

The Collective Level in the Responsibility to Protect: Taking the International Community Seriously*

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Key words(중심용어): 보호책임(R2P, Responsibility to Protect), 집단적 책임(Collective Responsibility), 국제사회(International Community), 구성의 오류(Fallacy of Composition).

국 문 요 약

이 논문은 보호책임(responsibility to protect)를 논함에 있어 집단적 차원(collective level)이 간과되거나 설득력 없이 다루어지고 있음을 강조하고 보호책임 구조(R2P framework)가 국제사회의 집단적 책임 차원이어야 한다는 것을 상기시킨다.

불완전한 임무에 대한 우려는 집단적 책임을 개념화하는 시도가 될 수 있는 중요한 이유가 될 수 있다고 제안한다. 구성의 오류를 범하는 그런 방법은 피하고 집단성(collectivity)과 집단적 차원(collective level)을 진지하게 검토해야 하며, 이것은 재현(representation), 기관(agency), 효능(efficacy)을 고심하게 될 것이다. 결론에서는 아태지역이 왜 국제사회에 관한 연구에 관심을 가져야 하는지를 설명한다.

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I. Introduction

Recent pro-democracy movements particularly in Egypt, Libya, Syria, and Yemen have emphasized the need to pay closer attention to the roles that the international community can and should play in the humanitarian conditions within sovereign states. A crucial evolution in this respect has been the conditionality of sovereignty. Where previously the domestic jurisdictions of sovereign states may have been considered to be protected from external interference—codified in the UN Charter Article 2(7)—the past decades have witnessed a growing awareness that such protection is conditional. One of the most important declarations in the past years regarding this conditionality is the *World Summit Outcome* document by the UN General Assembly (2005). In the document, the General Assembly asserts individual states' responsibility to protect their populations and the international community's responsibility to help states exercise this responsibility. The members of the General Assembly affirmed their preparedness to take collective action should peaceful measures fail to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. Through *the Outcome* document, the General Assembly confirmed the responsibility to protect (R2P) framework that had been popularized by the International Commission on Intervention and State Sovereignty in 2001.

Whether the contemporary cases in the Greater Middle East fall within the R2P framework is debatable. For example, the Security Council Resolution 1973 authorizes, among other aspects, the use of all necessary means to protect civilians in Libya, the enforcement of a no-fly zone, and arms embargo under Chapter VII powers. It refers to the responsibility of the local authorities to protect the Libyan population, but it does not mention explicitly the R2P framework as a justification for the international community's use of force in Libya (United Nations Security Council 2011). Nevertheless, a fairly strong argument could be made that cases like Libya are examples of a state's failure to protect its population, and that in such cases the international community can and possibly should take action.

These important issues merit further discussion. Instead of a case study, this article aims to contribute more generally by drawing attention to the international community, a central aspect of the R2P framework. Thus, the next section introduces the R2P framework. Section three examines an aspect of the R2P framework that has been often overlooked, or that has been formulated in an unconvincing manner. It argues that the R2P framework contains a genuinely collective level, namely the international community and its collective responsibility to protect. Where this collective level has not been overlooked, however, it has been examined in ways that fall prey to a fallacy of composition. Section four makes a plea to take the international community seriously in its own right in research on international

politics. This requires a consistent focus on epistemological and ontological questions relating to the international community. As will be discussed later, this entails addressing in more detail for instance issues of representation, agency, and efficacy. The conclusion brings together the various aspects of this article and suggests why taking the international community seriously is also of interest to the Asia-Pacific region.

II. Outlining Responsibility to Protect

To introduce the R2P framework,¹⁾ few if any would deny the moral desirability to intervene on behalf of victims of grave humanitarian crises. But they might argue that states have no right to risk the lives of their soldiers in order to possibly save strangers (Samuel P. Huntington quoted in Wheeler 2000, 31). Some might argue for the practical reasons of non-intervention, because it might in fact prolong the conflict and hence overall suffering (Luttwak 1999). Others might point to international law and especially to Article 2(7) of the UN Charter that “protects” member states from interference in their domestic jurisdictions. Conversely, accepting a norm of humanitarian intervention may entail a moral hazard (Kuperman 2008). In other words, whether morally desirable or not, there might be conflicting moral duties, practical reasons, or lack of legal support that would complicate the initial picture (for a collection of relevant issues, see Holzgrefe et al. 2003).

Be that as it may, these discussions were rephrased in 2001 by the International Commission on Intervention and State Sovereignty (ICISS). The ICISS report popularized the notion of responsibility to protect (R2P or RtoP). Four years later, the World Summit endorsed both the individual states’ and the international community’s responsibility to protect, particularly against genocide, war crimes, ethnic cleansing, and crimes against humanity (United Nations General Assembly 2005 para. 138–139). In 2009 the UN Secretary-General Ban Ki-Moon introduced his report *Implementing the responsibility to protect*, and the General Assembly’s debated and affirmed its commitment “to continue its consideration of the responsibility to protect” (United Nations General Assembly 2009b para 2). The re-characterization of humanitarian concerns across borders in terms of a responsibility to protect asserted that under exceptional circumstances it was not only right to intervene in order to “save strangers” (Wheeler 2000), but that it was the international community’s responsibility.

According to the ICISS (2001) report, the R2P framework contains three responsibilities:

1) Some of these introductory remarks have been expressed in a different format in Peltonen (2011).

the responsibility to prevent, the responsibility to protect, and the responsibility to rebuild. The framework extends to situations where “a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure” (International Commission on Intervention and State Sovereignty 2001, xi). “The ‘responsibility to protect’ implies above all else a responsibility to react to situations of compelling need for human protection” (International Commission on Intervention and State Sovereignty 2001 para. 41). The threshold for international military action for the purposes of protection—an “exceptional and extraordinary measure”—requires “serious and irreparable harm occurring to human beings, or imminently likely to occur, of the following kind: [...] large scale loss of life [...] with genocidal intent or not [...] or [...] large scale ‘ethnic cleansing’” (International Commission on Intervention and State Sovereignty 2001, xii).²⁾

There are two “levels” of responsibilities within the R2P framework. The first level concerns the responsibilities of individual states. They have the primary responsibility to protect their populations. This responsibility arises from a re-conceptualization of sovereignty as responsibility (e.g. International Commission on Intervention and State Sovereignty 2001, 13). The second level is collective. When a state is unable or unwilling to fulfill its responsibility, or it is the perpetrator of atrocities, the international community has a collective responsibility to act (International Commission on Intervention and State Sovereignty 2001 para. 2.29). These two levels and the international community’s role as a final collective protector are summarized in *the Outcome* document:

Each individual state has the responsibility to protect its populations [...] The international community, through the United Nations, also has the responsibility to [...] help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity (United Nations General Assembly 2005 para. 138–139, emphasis added).

The R2P framework was welcomed by many, and the past decade witnessed increasing interest regarding it (*vide* UN documents mentioned above). On many occasions, responsibility to protect has even been labeled an emerging international norm (e.g. Badescu et al. 2010; Brunnée et al. 2010). An example of the interest and popularity of R2P is that the framework has its own dedicated academic journal, *Global Responsibility to Protect* (GR2P). The journal offers an invaluable forum, where the early infatuation has transformed into something more mature. Yet, some of the infatuation with the R2P framework has waned. This may have been due to other concerns—such as global terrorism or the global financial crisis—or due to perceived problems within the R2P framework (e.g. Evans 2008; Bellamy

2) Note, however, that the 2005 World Summit narrowed R2P’s scope to genocide, war crimes, ethnic cleansing, and crimes against humanity.

2009). Some of the perceived problems may have been misconceptions (Evans 2008). Others are legitimate concerns arising from practical and theoretical questions. R2P's advancement as a norm has not been without setbacks. Although it "has shaped international responses to egregious violations of human rights" (Badescu et al. 2010, 356), some argue that the framework has contributed little of substance and "fudged" key issues that remained unresolved in the earlier discussions (Hehir 2010). Moreover, in 2008 some Latin American, Arab, and African delegates to the UN budget committee claimed variously that "the World Summit rejected R2P in 2005" (Evans 2008, 288). In the same year, for example Algeria, China, Cuba, Iran, Pakistan, Russia, Venezuela, and Zimbabwe voiced their objections and concerns strong enough for Alex Bellamy to describe it as a revolt (Bellamy 2009, 112-117). Furthermore, Badescu and Weiss (2010) argue that R2P was misused in the cases of Iraq (2003), Burma after Cyclone Nargis (2008), and South Ossetia (2008).

R2P's setbacks result from a number of concerns. Some are due to a perceived link between it and humanitarian intervention debates —whether or not such a link is justified. On the other hand, for example Cuba, Bolivia, and Iran expressed their reservations because the responsibility to protect concept's definition is unclear and imprecise (United Nations General Assembly 2009c, 4-5). Syria has requested further discussion on the protection of populations under foreign occupation (United Nations General Assembly 2009c, 4). Venezuela has iterated on occasion two unresolved questions: "Who will be doing the protecting and how will they protect?" Behind these questions looms a concern regarding possible abuse or misuse of R2P.³⁾

III. The Problematic Collective Level

Within the R2P framework there are two levels of responsibility to consider: one individual, the other collective.⁴⁾ First, each state is primarily responsible for the welfare of its population. Second, the international community holds a collective responsibility that is activated in cases where a state is unwilling or unable to uphold its individual responsibility,

3) See especially Iran's objection (United Nations General Assembly 2009c, 6). But cases of misuse may assist in defining R2P's boundaries by clarifying what falls outside of its scope (Badescu et al. 2010)

4) Depending on how one counts, there could be for instance three responsibilities to consider. Bellamy and Reike (2010) differentiate between the responsibilities of states to their own populations and the responsibilities of states to other populations (for example through international/regional organizations) as discussed below. Yet, I highlight those by states (individually) and by the international community (a collectivity).

or it is itself the culprit. It is exactly this collectivity—the international community—that merits more of our systematic attention and that is at the locus of this section. To make my case, I focus especially on two recent contributions, one by Alex Bellamy and Ruben Reike (2010), the other by Luke Glanville (2010).

The collective level within the R2P framework refers to the collective responsibility held by the international community as a whole. It is a responsibility that cannot be directly divided among the members of the international community—at least not logically. It does not fall upon any particular individual member or members but to the international community itself. In this sense it is an “imperfect duty.”⁵⁾

An example of such collective responsibilities is the responsibility of a city to repay its debt—a responsibility that does not fall upon any particular citizen but to the city as a whole. To consider that a citizen has debt because the city has debt would result in a fallacy of composition. Yet, a city may raise taxes in order to repay its debt. By analogy, we may expect that members of the international community contribute to fulfilling the collective responsibility. This is different from saying that particular citizens have a responsibility to repay the debt, or that they have a particular share of the debt. Similarly, to say that particular members of the international community ought to contribute more (or bear more of the costs) to fulfilling the collective burden is different from saying that the collective responsibility falls upon those particular members of the collectivity.

In discussions regarding the R2P framework, this collective level seems not to receive the attention it deserves. Alternatively, when it is addressed, it is usually done in an unconvincing manner. To illustrate the first scenario, I consider a contribution by Alex Bellamy and Ruben Reike. Within the R2P framework, they identify two sets of responsibilities: First, “responsibilities owed by a state towards its own population,” and second, “responsibilities owed by states to populations in other states” (Bellamy et al. 2010, 267). Yet, both of these sets appear to remain at the individual level. In both sets individual states hold the responsibilities while their “object” differs. Descriptive is their discussion on R2P’s second pillar, international assistance and capacity-building by the international community (United Nations General Assembly 2009b, 15–22): “It could be argued, therefore, that *states with the capacity* to do so, have a legal obligation to provide assistance to others to this end” (Bellamy et al. 2010, 282 emphasis added). To leave aside the question whether there actually is any legal obligation, the statement implies that capability determines

5) Although we are dealing with a responsibility, not a duty, and although responsibilities are not always the same as duties, they are interchangeable in this paper and I use the philosophical concept “*imperfect duty*” because it is the established expression. On differences between duties and responsibilities, see e.g. Peltonen (2010)

obligations, and that those without capabilities have no obligations. This contrasts the notion within the R2P framework where membership in the international community lies behind an individual member's obligations to contribute to the collective responsibility—the consequent question then being whether or not a particular member can fulfill or can be expected to contribute those obligations.

Moreover, Bellamy and Reike discuss the second set of responsibilities under the subheading “The Responsibility of the International Community” and highlight responsibilities by states, the UN Security Council, and international organizations (Bellamy et al. 2010, 280–285). But, while the subheading reflects the collective level, the actual discussion is tied to the individual level, because the agents they highlight are to be considered individual agents in the present context. To explain, for instance the Security Council as a whole has rights and legal powers that its individual members do not possess; only the Council has them. For example, only by following a strict procedure can the Security Council authorize the use of force under Chapter VII powers, but no individual member of the Council has that authority. Therefore, when we discuss the Security Council's responsibilities, it is an individual agent even though it is composed of states. This is the case also with other international organizations, and with states and their responsibilities.⁶⁾ They are corporate agents in this sense (e.g. Hindriks 2008).

It seems, then, that Bellamy and Reike discuss the responsibilities of individual agents. They discuss the international community's responsibility only to the extent that they consider it to be composed of (all?) states, the UN Security Council, and international organizations. But not only does this diverge from our usual understanding of the international community, it is also problematic to consider that those individual agents have the international community's responsibility. Instead, it would be better to consider that those agents, as members of the international community, have a responsibility to contribute to the collective responsibility. In this sense, it seems that Bellamy and Reike overlook the genuinely collective level at stake: The collective responsibility of the international community, not just the responsibilities of agents who may (or may not) be members of the collectivity known as the international community.⁷⁾

6) For example, the state as a legal person has certain rights and responsibilities, not the individuals who compose the state even though some of those individuals act in the name of the state. While the international community is not a legal person, it is the one that holds the collective responsibility within the R2P framework.

7) This is not to argue that they are wrong. It is simply to note an overlooked level of responsibilities. The only way I can explain the absence of the collective responsibility in Bellamy and Reike is to assume that for them the international community is states, the Security Council, and international organizations. Yet, this would require ignoring a number of contributions revolving

The second scenario can be illustrated with a contribution by Luke Glanville (2010).⁸⁾ He addresses the collective level, but while his approach is persuasive it is not fully convincing. He asks what kind of responsibility does the international community have: Is it moral, legal, political, or some combination of these three? Here, Glanville distinguishes between individual and collective levels. Yet, he seems concerned with the possibility that for instance the international community's moral responsibility is an "imperfect duty." The worry seems to be that it "falls on the international community in general, but not on any state in particular" (Glanville 2010, 297). This is also known as the problem of many hands (e.g. Thompson 1980).

In order to get out of this supposed problem, Glanville relies on Kok-Chor Tan's (2006) suggestion that a special relationship or a superior capability to succeed in carrying out a responsibility allows us to "distinguish one potential agent from others as the proper agent to perform the duty" (Glanville 2010, 298). To this, Glanville introduces two additional criteria: status within the international realm (exemplified by the notion of being a Great Power or being one of the Permanent Five) and regional organizations. Allegedly, these criteria enable us to "perfect" the international community's imperfect duty to protect in a given situation. The criteria recognize that the international community's members are diverse and unequal, that those who are capable should do more than those less capable,⁹⁾ and that some have more responsibilities than others. Evidently, the criteria operate as an attempt to ensure that particular members of the international community cannot escape their responsibilities simply because they cannot be identified.

Unfortunately, as seemingly persuasive as this may appear, it is problematic to suggest that the criteria "perfect" the imperfect duty; that we can "distinguish one potential agent from others as the *proper* agent to perform the [collective] duty" (Glanville 2010, 298 emphasis added). Identifying the international community's imperfect duty as a perfect duty of some of its members implies a problematic conceptual composition. If the collective responsibility is conceptualized as individual responsibilities of particular actors on the basis of certain criteria, we are essentially saying: "Because the international community has a responsibility, and because these agents are members of the international community, they have the responsibility." Yet, this seems to be the same as to say: "Because the city has debt, and because these people are citizens of the city, they have the debt." To say thus, however, is to commit a fallacy of composition. What is true of the parts is not necessarily

around the ontology and membership of the international community as distinct from the international society. See e.g. Schimmelfennig (2002), Buzan and Gonzalez-Pelaez (2005), Addis (2009), and Ellis (2009).

8) Glanville's method is similar to e.g. Pattison (2010) and Tan (2006).

9) Also Michael Walzer (2002, 31) has argued that those "who can, should."

true of the whole.

If I have understood Glanville correctly, the purpose of his criteria is to identify *which* members of the international community ought to act, and to suggest that an on-going process of institutionalization enable us to argue that the international community's duty to protect can be considered "a perfect duty which *falls on particular agents* in particular ways" (Glanville 2010, 298 emphasis added). But to consider thus is to conceptualize the international community's responsibility as the responsibility of the individual, particular agents. Here, the collective level disappears, even though it should not.

To clarify my position, I am not denying the importance of having some criteria that operate as the basis for dividing the *expectations to contribute* to fulfilling the collective responsibility (here Glanville's suggestions are helpful). In fact, I would welcome more discussion on perceiving the collective responsibility in these terms, and on the relevant criteria and their foundation (see e.g. Peltonen 2010). I am also not arguing that collective responsibilities cannot be institutionalized. Sometimes it makes perfect sense.¹⁰⁾ Rather, my concern is the following.

In the example of an indebted city, *inter alia* income could operate as a criterion determining how much more taxes a particular citizen ought to pay in order to clear the city of its debt. But such criteria do not cause the debt to fall on particular citizens—to make it *their* debt—even if they have high income. Similarly, we use some criteria as a basis for our expectations that for instance the United States and the EU should do X, because the United States and the EU are wealthy/capable/prominent members of the international community, and because the international community ought to do X. Yet, being wealthy/capable/prominent member of the international community does not transform the collective responsibility into the individual responsibilities of the United States or the EU. Rather, the argument should be that the burden of fulfilling the collective responsibility X should be shouldered more by these agents than by other agents. This does not mean, however, that less wealthy/capable/prominent members of the international community are automatically absolved of the expectations to contribute as well. In sum, while the execution of the international community's responsibilities may need to be delegated to particular members of the community by using certain criteria, the collective responsibilities themselves cannot be delegated. In turn, we ought to pay closer attention to acts of delegation and institutionalization.

Both of the discussed examples demonstrate the need to take seriously the collectivity referred to as the international community *and* to address its collective nature consistently.

10) Consider as an example the Security Council's responsibility for the maintenance of international peace and security.

One cannot adequately discuss the collective responsibility in R2P without addressing the very ontology and nature of the international community as well as how we might know. While it may be that insufficient attention has been given to such questions in contributions directly related to R2P, the international community *per se* and its nature has been discussed elsewhere. Yet, there is little agreement on what the international community is—even among those who perceive there to be one (“What Is the International Community?” 2002), while others doubt its ontology (e.g. Harris 1999). One reason for these disagreements is the concept’s inconsistent use. To highlight one inconsistency within the R2P framework, with “the international community” the ICISS report refers to a society of states (International Commission on Intervention and State Sovereignty 2001 in passim), but the *Outcome* document seems to include also some non-state actors in its understanding (United Nations General Assembly 2005 para. 40). Additionally, the Secretary-General’s report includes for example the civil society (United Nations General Assembly 2009b para. 11(b)).

IV. Taking the International Community Seriously: Some implications

So far the argument has been that the international community is operate as an ultimate protector of humanity within the R2P framework. The international community holds this collective responsibility in addition to the primary responsibilities of sovereigns as they arise from the re-conceptualization of “sovereignty as responsibility.” There is a concern that the international community’s responsibility is an imperfect duty, that it does not belong to anyone in particular, and that it is therefore meaningless in practice. This concern has contributed to the development of criteria that allegedly “perfect” the imperfect duty. Yet, as I have tried to demonstrate, approaching the issue in this fashion risks committing a fallacy of composition.

In order to avoid such fallacies, we should consider further the notion that the world is (still) not as envisioned by the R2P framework. The ICISS report, the *Outcome* document, or the Secretary-General’s report did not present the world as it is but rather as it should be. In this sense, the R2P framework remains in a *process of becoming*, and we will see only later whether and how that process is completed. The General Assembly’s statement in 2009 was significant exactly because it demonstrated the Assembly’s willingness to consider the changes necessary for this process to continue (United Nations General Assembly 2009a). The Secretary-General’s suggestions should be seen as a possible road map. Furthermore, an

important part of this process is the international community that itself may also be in the process of becoming.¹¹⁾ Perceived in this light, the problem of not being able to pin the imperfect collective duty on any particular actor or actors does not appear so problematic after all. Rather, there real problem is how to examine this collectivity—the international community—and its potential.

An examination of the international community must tackle certain fundamental questions. I suggest some of them below. Given the space restrictions my discussion must be limited, but I hope to provide suggestions as to possible starting positions from which to go on.

One of the fundamental questions refers to the perceived necessity to proceed to the individual level in the absence of a clearly recognizable international community.¹²⁾ This is a familiar argument from discussions about state agency.¹³⁾ In a nutshell, the claim is that states as “legal abstractions” never act; individual people act in the name of a state.¹⁴⁾ Allegedly, we must consider that only individual members of the international community act. Alternatively, in a vein similar to arguing that only individuals can be responsible (e.g. Lewis 1948/1991), we are to proceed to the individual level, because supposedly only individual members of the international community are responsible in a particular situation.

Yet, going down to the individual level would erase the collective level that is so central to the very concept and idea of an international community that is crucial in the R2P framework. This is true whether we understand the international community in some cosmopolitan fashion or as a collectivity that may act and speak on behalf of the “conscience of mankind.”¹⁵⁾ This is true whether we “see the international community as some form of moral collectivity of

11) While I do not have the space here to go deeper regarding the international community and its ontology, I assume for the time being that the ontology of the international community remains contested. I am fully aware that some authors have argued that there may be regional, sub-global international communities. At the same time, however, yet others have cast doubt on such statements and particularly on claims of an existing a global international community. See fn. 7 above.

12) The international community is not clearly recognizable in the way for instance the United Nations is. There are no headquarters, there are no member lists, and it does not have a charter or other constitutive documents.

13) Jessop (1990, 367) argues: “It is not the state which acts: it is always specific sets of politicians and state officials located in specific parts of the state system.” Yet, the traditional attack on referring to the state “originally” offered a “crucial myth in the struggle for national unity and sovereignty” rather than to an actual agent (Easton 1981b, 112). Moreover, consider Easton’s (1981a, 316) critique of the state as “some kind of undefined and undefinable essence, a ‘ghost in the machine’, knowable only through its various manifestations.” See also Wight (2004, 273ff).

14) Consider how only individuals can be brought before international criminal courts, not states. See Joyner (2005, 148).

15) ‘Conscience of mankind’ is from the *Universal Declaration of Human Rights*. Moreover, consider Kessler’s (2009, 104) convincing account of how “building a social theory of the international on ‘individual’ actors and their interactions is limited.”

humankind which exists as an ethical referent even if not organized in any way, [... or] as some kind of agent possessing the capacity for action” (Buzan et al. 2005, 32). Part of the task ahead is make sense of “what” the international community is in the R2P framework.

Moreover, we need not always rid ourselves of the collective level, and in many situations it is not even possible. For example, without acknowledging that a collective level is irreducible to the sum of its individual members we could not sue a corporation or talk of a state or an international community. Moreover, both Cooper (1968/1991) and Downie (1969/1991) have shown that there is such a thing as collective responsibility that cannot be reduced to individual responsibility. Thus, instead of always proceeding to the individual level, we ought to pay closer attention to the ways in which we address the collective level.

Addressing the collective level and taking the international community seriously raises at least five interrelated issues: agency, expectations, efficacy, representation, and accountability. To begin with the latter, an important part of responsibility is accountability. If the international community has a responsibility, it is unclear to whom it is accountable. Presumably the international community is to act responsibly when faced with grave humanitarian crises, and responsible behavior is determined by the humanitarian imperatives at stake. Yet, when there is no action, a “failure,” who can legitimately hold the international community accountable? ¹⁶⁾ To give an example, Amnesty International (2009) has asserted that the “international community failed to protect Darfur” and called on it to “redouble its efforts to protect the people.” Can Amnesty International hold UNAMID, UN member states, and the conflicting parties accountable for their “failure”? Moreover, can Amnesty International make an authoritative decision that it was a failure? ¹⁷⁾ If not Amnesty International, who then?

The corollary to the last point relates to representation. Who can speak on behalf of the international community or humanity for that matter? Was Tony Blair (1999) speaking on behalf of the international community when he outlined the Blair Doctrine in Chicago? Does Amnesty International or Human Rights Watch speak on behalf of the international community? Does the General Assembly represent the international community? ¹⁸⁾ There are some who argue that the international community is the United States and “Europe.” ¹⁹⁾ But

16) Here questions of bystander responsibility arise as well. See Krosiak (2002).

17) A related point has been made by Etzioni (2006) who discusses the possible democratic deficit inherent in the R2P framework, since the international community does not seem to be accountable to anyone.

18) Kofi Annan (2002) argues that the UN is the international community, but Ellis (2009) disagrees.

19) Consider how the international community (read: “America” and “Europe”) is supposed to help in the Greek debt crisis by “jointly step[ping] in to shore up global financial regulation” in Papandreou (2010). See also Gowers (2002).

is “Europe” the European Union (EU), or only some parts of the EU? Yet, such understandings of the international community are heavily western biased; what about the rest of the world? Moreover, what are we to make of a situation when the various actors claiming to represent the international community make statements that contradict each other?²⁰⁾ Will the “real” international community please stand up?

The earlier Amnesty International example raises two additional issues: agency and expectations. Not only did Amnesty International grant agency to the international community but it also levied certain expectations on it. Part of asserting that the international community failed is to first assume that the international community could act, that it has agency. The second step is to presume that it should have acted in a particular way. In IR, agency has been discussed particularly within the agent–structure debate.²¹⁾ Agentive theories “remind us that agents are capable of reflection, forethought and the processing of environmental pressures in ways that cannot be predicted deterministically” (Shannon 2005, 585). The core features of human agency appear to be intentionality, forethought, self-reactiveness, and self-reflectiveness (Bandura 2001, 6–11). Out of various accounts of agency emerges an understanding of agents as capable of socially meaningful action. Hence they possess efficacy.²²⁾ *If* the international community is an agent, it is a collective agent that has collective efficacy.

Studies in psychology show how the perceived collective efficacy of a collective entity is “the product not only of the shared intentions, knowledge, and skills of its members, but also of the interactive, coordinated, and synergistic dynamics of their transactions” (Bandura 2001, 14). The perceived collective efficacy remains separate from the sum of the individuals’ efficacies, but “there is no emergent [collective] entity that operates independently of the beliefs and actions of the individuals who make up a social system” (Bandura 2001, 14). To illustrate, a soccer team as a collectivity has a perceived collective efficacy that remains dependent on the individual team members’ efficacies and their interaction and synergic dynamics. Yet, one cannot be reduced to the other—like the individual talent of musicians *per se* is no guarantee of their ability to play together. How are we to perceive the

20) To give one example, in 2008 the “international community pledged 1.2 billion euro to Kosovo.” Here the members of the international community were “European Union Member States, key international donors, International Financial Institutions as well as international and UN agencies” (Europa Press Releases 2008). Contrast this with how the “international community urged the EU not to ease sanctions against Uzbekistan.” This time the international community was the general “international public” as represented by the signatories to the article that range from poets and journalists to human rights activists and film producers (Ferghana.Ru 2007).

21) See especially Wendt (1987), Dessler (1989), Carlsnaes (1992), Doty (1997), and Wight (1999).

22) Notice how capacity for socially meaningful action is linked to responsibility and therefore also to accountability.

international community as separate but dependent on its members?

A related aspect arises from the projection of collective efficacy. Collective intentionality is assumed at least to an extent. Although some philosophers have argued that collective intentionality must be reducible to individual intentionality, Searle (1995, 24–25) explains why this is not necessarily the case:

The crucial element in collective intentionality is a sense of doing [...] something together, and the individual intentionality that each person has is derived *from* the collective intentionality that they share. Thus, [...] like in American football], I do indeed have a singular intention to block the defensive end, but I have that intention only as part of our collective intention to execute a pass play.

Similarly, if the international community is conceptualized as a collective agent, it has collective efficacy and we must also consider collective intentionality. This could take the following form: The collectivity (international community) is to intend goal G (end genocide), and thus the individual members are to intend preliminary goals P^n (provide troops, resources) that contribute to bringing about G. But how are the various individual intentions derived from the collective intention? How or who is to determine the collective intention in the first place, not to mention who is to determine how the burden is divided? Moreover, if and when the international community “fails,” can our disappointment be explained by us having projected unrealistic efficacy to it? Had we assumed that collective intentionality was present, even when it was not? Finally, how do our expectations of the international community relate to our projections?

These are some illustrations of what might be entailed in taking the international community seriously. There are bound to be others, or perhaps some of my reactions have been too rushed. It seems certain, however, that these questions and others in relation to the collective level within the R2P framework ought to be addressed in a systematic fashion — and at the collective level.

V. Conclusion

This article began by outlining the responsibility to protect framework. For the present purposes, special interest was given to the collective level within the framework, namely the collective responsibility of the international community. One of the main aims of this essay was to show that at least two methods of dealing with this collective level are not persuasive. The first method entails overlooking the collective level. Given for example the

recent events in North Africa, Japan, the global financial situation, or the global environmental concerns, it should be clear that this is not a constructive strategy. The second method attempts to develop criteria on the basis of which collective international responsibilities could be divided. As I have tried to argue, this strategy is at least logically implausible, but it poses some potential just as long as careful attention is paid to what the criteria is supposed to achieve. To that extent, I hope to have provided at least *a priori* evidence that we should pay closer attention to acts of delegation and institutionalization of collective responsibilities at the international level.

In the latter half of the essay I drew attention to some aspects that ought to be analyzed if the international community is taken seriously. Part of my suggestion was that the international community, like the R2P framework, may be in the process of becoming. To that extent, the conclusions we draw have an impact on the evolution of that process. I attempted to show the kinds of questions that ought to be asked in order to suggest viable conclusions. These questions related to agency, expectations, efficacy, representation, and accountability with regard to the international community.

Becoming more involved in these discussions would be important from an Asia-Pacific perspective—beyond the fact that some of the important persons in the R2P discussion originate from the region.²³⁾ First, conceptualizations of the international community are heavily western biased, as hopefully became evident from the brief references in my discussion. Yet, not only does this demonstrate IR's "North Atlantic centricism," but it is also not fully representative of the political global realities. To put it in economic terms, the Asia-Pacific region—however defined—contains some of the most important established and emerging economies of the world. In political terms, the region contains increasingly more global actors, such as China, Japan, and South Korea, but also one of the international community's concerns: North Korea. To that extent, it would seem like a missed opportunity not to examine how the region might contribute to the international community's process of becoming as well as to the kinds of roles the international community should play within the region.

23) To name to most prominent examples, Gareth Evans, the Australian co-chair of the ICISS, has spear-headed the R2P framework, whereas the UN Secretary-General who outlined an implementation strategy, Ban Ki-Moon, is Korean.

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Abstract

The Collective Level in the Responsibility to Protect: Taking the International Community Seriously

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This article highlights how the collective level is often either overlooked or addressed in an unconvincing manner within discussions on responsibility to protect (R2P). The discussion recalls that the R2P framework includes a collective level: the collective responsibility of the international community. The article suggests that a concern over an imperfect duty may be an important reason for attempts to conceptualize the collective responsibility as a perfect duty of particular actors. A plea is extended to avoid such methods as they result in fallacies of composition. Instead, we should earnestly examine this collectivity and the collective level. The paper proposes that this would entail addressing for instance representation, agency, and efficacy. The conclusion suggests why research on the international community should be of interest to the Asia-Pacific region.

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