Theorising Intervention: R2P and Sovereign performativity

Introduction:
What is security? This remains a central question in the study of IR and one that often tends to reinforce dominant narratives that in turn operationalise a realist understanding of state sovereignty. As a result, realist ontological and epistemological commitments remain largely intake because traditional IR narratives continue to dominate the IR landscape. Accordingly this paper adopts the counter position and seeks to operationalise state sovereignty not simply as an objective force, determined to protect citizens from external evil, and act predominantly in self-interest and with zero-sum behavioural patterns. Rather sovereignty is part of an extensive narrative, requiring ‘cheerleaders’ and acts as a source for creating identity, difference, the body, and social space. It is in this context, intervention becomes a site of more than simply sovereign renewal. Moreover, through utilising David Campbell’s work in Writing Security and his focus on foreign policy as a site of identity, intervention becomes a mechanism of state performativity. Because of this, intervention, more specially intervention utilising an R2P (Responsibility to Protect) framework, is not simply about ‘saving strangers’, although that certainly remains critical, but also acts as a source for (re)writing sovereignty, identity, the body, and social space. Contextually, R.B.J. Walker suggestion that state sovereignty ought to be understood as “[an] institution, container of all cultural meaning and site of sovereign jurisdiction over territory, property and abstract space, and consequently over history, possibility and abstract time, that still shapes our capacity to affirm both collective and particular identities”. In this sense, security are expressions vis-à-vis state mechanisms, shape life and in extreme cases holds the power to end life.
Setting the agenda:

The focus of this paper is to understand how society begins to rebuild itself following military intervention. Here this paper predominantly uses David Campbell’s work on theorising US foreign policy, his concept of writing security, and the notion that sovereignty requires performativity. The hope here, at least in part, is to understand how citizens interact with a newly minted state apparatus? More specifically, how will state sovereignty shape identity, the body and security, among many others. The purpose, largely because of a lack of space, is not to provide an exhaustive research agenda, but rather attempt to develop how (re)introducing/(re)writing sovereignty from ‘failure’ to organizing social space/life.

In the recent years, how the state rebuilds itself following intervention became omnipresent in global affairs. Naturally those who study this, turn their attention to Iraq, Libya, Syria and Egypt. For some, the most pertinent question will be did Libya undergo intervention while the killing continues in Syria? This is a troubling question and one that frankly continues to haunt the psyche. Why do some live and others die? Because of this, it becomes increasingly important to work on strategies that continue to shape the state away from killing citizens. In order to avoid such instances what is a (re)written state doing to avoid such practices from occurring again? Yet, little attention has been given to understanding perception of danger or the structural dilemmas that presume sovereignty operates in an environment that is innate with violence. As a result, if the danger and inherent violence within the structure of global politics is not accounted for what good is R2P as a method of intervening to (re)insert a new sovereign.

(Re)writing the state:

David Campbell’s body of work is complex and naturally cannot be fully organised in this short space. Yet, his work on foreign policy, danger, identity, and security are particularly telling and
provide important inroads for how we, as scholars of intervention, can understand what it means to regenerate the state following intervention. Campbell writes,

\[\text{danger might involve pressure on the external boundaries, it might involve the violation of internal boundaries, it might be located in the margins of the boundary, or it might arise with contradictions from within. Were there no borders, there would be no danger, but such a condition is at odds with the logic of identity, for the condition of possibility for experience entails the disciplining of ambiguity, the containment of contingency, and the delineation of borders. In other words, given that difference is a requisite for identity, danger is inherent to that relationship.}\]

Campbell’s astute analysis seeks to understand intervention and statebuilding from an alternative perspective. Intervention and statebuilding practices have become internationalised. The slaughter of others’ is not simply an internal solution, but now incorporates behavioural patterns that create and sustain external identity. As will be further explored below, danger is not an objective force. Rather, danger is a construction of the mind. For instance, the US does not intervene in instances simply because it is a benign state that only pursues good, but also because it, as a nation, prides itself on being a “beacon of hope” and feels a moral obligation to help those that cannot help themselves.

This section continues with Campbell’s them introduced above, but also incorporates Anthony D. Lott’s \textit{Creating Insecurity} with \textit{Writing Security} in an attempt to outline an alternative understanding of not only security, but also R2P as a method of creating security. This section first turns to the Lott text to provide some background details for situating Campbell’s work within a broader literature, while also seeking to better understand the importance of Campbell’s work. Second, this section engages with Campbell, his use and understanding of security and attempt to incorporate his framework to better understanding security within an R2P context.

Lott frames constructivism relationship with security through a series of questions: how threats become recognised?; how enemies are labeled?; and how groups imagine danger? In short, Lott uses Jens Bartelson’s reasoning, ‘[s]ecurity is not primarily an object of foreign policy; before security can be brought to function as such, it requires a prior differentiation of what is alien, other or simply outside the state and therefore threatens it’.² Lastly, Lott points out constructivism’s contribution, “that language and human discourse define the world…[r]ather than attempting to transcend the political world and look back upon it as ‘objective’ scientists, the constructivists are insistent that the scholar must remain within the world in order to understand it”.³

Turning back to Campbell points out early that, “[d]anger is not an objective condition”,⁴ lurking in ‘the international’, which innately sustains the desire for the state to pursue foreign policy: how does the state propose it stays alive? Furthermore, Campbell further suggests that “[n]othing is a risk in itself; there is no risk in reality. But on the other hand, anything can be a risk; it all depends on how one analyses the danger, considers the event”.⁵ Therefore for Campbell, what is perceived as a danger not only to an individual state, but also the state-centric system is a discretionary practice. This proposition therefore contends that life outside the state is not inherently insecure, and thus does not require the state to secure itself from danger. Rather, the state is free to choose not only what danger is, but also how it seeks to repel such


³ *Creating Insecurity*. p. 27.

⁴ *Writing Security*. p.1

University of Minnesota Press. p. 1.

⁵ Ibid. p. 2.
danger. While Campbell’s suggestion concentrates on how the individual both creates and sustains state identity (specifically the US), his work also provides insight to understand how characteristics, supported by traditional epistemology or what Campbell calls “narrativizing historiography” reverberate throughout the study of International Relations: the state must exist, without it how is identity created.

**Intervention and Identity:**

This section outlines the relationship between intervention and identity. In *Writing Security*, Campbell outlines how sovereignty requires performative acts, which in turn create and sustain its own identity. Here Campbell uses the performative act associated with gender and the body to illustrate his point:

> I [Campbell] want to suggest that the performative constitution of gender and the body is analogous to the performative constitution of the state. Specifically, I want to suggest that we can understand the state as having “no ontological status as the apart from the various acts which constitute its reality”; that its status as the sovereign presence in world politics is produced by “a discourse of primary and stable identity”; and that the identity of any particular state should be understood as “tenuously constituted in time...through a stylized repetition of acts” and achieved, “not [through] a founding act, but rather a regulated process of repetition”.

With this in mind, I want to attempt to establish that intervention can be reflective and thus understood as a part of the identity of the state initiating the intervention. Adopting Campbell’s framework allows intervention to be viewed as a performative act of the state and beyond its traditional focus of being a selfless act.

**Sovereignty as a dilemma:**

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6Please note: this is not to presume that Campbell is suggesting that danger does not exist. As he points out, “It [Campbell’s perspective] does not dent that there are “real” dangers in the world: infectious diseases, accidents, and political violence (among others) have consequences that can literally be understood in terms of life and death. But not all risks are equal, and not all risks are interpreted as dangers. Modern society contains a veritable cornucopia of danger; indeed, there is such an abundance of risk that it is impossible to objectively know all that threatens us”. p. 2.

Sovereignty, for intervention purposes, is a fickle theme and often the biggest obstacle when seeking to operationalise a normative response for instances when a state kills. While it remains a steadfastly held position by the vast majority of states and institutions and it also sustains a substantial policy issue that requires an argument(s) for circumvention. Because of this, traditional literature delineation has sought to argue that issues of intervention counter long held normative practice in IR. Of course sovereignty, or what Anne-Marie Slaughter often refers to as the grand norm, tops the list. Here, sovereignty, confronted with intervention most commonly, at least at an institutional level, encounters Article 2(4) and 2(7) of the UN Charter, which unfortunately leave discussion(s) on the legitimacy of intervention stagnant and essentially dead. As Walker suggests, [c]ontemporary political life seems to be characterised both by the proliferation of particular identities and by the construction of shared modes of entanglement, participation and exclusion”. For Walker, sovereignty also has a close delineation with anarchy:

[θ]e presumed anarchy among states has been an anarchy of a select few, and considered resources have been procured to delineate and defend the borders. But it is this proliferation, affirmed by accounts of the modern state as institution, container of all cultural meaning and site of sovereign jurisdiction over territory, property and abstract space, and consequently over history, possibility and abstract time, that still shapes out capacity to affirm both collective and particular identities.10

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8 Article 2(4): All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

Article 2(7): Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.


10 State sovereignty and the Articulation of Political Space/Time. p. 445.
R2P’s contribution:

R2P entered the intervention lexicon in late 2001, with the official report being published shortly after 9/11. R2P, of course, fits into the larger intervention debate and largely serves as a response to failed attempts to save strangers. Often the intervention literature contends with key terms such as sovereignty, authority, and legitimacy, the conundrum central to the intervention dilemma. This distinction is highlighted in policy circles and the academic literature with: “we must do something”, and “we should have done something”¹¹, which the Commission attempts to challenge. This dilemma is caused largely because of the juxtaposition between intervention and sovereignty. Kofi Annan, the then Secretary General of the United Nations, sought to challenge and explore alternatives that could allow for timely and indeed needed intervention to occur. In the highly publicised Millennium Report Annan outlined this central dilemma:

...if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that offend every precept of our common humanity?¹²

In reaction to Annan’s plea the Government of Canada reacted and created ICISS. The main goal of the Commission was to identify possible route(s), allowing the international community to react in instances deemed necessary for intervention. As outlined in the introduction, the central question posed simultaneously with intervention and which the Commission based its work is: “when, if ever, it is appropriate for states to take coercive—and in particular military—action, against another state for the purpose of protecting people at risk in that other state”.¹³ The Commission knew the traditional barriers that often hindered a normative

¹¹Busser, Mark. Critical versus Problem Solving Approaches to Security and The Responsibility to Protect.

¹²ICISS. The Responsibility to Protect. p. 2

¹³Ibid. p. VII
intervention response. Sovereignty is a critical element in this debate and because of this is a central focus of the Report and term the Commission sought to alter.

R2P serve as a ‘critical juncture’ in intervention thinking. Its key contribution to this debate is through its ability to reformat sovereignty with a distinct move away from sovereignty as a ‘right’ toward sovereignty as a ‘responsibility’. This long held tradition of non-intervention remains largely intact because of the continued influence of Westphalian statehood. According to this logic, the state has the responsibility to ensure the safety of ‘its’ citizens and is essentially free from external intervention. Yet R2P seemingly alters state sovereignty which incorporates the ‘international community’ as an actor with the ‘responsibility’ to protect them when a state (where human rights abuses occur) cannot.\(^{14}\)

R2P seemingly continues to become a popular point of discussion during international conferences and publications, it continues to serve as a microphone for making ‘never again’ an irrelevant concept as thousands continue to die worldwide because of the continued ability of the state to end it. While this is indeed a critical contribution to halting, preventing, or at the very least appearing to be the least bit concerned about ‘strangers’, R2P also serves as a platform for understanding contemporary sovereignty. It serves as a platform to understand contemporary power dimensions that proliferate between the state/subject relationship.

**R2P enters the structural realm:**

\(^{14}\) Please note: the ICISS report outlines a Just Cause Threshold. Military intervention for human protection purposes is an exceptional and extraordinary measure. To be warranted, there must be serious and irreparable harm occurring to human beings, or imminently likely to occur, of the following kind:

A. large scale loss of life, actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or
B. large scale ‘ethnic cleansing’, actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.
R2P is a document operationalised by states and thus seeks to structurally impute itself in an effort of preventing “large scale loss of life”. Accordingly R2P, “the primary responsibility for the protection of its people lies with the state itself…[yet when] the state in question is unwilling or unable to half or avert it, the principle of non-intervention yields to the international responsibility to protect”. As a state-led document R2P inherently sustains a state-centric solution to the dilemma. As a result, in order for security to exist a malign benign state is necessary. As Booth correctly asserts this is largely because, “[s]ecurity has been one of those common-sense, pre-defined terms in international relations orthodoxy that appear to be unproblematic until examined with a critical eye”. As R2P continues to develop as an idea, both in theory and practice, assessments also continue to rise. One worthy critique identifies R2P as it attempts to entre to superstructure and contends with well-established roles primarily occupied by a ‘traditionally’ understood state.

In a recent journal entry in Critical Studies on Security, Stefanie Fishel contends R2P is a “between violence, intervention, and the state system”. In it Fishel astutely questions whether the doctrine (R2P) and its architects contemplated the system with which it sought to enter. Here Fishel points out the magnitude that R2P seeks to contribute: essentially R2P is seeking to redefine state sovereignty, a tradition for many, at least in the traditional understanding, that dates back to Westphalia and 1648. With this, Fishel further points out:

[to begin redefining the system, there must be a critical discussion of the state and sovereignty as a historical and cultural products along with a concomitant rallying of political will. This discussion can add, in a substantive and contextual manner, to a serious palaver about the ‘onto-theology of security rather than a simple broadening of security to include other objects.


A redefinition of sovereignty ‘as responsibility’ may only elide deeper institutionalization of forms of violence and regimes of control by including only the ethical and normative dimensions of sovereignty rather than ontological and metaphysical.

Fishel’s findings are of course not unrealistic, in fact it is a point the intervention/R2P literature overlook for far too long. Sovereignty is a commitment, a political tool wielded by states in an attempt to control populations and by its very nature define who is acceptable and who is not.

Fishel’s critique here turns to understanding the state as an historical mechanism that has changed very little. Here Fishel points to the work of Daniel Warner and cites,

> the Commission begins from the fact of ‘gross and systemic violations of human rights that affect every precept of our common humanity’ without mentioning who is responsible these violations [before adding], it may be argued that the very state system is in different ways responsible for these violations in the sense that human rights violations are inherent in the prioritising of raison d’état.

Fishel illustrates not only how the Commission underestimates the malign behavioural patterns of the state, but also how it overestimates the safety of following decolonization a state-centric global order. In this context the Commission found that, “there were no longer “insiders” and “outsiders” because virtually every person on Earth lived within a sovereign state, without recognizing that the entire system is based on ‘insiders’ and ‘outsiders’”.

**Conclusion:**

As expressed above, this paper is not about providing conclusive answers. It is about seeking to understand R2P in larger structural issues that concern sovereignty issues and what has been deemed here the (re)writing of sovereignty. As a doctrine, R2P is about saving those that cannot save themselves, which arise from injustices of the state. The relative nature of injustice naturally complicates any if not all solutions, but what may be more worrying that R2P, as a theoretical practice seeks change within a well-establish structure that is unlikely to change.

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State sovereignty, in our contemporary world, is inherently brash and seeks to undermine personal freedom and control life with both malign and benign practices.

In the opening paragraph the idea is introduced that sovereignty is essentially a mental construction. Understood as stagnant theme, sovereignty becomes closely aligned with a realist interpretation of world politics. Here the traditional narratives run steady and mean that political life simply regenerates itself because the structure of the system undergoes little renewal. As is argued here, however, sites of sovereign renewal do arise; R2P serves as one of them. Whether sovereignty follows a new trajectory and adopts different ontological and epistemological commitments requires the perception. Here, of course, R2P and thus a new understanding of sovereignty is possible, but unfortunately will most likely be molded not by innovative thought, but rather a traditional state understanding.