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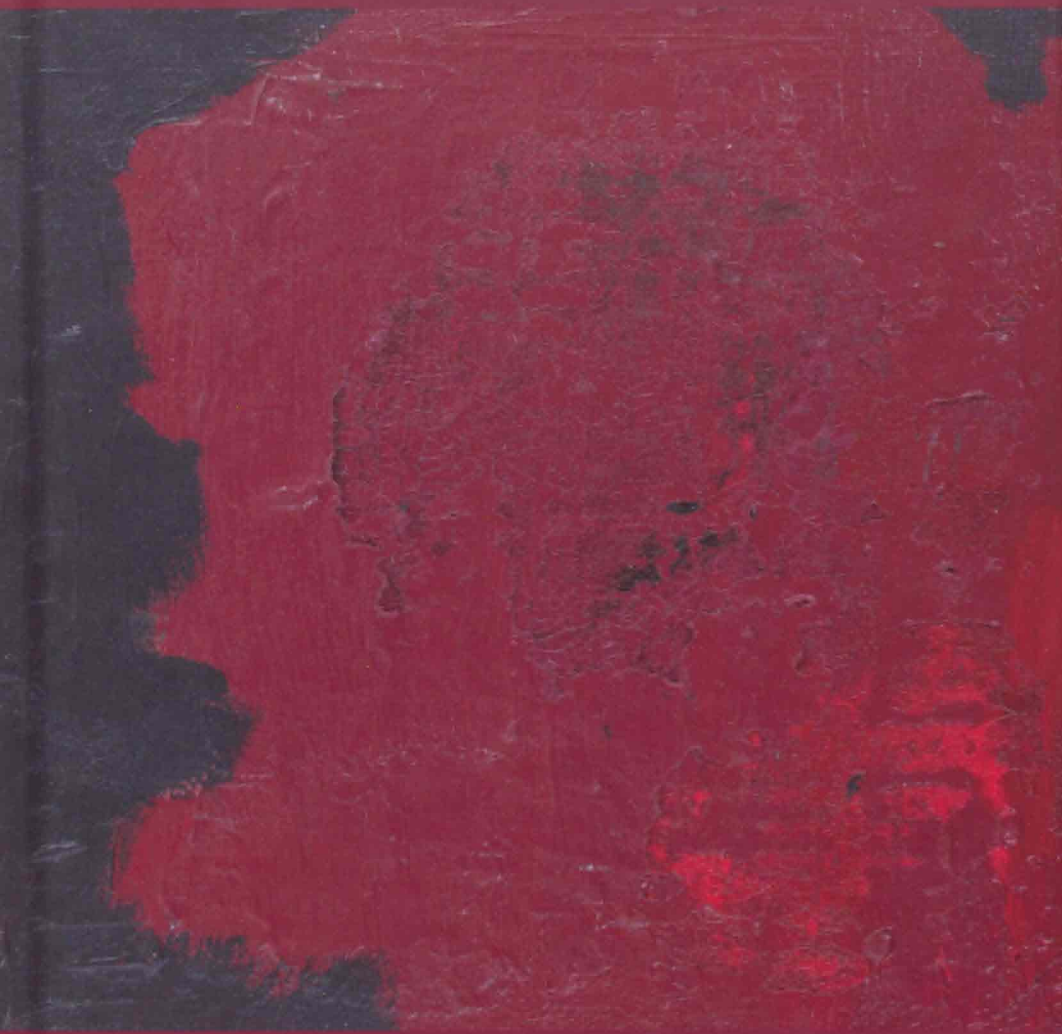

Genocide and its Threat to Contemporary International Order

Adrian Gallagher

New Security Challenges Series

General Editor: **Stuart Croft**, Professor of International Security in the Department of Politics and International Studies at the University of Warwick, UK, and Director of the ESRC's New Security Challenges Programme.

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1
Introduction

Genocide refers to the destruction of a group. However, if I am not a member of that group, why should I care about its destruction? Traditionally, in answering this controversial question, scholars have tended to espouse universal moral principles when advocating compassion and humanitarian intervention. Genocide, it is claimed, constitutes a crime against humanity. The problem is that such understanding tends to be built on the assumption that humanity exists. For those that refute the idea, the claim that genocide is a crime against humanity is flawed as humanity is nothing more than a word. As Alexander Herzen bluntly stated, 'The word "humanity" is repugnant; it expresses nothing definite and only adds to the confusion of all remaining concepts a sort of piebald demi-god. What sort of unit is understood by the word "humanity?"'[1] Although this view may seem uncompassionate, the dominance of realism in twentieth-century political discourse has often seen such understanding upheld at the international level. Since realists reject the idea that states have a moral obligation to anyone other than their own citizens, they have tended to oppose genocide prevention as a humanitarian concern that is of little real concern to a state's national interest. From this perspective genocide prevention remains just another policy option, one that should only be opted for when there are national interests at stake.

This is put into context in Alex Alvarez's work, *Governments, Citizens and Genocide* in which the author explains that diplomats 'are often held hostage to *Realpolitik* strategies that place a higher value on protecting national security than protecting an oppressed group'.[2] For instance, in 1975 prior to the Indonesian oppression in East Timor, the Australian ambassador to Indonesia wrote that Australia should assume a 'pragmatic rather than a principled stand', because 'that is what

national interest and foreign policy is all about'.[3] Such rhetoric was also evident as James Wood, a US Deputy Assistant Secretary of Defence, placed Rwanda-Burundi on a list of potential trouble spots only to be informed by a superior: 'Take it off the list ... US national interest is not involved ... we can't put all these silly humanitarian issues on lists like important problems in the Middle East and North Korea and so on.'[4] Similarly, as Slobodan Milosevic engineered a process of destruction and dispossession in the former Yugoslavia, George Bush's secretary of state, James Baker, repeatedly stated: 'We don't have a dog in this fight.'[5] The sentiment expressed in these statements underlines the central point that genocide prevention is not considered to be in a state's national interest. Because of this, policymakers seem to view genocide prevention as somewhat altruistic and part of an *un*realistic foreign policy agenda. As Nicholas J. Wheeler's seminal study succinctly concludes: 'state leaders will accept anything other than minimal casualties only if they believe national interests are at stake'.[6]

The point to consider is that genocide is considered to be the 'crime of crimes' in international law, yet carries much less political weight than 'lesser crimes'.[7] For instance, long-term *collective security* strategies are adopted when attempting to prevent crimes such as international terrorism, drug trafficking, and piracy at the international level.[8] This is not to say that such crimes do not have profound implications for international society but to highlight that at present, there is no such long-term collective security strategy when it comes to genocide prevention.[9] Essentially, it would seem that crimes such as drug trafficking are considered to pose an *international threat*, by which I mean that, such crimes outstrip the individual security capacity of states who then work collectively to address this security deficit. Accordingly, policymakers perceive that the collective interest furthers the national interest within such specific contexts. The failure of any long-term collective security strategy towards genocide implies that policymakers do not perceive that it poses an international threat in the same way that the aforementioned crimes do. Although policymakers will undoubtedly recognise the horror of genocide and accept that genocide may cause mass migration, which causes regional instability,[10] it is clear that mass migration is not exclusive to genocide which remains a low-priority issue. Such understanding only goes to restate the point that when it comes to genocide prevention, policymakers do not perceive that they have a 'dog in the fight' and as a result do not treat the prevention of genocide as a matter of national interest.

This point is fleshed out further in Andrew Hurrell's analysis *War, Violence and Collective Security*:[11]

> Although the collective security element in security management has increased, we remain as far away as ever from anything approaching a functioning system of collective security. Peace is not indivisible, and states and their citizens remain unwilling to bear the costs of collective security action in complex and dangerous conflicts in which their national interests are only weakly engaged. It may well be that the horrors of the Rwandan genocide prompted increased normative momentum in areas of human security and the responsibility to protect. But the continued failure of outside states to undertake a collective action in Darfur highlights the continuity of the problem.[12]

The statement underlines the fact that collective security is still in its infancy and that a functioning collective security system remains a long way off. However, the statement also underlines a stark point that despite the post-Cold War normative momentum that underpinned the 2005 UN endorsement of the *Responsibility to Protect* (R2P): *we do not even expect states to collectively confront the crime of genocide because the common perception is that the direct interests of states are not served by engaging in such 'complex and dangerous conflicts'*. Yet while this is true, it is also quite clear that states are willing to engage in such complex and dangerous foreign policy agendas when they perceive that their national interests are at stake. Hurrell therefore also rightly points out that the lack of political will surrounding genocide prevention often stems from the perception held by state elites, that there is no valid link between genocide prevention and the national interest. Thus, as it stands, genocide prevention can be considered a norm in the English School/Constructivist sense of what ought to be done but it cannot be considered a norm in the realist sense of a re-occurring pattern of behaviour as quite simply, it is genocide rather than genocide prevention that remains the norm at the international level. This reality juxtaposes with Hurrell's understanding and raises a critical question: *how do we think about, conceptualise, and understand genocide in International Relations*?

The IR dimension

The primary focus of this book is on understanding genocide, from an IR perspective, in order to shed light on how genocide should be conceptualised at the international level. In so doing, it lays the groundwork to

answer a series of important interrelated questions: what is the impact of genocide on the current world order? Does genocide pose an international threat to states? How realistic is the realist perspective when it comes to genocide prevention? What is the relationship between genocide prevention and national interest?

At present, the discipline of IR has done little to answer such questioning which reveals the fact that genocide remains a peripheral issue in the discipline of IR. For instance, in his 2001 publication *Genocide and the Global Village*, Kenneth J. Campbell stated that between 1945 and 1995 neither of the leading IR journals *Foreign Affairs* or *International Affairs* published a single article on genocide while *International Studies Quarterly* published just one within this time period.[13] While it is difficult to judge this claim without knowing the operational parameters that Campbell upheld when assessing what constituted an article on genocide, when one juxtaposes the frequency of genocide within this time period with the lack of IR interest in it, this omission is startling.[14] In addition to this, Martin Shaw raised the fact that in 1999, *Review of International Studies* published a special edition journal on the post-Cold War decade which failed to provide any analysis on the Rwandan genocide.[15] Providing some form of context, Tim Dunne and Daniela Kroslak's aptly titled, 'Genocide: Knowing What It Is That We Want to Remember, or Forget, or Forgive' sees the authors claim, 'The discipline of International Relations needs to forget its habit of selectively describing and explain the past. Instead of taking "family snaps" of human history, we must not forget the blood and immorality.'[16] While there have been a number of articles published by IR scholars on genocide in the last decade, it appears that the habit of selectivity remains prominent. For example, in Karen E. Smith's 2010 publication *Genocide and The Europeans*, the author notes: '[v]ery little has been written about the attitudes of European governments towards either the 1948 Genocide Convention or genocide in general. In fact, I could only find *one article* on the views of one European government'.[17] When one considers that this work was published over 60 years after the Genocide Convention, 16 years after the Rwandan genocide, and five years after the genocide in Darfur, one is quite simply lost for words.

Against this backdrop one is left wondering: why is there no body of IR literature on genocide? Two points of contention need to be addressed prior to answering this question. The first is that genocide does not fall within the parameters of what constitutes IR, yet this is difficult to accept when one considers the intrinsic relationship between genocide and the central tenets of IR: war, power, sovereignty, and the state.[18] For

instance, in the aptly titled *Death by Government*, the political scientist R. J. Rummel claimed 169,198,000 people were murdered by governments (1900–87) in acts of what the author labels as 'democide'.[19] The point here is that the 'output' of genocide could not have occurred without the 'input' of war, power, the state, and sovereignty (as the latter implies immunity). Indeed, a number of genocide scholars have gone further to claim that genocide is caused by the underlying structure that underpins international society itself. From this perspective, genocide does not represent a fault *in* the international system but should be understood as a fault *of* the international system. Yet despite the challenging nature of such thinking, which calls the very nature of what we, as IR scholars, study into question, the discipline has seemingly responded with silence as IR scholars have failed to make any significant contribution despite the efforts of their political science counterparts.[20] In sum, the relationship between genocide and the central tenants of IR allow us to refute the claim that the study of genocide falls outside the parameters of the discipline.

This brings us to the second point of contention as critics may claim the discipline of IR has in fact 'covered genocide' through its work on human rights and humanitarian intervention. While one can understand such thinking, two problems arise. First, the debates over human rights and humanitarian intervention have engaged with genocide implicitly rather than explicitly.[21] This has created a discourse that has failed to engage with a wide range of genocide-related issues such as causes, definition, and transitional justice to name just a few. In other words, the discipline has hardly even scratched the surface of the complexities that surround the phenomenon of genocide in international relations. Second, the debate over humanitarian intervention has suffered from a terrible tendency to group different types of conflicts together. For example, IR scholars often raise the post-Cold War humanitarian crises that occurred in Somalia and Rwanda. As a result, they critically fail to differentiate between the fact that Somalia represented a failed state plagued by chaos and anarchy whereas Rwanda represented a genocidal state implementing a process of systematic destruction. Such conflation is explicit in one of the leading texts in the field as Mary Kaldor's seminal work *New and Old Wars* places genocide, failed states, terrorism, civil war, and many other types of conflict within the melting pot of 'new wars'.[22] The example illustrates the growing tendency within IR to establish a 'one size fits all remedy' despite the fact that the causes of such conflicts and crises will undoubtedly differ. Problematically, if IR scholars simply place all human rights violations

within a single melting pot they cannot hope to learn the relevant lessons involved in each.

Having established that genocide does indeed fall within the remit of what constitutes IR, and having highlighted IR's tendency not to explicitly engage with the study of genocide, the question of why the discipline of IR has failed to study genocide remains unanswered. Attempting to provide an explanation, Campbell's aforementioned work stipulates:

> For far too long, specialists in international law, human rights, humanitarian assistance, international security, peace and conflict resolution, ethnic conflict studies, and regional studies (for example, the Balkans and the Great Lakes region of Central Africa) have blithely assumed that we did not need the genocide scholars to tell us what genocide is. Most of the time we have been wrong! In virtually every case where a think tank, national government, or IGO put together a panel of 'experts' to investigate the international community's failure to stop contemporary genocide, the genocide scholars have been strangely absent.[23]

The statement provides a straightforward explanation as it claims that IR scholars have simply assumed that they have a thorough or at least sufficient understanding of genocide and therefore have not sought to engage with genocide scholars, which according to Campbell, has meant that even within the context of interdisciplinary research the discipline of Genocide Studies has found itself marginalised. For Campbell this reflects an 'intellectual ignorance (and arrogance)' amongst IR scholars towards genocide.[24] The problem with this rationale is that it suggests that IR scholars think that they know what genocide is and therefore go about their everyday business of analysing international relations without listening to genocide scholars, yet to return to Campbell's aforementioned point regarding the omission of genocide from IR, the fact that IR scholars may hold certain assumptions about genocide does not explain why IR scholars fail to engage with the study of genocide in the first place.

To gauge this, it is important to pause and consider the underlying logic that underpins the discipline of IR itself. As Steve Smith explained in his presidential address to the International Studies Association in 2003:

> International Relations tends to ignore conflicts within states, unless they threaten the survival of the discipline's referent object, the state.

> Similarly, that referent object is reified at the expense of other possible referent points, most notably the individual and the ethnic group.[25]

The statement encapsulates a worrying trend. Simply speaking, it would seem that violent attacks *against the state* have been studied extensively within IR yet violent attacks made *by the state* have not received anywhere near the same amount of academic interest. Ultimately, this only goes to give further fuel to Smith's claim that the state-centric nature of IR has seen it privilege the state to the point that 'It is the security of the state that matters in International Relations; it is the unit of analysis, and crucially, it is the moral unit, the moral referent point.'[26] This is all too evident when one compares the research that has been conducted on terrorism and genocide. First of all, it is important to note that these two crimes perhaps stand as the paradigm examples of an attack against the state (terrorism) and an attack by the state (genocide). Thus while Campbell raises some insightful points, it is Smith's understanding that ultimately provides the groundwork which enables us to make some sense out of fact that the discipline of IR has studied the threat of terrorism extensively yet grossly overlooked the threat posed by genocide.

The point here is not to get into a disciplinary blame game or to overlook the valid contributions that some IR scholars have made to the study of genocide. To mention just a few, Adam Jones, Henry Shue, Karen E. Smith, Kenneth J. Campbell, Martin Shaw, Michael Ignatieff, Michael Mann, Nicholas J. Wheeler, Paul Keal, Richard Falk, Tim Dunne, and Daniela Kroslak have all made notable contributions. Despite these however, the fact remains that it is not easy to answer the questions set out above because so little research has been conducted into the broader implications of genocide in international relations. Moreover, precisely because genocide is intrinsically related to central IR concepts such as war, power, sovereignty, security, and the state it is evident that IR theorists can offer new and important insights into understanding and explaining genocide as well as offer reasons and strategies for its prevention. To some extent this has been evident in the recent discourse on the Responsibility to Protect as scholars such as Alex Bellamy, Aidan Hehir, Louise Arbour, and Luke Glanville have begun to explicitly address the issue of genocide within the R2P framework. At the same time however, the R2P literature has a tendency to conflate the four crimes of genocide, war crimes, crimes against humanity, and ethnic cleansing under the label 'mass atrocity crimes'. Although one can understand this logic, this author's fear is that this conceptual shift falls into the 'new wars' trap outlined above as different crimes often stem

from different causes and the search for a 'one size fits all remedy' may not only be futile but counterproductive. This is discussed in Chapter 6 which focuses on the Responsibility to Protect; for now, the aim is to point out that through a more explicit engagement with the phenomenon of genocide, IR scholars will realise that they have significant things to say on this profoundly important subject matter.

Genocide and its threat to contemporary international order: An overview

At the outset it is important to note two caveats prior to outlining the content of each individual chapter. First, the book uses an English School (ES) approach in order to theorise the relationship between genocide, order, and legitimacy at the international level.[27] The ES's focus on the relationship between order and justice in international relations provides a fruitful framework for analysing the impact of genocide on the ordering structure of international society.[28] Moreover, this author believes that the ES concept of an *international society* – as opposed to the realist focus on an *international system* or the cosmopolitan focus on an *international community* – most accurately captures the reality of international relations.[29] This is fleshed out in more detail in Chapter 3, the point for now is that since this book seeks to analyse the impact of genocide on international order, it uses an ES approach because this author upholds the view that international relations have progressed beyond that of an international system but have not become so interconnected that one can speak of an international community. International society exists and is evident in the institutions, norms, rules, and values states construct in an attempt to help create order within the anarchical realm, thereby creating what Hedley Bull famously described as an *Anarchical Society*.[30] Through exploring the relationship between genocide and these institutions, norms, rules, and values, the book sets out to provide a more informed understanding of how genocide impacts on the ordering structure of international society itself. That said, this book *does not* engage with debates surrounding the causes of genocide, its relationship with modernity, prevention strategies, or transitional justice, nor does it put forward case study research. Quite simply, such aspects have been addressed extensively in the discipline of Genocide Studies and the focus here is on understanding the threat that genocide poses to contemporary international order.

The second caveat regards the relationship between the ES and Security Studies as it is important to note that the former upholds more

of an implicit rather than explicit engagement with the latter. This is something that is very rarely discussed or even acknowledged. As Barry Buzan explains, few scholars in the field of Security Studies would actually recognise the relevance of the ES which goes hand in hand with the fact that 'Few within the ES have explicitly addressed the International Security Studies Agenda'.[31] Broadly speaking, this stems from the view that security scholars see the ES's focus on legitimacy and order as part of a liberal agenda that has little to do with Security Studies, yet as Buzan explains, the ES's approach is more complex than this as it incorporates history, political theory, and law to theorise the relationship between international system (realism), international society (the English School), and international community (cosmopolitanism).[32] In theory, this could enable the ES to play a significant role in 'widening and deepening' International Security Studies however; this relies on ES scholars actively pursuing this research agenda. With this in mind, it is again important to state what this book will not do as it does not seek to widen and deepen Security Studies but instead further strengthen the groundwork that will enable ES/Security Studies research to be carried out in the future. To explain, Chapter 3 highlights how the ES tri-partite framework of realism, rationalism, and revolutionism relates to Security Studies while Chapters 4, 5, 6, and 7 get to grips with the relationship between genocide and international legitimacy in order to illustrate how genocide impacts on the primary and secondary institutions of international society. In so doing, it upholds the view that a more constructive dialogue needs to be forged between IR and the sub-discipline of Security Studies.[33]

With the two caveats explained, the book is structured as follows. Chapter 1's claim that IR scholars are not well versed in the definitional debates that surround genocide leads naturally to Chapter 2 which highlights that IR scholars should not rely on the legal definition expressed in Article II of the Genocide Convention. The chapter is structured in a five-fold manner with the first section offering an overview of the legal definition prior to a more-in-depth analysis of four key terminology debates: (i) intent; (ii) destroy; (iii) in whole or in part and (iv) group identity. In so doing, the analysis demonstrates that the legal definition is both morally deficient and conceptually impoverished. From this perspective, questioning the legal definition is not only a right but also a duty of IR scholars. The chapter concludes by putting forward a new definition of genocide which draws on the debates discussed throughout the chapter. The intention is that the chapter will primarily highlight the need to critically analyse the Genocide Convention while the

new definition seeks to provide scholars with a fruitful starting point from which to theorise legal and non-legal genocide in international relations.

Having established an understanding of genocide, Chapter 3 utilises Andrew Linklater's use of Martin Wight's three traditions: realism, rationalism, and revolutionism to put forward a realist (international system), rationalist (international society), and revolutionist (international community) perspective on genocide. The value of this approach is that it enables a three-way dialogue which helps illustrate that one's world view shapes one's understanding of issues within it. The chapter should therefore be seen as the first of two conversation chapters as Chapters 3 and 7 engage with realism and cosmopolitanism. The reason for this is that the ES has always claimed that international relations should be understood as a never ending conversation between competing theoretical approaches.[34] Accordingly, Chapters 3 and 7 put this somewhat lofty ideal into practice as they draw on the insight that realists and cosmopolitan theorists offer into understanding international relations. Within the context of Chapter 3, the three traditions framework helps illustrate that one's understanding of IR will shape one's perception of genocide. This is a profoundly important point that needs to be considered carefully by both IR and genocide scholars. Furthermore, the chapter sets out the IR framework which Chapters 4, 5, and 6 build on prior to the re-engagement with the three traditions in Chapter 7.

Chapters 4 and 5 go hand in hand as they put forward the understanding that genocide poses a threat to international order. To substantiate this claim, Chapter 4 provides the theoretical groundwork as it explores the relationship between genocide and international legitimacy. To do this, it utilises the work of Ian Clark to first of all set out an understanding of international legitimacy which then forms the basis for the analysis between genocide and international legitimacy. It will be claimed that genocide holds a special relationship with international legitimacy because it is internationally regarded as the 'crime of crimes' from both a legal and moral perspective. Yet at the same time, it also highlights that from a political perspective genocide is not viewed in the same light. Despite the fact there is an international expectation that genocide should be prevented, policymaking remains entrenched in the understanding that states should not engage in such complex and dangerous foreign policy initiatives unless national interests are at stake. Hence, this substantiates Chapter 1's claim that policymakers do not see a link between the prevention of genocide and the national interest.

It is this latter aspect that naturally leads us into Chapter 5's focus on the impact of genocide on international order. Utilising the relationship between genocide and the first-order institution of international legitimacy, the chapter shifts its focus to exploring how genocide impacts on the secondary institution of the United Nations (UN). It is proposed that genocide poses a threat to international order as it erodes the authority of the UN (which acts as the primary facilitator of international legitimacy) and the UN Security Council (UNSC) (which acts as the stabilising function in international relations) more than any other crime. Such understanding helps shed light on how genocide impacts on the legitimacy process that underpins international relations. From this perspective one can see how the Rwandan genocide played an integral role in the post-Cold War legitimacy crisis that arose over Kosovo. This novel approach, therefore, helps us understand just why genocide should be viewed as a trans-sovereign threat. From this perspective, the prevention of genocide should be considered within the national interest of all states, if, that is, they value international order.

Chapter 6 simply picks up where Chapter 5 left off. Essentially, the endorsement of the Responsibility to Protect in 2005 saw international society come together to try and resolve the legitimacy crisis. Although the R2P has helped address certain problems to be found within the post-Cold War legitimacy debate, in failing to acknowledge the role that genocide played in creating the legitimacy crisis, international society failed to address certain fundamental questions. As a result, there remains an unresolved tension within the legitimacy process and more worryingly, the R2P has created certain obstacles that may hinder the prevention of genocide in the future. Over five years on from the endorsement of the R2P it seems that the R2P has become somewhat of the 'master concept' (in relation to mass atrocity crimes), yet it is clear that a more informed understanding of the relationship between the R2P, the Genocide Convention, genocide prevention, and the legitimacy crisis is needed.

It seems clear that in a post-R2P world states have a choice whether to embed the normative principles embodied in the R2P or not. It is here that Chapter 7 re-engages with the realist, rationalist, and revolutionist foreign policy perspectives set out in Chapter 3. Utilising the understanding set out in previous chapters, the analysis evaluates the legitimacy of the three alternative perspectives towards the prevention of genocide in a post-R2P world. The crime of genocide is utilised to highlight how difficult it is to see how states can legitimately regress back to the rules that underpin realism and ES pluralism. From this perspective it is

claimed that ES solidarists and cosmopolitans provide a more legitimate framework for creating an ordered society in a post-R2P world.

Chapter 8 offers a brief overview of the book by engaging with the 'East Tennessee Question' which is taken from the work of Ken Booth and, simply speaking, asks why should people in one part of the world care about people in another part of the world? In so doing, the question returns us to the thinking set out at the start of this chapter: genocide refers to the destruction of a group. However, if I am not a member of that group, why should I care about its destruction? Therefore, precisely because the 'East Tennessee Question' takes us back to the very starting point of this analysis, it provides an apt context for re-visiting the central themes explored in this book. It also opens up the potential for considering more critical questions regarding the relationship between genocide and international society which directly challenges the state-centric ES approach upheld in this book. The hope is that further research and dialogue can be created on this issue.

In summary, this interdisciplinary book draws on a wide-range of material from IR, Genocide Studies, International Law, History, and Moral Philosophy to fulfil a two-fold purpose. First, understand genocide within the context of International Relations. Second, understand the impact of genocide on international order from 1944 to 2010. Breaking this down further, the book has three central objectives: (i) highlight the omission of genocide in IR and the implications that this has on policymaking; (ii) identify the obstacles and challenges involved in bringing the study of genocide into IR and (iii) analyse the impact of genocide on the ordering structure of international society. In relation to these three points I argue: (i) IR scholars need to engage in the study of genocide as IR is uniquely placed to help answer certain fundamental questions regarding genocide; (ii) IR scholars need to understand the definitional debates that surround genocide rather than simply assume that they know what it is. *Also*, both IR scholars and genocide scholars have to consider how the assumptions embodied within their view of international relations will shape their understanding of genocide within it, and (iii) genocide poses a threat to international order because it erodes the legitimate authority of the UN (which acts as the primary facilitator of international legitimacy) and the UNSC (which act as the stabilising function in international relations) more than any other crime. Such understanding demonstrates that genocide undermines the very rules, values, and institutions that increase the likelihood of international order. Therefore, it is within the national interest of *all* states to prevent genocide in international relations, that is, if they value international order.