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DARFUR’S CHALLENGE TO INTERNATIONAL SOCIETY

DAVID R. BLACK AND PAUL D. WILLIAMS

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Communications about submissions should be addressed to:

Robert Johnstone, Editor
E-mail: bjohnstone@canadianinternationalcouncil.org
Telephone: 416-946-7072
The human tragedy of Darfur has now lasted for nearly six years. As David Black and Paul Williams argue in their analysis of this shocking record, the story is one of ‘self-interest and risk aversion masked by ethical posturing’ on the part of all the key international players who might have provided leadership in response to this crisis. Why is it that major countries as well as international organizations failed to craft more robust responses in spite of their own often good intentions and the almost unprecedented pressure from organizations within civil society? In the context of a discussion of theories of international society the authors conclude that the widespread use of “responsibility to protect” language should not obfuscate the fact that international society remains wedded to the traditional principle of national sovereignty. Change may be coming, but not in time for the people of Darfur.

La tragédie humaine perdure depuis déjà bientôt six ans au Darfour. Comme l’évoquent David Black et Paul Williams dans l’analyse qu’ils font de ce drame, ce récit est celui « de l’intérêt personnel pour certains, de l’aversion au risque pour d’autres, sous le couvert d’un souci éthique mal déguisé », de la part de tous les principaux acteurs qui auraient pu faire preuve du leadership que cette situation exigeait pourtant. Comment expliquer que tant les pays les plus puissants au monde que les organisations internationales n’aient pu mettre au point des interventions plus énergiques, et ce souvent malgré de bonnes intentions et une pression sans précédent de la part d’organisations de la société civile ? Dans le contexte de cette réflexion sur les théories de la société internationale, les auteurs en arrivent à la conclusion qu’en dépit d’un discours imbu de la notion de la ‘responsabilité de protéger’, cela n’est pas suffisant pour faire abstraction au fait que la société internationale choisit de demeurer assujettie au principe de la souveraineté nationale. Cela pourrait bien changer, mais malheureusement trop tard pour la population du Darfour.

David R. Black is Director of the Centre for Foreign Policy Studies and Professor of Political Science and IDS at Dalhousie University, Canada. blackd@dal.ca.

Paul D. Williams is associate professor in the Elliott School of International Affairs at the George Washington University, USA. pauldw@gwu.edu.
In April 2008, an international conference was convened in Halifax by the Halifax Branch of the Canadian International Council and the Centre for Foreign Policy Studies of Dalhousie University to assess the response of “international society” (the society of UN Member States and state-based international organizations) to this conscience-shocking crisis. Its participants focused on the time period up to the official start of the “hybrid” UN-African Union peacekeeping force (UNAMID) on 1 January 2008. This conference was part of the process of preparing an edited volume entitled International Society and the Crisis in Darfur. Participants in the conference are listed in the Appendix. Their insights have inspired these reflections.

Introduction
It is now nearly six years since the current crisis in the Darfur region of Sudan broke in early 2003. Few if any humanitarian crises have achieved greater notoriety in the interim. The calls to ‘do something’ about Darfur have been persistent and pervasive; the amount of time and energy expended on the issue in diplomatic forums impressive, at least compared to other African conflicts. But what has this activity amounted to, in terms of the nature of the international response to the crisis? And what does it teach us about the current condition and trajectory of international society?

It is easy to be cynical and dismissive about the activity of key actors in international society. Taken together, their actions and inactions add up to a tale of self-interest and risk aversion masked by ethical posturing; of prevarication and procrastination in the face of a supreme humanitarian emergency; of skirmishing over responsibility and accountability in the international response rather than leadership; and of a fundamental lack of commitment and will to respond with an appropriate degree of resources and resolve. Notwithstanding the fact that international efforts have provided significant humanitarian relief and have saved the lives of thousands, hundreds of thousands more have experienced dislocation, extreme suffering, and death as international society has debated and delivered its various responses.

Yet it would be a mistake to overlook what is novel about this case and what it illuminates about both continuities and changes in
international society. Compared with the international response to the Rwandan genocide of 1994, for example, much has changed in the shape of the debate and the use of the very term genocide, despite the tragic inadequacy of international efforts in both cases. It is important to analyze what Darfur teaches us about international society, and to assess what lessons it offers concerning the fundamental question posed by Andrew Linklater: How far can world politics be changed for the better?

We begin by laying out the key premises of the ‘international society approach’, or what has come to be known as the English School of International Relations. In short, who and what is international society, and how should its members be expected to respond to major humanitarian crises? We then draw out six themes highlighted by Darfur. The first is that ‘international society’ encompasses diverse regional social systems and their co-existence creates significant challenges for understanding and action. Second, in the interplay between ‘pluralist’ and ‘solidarist’ conceptions of international society, Darfur underscores the continued predominance of the more conservative pluralist tradition. Third, leadership and accountability have become harder to pin down in the current international context of normative ambiguity and institutional diffusion. Fourth, “good international citizenship” has too often been supplanted by what we call “good enough international citizenship.” Fifth, Darfur represents a setback for the normative principle of the “Responsibility to Protect”, which Canada championed. But sixth, despite the predominance of pluralist practices, solidarism has taken root in international society, and is leading us into uncharted territory.

International Society and ‘Good International Citizenship’
The idea that states form a society is most commonly associated with the so-called English School of International Relations theory. As Tim Dunne has noted, it is based on two connected claims about the common interests and shared values of states. First, states are presumed to take into account the impact their decisions have on other members of international society. Second, international society can signify the presence of intricate patterns of social interaction that
display the rules of the game for regular interaction, if not exceptional behaviour.

From this perspective, international society can be understood as the framework of rules, norms and institutions produced by the ongoing activities of those who act in the name of states i.e. political leaders, diplomats and other state officials. An international society is thus qualitatively different from notions of an international system in which interaction among the world’s states is mechanically regulated by the anarchic structure of the system and the distribution of (military) capabilities within it. To use Hedley Bull’s popular distinction, a ‘system of states (or international system) is formed when two or more states have sufficient contact between them, and have sufficient impact on one another’s decisions to cause them to behave – at least in some measure – as parts of a whole’. A ‘society of states,’ on the other hand, ‘exists when a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive of themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions.’

Although members of the English School share a preoccupation with the society of states, they differ sharply on its nature and purpose. Is the purpose of international society to maintain interstate order (even if it is unjust) or to provide for the conditions of individual justice everywhere (ultimately the only basis for a stable order)? Historically, the most common justification for maintaining international society has been to preserve diverse political communities in a context of massive disparities of power between its members and where no consensus exists on the principles of justice. This has been the central commitment of the “pluralist” conception of international society. Pluralists like Robert Jackson are concerned with reducing inter-state harm by restricting the legitimate use of force to self-defence and when authorized by the UN Security Council, and by developing ‘international harm conventions’ that place limits on state conduct in both war and peace. In contrast, the “solidarist” conception of international society emphasizes an emerging consensus around the basic tenets of human rights and hence the promotion of individual justice as the soundest basis for ensuring a
stable international order. Solidarists such as Nicholas Wheeler seek to advance this agenda by incorporating ‘cosmopolitan harm conventions’ designed to reduce harm done to individual citizens. They also seek to devise rules of conduct for the morally legitimate use of military force in cases of supreme humanitarian emergency.

These different conceptions of international society are relevant in both describing how the world works (when and where the pluralist or solidarist conception most accurately reflects the current nature of international society), and prescribing how it should work (that is, whether pluralist or solidarist ethics should be promoted). Pluralists and solidarists thus disagree on the type of foreign policy behaviour they endorse.

The debate on appropriate state behaviour is pivotal to how one thinks of “good international citizenship.” As Linklater and Suganami have asked, what “principles of foreign policy … can promote the moral ideal of the unity of humankind without jeopardizing international order”? In the English School’s framework, the starting point for thinking about good international citizenship is that most states recognize that they are answerable to what Martin Wight described as three separate moral constituencies: co-nationals, international society and humanity. In any given political episode, state representatives have the difficult task of weighing their obligations to these three constituencies and balancing their national, international and humanitarian responsibilities. At the more solidarist end of this spectrum, writers such as Tim Dunne and Nicholas Wheeler have argued that in situations of extreme humanitarian emergency, ‘the good international citizen must be prepared to ask its soldiers to risk and, if necessary, lose their lives to stop crimes against humanity.’ If necessary, the good international citizen is expected to do this without explicit authorization from the UN Security Council, even if this may weaken the rule of law within the society of states. For writers on the pluralist end of the spectrum however, such advocacy is a dangerous recipe for undermining international order and eroding the already fragile foundations on which peace between states has been constructed since the treaties of Westphalia in the mid-seventeenth century.
In light of this long-running debate, Andrew Linklater and Hidemi Suganami have outlined principles of good international citizenship for both the pluralist and solidarist conceptions of international society.

For the pluralists such principles include:

1. All societies have a right to a separate existence subject to the need to maintain the balance of power.
2. Intervention in the internal affairs of member states to promote some vision of human decency or human justice is prohibited.
3. Diplomatic efforts to reconcile competing interests should proceed from the assumption that each state is the best judge of its own interests.
4. Because of their unique military capabilities the great powers should assume special responsibilities which are determined by mutual consent for preserving international order.
5. Force is justified in self-defence and in response to states that seek preponderant power.

Solidarists principles, in contrast, include the ideas that:

1. Individuals and the various communities and associations to which they belong are the fundamental members of international society.
2. Pluralist commitments to sovereignty and sovereign immunity should be replaced by the notion of personal responsibility for infringements of the laws of war.
3. Breaches of the laws of war should be punishable in domestic and international courts.
4. The sovereignty of the state is conditional on compliance with the international law of human rights.
5. States have responsibilities as custodians of human rights everywhere.

**Responses to Darfur**

Darfur has emerged as a critical marker of both how leading states have come to think about principles of good international citizenship, and of the limitations of this idea in shaping action. The notion that
states inhabit an international society characterized by shared rules, norms, and institutions suffers from important limitations. First, it does not do justice to the diverse regional groupings that exist within it. These overlapping regional societies inter-relate and cross-fertilize, but also have their particular rules, norms, and institutions that complicate relationships between them. Nor does it reflect the distinct positions of countries with respect to state sovereignty. Finally it does not capture the increasingly important non-state dimensions of world politics. These considerations influenced the positions taken by African countries and by other states in response to the Darfur crisis.

Sudan is one of the countries of the Greater Horn of Africa, a broad region that includes Chad, Central African Republic, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Somalia and Uganda. This region is marked by what Lee Seymour characterizes as an exceptionally thin regional society with a minimal sense of common interests and values, and shared norms marked by a web of militarized rivalry involving mutual interference and destabilization. It features three major zones of conflict – Eastern Sudan, Eritrea, Ethiopia, Somalia, and Djibouti; Southern Sudan, western Ethiopia, Uganda and CAR; and Darfur, Chad, Libya, and CAR - with Sudan playing a key role in each. Governments in the region routinely destabilize rivals as a way of gaining leverage and combating their own insurgencies. Political factions and regional and ethnic insurgencies have become key players who conduct their own foreign relations within and beyond the region. In such a context, pluralist norms stressing sovereignty and non-interference are an important political resource for insecure regimes, but they have not stopped various actors from frequently violating these same principles. At the same time, the humanitarian hardships that pervade the region also stimulate the mobilization of humanitarian assistance within and beyond it.

The wider African society of states is embodied in the African Union (AU). Historically, the members of the now defunct Organization of African Unity were among the staunchest defenders of a strict interpretation of state sovereignty which did not permit intervention. Paradoxically this helped to reinforce internally weak but internationally recognized regimes – what Robert Jackson called
“quasi-states.” With the advent of the AU, in contrast, African states have formally moved from the principle of non-interference in each others’ internal affairs to “non-indifference.” This has involved building a new African peace and security architecture, including attempts to create an African Standby Force and a provision in the Constitutive Act granting the AU the right to intervene collectively in one of its member states in “grave circumstances” involving war crimes, genocide and/or crimes against humanity. As Cristina Badescu and Linnea Bergholm suggest, there are important inter-linkages, though not exact parallels, between the idea of non-indifference and that of “conditional sovereignty” invoked by the International Commission on Intervention and State Sovereignty (ICISS) in justifying the “Responsibility to Protect.” Clearly, the changing normative and institutional structures embodied in the AU have made some difference in relation to Darfur. For instance, the Union was willing and indeed determined to play a central role in the peacekeeping response through the African Union Mission in Sudan (AMIS), and resisted Sudanese President al-Bashir’s bid to become its Chair for three successive years as the crisis unfolded.

Yet such transitions are partial and uneven at best. The extent to which the Responsibility to Protect has been internalized within African states is highly varied. The African Union is, after all, an organization whose membership encompasses the states of the Greater Horn, with their “exceptionally thin” sense of sociality and entrenched practices of mutual destabilization. There are also important differences in approach between the states of North Africa and many, though not all, in Sub-Saharan Africa, with the former enmeshed in a social web of pan-Arabism and inclined to be even less open to intervention in the affairs of other states. Collectively moreover, the AU response to Darfur has been constrained by a high level of deference to Sudanese sovereignty. More subtly, the AU has promoted a different emphasis on issues of justice, impunity, and criminality, advocating “restorative” practices of reconciliation and healing in parallel with the more retributive practices reflected in International Criminal Court (ICC) investigations and indictments.
In relation to the war in Darfur some major states have been the crucial actors in several respects: they possessed the military capacity to undertake enforcement activities; they were the primary locus of diplomatic initiative and muscle; they provided the bulk of funds for humanitarian and other forms of assistance; and non-state actors that were engaged in the war inevitably became entangled in the complex web of state-governed structures and institutions. The debates conducted within international society and the actions taken by its leading members thus call for detailed analysis.

The European Union represents, by many accounts, the most advanced advocate of solidarist norms and practices in international society. Certainly, the EU was among the largest financial supporters of both the humanitarian effort in Darfur, and the AU’s peacekeeping efforts. It is, Keane and Wee argue, “broadly supportive” of the Responsibility to Protect as a principle. Yet as a collectivity, it is constrained by the difficulty of negotiating the unanimity needed for common positions and, beneath its collective veneer, the autonomy, interests, and initiatives of individual member states persist. In diplomatic negotiations on Darfur and elsewhere in Africa, it consistently “punches below its financial weight”. Moreover when it does take robust action, as in the Security Council-authorized joint UN/EU force for eastern Chad and northeastern Central African Republic (CAR), it may effectively serve as a ‘humanitarian cloak’ obscuring the deep, neo-colonial continuities in relations between some of its most influential member states and their regional allies. Certainly it will be suspected, and accused, of playing such a role by many local actors, complicating its collective efforts to influence events in Darfur and elsewhere.

There is yet another level of complexity in international society. Its “international citizens” (states) are themselves diverse and internally divided in their understanding of international society and the responsibilities of good international citizenship. In the case of France, Bruno Charbonneau argues that its involvement in Africa generally, and Darfur/Chad/CAR specifically, reflects a dualist tradition of powerful continuities in divergent Imperial and Republican identities. During the current crisis in Darfur, the French
military continued to play a dominant (though obscured) role in key regions and countries, reflecting the persistence of the Imperial tradition. On the other hand, the new Foreign Minister, Bernard Kouchner, personifies the more humanitarian tradition. Therefore in considering the French role in Chad and, by extension Darfur, one must be careful to ask which “France” we are talking about.

The same general point applies to the United States and to most other key players. Scott Stedjan and Colin Thomas-Jensen disentangled the roles of the distinct institutional identities and interests in the US policy establishment (the “interagency”), as well as between the Executive Branch and Congress. While some policymakers and legislators were receptive to appeals to intervene made by the extraordinary social movement that emerged around Darfur, others clearly exhibited a more pluralist orientations that emphasized the pragmatic benefits of non-intervention.

Even Canada, which had initially championed the Responsibility to Protect, was inhibited in its response to the Darfur crisis by the fact that the more solidarist influences that had led it to underwrite the ICISS did not reflect the views of many in its foreign and defence policy establishment. As a result, these ideas became less politically influential with a change of government in Ottawa in January 2006. Canada has continued to be an active supporter of AU and UN efforts in Sudan, deploying a small contingent of military personnel (currently under 10) to support the AU and now hybrid Darfur mission, and has become the co-chair (with the United States) of the ‘Friends of UNAMID’ since this new operation’s launch at the start of 2008. Yet it has shown no appetite for a more substantial troop deployment, or for engaging in the more outspoken advocacy role that its earlier ‘norm entrepreneurship’ on the Responsibility to Protect would lead one to expect.

China has been a powerful ally and friend of the Government of Sudan in most diplomatic forums. Indeed, the pervasiveness of its support, whether tacit or forthright, speaks directly to the continuing force of the cardinal principle of respect for state sovereignty. In this context, much has been made of China’s role, as the Permanent Security Council member with the greatest potential leverage over the
Sudanese regime, in defending the latter’s sovereign authority and resisting any international deployments over Khartoum’s objections. That China has long treated sovereignty as what Ian Taylor calls a “trump norm” among the “Five Principles” that have officially guided its foreign policy since 1954 is perfectly understandable given Beijing’s own history of external domination by Western powers. Yet even in this case, it is misleading to attribute the failure to respond more robustly on Darfur exclusively or even predominantly to the patronage and protection of China and a few like-minded governments, including Russia. Three points should be made in this regard. First, China’s approach was not unchanging. Taylor argues that, particularly when it too became vulnerable to external social pressure in the run up to the 2008 Summer Olympics, Beijing sought (however gently) to persuade Khartoum to engage with international society and move towards a resolution of the crisis. Thus, even pluralist norms are not unconditional or unchanging. Second, as Taylor also emphasizes, Khartoum’s sovereign authority over, and control of access to, critical energy supplies meant that it had (and used) significant influence in dealing with even the most powerful external actors, including China. But third, powerful Western governments did not in fact press very hard, or with very many resources, to give practical effect to policies of active intervention in the Darfur crisis. This brings into question the depth of their commitments and conversely the *sotto voce* persistence of preference for classic state sovereignty amongst their policy and political elites. The overriding conclusion is that the more cosmopolitan possibilities and pretensions that emerged in the 1990s constitute a thin veneer over the much more pluralistic approach to international society and good international behavior that continues to predominate in practice.

To be sure, it is noteworthy that the language surrounding Darfur has changed markedly compared to previous similar crises. Much of this has been driven by *social movements and NGOs* that have taken up cosmopolitan ideas, such as the Responsibility to Protect, to bring political pressure to bear on legislators and governments in the United States, the UK, and Canada among others.
However, the mobilized social movements such as the Save Darfur Coalition that dramatically raised the political salience of the crisis in these countries, in stark contrast to the relative indifference exhibited towards genocide in Rwanda a decade before, had only a limited impact on policy outcomes. This is most striking in the case of the US where, as Stedjan and Thomas-Jensen highlight, “the crisis in Darfur (gave) rise to the largest U.S. activist movement on an African issue since the anti-apartheid struggle”. There is no question that this movement, making common cause with allies in the US Congress, was critical in driving the Darfur crisis up the political agenda in Washington, right into the White House. Similarly, domestic social movements in the UK and Canada were influential in keeping Darfur on the agenda. The effects of this role were also felt in the Security Council which, Michael MacKinnon argues, was compelled to put Darfur on its agenda by social mobilization – albeit through a principally humanitarian prism. They were even felt in Beijing, as the Chinese government’s shift to publicly encourage Khartoum to cooperate with international efforts to resolve the crisis was driven largely, according to Taylor, by the “Genocide Olympics” campaign centered in the US, and the traction it gained within the US Congress.

Yet in the end, despite the popularity of this movement and the sophistication of its methods, it succeeded only in prompting a limited and ‘tragically muddled’ policy response even in the US, where it was strongest. As Richard Just wrote in The New Republic of August 27, 2008 “Darfur activists were much more comfortable with the descriptive than with the prescriptive.” Moreover the influence of social movements on policymaking was, at times, detrimental to sophisticated, strategic engagement with the issues in play. For example, since the initiative on US policy rested mainly with the axis between civil society organizations and sympathetic members of Congress, much of the policy process was played out in public, enabling the Sudanese government to routinely anticipate and outmanoeuver US policymakers. In addition, as Stedjan and Thomas-Jensen point out:

As is usually the case with social movements, civil society groups focused (their) activism on measurable issues such as
getting troops on the ground, the imposition of sanctions, referral to the International Criminal Court, and the removal of impediments to, and funding for, the humanitarian response. To maintain a movement, activists need to measure whether their work made a difference and do so reasonably quickly. This meant that many issues, such as peace processes and building alliances of like-minded states to increase leverage, were not normally discussed in the activist sphere.

Thus, the Darfur case highlights the continued centrality of “states-as-citizens” in international society, despite the growing strength of national and transnational civil society coalitions. Not only do states still enjoy advantages in terms of legitimacy and authority, but they also retain key technical and operational advantages making them difficult to engage and/or compete with.

Governments and international organizations, up to and including the UN Security Council, have also come under sustained pressure to “do something” to relieve suffering in Darfur and negotiate a sustained end to the conflict. In practice, these pressures have not always been very specific about the type of desired action, and have at times contributed to hasty and ill-conceived agreements driven by high-level negotiators being “parachuted” into the region for short periods of time. The best example was the final negotiating session for the failed Darfur Peace Agreement in May 2006. More striking, however, is the extraordinary deference that continued to be given to national sovereignty – particularly that of the Government of Sudan. Moreover, those governments and organizations that professed to favour a more solidarist understanding of good international citizenship, such as the UK, Canada, the EU, and even US President Bush on this issue, displayed markedly less intensity of interest and commitment than those advocating a pluralist approach.

Even the UN Security Council, comprising some of the world’s most powerful governments, was characterized by former US Permanent Representative John Danforth as wielding a “rubber stick” in the face of Sudanese manoeuvring and intransigence. Both the Security Council’s and the UN Secretariat’s approach was reactive
and irresolute (although the latter was almost certainly hampered by its realization that the former was in no mood for intervention without Khartoum’s consent). Conversely, with nothing less than regime survival on the line, and with the structural advantage of its claim to sovereignty, the regime in Khartoum was determined, adroit, and ruthless in pursuit of its interests and objectives. As a result, Michael MacKinnon concludes, “the UN and its political masters in the Security Council are poorly equipped and motivated to assert themselves in the face of a strong national government that has the will and resources to resist strong international intervention”. Similarly, Paul Williams concludes that the UK’s response to Darfur “highlights the enduring advantages and power that canny sovereign governments can wield and the severe limitations that prevent international society from delivering on its collective promise to protect populations in danger.”

Who is to Lead?
The case of Darfur demonstrates that exercising leadership in contemporary international society has become more difficult, as the range of demands for effective action grows and as the number of potentially relevant actors expands. Clearly, in this case, both traditional and emerging great powers were unwilling to lead. The US and the UK, who might in different circumstances have been expected to, were severely constrained by the fallout from their invasion of Iraq as well as their investment in the so-called ‘Comprehensive Peace Agreement’ (2005) between the Government of Sudan and the Sudan People’s Liberation Movement/Army (which led to the deployment of UNMIS by the UN). China was unwilling to bring significant pressure to bear on Sudan for both self-interested and principled reasons, reflecting its deep attachment to pluralist norms of sovereignty and non-intervention. France, which demonstrated only limited interest in the Darfur crisis prior to the election of Nicolas Sarkozy, was also deeply implicated in the security machinations of the Greater Horn through its links with Chad among others.
The unwillingness of major powers to lead meant that expectations for action were deflected onto various multilateral bodies, including the UN Security Council, the AU, the EU, and the ICC. Such bodies can, with creativity and adroit leadership, exercise some influence on their own, but they usually remain creatures of their member-governments. This limits their ability to act autonomously, both on account of resource constraints and of the difficulty of negotiating common positions and sustaining collective political will. When they do act they are often suspected of acting as a legitimating cloak for the interests of their stronger member states (for example, France in the Greater Horn).

In the case of Darfur, both the UN Security Council and the African Union had their own motives for initially “sub-contracting” primary responsibility for the international peacekeeping presence to the AU. This can be framed, optimistically, as a pragmatic and innovative division of labour. It also played into the popular mantra of “African solutions to African problems.” In practice however, the AU remained thoroughly dependent on Western donor support, and was hampered by its very limited capacity and experience in the face of what was, by any standard, an extraordinarily challenging operational environment. When donors and humanitarian NGOs began to turn on AMIS in 2006, however, “The public campaign by donors, NGOs and the media highlighting the AU’s weaknesses and the abrupt manner in which the pressure was applied to the AU to acquiesce to a UN take-over struck many AU officials as disrespectful, selfish and short-sighted” (MacKinnon). This led to an antagonistic and uncooperative relationship between the two organizations slated to collaborate in the UNAMID mission, further delaying effective action.

The net effect of this diffusion of the potential for leadership to sub-regional governments and organizations, regional multilateral bodies, extra-regional and “global” multilateral organizations, and key state governments within and beyond the region, not to mention humanitarian NGOs, social movements, and insurgencies in Darfur and neighbouring territories, is that it is hard to know who should be expected to lead, and who should be held accountable for operational
successes and/or failures. This lack of clarity about leadership and accountability becomes a major hindrance to effective action. In relation to Darfur, it played into the hands of both risk-averse policymakers who could always direct blame elsewhere for the failure to act, and the Government of Sudan which, as Seymour notes, became highly adept at “forum shopping” to forestall concerted pressure.

Several key states and international organizations have been relatively outspoken in their support of a conception of international citizenship less inhibited by traditional adherence to the non-intervention norm, both in general and in the case of Darfur. In principle, each of the UK, the US, France, Canada, and the EU have strongly supported the ideas that, for example, states have responsibilities as custodians of human rights everywhere, and that regard for human rights requires respect for non-sovereign communities and requires the society of states to protect minority nations and indigenous peoples from unnecessary suffering. The UK, Canada, and the EU in particular have been among the most outspoken advocates, or “norm entrepreneurs” for the Responsibility to Protect. Even in George Bush’s Washington while “the “responsibility to protect” concept is still gaining currency, its core argument is not broadly contested” according to Stedjan and Thomas-Jensen. President Bush was apparently genuinely seized of the crisis in Darfur, at least intermittently, largely on principled grounds. Along with various other governments which profess the same broad principles – notably many of the EU’s member-states for example – this would seem like the makings of a formidable coalition in support of robust action on Darfur.

In fact, this inchoate coalition was characterized by a number of shared weaknesses and limitations. First, each party had more important foreign policy priorities than resolving Darfur’s conflict. Second, their approach to the crisis was fundamentally reactive. Third, they were hampered in all cases by a lack of sustained diplomatic capacities, reflecting a lack of long-term deployments in the region and the knowledge and connections that could grow with them. All therefore “punched below their financial weight”
diplomatically. Nor were any of them prepared to seriously contemplate let alone debate the details of deploying substantial military contingents, or “boots on the ground,” to buttress a robust humanitarian response. Rather, their shared focus was on providing the AU with just enough support to make the AMIS operation appear credible, if clearly not adequate to the task at hand. This allowed them to effectively forestall or deflect demands on themselves to do more. In general then, their salient performance benchmarks were how their response compared to their peers in international society – mostly other states in the Organization for Economic Cooperation and Development – and what they needed to do to address (if not satisfy) persistent demands for action by mobilized social movements domestically. Each of these actors recoiled whenever it was suggested that they should be judged according to what would be necessary to provide real relief from the extraordinary cruelty and suffering of Darfuris. Rather than good international citizenship, conceived in solidarist terms, this type of response is better characterized as, at best, good enough international citizenship.

This is not to discount the extraordinary difficulty of determining how best to relieve suffering and provide meaningful civilian protection in this case. There were many formidable reasons, from the perspective of individual governments and organizations, why a more robust and sustained response was eschewed. Nor do we mean to discount the extraordinary efforts of individuals and agencies who worked tirelessly to provide relief, facilitate a negotiated end to the conflict, support the technical and infrastructural needs of the AU, etc. Rather, our point is simply to highlight that in international society as currently constituted, even those members that profess an obligation to act in the face of tragedies like Darfur do so in a sharply truncated and risk averse manner – giving advantage to those such as the Government of Sudan whose means may be far more limited but whose interests and commitment are acute.

A Responsibility to Protect?
It is not surprising that one of the strongest points of agreement among participants in this project is that the response to the Darfur
crisis marks a setback for the idea of an international responsibility to protect civilians at risk of genocide or mass atrocities. This is somewhat ironic, given that the “R2P” idea reached new heights of global diplomatic recognition in the midst of the crisis with its incorporation in the UN’s World Summit Outcome document of September 2005 and subsequent Security Council resolutions related to the protection of civilians in armed conflict and the hybrid UN-AU peace operation in Darfur, UNAMID. Yet as Badescu and Bergholm note, these endorsements were achieved at the expense of watering down the R2P idea from its earlier articulation by the ICISS, specifically by rendering it dependent on the collective political will of the UN Security Council. Moreover, they suggest that “The September 2005 moment also temporarily concealed the differences of opinion among member states regarding the various understandings of the content and consequences of the R2P framework.” In the face of the ongoing crisis in Darfur and the Sudanese regime’s manifest failure to protect its Darfurian citizens, a concerted humanitarian response was mounted. Yet this was starkly insufficient to protect the people of Darfur from the atrocity crimes committed against them. As MacKinnon concludes concerning the Security Council, “there is no doubt that … (it) has failed the people of Darfur.” Whether or not an armed humanitarian intervention could have withstood scrutiny under the ICISS’s “precautionary principle” of “reasonable prospects” of success in halting or averting the suffering, it is clear that armed intervention without the consent of the Government of Sudan was never seriously contemplated by international society. Even R2P’s staunchest international champions, including Canada and the UK, failed to lead by example in attempting to give real substance to the idea. Many other governments have begun to distance themselves from it, seeing it as an instance of putative Western neo-imperialism.

There is no doubt that Darfur has highlighted fundamental practical, political, and principled challenges to operationalizing R2P. As Charbonneau concludes in relation to France for example, “the fundamental continuities of France’s approach to Africa underscore the weakness of the R2P norm, the problems of mounting any form of
humanitarian (military) intervention, and the failure of the “international community” to come up with viable solutions beyond the recourse to ex-colonial powers.” In the face of such challenges, the question is how will members of international society respond? While a “retreat” to pure pluralism and non-intervention is virtually inconceivable given the political advances of human rights, there also seems little appetite for a sustained global dialogue on how humanitarian intervention could be more broadly supported and effectively implemented.

The International Criminal Court: Harbinger of Change?
The failure to take R2P from an emerging norm to an effective rule of action in the face of tragedies such as Darfur is disheartening. Nevertheless, the proliferation of actors and the diffusion of sources of initiative are signs that competing ideas are changing world politics, though with uncertain implications. In the case of Darfur, perhaps the most important opening to change concerns the role of the International Criminal Court. The creation of the ICC is one of the clearest and potentially farthest-reaching examples of institutional innovation in international society. The idea that, where competent national authorities fail to act in the face of atrocity crimes, a supranational court should be empowered to hold individuals to account is a potentially radical departure in world politics. Not surprisingly then, it has faced skepticism and resistance from some of the most powerful states in international society, including non-signatories China, India, Russia, and the US.

The Security Council’s decision to refer the situation in Darfur to the ICC in March 2005, in Resolution 1593, was an important symbolic step. Yet as William Schabas argues, both the terms of the referral and the way in which it was acted upon demonstrated how the Court can become subservient to Security Council politics. In his assessment, the ICC accepted a defective referral that, among other things, sought to give the Security Council unwarranted control over the Court without paying for the activities initiated at its behest. The slowness of the Chief Prosecutor’s investigation, which took 23 months from the initial referral to the issuance of summonses for the first two
accused, effectively blunted the deterrence effect that Court supporters tout as a key strength. And when the warrants were finally issued, the two accused remained at liberty for many months afterwards with international actors apparently powerless to enforce them. As Schabas summarizes:

> It is fine for the Court to provide a service to the Security Council, but it must understand that when it does so, it becomes necessarily subservient to political imperatives. It would be wise not to regard Security Council referrals as indicative either of success or of failure of the fledgling International Criminal Court.

In short, the initial steps of the Court in this case provide at least as much evidence that it remains subject to state-based initiative and interests as of its potential as an instrument of cosmopolitan justice.

But there is also evidence that despite their defiant bluster in response to the issuance of the first arrest warrants, President al-Bashir and others in the Government of Sudan were keenly sensitive to the potential implications of the ICC’s role. This sensitivity was dramatically heightened, and the ICC’s potential to impact world political events sharply underscored, by Chief Prosecutor Luis Moreno-Ocampo’s decision to seek a warrant for the arrest of Bashir himself in July 2008, on charges of genocide, crimes against humanity, and war crimes. Although the fate of this application remains uncertain at the time of writing, it does serve to demonstrate how the ICC has the potential to reach beyond state authority and to hold individuals to account in ways that might substantially recast political dynamics and calculations. Expert opinion remains sharply divided on the likely ramifications of the Prosecutor’s bold move for peace prospects in Darfur. What is clear, however, is that it has the potential to alter the balance of political forces around this conflict. Indeed within the Khartoum regime itself, as I.D.F. and Assal note in their assessment, “If the last few years have witnessed internal dynamics within the (Government of Sudan) shaping policy towards international society, international society’s stance on the indictment could seriously affect relations among the (Government’s) competing
factions”. In short, solidarist innovations are altering the course of international responses to humanitarian crises, though in uncharted and contested directions.

Conclusion
The response of international society to the crisis in Darfur illustrates both powerful continuities and significant changes in world politics. Compared with the international responses to comparable African crises of the decade previous, the net result through the first six years of the crisis in Darfur was a significantly heightened level of engagement, by a wider range of old and new actors, over a longer period of time. This heightened engagement was not without humanitarian accomplishments. On balance, however, it has fallen tragically short of meeting the needs of the people of Darfur, or contributing to a sustainable resolution to the political crisis. In response to the fundamental question of how far world politics can be changed for the better, the evidence from international society’s response to the crisis in Darfur is that while significant change has occurred, it is too soon to judge it for the better.
Participants

1. The National Congress Party and the Darfurian Armed Groups
   I.D.F. [pseudonym for a Sudanese researcher] & Munzoul Assal
   (University of Khartoum)

2. The Greater Horn of Africa
   Lee Seymour (Harvard and Leiden Universities)

3. The United Nations Security Council
   Michael MacKinnon (Canadian International Council)

4. The African Union
   Cristina Badescu (University of Toronto) & Linnea Bergholm
   (Aberystwyth University)

5. The European Union
   Rory Keane (OECD) & Asbjorn Wee (OECD)

6. The International Criminal Court
   William A. Schabas (National University of Ireland, Galway)

7. The United States
   Scott Stedjan (Oxfam America) & Colin Thomas-Jensen

8. The People’s Republic of China
   Ian Taylor (University of St Andrews)

9. The United Kingdom
   Paul D. Williams (George Washington University)

10. France
    Bruno Charbonneau (Laurentian University)

11. Canada
    David Black (Dalhousie University)
Key References


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