its national interests were limited to humanitarian and democratic values. Sierra Leone's civil war was just such a crisis—albeit one characterized as well by mass atrocity crimes. The RUF threatened to fully incapacitate the UN mission and, in so doing, civilians would be subjected to more suffering and violence. A policy shift

was necessary to reduce costs and reduce risks—and overcome this new security threat. Supporting a strengthened UNAMSIL proved congruent with the strategic frame of “security emergency.” By supporting measures whereby UN member states fulfilled their commitments to shore up the force and ensured it could carry out its mandate, the Clinton administration would avoid becoming embroiled more deeply in the crisis. Giving the UN a fighting chance to help end the civil war and mass atrocities occurring in Sierra Leone was a materially pragmatic policy option.

In terms of the logic of appropriateness, US and UN policy makers agreed that continuing its support of pursuing “peace on the cheap” would also be likely to generate dire humanitarian consequences. Mass atrocity crimes were far more likely to increase, not decrease, unless a policy change were found. It is important to recall that in the case of Rwanda, US policy makers publicly were convinced that downsizing UNAMIR I at what turned out to be the height of the genocide was the “right” thing to do because it would remove peacekeepers from harm’s way. Some six years later, the Clinton administration and the Security Council had reversed themselves on this issue—but not necessarily because policy makers had deeply internalized human rights and humanitarian norms. A consensus emerged that peace on the cheap would not only put UN peacekeepers, civilians, and the Sierra Leone government at greater risk, but that it had the potential to threaten vitally the very doctrine of peacekeeping. Therefore, downsizing UNAMSIL would be completely inappropriate at such a critical time. Augmenting the force with a sufficient number of troops who were highly trained

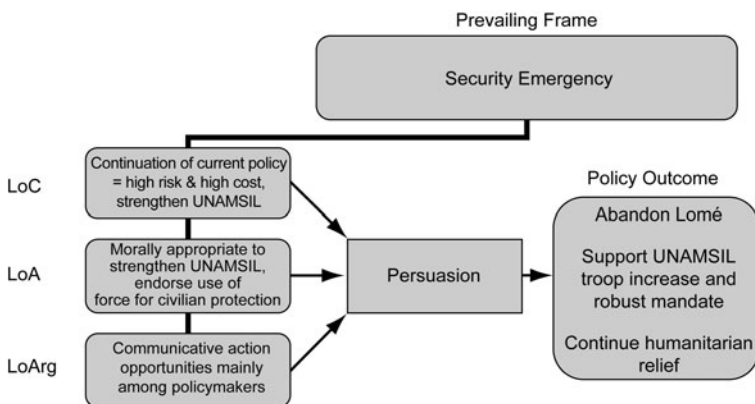


Figure 5.3 Strategic framing and persuasion, May–August 2000

and well equipped was the “right” thing to do to counter RUF attacks and implement its mandate. Doing nothing or withdrawing the mission would almost certainly result in further human rights atrocities, but it would also cause irreparable damage to an institution upon which the United States had increasingly come to rely as a key component of its foreign policy. Within the Security Council, member states alluded to the legacy of Rwanda to make a case for staying the course in Sierra Leone, and invoked a human rights and humanitarian imperative to get the policy right.¹⁰⁰

In terms of the logic of argumentation, policy makers in Washington, DC, and New York were open to being persuaded by arguments prompting reconsideration of the prevailing frame. Communicative action during the period was high, relative to earlier periods in the civil war. The search for a policy alternative in Sierra Leone consisted of multiple paths being pursued by different parts of the Clinton administration, the UK government, the UN, and the Security Council. The role of humanitarian actors as norm entrepreneurs or initiators during the debate was minimal, yet human rights and humanitarian norms still formed part of the dialogue over what the most materially feasible and normatively appropriate policy should be in response to the Sierra Leone crisis.

Conclusion

The contributions humanitarian actors made to the strategic framing process in Sierra Leone followed a different path than past efforts in Somalia and Rwanda. Moreover, the manner in which human rights and humanitarian norms featured in and impacted the US and UN policy debates also differed from those crises. In Sierra Leone, the humanitarian community deliberately delimited their participation in the policy-making processes taking place in Washington, DC, and New York.

Much like the role human rights and humanitarian norms played in the case of Somalia, where it was possible to invoke them to help justify both the strengthening of UNAMSIL’s mandate and Operation Palliser, so much the better in terms of public relations and legitimacy. However, the norms that mobilized political will in the Sierra Leone case were those associated with security and self-defense. The possibility of intervention sprung forth as a result of rapidly changing security conditions on the ground and after consultations between key members of the Security Council and the Secretary-General, the United Kingdom affirmed its decision to intervene militarily. Where human rights and humanitarian norms helped shape policy-maker understandings of the crisis as a “human rights emergency,” they may also have helped

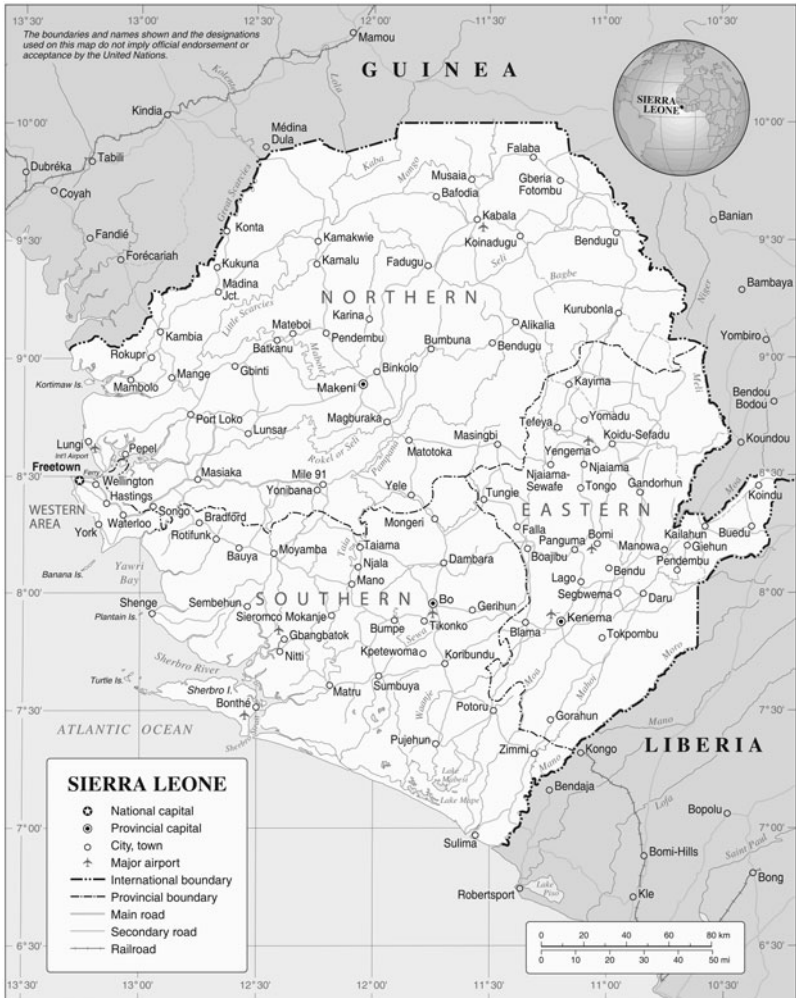
motivate the expansion of the UK intervention mandate within days of the initial troop deployment to allow for the use of force to rout the rebel groups that had been perpetrating most of the mass atrocity crimes, and protect the delivery of humanitarian assistance and humanitarian staff. As was the case of Somalia, however, protecting the civilian population's human rights in Sierra Leone was secondary to other protection priorities and interests.

This case also reflects how important it is for humanitarian actors to understand the preferences underlying and associated with human rights and humanitarian norms and their strategic framing efforts. International humanitarian NGOs in this case did not attempt to generate strategic challenger frames they could not justify or legitimate on human rights, humanitarian, or other normative grounds. When the humanitarian situation did not warrant a frame challenge, humanitarian actors stayed on the policy-making sidelines. When key moments in the conflict cycle could have necessitated (or did necessitate) a frame challenge, many of these organizations made deliberate choices about where best to allocate resources and how best to uphold their various operational commitments elsewhere. These calculations (strategic in the sense of organizational behavior) rendered framing through use of human rights and humanitarian norms largely a moot issue.

Perhaps most importantly, the Sierra Leone crisis illustrates that when human rights and humanitarian norms are integrated into a strategic frame that addresses a mass atrocity crisis, the validity claims that are generated do not necessarily channel policy makers toward one particular policy response over another. These norms may, instead, merely reinforce the status quo, as has been demonstrated by the "civil war/human rights emergency" frame. Human rights and humanitarian norms can, however, help modify policy maker understandings of the underlying causes of mass atrocity cases and may even generate high levels of affect and resonance. However, such effects always occur in tandem with many other factors, including what the global humanitarian crisis landscape looks like at any given moment.

At no time during the policy debates in Washington, DC, and New York over Sierra Leone did human rights and humanitarian norms directly mobilize political will to support humanitarian intervention. Where use of force in this case was rationalized, it was through reference to norms associated with conventional or realist perceptions of "security"—not liberal, internationalist visions of human rights. The expansion of UNAMSIL's mandate to include use of force directly reflects this. Until it was given the ability to proactively counter RUF threats, UNAMSIL was at high risk of defeat. The effect of human

rights and humanitarian norms on this policy outcome was more indirect. UNAMSIL had a strong mandate to protect civilians. The mission was not, however, deployed with troops that could realize this part of the mandate and, as the violence against UNAMSIL escalated, so too were the atrocities being perpetrated against civilians. Shoring up the mission was appropriate, given the surge in mass atrocities, but it was also feasible, given the right kind of troops.



Map 5.1 Sierra Leone, Map No. 3902 Rev. 5, January 2004
 Source: (United Nations, Department of Field Support, Cartographic Section)

6 Strategic framing, norms, and civilian protection

Can R2P succeed where humanitarian intervention has failed?

- Strategic framing effectiveness
- Human rights and humanitarian norms, strategic framing, and resonance
- Human rights and humanitarian norms, intervention, and lessons for R2P
- Conclusion

[W]e very much hope that the prevention side [of R2P] will be successful enough that we don't have to rely on the other side so much—the response side.¹

In 2011 the Security Council authorized the North Atlantic Treaty Organization (NATO) to use all necessary measures to enforce a no-fly zone over Libya, in order to protect civilians and civilian populated areas.² It was the first time since the 1999 NATO-led intervention in Kosovo that the international community of states had agreed to use force against another state without its consent, and the first time responsibility to protect (R2P) rhetoric served as an explicit justification for military intervention to protect civilians since the International Commission on Intervention and State Sovereignty (ICISS) institutionalized the concept in 2001.

So what explains humanitarian intervention in Libya? Certainly the political debate drew heavily on human rights and humanitarian norms, and the nature of atrocities being perpetrated by Libya against its own people. US policy makers argued Qadhafi had “forfeited his responsibility to protect his own citizens and created a serious need for immediate humanitarian assistance and protection.”³ President Barack Obama cautioned that inaction courted “the prospect of violence on a horrific scale,” and that, left unchecked, the impending massacre at Benghazi “would

have reverberated across the region and stained the conscience of the world.”⁴ Indeed, Qadhafi’s vitriolic rhetoric was highly reminiscent of Rwandan hate radio broadcasts in 1994, possibly signaling to policy makers that if they failed to take decisive and immediate action, a bloodbath would ensue.⁵

Yet despite the appeals to human rights and humanitarian norms in the Libya case, the truth remains that these norms are still generally honored more in their breach. There is some truth after all to the argument that the “sunset” of humanitarian intervention has drawn nigh, and that the political will to act decisively and robustly to protect civilians from mass atrocities has “evaporated at the outset of the new millennium.”⁶ Moreover, resolution 1973 should in no way be understood as reflecting the deep internalization of civilian protection norms. Council members were riven on the Libya case.⁷ Ultimately, intervention was made palatable to veto-wielding China and Russia by securing support from the League of Arab States (LAS) and the Organization of the Islamic Conference (OIC). Even with these accommodations, however, five nations abstained: Brazil, China, Germany, India, and Russia.

What the Libya case points up is that skeptics who claim that aspirational norms only influence policy when vital national interest operates, may have a point. Arguing that states always act in their self-interest, including in cases of humanitarian intervention, however, tells us little about how the scope and range of those interests evolve over time. Such arguments obscure whether the national (and by extension, global) interest takes human rights and humanitarian norms into account when considering whether to support the often costly and risky, but possibly morally necessary, business of humanitarian intervention.

This book analyzes the effects of human rights and humanitarian norms, and strategic framing on policy making in mass atrocity cases. Questions guiding the study included: Under what conditions do human rights and humanitarian norms resonate with policy makers in mass atrocity cases? What motivates policy makers to invoke human rights and humanitarian norms in justifying their support for policies aimed at preventing and halting mass atrocity crimes, including the use of military force?

The findings generated by the three case studies—Somalia, Rwanda, and Sierra Leone—suggest that human rights and humanitarian norms on their own are necessary but not sufficient to help build the requisite political will to respond robustly and effectively in halting or ending mass atrocity crimes. Moreover, I find slight evidence to suggest that invoking human rights and humanitarian norms raises the likelihood of humanitarian intervention. In the two cases where use of force

resulted—Somalia and Sierra Leone—the impact of human rights and humanitarian norms was secondary to other norms more closely associated with security and self-defense. Moreover, the Rwanda case demonstrates convincingly that when these norms are embedded within strategic frames like “genocide,” they may generate validity claims among policy makers that point toward inaction or status quo policy preferences, rather than helping marshal support for stronger action.

Perhaps most importantly, however, it is clear that the use of human rights and humanitarian norms in policy-making debates has become both more highly specified and more common since the 1990s. During the Somalia and Rwanda policy debates, human rights and humanitarian norms resonated with policy makers who were focused on both the need for and measures to either help peacekeepers protect themselves from mass atrocity crimes or to ensure the security and effectiveness of humanitarian relief operations and staff—but not specifically to protect civilians. In the case of Sierra Leone, however, we see for the first time a peacekeeping mission mandate being given express responsibilities to protect civilians and a robust policy debate concerning civilian protection.

Because of their role as norm entrepreneurs, the work of international humanitarian nongovernmental organizations (NGOs) is highlighted, alongside analysis of other actors whose efforts involved elevating human rights and humanitarian norms within strategic frames and policy debates. The strategic frames these actors developed and carried forward into debates occurring both in Washington, DC, and New York were important mechanisms through which aspirational norms entered into the contested domain of policy making. When a frame was presented that resonated strongly with the three decision-making logics, persuasion and policy change were more likely to occur. By studying whether and how policy maker preferences regarding the use of force for civilian protection purposes were shaped by strategic frames where human rights and humanitarian norms were embedded, we are better able to gauge how political will is (or is not) mobilized to prevent and halt mass atrocity crimes.

The role of ideas, including those communicated by human rights and humanitarian norms through strategic framing, is central to any explanation of policy decisions concerning mass atrocity cases, including the use of force. Granted, it is always possible that politicians will employ public rhetoric laden with values and ideas about humanity and human rights to mask the pursuit of strategic interests. This may well turn out to be the case in Libya, as claims have emerged that the intervention was simply a pretext for regime change to serve the interests of great powers, not a noble gesture to protect civilians.⁸ However,

nothing akin to “pure will” exists in political life.⁹ Therefore, the publicly articulated rationale for humanitarian intervention cannot be made to depend on the moral purity of policy makers. It also holds then, that policy maker decisions to support or oppose humanitarian intervention can never be attributed to material interests or ideational interests in isolation from one another. Mixed motives undergird policy decisions in virtually all issue areas, including R2P and humanitarian intervention.

Strategic framing effectiveness

Table 6.1 illustrates the range of factors that shape strategic frames and affect the logics of decision making among policy makers. There are at least three corollary factors that help determine when and how strategic framing will be effective in establishing validity claims based on human rights and humanitarian norms with policy makers: the ability to capitalize on information asymmetries; exploiting communicative action opportunities with policy makers; and strong levels of coordination. These conditions are each discussed below.

Table 6.1 Strategic framing factors affecting logics of decision making

	<i>Logic of consequences</i>	<i>Logic of appropriateness</i>	<i>Logic of argumentation</i>
Prior-held belief(s) is/are absent or weak			X
Current policy is failing and/or posing high risks/costs	X		X
New information fits logically with prior-held information	X	X	
New information has strong intrinsic value or is normatively or materially salient/appealing	X	X	X
Liking and trust by policy maker of actor(s) presenting new information or views	X	X	X
Frequency of interactions between policy actors			X
Empathy levels are enhanced by exposure to new information and/or proposed solutions		X	X
Broader political environment is conducive to exploration of new frames and solutions to a problem	X	X	X

Information asymmetries

Where humanitarian actors were able to leverage information asymmetries in their favor, human rights and humanitarian norms were readily integrated into strategic frames like “human rights emergency” and “genocide.” In the case of Somalia, for example, international humanitarian NGOs were perceived as (and actually were) primary sources of information. Policy makers in Washington, DC, and New York, and the international media relied almost exclusively upon them for information about the nature of the food emergency, the atrocities, the warlords, and the security situation. Humanitarian actors had the potential to play that same role in Rwanda, but were unable to marshal convincing, corroborated information and evidence to policy makers about the changing conditions on the ground. This significantly decreased the likelihood that the human rights and humanitarian norms embedded within their strategic frames would resonate strongly with policy makers. In the case of Sierra Leone, humanitarian actors were not perceived by policy makers as critical conduits of information and this provides a partial explanation for why human rights and humanitarian norms were not as effectively communicated through strategic framing in that case.

Credible information that taps human rights and humanitarian norms increases the likelihood that policy makers will be willing to engage in communicative action opportunities. This, in turn, increases the likelihood that policy-maker preferences can be reshaped through persuasion. Human rights and humanitarian norms that constitute mass atrocity crimes derive from longstanding provisions found within international human rights and humanitarian legal instruments and frameworks. These norms are largely proscriptive—violation of them contributes to the erosion of international peace and security, and denigrates the fabric of humanity. They apply not only to crimes of genocide, but also war crimes, ethnic cleansing, and crimes against humanity. These norms were found to be most prevalent in the “human rights emergency” and “genocide” frames.

When effective, these norms should generate strong validity claims, which can assist policy makers in identifying appropriate and feasible policy options, typically involving support for, or expansion of, humanitarian relief operations; securing humanitarian operations using military force; and in some cases, using intervention to protect the victims of crimes that violate these norms. To a lesser degree, human rights and humanitarian norms formed part of the strategic frame of “food emergency”—but mainly as they related to perceptions of human suffering being caused by the inability of vulnerable populations to access life-saving relief and

assistance. Famine, one outcome of a “food emergency,” can occur naturally through recurrent drought or some other major environmental disaster. It can also occur through the withholding of food as a weapon of war. In the Somalia case, for example, human rights and humanitarian norms generated cues suggesting that the unfolding food emergency was being caused both by man-made as well as natural acts.

Communicative action opportunities

Effectively communicating human rights and humanitarian norms to policy makers through strategic framing was also dependent in all three cases on the kinds of communicative action opportunities humanitarian actors were able to identify and exploit vis-à-vis policy makers in Washington, DC, and New York. Policy makers must be open to being persuaded by the validity claims strategic frames generate. These claims, in turn, may reshape and alter their normative and material certainties about a particular crisis. Across the institutions that comprise any government administration or intergovernmental organization, however, the range and frequency of communicative action opportunities varies widely.

For example, international humanitarian NGOs cultivated an impressive record of accessing and engaging in communicative action with policy makers from the legislative and executive branches of the US government.¹⁰ They also established liaison relationships with key United Nations (UN) secretariat actors, Security Council members, and the broader diplomatic community. Therefore, the more communicative action opportunities humanitarian actors are able to establish with policy makers, the better for advancing human rights and humanitarian norms. This was especially true in the cases of Somalia and Rwanda, where US military planners were exceedingly reluctant to commit US troops. In these cases, human rights and humanitarian norms were trumped by other norms related to traditional security concerns.

When combined with compelling evidence about events unfolding on the ground, fully leveraged communicative action opportunities can enhance a strategic frame’s resonance under the logics of consequences and appropriateness. For example, international humanitarian NGOs provided key information that persuaded policy makers that the humanitarian airlift in Somalia, Operation Provide Relief (OPR), was failing. This opened up political space for the frame challenge of “security emergency” to resonate more strongly with policy makers than the status quo policy. Continuing the airlift was no longer a legitimate or cost-beneficial policy—alternatives were needed and identified. In the case

of Rwanda, the initial weeks of the genocide offered humanitarian actors their best opportunity to capitalize upon the information asymmetry they held and to take advantage of the fact that US and UN policy makers were open to being persuaded regarding potential courses of action in a country about which they knew precious little. Yet these organizations failed to do this and as a result their ability to advance a frame challenge that would resonate strongly under the three logics of decision making was insufficient at a critical moment in the crisis.

Coordination

Coordination of strategic frames is essential to make meaningful contributions in policy-making environments. In each of the cases, policy makers responded to consolidated framing efforts more positively than to unconsolidated or uncoordinated ones. Yet even in the absence of consolidated and effective frame challenges, policy changes (including a mixed form of humanitarian intervention) did still occur. In Rwanda, the *expressed willingness* of international humanitarian NGOs to advocate in support of humanitarian intervention was perhaps the strongest it had ever been among these organizations. Yet the *actual levels* of cooperation and coordination to develop a strategic frame to challenge successfully the prevailing perception of Rwanda as a case of ancient ethnic hatred/civil war were weak. Along these same lines, the case of Sierra Leone raises the possibility that humanitarian actors may sometimes refrain deliberately from strategic framing. When this happens, coordination and cooperation levels will, by definition, be low. That says a lot about the seriousness these organizations place on their role as participants in the policy-making process, both as potential influence brokers and norm entrepreneurs. This case also sheds light on the importance of an organization's own understanding of the preferences underlying its framing strategies. When humanitarian organizations choose to commit the resources necessary to undertake a strategic framing campaign with policy makers, they tend to do so only after considerable reflection, reaching a decision that the crisis warrants such an effort, and only when the decision will not adversely impact corollary operations in other crises.

Human rights and humanitarian norms, strategic framing, and resonance

The likelihood that the human rights and humanitarian norms embedded within strategic frames will resonate strongly with policy makers is increased when the following conditions obtain:

- providing credible and compelling evidence of mass atrocity crimes;
- making direct linkages between perpetrators and victims in mass atrocity cases;
- explicitly linking prevailing norms with other “universal” values concerning human rights and human dignity; and
- making the case (or its opposite) that because force is being used inappropriately by a sovereign authority (e.g. torture, rape, forced displacement, massive human rights abuses, genocide), responsible use of force should be used to restore peace and stability, as well as protect the rights of civilians.

Each is discussed below as they relate to the case studies. They also form a key component of the descriptive typology of mass atrocity frame effects, which is depicted in Table 6.2.

Providing credible and compelling evidence of mass atrocity crimes

Transgressions of human rights and humanitarian norms may be self-evident in certain cases, but objective, compelling evidence is necessary for these norms to become salient with policy makers. Therefore, in addition to considering which, among a range of framing strategies, is most appropriate and possible in a particular mass atrocity case, humanitarian actors and others reflect carefully and critically about the information and evidence they gather and the assessments they produce, all of which inform the normative content of the frames they utilize. It is not enough to decide simply to challenge a prevailing frame and employ a variety of communicative action strategies to attempt to persuade policy makers to alter their policy preferences in mass atrocity cases. Different frame challenges send different cognitive cues and validity claims to policy makers and must be backed up by credible and compelling evidence.

In the case of Somalia, international humanitarian NGOs were able to use evidence of mass atrocity crimes (specifically, war crimes and crimes against humanity) to counter the prevailing frame of “ancient ethnic hatred/civil war” with the frame “food emergency.” The norms associated with the prevailing frame send material and ideational cues to policy makers that strongly suggest maintenance of the status quo policy or inaction. Despite the fact that war crimes and crimes against humanity are often perpetrated during civil wars, the “ancient ethnic hatred” frame glosses over important distinctions related to whether civilian protection is warranted, including ambiguity regarding the systematic nature of such violence. In Somalia, a frame challenge was enhanced when humanitarian actors communicated clear and corroborated

Table 6.2a Human rights and humanitarian norms, and “frame effects” in mass atrocity cases: Somalia

<i>Time period</i>	<i>January 1991–June 1992</i>	<i>July–August 1992</i>	<i>September–mid-November 1992</i>	<i>late-November–December 1992</i>
<i>Prevailing frame or frame challenge</i>	<i>Ancient ethnic hatred/civil war</i>	<i>Food emergency</i>	<i>Security emergency</i>	<i>Security emergency</i>
<i>Strategic framing effectiveness factors</i>				
Capitalizing on information asymmetry	Emerging; low effectiveness	High; effective	High; effective	High; effective
Level of cooperation and coordination	Low but emerging	High	High	High
Communicative action opportunities	Limited; attempts to utilize made	Opening; becoming increasingly utilized	Open; fully utilized	Open; fully utilized
<i>Human rights and humanitarian norm resonance conditions</i>				
Providing credible and compelling evidence of mass atrocity crimes	Effective	Effective	Highly effective	Highly effective
Linking perpetrators and victims	Strong	Strong	Strong	Strong
Linking universal values concerning human dignity with other prevailing norms (e.g. security)	Weak	Weak	Strong	Strong
Making the case for “responsible” use of force to protect	Weak/absent	Weak	Strong	Strong
<i>Policy outcomes</i>	Maintain humanitarian relief levels; encourage UN efforts; support UNOSOM I	Drastically accelerated and expanded relief strategy; support Operation Provide Relief (airlift); augment UNOSOM I troop ceiling and deploy outside Mogadishu	Reassess policy at highest levels, including consideration of use of force	Humanitarian intervention; UNITAF/Operation Restore Hope

Table 6.2b Human rights and humanitarian norms, and “frame effects” in mass atrocity cases: Rwanda

<i>Time period</i>	<i>4–21 April 1994</i>	<i>22 April–17 May 1994</i>	<i>18 May–18 July 1994</i>
<i>Prevailing frame or frame challenge</i>	<i>Ancient ethnic hatred/civil war</i>	<i>Civil war/human rights emergency</i>	<i>Genocide</i>
<i>Strategic framing effectiveness factors</i>			
Capitalizing on information asymmetry	Potentially high; ineffective	Potentially high; becoming more effective	Potentially high; low effectiveness
Level of cooperation and coordination	Low	Moderate	High
Communicative action opportunities	Open; not utilized effectively	Limited; attempts to utilize only partially effective	Closed; attempts to utilize very high but unsuccessful
<i>Human rights and humanitarian norm resonance conditions</i>			
Providing credible and compelling evidence of mass atrocity crimes	Ineffective	Highly effective	Highly effective
Linking perpetrators and victims	Weak	Strengthening	Strong
Linking universal values concerning human dignity with other prevailing norms (e.g. security)	Weak	Strong	Strong
Making the case for “responsible” use of force to protect	Weak	Moderate	Weak
<i>Policy outcomes</i>	Dramatically reduce UNAMIR; maintain humanitarian relief levels	Expand UNAMIR mandate to protect civilians and humanitarian aid operations; adhere to PDD-25; maintain humanitarian relief levels	Support UNAMIR II; adhere to PDD-25; support Opération Turquoise; expand humanitarian relief levels

Table 6.2c Human rights and humanitarian norms, and “frame effects” in mass atrocity cases: Sierra Leone

<i>Time period</i>	January–July 1999	August 1999–April 2000	May–August 2000
<i>Prevailing frame or frame challenge</i>	<i>Civil war/human rights emergency</i>	<i>Civil war/human rights emergency</i>	<i>Security emergency</i>
	<i>Strategic framing effectiveness factors</i>		
Capitalizing on information asymmetry	Low; not exercised	Low; not exercised	Low; not exercised
Level of cooperation and coordination	Low	Low	Low
Communicative action opportunities	Limited; underutilized	Limited; underutilized	Limited; underutilized
	<i>Human rights and humanitarian norm resonance conditions</i>		
Providing credible and compelling evidence of mass atrocity crimes	Information provided congruent with other sources	Information provided congruent with other sources	Information provided congruent with other sources
Linking perpetrators and victims	Moderate	Moderate	Moderate
Linking universal values concerning human dignity with other prevailing norms (e.g. security)	Absent	Absent	Absent
Making the case for “responsible” use of force to protect	Weak	Weak	Weak
<i>Policy outcomes</i>	Support Lomé peace agreement UNAMSIL, and ECOMOG; maintain humanitarian relief levels	Support Lomé peace agreement UNAMSIL, and ECOMOG forces; maintain humanitarian relief levels	Abandon Lomé peace agreement; support Operation Palliser; strengthen UNAMSIL; maintain humanitarian relief levels

evidence that mass atrocity crimes were being perpetrated against civilians (as well as humanitarian and UN staff) by the warring parties and that the government had ceased functioning.

In contrast, dozens of humanitarian actors attempted to provide evidence that drew upon arguably the highest echelon of human rights and humanitarian norms to forge a challenger frame in the case of Rwanda: genocide. However, lack of coordination and inability to access vulnerable populations inside the country, especially in the first month of the genocide, dampened its effect. The reliability of the evidence used to generate the challenger frame varied widely and many claims were uncorroborated.

It was only toward the end of the crisis, when the largest refugee flow in recorded history occurred and first-hand accounts of the genocide from survivors reached policy makers that the challenger frame of genocide resonated more fully within policy forums in Washington, DC, and New York. Eventually, a preponderance of the evidence humanitarian actors used in their framing in the Rwanda case converged to convey clearly that genocide was, indeed, occurring. The evidence, however, pointed to atrocity crimes so sheer in scope, range, and intensity that it may have paralyzed policy makers from responding decisively. This reduced dramatically the likelihood that policy makers would be convinced to consider alternatives to the status quo. Thus, Rwanda is a critical case from the perspective of what constitutes effective strategic framing and how political will is marshaled. The collective lack of will among policy makers to support robust reaction in Rwanda illustrates that even a frame formed around what may be the most weighty of human rights and humanitarian norms, “genocide,” may be insufficient to generate a particular policy outcome like humanitarian intervention.

Linking perpetrators and victims

Both Somalia and Sierra Leone shared a similar prevailing frame—“civil war.” In Somalia it was paired with the frame of “ancient ethnic hatred” while in Sierra Leone it was paired with the frame “human rights emergency.” Yet the frame “civil war” can obscure important links between perpetrators and victims, because violence and suffering are simply perceived as by-products of all conflict. This is especially true if a “civil war” frame is paired with the frame of “ancient ethnic hatred,” which further suggests that violence is being perpetrated by many against many. If the nature of violence in a particular case can be further discerned and the motivations of one or more groups perpetrating the violence can be reliably determined, it may become possible to establish direct links between perpetrators and victims where mass atrocity crimes are

unfolding. This was the case in Somalia, when the “civil war” frame was replaced by a “food emergency” and “security emergency” frame. When combined with media and international humanitarian NGO portrayals of starving civilians suffering directly at the hands of warlords and rogue militiamen, it made it easier to recognize that mass atrocity crimes with identifiable perpetrators (not just civil war-related violence) were occurring. This was also the case when humanitarian relief operations were under direct threat from Somali militias and warlords.

In Sierra Leone, pairing the “civil war” frame with “human rights emergency” made the distinction between perpetrator and victim appear to be straightforward. By all outward signs, the war crimes and crimes against humanity that characterized this case were committed by the Revolutionary United Front/Armed Forces Revolutionary Council (RUF/AFRC) against the civilian population, but this reflected only a partial truth. The rebels certainly perpetrated the majority of crimes and their conscience-shocking and systematic nature (especially amputation and rape) more than qualified them as war crimes and crimes against humanity. However, all sides in the war committed mass atrocity crimes. Thus, even when a strategic frame effectively communicates the transgression of certain human rights and humanitarian norms, the reality on the ground may well be different to what is conveyed by actors who are framing it to policy makers.

Linking prevailing norms with other universal values concerning human dignity

Strategic framing is more likely to be effective when it involves norms that align closely with other powerful and prevailing norms. This process does not always occur organically, however. In their role as norm entrepreneurs, humanitarian actors are instrumental in expanding the political space in which policy makers weigh norms associated with traditional perceptions of the national interest alongside norms related to human rights and human dignity. This is a fairly recent phenomenon. According to a former State Department official serving in both the Reagan and Bush Sr. administrations, the historical relationship between international humanitarian NGOs, human rights organizations, and the US government was a rocky one.¹¹ Over the course of the first Bush administration, however, this began to change. Concern for human rights and humanitarian issues emerged in the post-Cold War era as legitimate foreign policy concerns which in part helped shape the national interest. These understandings continue to evolve in the current administration and post-9/11 foreign policy era.

In the case of Somalia the frame challenge of “security emergency” featured norms that were congruent with others associated with human rights and human dignity. These included the right of suffering civilians to emergency food aid, medical assistance, and shelter. Policy makers became morally outraged that food was being used as a weapon by Somali warlords and militias, and that relief workers were being deliberately targeted, harassed, and in some cases, killed. Continuing the status quo policy left policy makers vulnerable to criticism that they were doing more harm than good, that the very individuals the policy was designed to help were, as a result, suffering more, not less. Thus, the “security emergency” frame opened up political space to develop policy alternatives that were both materially feasible (logic of consequences) and normatively desirable (logic of appropriateness).

In the case of Rwanda, the opposite was true. Policy makers perceived the crisis as a renewed civil war fueled by ancient ethnic hatred. It is difficult to link the norms that constitute this frame with those associated with universal values associated with human dignity. In fact, crises that are understood as “ancient ethnic hatred” convey the perception to policy makers that they are irresolvable. Often the by-product of historical ignorance, this frame signals that external intervention is risky and costly, and may even prove harmful. It prompts policy makers to favor the status quo and/or inaction.

Making the case for “responsible” use of force to protect

Because intervention is one among many possible options available to policy makers in responding to mass atrocity crises, its effective use may eventually help clarify the distinction between “irresponsible” [illegitimate] and “responsible” [legitimate] use of force. However, the case analyses here suggest that human rights and humanitarian norms do not generate validity claims that make use of force more appealing or more likely.

In Somalia policy makers agreed that US military force could and should be used, mainly to protect a humanitarian relief operation—but not necessarily to protect civilians by halting mass atrocity crimes. This was what “responsible” use of force comprised. Two years later, when faced with a humanitarian catastrophe and genocide in Rwanda, policy makers all but abandoned unilateralism as a “responsible” policy option. Instead, they turned to regional and multilateral solutions, including the French-led *Opération Turquoise* and a reinvigorated UN Assistance Mission for Rwanda (UNAMIR). During the Sierra Leone crisis, the United States opposed the idea that its troops could or should

participate in missions that were not designed to defend or protect vital national interests. Yet it fully supported the “responsible” use of force by the United Kingdom and by a rejuvenated UN Mission in Sierra Leone (UNAMSIL). Prior to the UK-led operation, it advocated strongly for a robust return of Nigerian troops to Sierra Leone.

Human rights and humanitarian norms, intervention, and lessons for R2P

By examining closely the impact of human rights and humanitarian norms on policy debates during the Somalia, Rwanda, and Sierra Leone crises, we can draw a number of insights regarding the implementation challenges facing R2P as it charts the rocky path from emerging norm to policy doctrine. Each is discussed below.

R2P will not make intervention more likely

The impact of human rights and humanitarian norms on robust policy outcomes in mass atrocity cases is limited and contingent. Claims made by R2P opponents that the emerging doctrine poses a high risk to weak states by ushering in a new era of interventionism are hardly borne out by a retrospective analysis. R2P skeptics have little to fear from what are largely unexamined assertions that the United States, the Security Council, or other powers would become more interventionist as a result of a more deeply institutionalized R2P. In fact, the opposite is far more likely to be true. That said, policy makers have become more amenable to the idea that “responsible” use of force is worth taking in mass atrocity cases where non-forcible policy measures are ineffective at stemming rising tides of violence and suffering. This would be an important conceptual and political victory for R2P. However and while human rights and humanitarian norms have contributed to this evolution, the United States and others are likely to remain as highly reticent to committing their own militaries to such endeavors as they have been in the pre-R2P era.

While R2P is new, its undergirding norms are not

Policy makers and others draw on the same human rights and humanitarian norms in debating policy responses to mass atrocity crises regardless of whether those cases pre-date the norm or not. The way these norms are embedded within strategic frames is likely to be different between the pre- and post-R2P eras, but this does not mean that policy

making will become more effective as a result of states having endorsed R2P itself. For instance, during the 2010 UN General Assembly debate on R2P, panelist B.G. Ramcharan and select member states drew on the same set of human rights and humanitarian norms to describe cases that pre-dated R2P and correlated them to claims regarding mass atrocity cases in 2010.¹² The value-added of assigning the R2P label to these norms remains ambiguous, whereas the real test of its utility as a policy instrument will be whether and when these norms will be acted upon to protect civilians and, if so, through what kinds of policies. States have never needed the codification of R2P to accept that certain atrocities call for international action, including possibly use of force. If R2P is really just a new way of stating an idealized resolve on the part of the international community, we still need to know under what conditions it is likely to generate political will to respond effectively to mass atrocities.

Relatedly, the standing impediments to crafting effective policy responses to mass atrocities, as provided for in R2P, are virtually identical to those that existed before the World Summit. They have little to do with whether sovereignty or human rights norms should win out in civilian protection debates. Sovereignty has never been the predominant obstacle to saving strangers (whether through forcible or non-forcible measures)—political will has. Paragraph 138 of the World Summit Outcome simply codifies accepted past practice under international law that host states are the primary duty-bearers in protecting their populations from mass atrocities, and that those duties can and should be predicated on human rights and humanitarian norms.

Prevention as political panacea?

Because the “reaction” pillar of R2P has become such a third rail issue, the Secretariat and many R2P supporters have thrown their collective diplomatic and academic weight behind advancing Pillars 1 and 2 of the Secretary-General’s proposed implementation report: the protection responsibilities of the state, and international assistance and capacity-building. Certainly few would doubt that the emphasis on prevention is needed. The UN’s own institutional capacities in this area could stand to be improved and it is sensible to consider enhancing existing mechanisms rather than creating new ones. However, it would be more honest to admit that the overemphasis on prevention is a political expedient, not a political necessity. R2P’s near exclusive focus on prevention and capacity-building may well obscure rather than bring into clearer focus human rights and humanitarian norms. Capacity building (and its first cousin, international development), in particular, embraces norms that,

while linked, are far wider in scope and nature than human rights and humanitarian norms associated with mass atrocity crimes.

Taking a prevention focus also involves making three highly problematic assumptions that all impact on the role human rights and humanitarian norms may play in policy debates. First, it assumes that R2P crimes are eradicable, when, in fact, they are not. Human rights and humanitarian norms help define the relationships between states and their populations, in times of war and peace. If mass atrocity crimes are to be vanquished through prevention, then these frameworks would no longer be needed and, indeed, R2P itself would cease to exist. This is simply an inconceivable scenario. Second, a prevention and capacity-building focus effectively removes mass atrocity crimes from their proper political context and assumes they can be dealt with by addressing failures of economic development and human security broadly defined. Relatedly, it assumes that prevention through capacity building and assistance is neither political nor intrusive, and that applying an R2P label to capacity-building activities would somehow add value to what states and the UN have already been doing for decades through official development assistance and peacebuilding. Third, a (structural) prevention focus also assumes that prevention and reaction are mutually exclusive. As the Carnegie Commission on Preventing Deadly Conflict has demonstrated, they are not. The prevention framework encompasses both structural prevention (which includes peacebuilding and development), and operational prevention (which includes the use of force).

Reestablishing R2P's links with use of force may strengthen, rather than weaken, the concept

The proposed implementation strategy for R2P will not end mass atrocity crimes. While some view the use of force dimensions of R2P to be its Achilles heel, it does not serve the doctrine (or the protection needs of civilians on the ground) well to avoid careful examination of R2P's relationship to the use of force. The 2011 Libya intervention notwithstanding, military intervention for civilian protection purposes remains the red-headed stepchild of R2P.

There are vital “why” and “how” questions that need to be both asked and analyzed further (and answered) concerning the use of force under R2P. This requires discussions that by definition will be historically linked to both contemporary and classical understandings of humanitarian intervention, as well as how the human rights and humanitarian norms embedded within strategic framing of mass atrocities affects policy making on the use of force. By asking such questions, we speak directly

to the concept of political will. Unless states grapple effectively with the idea that there may be value (ideational, material, or both) in using force militarily for civilian protection purposes, R2P will remain an incomplete framework for ending mass atrocities. Thus, the current R2P implementation debate will be well-served by revisiting the still highly relevant discussions concerning humanitarian intervention begun by ICISS in 2000. To be clear, states should never rush to embrace humanitarian intervention, but neither should they be given to believe that civilians can really be protected by a framework that avoids it. The present implementation strategy provides a convenient excuse for policy makers to avoid engaging in that debate.

Conclusion

Among ICISS's goals were to reframe and refocus the "power of new ideas, or old ideas newly expressed, to *actually change the behavior of key policy actors.*"¹³ The result was R2P, which established a continuum of policy options available to the international community of states to prevent, react, and rebuild in cases where host nations were unable or unwilling to fulfill their primary responsibility to protect their populations from mass atrocities.

R2P has recast the debate over humanitarian intervention and response to mass atrocity crimes in a number of important ways. It asserts the primacy of individuals as rights-bearing entities and qualifies the sovereign prerogative concerning domestic jurisdiction. It links together rights *and* responsibilities within the international normative discourse of human rights and humanitarianism. Indeed, the reframing of sovereignty and non-intervention through R2P has generated new political space to defend protecting civilians against gross violations of human rights and humanitarian norms as a collective, international goal.

While not all cases of human rights violations constitute mass atrocity or R2P cases,¹⁴ the mass atrocities to which R2P does apply (genocide, war crimes, ethnic cleansing, and crimes against humanity) all involve the violation of specific human rights and humanitarian norms that are well established in international covenants and legal frameworks. This does not mean, however, that the human rights and humanitarian norms that characterized the pre-R2P era have suddenly become transformed with the advent of R2P. Rather, it has reallocated legitimate responsibility and action beyond the host state, and reaffirms previously understood standards of appropriate behavior with regard to ensuring and upholding human rights and humanitarian norms in mass atrocity cases.

Absent analyses based on appropriate methodological frameworks that allow us to explore whether and how human rights and humanitarian norms resonate with policy makers as they formulate responses to mass atrocity cases, the water's edge of the R2P and humanitarian intervention debates will continue to be bounded by shallow understandings of political will. Yet the obvious yet largely unanswered question regarding R2P was posed by former UN High Commissioner for Refugees Sadako Ogata: "What does all this language actually mean for suffering people on the ground?"¹⁵ Indeed, R2P will do little to change the nature of civilian protection where the political will to take effective and decisive action in mass atrocity cases is not sufficiently established. The conclusions I draw from the case studies in this volume offer new perspectives on policy making in mass atrocity cases and may add greater nuance to arguments attempting to explain variation in R2P's application across cases like Côte d'Ivoire, Darfur, Kenya, Libya, Sri Lanka, Syria, and Zimbabwe.

Well before R2P's birth and several times since, states have used human rights and humanitarian norms to justify using force against other states. Repackaging the language of humanitarian intervention under the R2P framework has not changed the underlying political dynamics that condition where and when states will use force to protect the rights of innocent civilians and halt mass atrocity crimes. According to some, strategic considerations are likely to drive policy decision making over humanitarian concerns for the foreseeable future in mass atrocity cases.¹⁶ Differences in how states conceptually understand R2P as a policy framework are predicated largely on their perceptions of the relationship between human rights and humanitarian norms, and norms associated with sovereignty and non-intervention. This is not a new dilemma. However, the processes that shape this contested relationship and eventual policy making in mass atrocity cases must be better understood in order to gauge R2P's likely effectiveness as a policy instrument and its ability to create political will.

The resonance of human rights and humanitarian norms in determining what constitutes US national interest, for example, appears to have grown stronger during the past 15 years.¹⁷ Indeed, in August 2011 President Obama issued Presidential Studies Directive-10 (PSD-10), which directs a comprehensive review of US capability to prevent mass atrocities, including the creation of a standing interagency Atrocities Prevention Board to ensure that US strategies are sufficiently developed to deal effectively with mass atrocity challenges, and to channel actionable information to senior policy makers who will work multilaterally in crafting responses involving a wide range of policy tools, but possibly

including the use of force. Perhaps most importantly, the US government has now elevated the prevention of mass atrocities and genocide to a “core national security interest and a core moral responsibility.”¹⁸

Policy making concerning civilian protection from mass atrocities in both the pre- and post-R2P eras indicates that political will is crucial for R2P implementation to be effective, precisely because R2P is a *political*, and not a *legal*, concept. Thus, attempting to account for how political will is constituted to respond to mass atrocity crimes by examining the role played by human rights and humanitarian norms should prove useful to the ongoing debate.

The human rights and humanitarian norms constituting R2P may eventually cascade through institutionalization, which would help establish baselines for behavior, violations of behavior, and sanctions for violation of these norms. These norms may also eventually become more deeply internalized to the point where they play a more definitive role in shaping how states identify the content of their national interests. Certainly, human rights and humanitarian norms are more visible in generating political will to protect civilians in mass atrocity cases than they were 30 years ago. Such a sea change is unlikely to be linear and could take decades to realize. However, until R2P’s supporters and others address and analyze squarely and honestly the implementation challenges it faces, including use of force, cautious optimism should prevail regarding the promise it, and the human rights and humanitarian norms that undergird it, hold for ridding the world of mass atrocity crimes and acts that shock the conscience of humankind.

Notes

Introduction

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 - 20 Yee, "The Causal Effects of Ideas on Policies," 90. While norm entrepreneurs can be motivated by altruism, empathy, and ideational commitment, they may also be motivated by market forces and self-preservation. See, for example, Michael Barnett, *Empire of Humanity: A History of Humanitarianism* (Ithaca, NY: Cornell University Press, 2011); and Alexander Cooley and James Ron, "The NGO Scramble: Organizational Insecurity

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- 36 In A/65/877-S/2011/393, para. 42, Secretary-General Ban Ki-moon put forward a range of suggested topics for the 2012 General Assembly debate, including an examination of how all of the UN Charter tools under Chapters VI, VII, and VIII might be utilized in fulfilling the third pillar (timely and decisive response), which includes the possibility of taking forcible measures.
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2 Making a good argument and mobilizing political will

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3 Humanitarian intervention in Somalia

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 - 32 *Hearing of the Senate Judiciary Committee, “US Refugee Programs for FY 1993,”* 23 July 1992; and *Plans to Introduce a Resolution Calling for a Special meeting of the United Nations on Bosnia and Former Yugoslavia*, 5 August 1992.
 - 33 *Testimony of Assistant Administrator of the US Agency for International Development, Andrew Natsios, Before the Senate Foreign Relations Committee’s Subcommittee on African Affairs, “Situation on the Horn of Africa,”* 19 March 1992.
 - 34 Author interviews with former US Department of State and Foreign Service officials, Washington, DC, February 2005. These individuals were termed “liberal humanitarianists.” They included Ambassador Herman Cohen (Assistant Secretary of State for African Affairs), Andrew Natsios (Administrator of the Office of Foreign Disaster Assistance and subsequently President Bush’s special coordinator for OPR), Robert Gallucci (Assistant Secretary of State for Political and Military Affairs), James Kunder (Administrator, Office of Foreign Disaster Assistance), Ambassador James Bishop (Deputy Assistant Secretary of State for Human Rights and Humanitarian Affairs and the last serving ambassador to Somalia), Senator Nancy Kassebaum (R-KS), Senator Paul Simon (chair of the African Affairs Subcommittee of the Senate Foreign Relations Committee), and Colonel Jeffrey James (National Security Council). See Western, “Sources of Humanitarian Intervention,” 123–30.

- 35 S/23289, paras. 24–30.
- 36 *Ibid.*, para. 28.
- 37 S/23289/Add.1.
- 38 S/23289, paras. 36, 60.
- 39 *Ibid.*, para. 45.
- 40 *Report of the Secretary-General on the Situation in Somalia* (Security Council document S/24343), 22 July 1992, para. 21.
- 41 *Ibid.*, paras. 26–30.
- 42 Security Council resolution 751 (S/RES/751), 24 July 1992, operative para. 4.
- 43 Advocacy efforts by SAVE-US, for example, focused on engaging Bush administration policy makers. It maintained staff in Washington, DC, who would meet regularly with individuals from both the executive and legislative branches to discuss policy matters related to Somalia. SAVE-US also hosted congressional breakfasts, press conferences, and provided testimony at congressional hearings. It brought field staff to Washington to meet with and provide information to policy makers. SAVE maintained an extensive grassroots communications network, utilizing it to organize appeals directly from individuals to members of Congress. Author interview with senior staff of SAVE-US, Westport, Conn., February 2005.
- 44 Author telephone interview with former InterAction CEO, February 2005.
- 45 The Centers for Disease Control reported that death rates in greater Baidoa were “proportionally the highest in recorded famine history.” See Natsios, “Humanitarian Intervention Relief in Somalia,” 77.
- 46 Author interview with former US Department of State officials, Washington, DC, November 2003 and February 2005.
- 47 This message was echoed by Sahnoun. See April Oliver, “The Somalia Syndrome,” in *Breaking the Cycle*, ed. Roderick von Lipsey (New York: St Martin’s Press, 1997), 128.
- 48 Author interviews with InterAction senior staff, New York and Washington, DC, November 2004 and February 2005; author interviews with senior staff of SAVE-US, Westport, Conn., February 2005.
- 49 One senior State Department official, a then budding ally of the international humanitarian NGO effort, disregarded the ban and privately encouraged Senator Kassebaum to travel to Somalia in July 1992. Author interview, Washington, DC, 2005.
- 50 Smith Hempstone, “Dispatch from a Place Near Hell; The Killing Drought in Kenya As Witnessed by the U.S. Ambassador,” reprinted in *The Washington Post*, 23 August 1992.
- 51 Hempstone, “Dispatch from a Place Near Hell.”
- 52 Eleven international humanitarian NGOs and the ICRC, which worked alongside UNHCR in the refugee camps, provided much of the information in the Hempstone Cable.
- 53 Oliver, “The Somalia Syndrome,” 131.
- 54 Author interview with former OFDA official and former US Department of State officials, Washington, DC, February 2005. See also Lofland, “Somalia,” 56.
- 55 See Natsios, “Humanitarian Intervention Relief in Somalia,” 82; and Harry Johnston and Ted Dagne, “Congress and the Somalia Crisis,” in *Learning from Somalia: The Lessons of Armed Humanitarian Intervention*, eds. Walter Clarke and Jeffrey Herbst (Boulder, Col.: Westview Press, 1997), 191–204.

- 56 The issue of selectivity also shaped the debate over US response in Somalia. A select group of senior US senators, for example, expressed reluctance to support policy change in Somalia, preferring instead to focus on taking action in the former Yugoslavia. A bipartisan group, including Senators Joseph Lieberman (D-CT), Carl Levin (D-MI), George Mitchell (D-ME), Claiborne Pell (D-RI), Alfonse D'Amato (R-NY), and Dennis Deconcini (D-AZ), issued a resolution calling on President Bush to seek UN authorization of a multinational force to protect the delivery of humanitarian assistance and provide protection for relief workers in Bosnia-Herzegovina.
- 57 The military planners in the IWG were apparently the most difficult to persuade. The Defense Department's point person on Somalia, Assistant Secretary of Defense for International Security Policy Stephen J. Hadley, opposed a robust role for the United States in Somalia, citing the disastrous outcome in Lebanon, the overall confusion of the role of the military in humanitarian operations, and the fact that relief missions tended to be small, thus depriving troops of overwhelming military advantage and contravening the Powell-Weinberger Doctrine. See Lofland, "Somalia," 57-58.
- 58 Including, but not limited to norms concerning the right to food such as Article 25.1 of the Universal Declaration of Human Rights, and Article 14 of Additional Protocol II of the Geneva Conventions.
- 59 See James L. Woods, "U.S. Government Decisionmaking Processes During Humanitarian Operations in Somalia," in *Learning from Somalia: The Lessons of Armed Humanitarian Intervention*, eds. Walter Clarke and Jeffrey Herbst (Boulder, Col.: Westview Press, 1997), 151-72.
- 60 See, for example, "Saving the People Who Should Not Be Starving," *The Economist*, 29 August 1992: 33; and Jeffrey Bartholet, "In the Grip of 'The Poor Man's War,'" *Newsweek*, 24 August 1992: 51.
- 61 *Remarks Made by Andrew Natsios, Assistant Administrator, USAID and Special Coordinator for Somalia Relief, "Regarding the Situation in Somalia and Kenya,"* 1 September 1992.
- 62 *Washington Post* reporter Keith B. Richburg filed a series of reports in August and September 1992 detailing the problems that had beset OPR. See "Delivery Questions Delaying Airlift of Food Aid to Somalia," *The Washington Post*, 20 August 1992; "Kenya Disrupts US Plan to Aid Hungry Somalis; Nairobi Balks at Effort to Feed Refugees in North," *The Washington Post*, 21 August 1992; "Warlord's Well-Fed Forces Rule Starving Somali Town," *The Washington Post*, 3 September 1992; and "Somalis Starve Despite Aid; Famine, Civil War Bring Web of Lethal Problems," *The Washington Post*, 12 September 1992.
- 63 Ultimately from 500 to 4,219 (3,500 security personnel and 719 logistics staff). See *Letter Dated 1 September 1992 from the Secretary-General Addressed to the President of the Security Council* (Security Council document S/24531), 8 September 1992; and *Letter Dated 8 September 1992 from the Secretary-General Addressed to the President of the Security Council* (Security Council document S/24532), 8 September 1992.
- 64 *The Situation in Somalia: Report of the Secretary-General* (Security Council document S/24480), 28 August 1992, see especially paras. 8-13, 25-26.
- 65 *Ibid.*, para. 23, emphasis added.

- 66 *Statement by Andrew Natsios, President's Special Coordinator for Somali Relief, US Agency for International Development, before the Subcommittee on Africa of the House Foreign Affairs Committee, Washington, DC, 16 September 1992.*
- 67 Ramsbotham and Woodhouse, *Humanitarian Intervention in Contemporary Conflict*, chapter 7.
- 68 *Remarks Made by Robert Devecchi, "To Call for Immediate Deployment of United Nations Troops in Somalia to Protect Relief Supplies and Relief Workers," News Conference with Hunger Relief Organizations Providing Aid to Somalia, 24 November 1992.*
- 69 Author interviews with representatives of InterAction and SAVE-US, Washington, DC, and Westport, Conn., February 2005.
- 70 The IMC paid local security guards \$40 for every two weeks of work. CARE spent approximately \$100,000 per month on security for its relief supplies and distribution convoys. See Ramsbotham and Woodhouse, *Humanitarian Intervention in Contemporary Conflict*, 204. The UN and the ICRC paid approximately \$150,000 monthly to hire 13,000 militiamen to guard warehouses and incoming aid. See "Somalia; Armed Relief," *The Economist*, 9 May 1992: 48; and Jane Perlez, "Thieves and Extortion Halt Flow of U.N. Food to Somalis," *The New York Times*, 30 November 1992.
- 71 See Bartholet, "In the Grip of 'The Poor Man's War,'" 51; and Keith B. Richburg, "Solutions for Somalia Complicated by Chaos; Authority is Absent and Food is Power," *The Washington Post*, 30 August 1992.
- 72 Lofland, "Somalia," 59.
- 73 *Testimony of Assistant Secretary of State, Herman Cohen, Before the Subcommittee for African Affairs of the House Foreign Affairs Committee, 16 September 1992.*
- 74 *Remarks Made by Congressman Donald Payne (D-NJ) at a hearing of the House Foreign Affairs Committee's Subcommittee on African Affairs on the Subject of Ethiopia, 17 September 1992.*
- 75 See Hirsch and Oakley, *Somalia and Operation Restore Hope*, 39–40; and Jane Perlez, "Aid Workers Split on Troops," *The New York Times*, 26 November 1992.
- 76 *Remarks Made by Andrew Natsios, 1 September 1992.* Later in September, and in an effort to reinvigorate OPR, Natsios arranged for and accompanied six international humanitarian NGOs to travel to Somalia. In fact, USAID relaxed its funding guidelines to ensure that resources would be available to these (and other) organizations which established or reestablished their operations in Somalia. Most of the bureaucratic red tape for grants and projects was cut and funding decisions were to be made locally rather than in Washington, DC.
- 77 *Ibid.*
- 78 *Remarks Made by Chairman of the Joint Chiefs of Staff, General Colin Powell, "Defense Department Briefing Regarding Somalia," 4 December 1992.*
- 79 Woods, "U.S. Government Decisionmaking Processes," 156–57.
- 80 See Hirsch and Oakley, *Somalia and Operation Restore Hope*, chapter 3.
- 81 Author interviews with InterAction staff, Washington, DC, February 2005.
- 82 Author interview with SAVE-US staff, Westport, Conn., February 2005. See also Keith B. Richburg, "Diseases Sweep Somalis, Kill More Than Famine," *The Washington Post*, 2 October 1992.

- 83 *Remarks Made by John Hammock, "To Call for Immediate Deployment of United Nations Troops in Somalia to Protect Relief Supplies and Relief Workers,"* News Conference with Hunger Relief Organizations Providing Aid to Somalia, Washington, DC, 24 November 1992.
- 84 See "Trip to Somalia," Press Conference, 23 November 1992.
- 85 Emerson had just returned from a tour of Somalia arranged with InterAction support.
- 86 InterAction members present included Oxfam, CARE, the IRC, and American Friends of Action Against Hunger.
- 87 Remarks made by John Hammock, *To Call for Immediate Deployment of United Nations Troops in Somalia.*
- 88 See Lofland, "Somalia," 59; and Don Oberdorfer, "The Path to Intervention," *The Washington Post*, 6 December 1992.
- 89 Western, "Sources of Humanitarian Intervention," 139–40; and Hirsch and Oakley, *Somalia and Operation Restore Hope*, 42.
- 90 *Letter Dated 24 November 1992 from the Secretary-General Addressed to the President of the Security Council* (Security Council document S/24859), 24 November 1992; and *Letter Dated 29 November 1992 from the Secretary-General Addressed to the President of the Security Council* (Security Council document S/24868), 30 November 1992.
- 91 S/24859, 3.
- 92 *Ibid.*, 4. This language was reiterated in Security Council resolution 794 (S/RES/794), operative para. 11.
- 93 S/24868, 4–5.
- 94 *Ibid.*, 7, 14.
- 95 *Ibid.*, 36.
- 96 *Ibid.*, 26, 31.
- 97 *Ibid.*, 17, 23–24.
- 98 *Ibid.*, 29.
- 99 The term "human tragedy" is used once, in preambular paragraph 3.
- 100 Oliver, "The Somalia Syndrome," 133.
- 101 Western, "Sources of Humanitarian Intervention," 140–42.
- 102 *Remarks by Representative John P. Murtha (D-PA), "News Conference on US Action in Somalia,"* 3 December 1992; and *Remarks made by Secretary of Defense Dick Cheney, "Defense Department Briefing Regarding Somalia,"* 4 December 1992.
- 103 Natsios, *US Foreign Policy and the Four Horsemen of the Apocalypse*, chapter 4.
- 104 "Mission to Somalia: Transcript of President's Address on Somalia," *The New York Times*, 5 December 1992: 1.

4 Failure to intervene in Rwanda

- 1 *Statement Made by Mr. Roble Olhaye, Permanent Representative of the Mission of Djibouti to the United Nations, to the Security Council* (Security Council document S/PV.3388), 8 June 1994, 3.
- 2 Keith Richburg, "Rwanda Again Surpasses Itself in Tragedy," *The Washington Post*, 16 July 1994.
- 3 Michael Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda* (Ithaca, NY: Cornell University Press, 2002); Roméo Dallaire,

- Shake Hands with the Devil: The Failure of Humanity in Rwanda* (Toronto: Random House Canada, 2003); and Samantha Power, *A Problem from Hell: America and the Age of Genocide* (New York: Basic Books, 2002).
- 4 William Ferroggiaro, "The U.S. and the Genocide in Rwanda 1994, Information, Intelligence, and the U.S. Response," Washington, DC, 24 March 2004, www.gwu.edu/~nsarchi/NSAEBB; and William Ferroggiaro, ed., "The U.S. and the Genocide in Rwanda 1994, Evidence of Inaction," Washington, DC, 20 August 2001, www.gwu.edu/~nsarchiv/NSAEBB.
 - 5 John Borton and John Eriksson, *Lessons from Rwanda: Lessons for Today. Assessment of the Impact and Influence of the Joint Evaluation of Emergency Assistance to Rwanda* (Copenhagen: Danish Ministry of Foreign Affairs, 2004), www.um.dk/Publikationer/Danida/English/Evaluations/Rwanda/rwanda.pdf; Roméo Dallaire, "The End of Innocence: Rwanda 1994," in *Hard Choices: Moral Dilemmas in Humanitarian Intervention*, ed. Jonathan Moore (Lanham, Md.: Rowman & Littlefield, 1998), 71–86; Danish International Development Assistance, *Lessons from the Rwanda Experience: Evaluation of International Responses Volumes 1–4* (Copenhagen: Danish Ministry of Foreign Affairs, 1996); and Philip Gourevitch, *We Wish to Inform You that Tomorrow We Will Be Killed with Our Families: Stories from Rwanda* (New York: Farrar, Straus, and Giroux, 1998).
 - 6 Alison L. Des Forges, "Making Noise Effectively: Lessons from the Rwanda Catastrophe," in *Vigilance and Vengeance: NGOs Preventing Ethnic Conflict in Divided Societies*, ed. Robert I. Rotberg (Washington, DC: Brookings Institution Press, 1996), 213–32; and Alison L. Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999).
 - 7 Scott Straus, "Darfur and the Genocide Debate," *Foreign Affairs* 84 (January/February 2005): 123–33.
 - 8 Alan J. Kuperman, *The Limits of Humanitarian Intervention: Genocide in Rwanda* (Washington, DC: Brookings Institution Press, 2001).
 - 9 The Twa constitute the third identity group.
 - 10 For a comprehensive accounting of socially constructed identity in Rwanda, see Gourevitch, *We Wish to Inform You*.
 - 11 It included the NRMD, the RPF, and four other political parties: the Mouvement Démocratique Républicain, the Parti Social Démocrate, the Parti Libéral, and the Parti Démocrate Chrétien.
 - 12 Security Council resolution 872 (S/RES/872), 5 October 1993.
 - 13 *Statement by the President of the Security Council* (Security Council document S/PRST/1994/8), 17 February 1992; and *Second Progress Report of the Secretary-General on the United Nations Assistance Mission in Rwanda* (Security Council document S/1994/360), 30 March 1994, paras. 9, 36.
 - 14 "Politician Killed by Vengeful Mob," *Agence France-Press*, 22 February 1994.
 - 15 Médecins sans Frontières (MSF)-Belgium and the Adventist Development and Relief Agency. In late April the ICRC withdrew its staff from other parts of the country to Kigali, and reinvigorated its refugee relief distribution program in partnership with the World Food Programme (WFP).
 - 16 Augustin Hatar, "Famine Rocks War-Torn Nation," *Inter-Press Service*, 24 March 1994.
 - 17 Des Forges, "Making Noise Effectively," 222–23.

- 18 Power, *A Problem from Hell*, 330, 352. By contrast, a December 1993 study undertaken by the CIA expressed concern that 40 million tons of small arms and millions of machetes were being imported into Rwanda, predicting that some 500,000 could be killed if violence resumed there. See Des Forges, "Making Noise Effectively," 224.
- 19 See, for example, Reid G. Miller, "Africa's Miseries Seem Constant and Deep," *Associated Press*, 8 April 1994; and Gary Stricker, "Burundi and Rwanda Sites of Ethnic Violence," CNN Transcript, 7 April 1994.
- 20 Mark Huband, "Blood Lust Continues in Kigali," quoted on *All Things Considered*, National Public Radio, 12 April 1994.
- 21 State Department Briefing Transcript, 8 April 1994, Federal News Service.
- 22 Noah Adams, "U.S. Ambassador to Rwanda Explains Politics of Killings," transcript of *All Things Considered*, National Public Radio, 19 April 1994.
- 23 Author interview with senior staff of SAVE-US, Westport, Conn., 25 February 2005.
- 24 Hilary Bowker, "Aid Workers Tell of Narrow Escape from Rwanda Violence," CNN transcript, 15 April 1994.
- 25 Jennifer Parmelee, "'Sad, Sad, Sad' Self-Immolation; Free-for-All Slaughter Continues Among Tribes, Rebels, Army and Roving Gangs," *The Washington Post*, 14 April 1994.
- 26 Bob Edwards, "Relief Worker Provides Account on Status in Kigali," transcript of *Morning Edition*, National Public Radio, 8 April 1994.
- 27 Jeanne Meserve, "Doctor Describes Hospital Massacre in Rwanda," CNN *World News* transcript, 24 April 1994.
- 28 "Aid Workers Report Bloodbath at Rwanda Hospital," *Press Association Limited*, 25 April 1994.
- 29 Pauline Jelinek, "After the Terror, Foreigners Wonder About Working in Rwanda," *Associated Press*, 14 April 1994.
- 30 Horace Awori, "U.S., France Blamed for not Putting Pressure on Kigali," *Inter-Press Service*, 8 April 1994. Interestingly, Winter soon reversed his position, advocating the immediate deployment of a multinational force with a robust mandate to halt the massacres, protect civilians, and ensure humanitarian aid operations. See Roger Winter, "Journey Into Genocide: A Rwanda Diary," *The Washington Post*, 5 June 1994.
- 31 For example, Acting Assistant Administrator of USAID's Bureau for Humanitarian Response, Lois Richards, argued that Rwanda was simply "the most recent example of brutal tribal conflict ... [t]he anguish there ... has been a regular recurrence as Hutu and Tutsi struggle for political domination." *Testimony of Lois C. Richards, Acting Assistant Administrator, USAID, before the House Appropriations Committee*, 19 April 1994.
- 32 Alison L. Des Forges, "The Method in Rwanda's Madness; Politics, Not Tribalism, is the Root of the Bloodletting," *The Washington Post*, 17 April 1994; and Noah Adams, "Discussion with African Historian About Rwanda Conflict," transcript of *All Things Considered*, National Public Radio, 13 April 1994.
- 33 Des Forges, "The Method in Rwanda's Madness." Others echoed this view, attributing the violence to a small group of hard-core extremists hoping to derail the Arusha Peace Agreement rather than to a systematic Hutu-led attempt to rid Rwanda of Tutsis. See, for example, Monique Mujawamariya, quoted in Linda Wertheimer, "Activist Says Rwandan

- Conflict Driven by Politics,” transcript of *All Things Considered*, National Public Radio, 20 April 1994. Mujawamariya later emphasized in a letter to President Clinton that the violence in Rwanda constituted genocide, noting the killings appeared to be targeted against civilians with no links to government opposition parties. See www.gwu.edu/~nsarchiv/NSAEBB/NSAE BB117/RW47.pdf. On 21 April Human Rights Watch Executive Director Abdullah An-Na'im clarified that the violence in Rwanda had overwhelmingly ethnic overtones and constituted a “deliberate manipulation of ethnic tensions by military figures in a campaign aimed at the systematic elimination of the political opposition and human rights activists ... the armed militia have been systematically exterminating the Tutsi population in Kigali.” See *Testimony of Abdullahi An-Na'im, Executive Director, Human Rights Watch, before the House Appropriations Committee*, 21 April 1994.
- 34 Elaine Sciolino, “For West, Rwanda is Not Worth the Political Candle,” *The New York Times*, 15 April 1994.
- 35 *Testimony of Secretary of State Warren Christopher, before the Senate Appropriations Committee*, 21 May 1994.
- 36 Sciolino, “For West, Rwanda is Not Worth the Political Candle.”
- 37 Barnett, *Eyewitness to a Genocide*, 102.
- 38 *Special Report of the Secretary-General on the United Nations Assistance Mission in Rwanda* (Security Council document S/1994/470), 20 April 1994, paras. 13–19.
- 39 *Ibid.*, para. 4; and *Confidential Memorandum Dated 21 April 1994 to Deputy Secretary of State, Strobe Talbott, on UN Security Council Action in Rwanda*, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw17.pdf. For an insightful analysis of the UN debate preceding the decision to downsize UNAMIR, see Barnett, *Eyewitness to a Genocide*, 97–129.
- 40 Djibouti, France, Nigeria, Oman, and Rwanda.
- 41 Barnett, *Eyewitness to a Genocide*, 113.
- 42 S/1994/470, para. 18.
- 43 *Ibid.*, para. 5; and Barnett, *Eyewitness to a Genocide*, 103.
- 44 “Clinton Calls for End to Hostilities in Rwanda,” *Associated Press*, 30 April 1994.
- 45 Farhan Haq, “Bosnia-Rwanda: U.N. Faulted for ‘Double Standard,’” *Inter-Press Service*, 22 April 1994.
- 46 Victor Ego Ducrot, “Rwanda: ‘Biggest Massacre of Decade’ Underway, Says Red Cross,” *Inter-Press Service*, 21 April 1994.
- 47 Jennifer Parmelee, “Fade to Blood; Why the International Answer to the Rwandan Atrocities is Indifference,” *The Washington Post*, 24 April 1994; and Roger Hearing, “Rwandan Refugees Flood into Neighboring Tanzania,” quoted on *Weekend Edition*, National Public Radio transcript, 1 May 1994.
- 48 Reid G. Miller, “Aid Agencies Condemn U.N. Pullout from Rwanda,” *Associated Press Worldstream*, 22 April 1994.
- 49 Rebecca Maer, “Aid Workers Condemn U.N. Over Rwandan Bloodbath,” *Press Association*, 30 April 1994.
- 50 “Rwandans Flee Terror in ‘Biggest Ever’ Exodus,” *Press Association*, 29 April 1994; and Miller, “Aid Agencies Condemn U.N. Pullout from Rwanda.”

- 51 Peter da Costa, "Rwanda: U.S. Condemns Massacres, Remains Fuzzy Over Response," *Inter-Press Service*, 28 April 1994; and *State Department Memorandum from John Shattuck to Peter Tarnoff*, 9 May 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw19.pdf.
- 52 Author interview with senior InterAction staff, Washington, DC, 11 February 2005.
- 53 Author interview with senior InterAction staff, Washington, DC, 11 February 2005.
- 54 Author interview with senior staff of SAVE-US, Westport, Conn., 25 February 2005.
- 55 "Aid Agency Fears Genocide Under Way in Africa," *Press Association*, 28 April 1994.
- 56 *Declassified Discussion Paper on Rwanda from Richard Clarke to the Deputies Committee*, 28 April 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/RW51.pdf.
- 57 *Confidential Memorandum from the U.S. Mission to the United Nations to Ambassador Albright*, 28 April 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw12.pdf.
- 58 Parmelee, "Fade to Blood." See also Straus, "Darfur and the Genocide Debate," 123–33, for a discussion of the paralyzing effects use of the term genocide has on policy making.
- 59 *Letter Dated 29 April 1994 from the Secretary-General Addressed to the President of the Security Council* (Security Council document S/1994/518), 29 April 1994.
- 60 *Ibid.*, 2.
- 61 *Statement by the President of the Security Council* (Security Council document S/PRST/1994/21), 30 April 1994, para. 3.
- 62 Paul Lewis, "U.N. Council Urged to Weigh Action on Saving Rwanda," *The New York Times*, 30 April 1994.
- 63 See Power, *A Problem from Hell*, for a discussion of the opposition to using the term "genocide"; *Declassified Secret Discussion Paper, Office of the Deputy Assistant Secretary of Defense for Middle East/Africa Region, US Department of Defense*, 1 May 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB53/rw050194.pdf; and *Memorandum from Assistant Secretary of State for Human Rights, John Shattuck, to Under Secretary of State for Political Affairs, Peter Tarnoff*, 9 May 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw19.pdf. Shattuck deemed Rwanda a test of US commitment to universal principles of human rights and encouraged Tarnoff to avoid the appearance of selectivity by focusing on Bosnia while neglecting Rwanda.
- 64 *Unclassified Memorandum from the Secretary of State to Select US Embassies in Africa and Europe, and the US Mission to the UN*, 6 May 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw31.pdf.
- 65 *Testimony of Holly Burkhalter, Washington Director of Human Rights Watch, Before the House Foreign Affairs Committee*, 10 May 1994.
- 66 *Under Secretary for Global Affairs Tim Wirth's Meeting with Director of Operations for ICRC, Jean de Courten*, declassified State Department document, 17 May 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw30.pdf.
- 67 Comments made by Representative Donald Payne, *MacNeill/Lehrer News Hour* transcript, 29 April 1994.

- 68 Comments made by Representative Sonny Callahan (R-AL), *Testimony of Madeleine K. Albright, U.S. Ambassador to the UN and Douglas Bennet, Assistant Secretary of State for International Organizations, before the Foreign Operations Subcommittee of the House Appropriations Committee*, 5 May 1994.
- 69 *Letter Dated 13 May 1994 to President William Jefferson Clinton from Senators Paul Simon (D-IL) and James Jeffords (then R-VT)*, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/RW48.pdf. Clinton finally responded on 9 June 1994, but defended US inaction on the basis of Presidential Decision Directive 25 (PDD-25), which established guidelines for US involvement in multilateral peace operations. See *The Clinton Administration's Policy on Reforming Multilateral Peace Operations*, US Department of State White Paper (PDD-25), May 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB53/rw050094.pdf. See Linda Melvern, *A People Betrayed: The Role of the West in Rwanda's Genocide* (London: Zed Books, 2000), 202–3.
- 70 As the architect of PDD-25, Clarke was a known opponent of intervention in places like Africa, where the United States had no vital security interests.
- 71 *Hearing of the Africa Subcommittee of the House Foreign Affairs Committee on the Subject of Rwanda*, 4 May 1994.
- 72 *Ibid.* (emphasis added). Representative Alcee Hastings (D-FL) also invoked the term in his remarks.
- 73 *Ibid.*
- 74 *Ibid.* The strategy included convincing the Rwandan government to stop the killings, achieving a durable ceasefire, bringing the combatants to the negotiating table, containing the conflict, and addressing humanitarian relief needs.
- 75 *Ibid.* Moose made much of this trip as evidence of US political will, and allowed House Committee members to believe that Shattuck and Rawson were actually traveling to Rwanda. When questioned further about their itinerary between Arusha and Kigali, Moose clarified that neither Shattuck nor Rawson were actually going into Rwanda or undertaking an assessment of political and security conditions on the ground there. When asked if, “[t]hey’re just flying over Rwanda altogether?” Moose waveringly affirmed this, but held out the possibility of someone “spinning off” from the delegation to Kigali.
- 76 “*UN Security Council Action in Rwanda*,” *declassified memorandum from Assistant Secretary of State for African Affairs, George Moose and Acting Assistant Secretary for International Organization Affairs, George Ward, to Deputy Secretary of State, Strobe Talbott*, 21 April 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw17.pdf.
- 77 Albright had already publicly announced that the United States would not, under any circumstances, send troops to Rwanda. See Ralph Begleiter, “Albright Says Unilateral U.S. Action Possible in Haiti,” CNN transcript, 2 May 1994.
- 78 *Testimony of Madeleine K. Albright, U.S. Ambassador to the UN and Douglas Bennet, Assistant Secretary of State for International Organizations, before the Foreign Operations Subcommittee of the House Appropriations Committee*, 5 May 1994.
- 79 *Ibid.*
- 80 Albright noted in subsequent testimony that “[w]e have, all of us, not done, I think, a good enough job in explaining why we should care about

- what happens in ... Rwanda ... we have trouble having a sustained approach to it.” *Testimony of Madeleine K. Albright, U.S. Ambassador to the UN, before the Senate Armed Services Committee*, 12 May 1994.
- 81 *Letter Dated 3 May 1994 from the Secretary-General Addressed to the President of the Security Council* (Security Council document S/1994/530), 3 May 1994, paras 3, 5–10.
- 82 *Provisional Verbatim Record of the 3377th Meeting of the Security Council* (Security Council document S/PV.3377), 16 May 1994, 8, 14–16.
- 83 *Ibid.*, 15–16.
- 84 This wholesale turn in international policy was attributed to a number of factors, including the actions taken by humanitarian actors on the ground. *Report of the Secretary-General on the Situation in Rwanda* (Security Council document S/1994/640), 31 May 1994, para. 36.
- 85 Deployment immediately became an issue, especially for the United States, which insisted that certain preconditions be met, including a demand that troops be fielded only to Rwanda’s international borders, where safe zones could be established easily. See Paul Lewis, “Security Council Agrees on Plan to Send Peace Force to Rwanda,” *The New York Times*, 14 May 1994; Richard Roth, “U.N. Will Send Peacekeepers to Rwanda—Eventually,” CNN transcript, 17 May 1994; Karsten Thielker, “U.N. Rushes to Deliver Aid, Anxiously Awaits Decision on Troops,” *Associated Press*, 12 May 1994; and Paul Lewis, “Boutros-Ghali Angrily Condemns All Sides for Not Saving Rwanda,” *The New York Times*, 26 May 1994.
- 86 *Comments by Ambassador Madeleine Albright* in “To the Rescue?,” *MacNeill Lehrer News Hour* transcript, 19 May 1994.
- 87 Barnett, *Eyewitness to a Genocide*, 131.
- 88 Thomas Risse-Kappen, “Ideas Do Not Float Freely: Transnational Coalitions, Domestic Structures, and the End of the Cold War,” *International Organization* 48, no. 2 (1994): 185–214.
- 89 Internally, some members of the US intelligence community privately used the term as early as April. See “Rwanda: Genocide and Partition,” declassified document issued by the Intelligence and Research Bureau, U.S. Department of State, 26 April 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw23.pdf; and *National Intelligence Daily* (declassified copy), 23 April 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB117/Rw34.pdf. In April, an early draft of a Security Council resolution put forward by New Zealand included the word “genocide,” but at US insistence it was deleted from the final text. Richard Roth, “U.N. Slow to Call Rwanda Slaughter ‘Genocide,’” CNN transcript, 19 May 1994.
- 90 See Douglas Jehl, “Officials Told to Avoid Calling Rwanda Killings ‘Genocide,’” *The New York Times*, 10 June 1994.
- 91 Jehl, “Officials Told to Avoid Calling Rwanda Killings ‘Genocide.’”
- 92 The Office of Legal Affairs in May gave UN staff the green light to use the term, and UN High Commissioner for Human Rights José Ayala Lasso described Rwanda as genocide in mid-May. European Union (EU) foreign ministers issued a statement on 16 May using the term. The Secretary-General himself emphasized that there could be “little doubt” that the mass atrocities in Rwanda constituted genocide. See *Report of the Secretary-General on the Situation in Rwanda* (Security Council document S/1994/

- 640), 31 May 1994, para. 36; and Richard Roth, "Boutros-Ghali Holds U.N. Press Conference," CNN transcript, 25 May 1994.
- 93 Winter, "Journey Into Genocide."
- 94 Donatella Lorch, "World Turns its Attention to Rwandans," *The New York Times*, 20 May 1994.
- 95 Author interview with senior staff of SAVE-US, Westport, Conn., 25 February 2005.
- 96 It should be noted that SAVE-US did not especially value winning the battle over how Rwanda was ultimately "labeled." Rather, the organization would have much preferred it if it had been successful in persuading policy makers to support effective action to stop the killing.
- 97 *Testimony of Jeff Dumtra, US Committee for Refugees, before the Senate Foreign Relations Committee*, 26 July 1994.
- 98 A former senior Bush Sr. administration official interviewed for this project indicated that while international humanitarian NGOs failed to marshal support on external humanitarian intervention, their efforts may have been influential in contributing to an off-the-record dialogue over whether or not to provide support for the RPF. Some felt that this would generate the same result as humanitarian intervention without putting US troops at risk. Moreover, a covertly supported RPF victory (which would also end the genocide) would be considered more legitimate than intervention because the RPF represented an organized and indigenous opposition movement.
- 99 As early as 11 April, Under Secretary of Defense Frank Wisner declared that the United States would not become involved in Rwanda until "peace was restored." *Declassified Confidential Memorandum from Deputy Assistant Secretary of Defense for Middle East/Africa, Through Assistant Secretary of Defense for International Security Affairs, to Under Secretary of Defense for Policy, "Talking Points on Rwanda/Burundi,"* 11 April 1994, www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB53/rw041194.pdf.
- 100 Author interview with senior staff of InterAction, Washington, DC, February 2005.
- 101 Author interview with senior staff of SAVE-US, Westport, Conn., 25 February 2005.
- 102 This was confirmed in S/1994/640, para. 21. Nearly three weeks following the adoption of resolution 918, the United States signaled that its preconditions for UNAMIR II's deployment had been met. It offered to provide logistics and armored personnel carriers for the mission, but these did not materialize until August, well after the genocide had ended. See Michael R. Gordon, "U.N.'s Rwanda Deployment Slowed by Lack of Vehicles," *The New York Times*, 9 June 1994. Moreover, UNAMIR II did not reach full troop strength until October 1994.
- 103 "To the Rescue?" *MacNeill/Lehrer News Hour* transcript, 19 May 1994.
- 104 Alain Destexhe, "Rwandans Die While the U.N. Procrastinates," *The New York Times*, 23 May 1994.
- 105 Terry Leonard, "10 Children, U.N. Employee Hacked to Death in Kigali," *Associated Press Worldstream*, 17 May 1994.
- 106 *Provisional Verbatim Record of the 3388th Meeting of the Security Council* (Security Council document S/PV.3388), 8 June 1994.
- 107 *Ibid.*, 2.

- 108 *Letter Dated 19 June 1994 from the Secretary-General to the President of the Security Council* (Security Council document S/1994/728), 20 June 1994, paras. 10–11.
- 109 *Provisional Verbatim Record of the 3392nd Meeting of the Security Council* (Security Council document S/PV.3392), 22 June 1994. The vote was 10-0-5, with Brazil, China, New Zealand, Nigeria, and Pakistan abstaining.
- 110 The mission was constituted mainly by the French augmented by a single battalion of troops from Chad, Congo-Brazzaville, Egypt, Guinea-Bissau, Mauritania, Niger, and Senegal. The mission was given a two-month, Chapter VII mandate, and was deemed strictly humanitarian in nature. See Richard Roth, “U.N. Votes to Send French Emergency Force to Rwanda,” CNN transcript, 22 June 1994. For a comprehensive analysis of *Opération Turquoise*, see Thomas G. Weiss, *Military-Civilian Interactions: Intervening in Humanitarian Crises* (Lanham, MD: Rowman & Littlefield Publishers, 1999), 137–65.
- 111 See, for example, *Subcommittee on Africa, House Foreign Affairs Committee Testimony on the Situation in Rwanda*, 22 July 1994; and *Senate Foreign Relations Committee Testimony on the Crisis in Africa*, 26 July 1994.
- 112 *Comments Made by Senator Tom Lantos (D-CA), Senate Foreign Relations Committee Testimony on the Crisis in Africa*, 26 July 1994.
- 113 Fiona Terry, *Condemned to Repeat? The Paradox of Humanitarian Action* (Ithaca, NY: Cornell University Press, 2002), chapter 5.
- 114 Barnett, *Eyewitness to a Genocide*, 138.
- 115 Roméo Dallaire, “Looking at Darfur, Seeing Rwanda,” *The New York Times*, 4 October 2004.
- 116 Straus, “Darfur and the Genocide Debate,” 132.
- 117 Author interview with senior staff of SAVE-US, Westport, Conn., 25 February 2005.

5 Mixed intervention in Sierra Leone

- 1 *Comments Made by UN Secretary-General, Kofi Annan, Provisional Verbatim Record of the 4139th Meeting of the Security Council* (Security Council document S/PV.4139), 11 May 2000, 3.
- 2 Reynold Levy, “The Misery of Sierra Leone.”
- 3 Author personal communication with Kabba Williams, Freetown, May 2010.
- 4 Levy, “The Misery of Sierra Leone,” *The Washington Post*, 12 January 1999.
- 5 William Jefferson Clinton, “Remarks Honoring Genocide Survivors in Kigali, Rwanda, 25 March 1998,” *Weekly Compilation of Presidential Documents* 34, no. 13 (25 March 1998): 495–98.
- 6 Its mandate included shoring up both the Sierra Leone Army (SLA) and the UN Mission in Sierra Leone (UNAMSIL); securing the airport; protecting humanitarian staff; and ensuring the unhindered delivery of humanitarian assistance.
- 7 Contemporaneous mass atrocity cases included the Democratic Republic of Congo (DRC), East Timor, and Kosovo. All sides to the conflict in Sierra Leone used child soldiers (a war crime and crime against humanity); systematically engaged in wanton destruction of private and public property (a war crime); and participated in inhumane acts against civilians such as

rape, sexual slavery, forced prostitution, extrajudicial killing, and torture (crimes against humanity).

- 8 There is a vast scholarship on the Sierra Leone civil war. See Adeke Adebajo, *Building Peace in West Africa: Liberia, Sierra Leone, and Guinea-Bissau* (Boulder, Col.: Lynne Rienner Publishers, 2002); Eric G. Berman and Melissa T. Labonte, "Sierra Leone," in *Twenty-first Century Peace Operations*, ed. William J. Durch (Washington, DC: US Institute of Peace Press, 2006), 141–227; Lansana Gberie, *A Dirty War in West Africa: The RUF and the Destruction of Sierra Leone* (Bloomington: Indiana University Press, 2005); John L. Hirsch, *Sierra Leone: Diamonds and the Struggle for Democracy* (Boulder, Col.: Lynne Rienner Publishers, 2001); Danny Hoffman, *The War Machines: Young Men and Violence in Sierra Leone and Liberia* (Durham, NC: Duke University Press, 2011); W.B. Ofuatye-Kodjoe, "Sierra Leone," in *Dealing with Conflict in Africa: The United Nations and Regional Organizations*, ed. Jane Boulden (New York: Palgrave/Macmillan, 2003), 127–52; and William Reno, *Warlord Politics and African States* (Boulder, Col.: Lynne Rienner Publishers, 1998).
- 9 UNAMSIL was authorized by Security Council resolution 1270 (S/RES/1270), 22 October 1999.
- 10 Security Council resolutions 1299 (S/RES/1299), 19 May 2000; and 1313 (S/RES/1313), 4 August 2000. UNAMSIL's troop ceiling was raised a final time to 17,500 in March 2001, making it the then largest-ever UN peace-keeping mission fielded. See Security Council resolution 1346 (S/RES/1346), 30 March 2001.
- 11 Thomas Mark Turay, "Sierra Leone: Peacebuilding in Purgatory," in *Patronage or Partnership: Local Capacity Building in Humanitarian Crises*, ed. Ian Smillie (Bloomfield, Conn.: Kumarian Press, 2001), 168–69.
- 12 Médecins sans Frontières (MSF), Action Against Hunger, and Merlin also continued to operate in Sierra Leone after Kabbah's overthrow.
- 13 "Government Allies Shoot at ICRC Helicopter in Sierra Leone," *Agence France-Presse*, 18 November 1998.
- 14 In Somalia, there was no lead agency to coordinate humanitarian activities until after UNITAF was deployed. In Rwanda, UNHCR was appointed lead agency, but its work was largely constrained to Rwanda's borders with Tanzania, Burundi, and Zaïre (now DRC). It did not coordinate humanitarian activities that were occurring inside the country during the height of the genocide.
- 15 "The Horror in Sierra Leone," *The Washington Post*, 28 January 1999.
- 16 For in-depth treatments of these arguments, see Karen Ballentine and Jake Sherman, eds., *The Political Economy of Armed Conflict: Beyond Greed and Grievance* (Boulder, Col.: Lynne Rienner Publishers, 2003); Mats Berdal and David M. Malone, *Greed and Grievance: Economic Agendas in Civil Wars* (Boulder, Col.: Lynne Rienner Publishers 2000); and David Keen, *The Economic Functions of Violence in Civil Wars*, Adelphi Papers No. 320 (Oxford: International Institute for Strategic Studies, 1998).
- 17 *Provisional Verbatim Record of the 4168th Meeting of the Security Council* (Security Council document S/PV.4168), 5 July 2000, 2.
- 18 *Testimony of Susan Rice, Assistant Secretary of State for African Affairs, Before the House International Relations Committee's Subcommittee on Africa, "U.S. Response to Atrocities in Sierra Leone,"* 23 March 1999.

- 19 Because the AFRC/RUF was focused on running the capital, patrols in rural areas became less frequent. Information was also circulating that the security situation in Freetown was less stable than in the countryside. See Marc Sommers, *The Dynamics of Coordination*, Occasional Paper #40 (Providence, RI: Watson Institute for International Studies, 2000).
- 20 Author interview with senior staff of InterAction, Washington, DC, September 2003 and February 2005.
- 21 Author interview with senior staff of Save the Children (SAVE)-US, Westport, Conn., February 2005.
- 22 Norimutsu Onishi, "What War has Wrought: Sierra Leone's Sad State," *The New York Times*, 31 January 1999.
- 23 Steve Coll, "The Other War; The Gratuitous Cruelties Against Civilians in Sierra Leone Last Year Rivalled Those Committed in Kosovo at the Same Time, Yet the World All But Ignored it, and Now Washington Has Brokered a Deal that Gives the Perpetrators Amnesty and a Piece of the Action," *The Washington Post*, 9 January 2000.
- 24 Levy, "The Misery of Sierra Leone."
- 25 Human Rights Watch, *Sierra Leone: Getting Away with Murder, Mutilation and Rape*, July 1999, www.hrw.org/reports/1999/sierral/; Nora Boustay, "Rights Violators Know No Boundaries," *The Washington Post*, 16 June 1999; and Gay McDougall, Executive Director of the International Human Rights Law Group, quoted in Bob Edwards, *Morning Edition*, National Public Radio transcript, 29 June 1999.
- 26 *Testimony of Susan Rice, "U.S. Response to Atrocities in Sierra Leone."*
- 27 *Testimony of Julia Taft, Assistant Secretary of State for Population, Refugees, and Migration, Before the International Operations and Human Rights Subcommittee of the House International Relations Committee*, 9 March 1999.
- 28 Author interview with Julia Taft, Washington, DC, February 2005.
- 29 *Testimony of Lionel Rosenblatt, President of Refugees International, Before the House International Relations Committee, Subcommittee on International Operations and Human Rights*, 9 March 1999. The Refugees International mandate includes presenting major field-level findings to policy makers with the objective of "catalyzing rapid, life-saving action" on the part of the UN and the US government.
- 30 *Testimony of Reynold Levy, President of the International Rescue Committee, Before the House International Relations Committee, Subcommittee on International Operations and Human Rights*, 9 March 1999; and *Testimony of Richard Jacquot, Regional Director for West Africa, International Rescue Committee, Before the House International Relations Committee's Subcommittee on Africa, "U.S. Response to Atrocities in Sierra Leone,"* 23 March 1999.
- 31 *Testimony of Richard Jacquot, "U.S. Response to Atrocities in Sierra Leone."*
- 32 Statement by the President of the Security Council (Security Council document S/PRST/1999/13), 15 May 1999.
- 33 See *Fifth Report of the Secretary-General on the Situation in Sierra Leone* (Security Council document S/1998/486), 9 June 1998, para. 28. Interview with former US government official, Washington, DC, 18 November 2003.
- 34 For an extended discussion of the motivations behind the Clinton administration's orchestration of Lomé, see Ryan Lizza, "Where Angels Fear to

- Tread," *The New Republic*, 24 July 2000: 22–27. The Special Representative of the Secretary-General, Francis Okelo, handwrote a reservation concerning the amnesty provisions at the conclusion of the accord.
- 35 Coll, "The Other War."
- 36 The US role in the negotiations was viewed by Kabbah's closest political advisors as being detrimental to the future of the country. Author interview with former Sierra Leone government official, New York, September 2003.
- 37 *Remarks by Susan Rice, Assistant Secretary of State for African Affairs, State Department Press Briefing on Africa*, 15 July 1999.
- 38 See Berman and Labonte, "Sierra Leone," 141–227.
- 39 *First Report of the Secretary-General on the United Nations Missions in Sierra Leone (UNAMSIL)* (Security Council document S/1999/1223), 6 December 1999, paras. 20–28.
- 40 See Lansana Fofana, "Ex-Combatants Unleash a Reign of Terror," *Inter-Press Service*, 29 November 1999; and "Two Aid Workers Taken Captive in Sierra Leone," *Associated Press*, 9 December 1999.
- 41 The relationship between political, military, and humanitarian actors in Sierra Leone improved dramatically following the departure of ECOMOG forces in May 2000, and after the January 2001 appointment of Alan Doss to UNAMSIL as Deputy Special Representative of the Secretary-General (SRSG) for Governance and Stabilization. Indeed, international humanitarian NGOs began utilizing UNAMSIL assets for transportation and information sharing once the peace process gained firmer ground in 2001. See Berman and Labonte, "Sierra Leone," 141–227.
- 42 Interview with senior staff of InterAction, Washington, DC, February 2005.
- 43 Toby Porter, *The Interaction Between Political and Humanitarian Action in Sierra Leone* (Geneva: Centre for Humanitarian Dialogue, 2002); and Marc Sommers, *The Dynamics of Coordination*, Occasional Paper #40 (Providence, RI: Watson Institute for International Studies, 2000), 31–35.
- 44 *Statement of Secretary of State, Madeleine K. Albright, while in Freetown, Sierra Leone*, 18 October 1999, State Department Briefing transcript.
- 45 *Provisional Verbatim Record of the 4078th Meeting* (Security Council document S/PV.4078), 10 December 1999, 5–6.
- 46 *Letter Dated 23 December 1999 from the Secretary-General Addressed to the President of the Security Council* (Security Council document S/1999/1285), 28 December 1999.
- 47 *Provisional Verbatim Record of the 4098th Meeting* (Security Council document S/PV.4098), 7 February 2000, 5.
- 48 *Provisional Verbatim Record of the 4099th Meeting* (Security Council document S/PV.4099), 7 February 2000, 3.
- 49 *Ibid.*, 4.
- 50 *Third Report on the United Nations Mission in Sierra Leone* (Security Council document S/2000/186), 7 March 2000; and *Provisional Verbatim Record of the 4111th Meeting* (Security Council document S/PV.4111), 13 March 2000.
- 51 Author interview with senior staff of SAVE-US, Westport, Conn., February 2005.
- 52 Author telephone interview with former senior staff of Catholic Relief Services, February 2005.

- 53 *Testimony of John Bolton, Vice President, American Enterprise Institute, Before the Senate Foreign Relations Committee, Subcommittee on International Operations, "UN Peacekeeping Missions,"* 5 April 2000. Bolton also claimed that even in cases where intervention to stop a genocide is considered, "emotionalism and good intent can override ... legitimate moral calculations."
- 54 *Ibid.*
- 55 *Testimony of Richard C. Holbrooke, US Ambassador to the UN, Before the House Committee on Appropriations, Subcommittee on Commerce, Justice, State and the Judiciary,* 12 April 2000.
- 56 Colum Lynch, "Sen. Warner Urges U.N. to Put Balkans Missions Ahead of Africa," *The Washington Post*, 22 January 2000.
- 57 *Ibid.*
- 58 *Statement of Secretary of State, Madeleine K. Albright, while in Freetown, Sierra Leone,* 18 October 1999, State Department Briefing transcript.
- 59 Author interview with senior State Department official, Washington, DC, February 2005.
- 60 For an in-depth account of the hostage crisis, see Berman and Labonte, "Sierra Leone," 156–59.
- 61 Turay, "Sierra Leone: Peacebuilding in Purgatory."
- 62 *Statement by the President of the Security Council* (Security Council document PRST/2000/14), 4 May 2000.
- 63 Ibrahim M'baba Kamara, Sierra Leone Ambassador to the United Nations, quoted in Jim Moret and Richard Roth, "Rebels Holding U.N. Peacekeepers Hostage in Sierra Leone," CNN transcript of *The World Today*, 5 May 2000.
- 64 UN Secretary-General Kofi Annan, quoted in Wolf Blitzer, Ben Wedeman, and Richard Roth, "Clinton Administration Prepares for Indirect Role in Sierra Leone," CNN transcript of *The World Today*, 8 May 2000.
- 65 Judy Woodruff, Ben Wedeman, Richard Roth, Jamie McIntyre, and Andrea Koppel, "Sierra Leone Conflict: Rebel Leader Nowhere to be Found; U.N. Peacekeeping at a Crossroads; U.S. Would Provide Logistical Support," *CNN Worldview* transcript, 9 May 2000.
- 66 Author interview with former UNAMSIL staff and staff of UN Department of Peacekeeping Operations, New York, September 2003.
- 67 Amama Mbabazi, Ugandan Minister of State for Foreign Affairs, quoted in Jane Perlez, "The U.S. and Africa: Extending a Trembling, Hesitant Hand," *The New York Times*, 7 May 2000.
- 68 *Fourth Report of the Secretary-General on the United Nations Mission in Sierra Leone* (Security Council document S/2000/455), 19 May 2000, para. 43–55.
- 69 UN Secretary-General Kofi Annan, quoted in Richard Roth and Bernard Shaw, "Rebels Kill Seven U.N. Peacekeepers in Sierra Leone," *CNN Worldview* transcript, 3 May 2000.
- 70 Jane Perlez, "The U.S. and Africa: Extending a Trembling, Hesitant Hand," *The New York Times*, 7 May 2000.
- 71 Blaine Harden, "Rule of Force; In Africa, a Lesson in How Not to Keep the Peace," *The New York Times*, 14 May 2000.
- 72 Berman and Labonte, "Sierra Leone," 159–60.
- 73 Richard M. Connaughton, "Organizing British Joint Rapid Reaction Forces," *Joint Force Quarterly* no. 26 (Autumn 2000): 87–94.

- 74 Berman and Labonte, "Sierra Leone," 141–227. The significance of the intervention resonated well beyond its termination in June 2000. Some UK military assets and several hundred soldiers remained behind to assist UNAMSIL and train the reconstituted SLA and Sierra Leone Police. The British also maintained an offshore presence and conducted frequent, highly visible military patrols in Freetown. See also Blaine Harden and Christopher S. Wren, "U.S. Plans to Help Airlift U.N. Forces into Sierra Leone," *The New York Times*, 9 May 2000.
- 75 Lou Waters and Robert Moore, "Great Britain Evacuates its Citizens from Sierra Leone," *CNN Today* transcript, 9 May 2000.
- 76 Bob Roberts, "Blair's Pledge on Democracy as Paras Evacuate Sierra Leone," *The Birmingham Post*, 11 May 2000.
- 77 Bernard Shaw and Ben Wedeman, "More U.N. Peacekeepers Headed to Sierra Leone," *CNN Worldview* transcript, 12 May 2000.
- 78 Allan Little, "Analysis: Britain's Sierra Leone Plan," BBC News Online, 24 May 2000, news.bbc.co.uk/1/hi/world/africa/762118.stm.
- 79 Author interview with former State Department officials, Washington, DC, November 2003 and February 2005.
- 80 "Can Sierra Leone's Rebels Be Stopped?" *The White House Bulletin*, 15 May 2000.
- 81 Harden, "Rule of Force; In Africa."
- 82 Richard Boucher, *State Department Regular Briefing*, 3 May 2000.
- 83 Author interview with former State Department official, Washington, DC, February 2005.
- 84 *Joint Media Availability with Secretary of State Madeleine Albright and German Foreign Minister Joschka Fischer*, State Department Briefing, 8 May 2000. "Blue-helmeting" integrates troops formerly serving under a national command into a UN mission, and places them under the command of a Force Commander who is, in turn, accountable to the civilian head of mission.
- 85 *Remarks Made by Senator Rod Grams (R-MN), Senate Foreign Relations Committee, Subcommittee on International Operations*, 10 May 2000.
- 86 *Remarks Made by David A. Welch, Assistant Secretary of State for International Organization Affairs, Senate Foreign Relations Committee, Subcommittee on International Operations*, 10 May 2000.
- 87 Jane Perlez, "A Doomed Peace: Missteps and a Weak Plan Marred Effort for Sierra Leone," *The New York Times*, 10 May 2000.
- 88 *Ibid.* Clinton also pursued diplomatic channels in trying to resolve the hostage crisis. The United States originally planned to send Special Envoy Jackson back to Sierra Leone to help negotiate a ceasefire, but this trip was ultimately canceled. In a public speech, Jackson had compared Foday Sankoh to Nelson Mandela, angering Sierra Leonean government officials and the general population.
- 89 Sandy Berger, National Security Advisor, quoted in *CNN Worldview* transcript, 23 May 2000.
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- 91 *Provisional Verbatim Record of the 4139th Meeting of the Security Council* (Security Council document S/PV.4139), 11 May 2000, 3.
- 92 *Ibid.*, 26.
- 93 *Ibid.*, 22, 27–28.

- 94 Ibid., 24.
 95 Ibid., 21.
 96 The British withdrew their forces from Sierra Leone on 14 June 2000, leaving some 200 troops in the country to assist in training SLA troops.
 97 Security Council resolution 1299 (S/RES/1299), 19 May 2000.
 98 *Statement by the President of the Security Council* (Security Council document S/PRST/2000/24), 17 July 2000.
 99 *Testimony of US Ambassador to the United Nations, Richard C. Holbrooke, Before the Senate Foreign Relations Committee, Hearing on "UN Policy in Africa,"* 12 July 2000.
 100 S/PV.4139.

6 Strategic framing, norms, and civilian protection

- 1 Integrated Regional Information Networks (IRIN), "Interview with Edward Luck, Special Advisor to the Secretary-General," 3 August 2011, reliefweb.int/node/438307.
- 2 Security Council resolution 1973 (S/RES/1973), 17 March 2011, preambular para. 9, operative para. 4.
- 3 Harold H. Koh, "Statement Regarding Use of Force in Libya," American Society of International Law, 26 March 2011, www.state.gov/s/l/releases/remarks/159201.htm.
- 4 Barack Obama, "Remarks by the President in Address to the Nation on Libya," delivered at National Defense University, Washington, DC, 28 March 2011, www.whitehouse.gov/the-press-office/2011/03/28/remarks-president-address-nation-libya.
- 5 "Libya Protests: Defiant Gaddafi Refuses to Quit," BBC, 22 February 2011, www.bbc.co.uk/news/world-middle-east-12544624.
- 6 Thomas G. Weiss, "The Sunset of Humanitarian Intervention? The Responsibility to Protect in a Unipolar Era," *Security Dialogue* 35, no. 2 (2004): 135.
- 7 Paul D. Williams, "The Road to Humanitarian War in Libya," *Global Responsibility to Protect* 3 (2011): 248–59.
- 8 Mahmood Mamdani, "What Does Gaddafi's Fall Mean for Africa?" *Al Jazeera*, 26 October 2011, english.aljazeera.net/indepth/opinion/2011/08/201182812377546414.html.
- 9 Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, third edition (New York: Basic Books, 2000), xiii.
- 10 Both Save the Children (SAVE)-US and InterAction staff noted that members of their senior staff and boards of directors have the capacity to access policy makers at the highest levels within any administration, including military planners. However, other evidence suggests that their ability to persuade and/or influence military planners is not as strong as their ability to persuade individuals from other parts of government.
- 11 Author interview with former senior State Department official, Washington, DC, February 2005.
- 12 Ramcharan cited UN rapid response and prevention efforts to de-escalate violence in two pre-R2P cases: the 1992 conflict between African National Congress and Inkatha Freedom Party members; and the 1999 violence in

- East Timor. Author direct observation notes, United Nations, 9 August 2010.
- 13 Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All* (Washington, DC: Brookings Institution Press, 2008), 42 (emphasis added).
 - 14 For example, the range of human rights violations that constitute R2P crimes is narrower in scope than the range of humanitarian and human rights violations that are included in the humanitarian civilian protection discourse.
 - 15 Quoted in Evans, *The Responsibility to Protect*, 45.
 - 16 Thomas G. Weiss, "R2P After 9/11 and the World Summit," *Wisconsin International Law Journal* 24, no. 3 (2006): 741–60.
 - 17 See, for example, Madeleine K. Albright and William S. Cohen (co-chairs), *Preventing Genocide: A Blueprint for U.S. Policymakers* (Washington, DC: US Holocaust Memorial Museum, The American Academy of Diplomacy, and the Endowment of the US Institute of Peace, 2008); and Government of the United States, *2010 National Security Strategy* (Washington, DC: The White House, 2010), especially 22, 48.
 - 18 The White House, *Presidential Studies Directive on Mass Atrocities (PSD-10)*, 4 August 2011.

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- Durch, William J., ed., *Twenty-first Century Peace Operations* (Washington, DC: US Institute of Peace Press, 2006). A thorough and systematic analysis of contemporary peace operations and their effectiveness, including lessons learned from case studies of pivotal missions in Bosnia and Herzegovina,

- Sierra Leone, the Democratic Republic of the Congo, Kosovo, East Timor, and Afghanistan.
- Evans, Gareth, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All* (Washington, DC: Brookings Institution Press, 2008). Addresses the promise and limitations of the emerging R2P norm, noting its main challenges and advocating the value of a tripartite approach (prevent, react, rebuild) to mass atrocity cases.
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