

R2P: A good norm in search of fairness

The Straits Times K. Kesavapany

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The writer is director of the Institute of Southeast Asian Studies. He is also Singapore's Non-Resident Ambassador to Jordan. Think-Tank is a weekly column rotated among eight leading figures in Singapore's tertiary and research institutions. (...) The Libyan imbroglio raises a wider point about international intervention in a domestic conflict. As understood by the United Nations, the

Respon

sibility to protect

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) is not a law but a norm on which states can act legitimately. (...)

But there are complications too in the

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norm, as the Libyan crisis is revealing.

First, there is the question of legitimacy. In the Libyan case, the Arab League approved and the UN Security Council supported the enforcement of a no-fly zone over Libya. But critics argue that the real purpose of the intervention is regime change, which means the international coalition will continue with its military offensive till Col Gaddafi steps down.

This is true. The Libyan strongman had accepted an African Union peace plan that would have led to a ceasefire and the suspension of NATO air strikes. The rebels rejected the plan. The fighting continued. So does NATO intervention - till presumably, regime change takes place.

But does, and should,

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entail regime change? In the aftermath of the Iraq War, this is a legitimate question to ask. In the Libyan case, the brutality of the state's initial response to the protest justified implementing

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. But when the rebels rejected a solution that would have ended the horrors, wherein lies the purpose of continuing

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Second, there is the issue of double standards. 'If Libya, then why not Yemen and Bahrain?' Mr. David Hillstrom asked in a Foreign Policy Journal

article

. 'The answer is obvious... Bahrain is an ally for the West and action against the regime there would result in the strengthening of the Shi'ite majority and shift power in the region towards Iran. Such is the moral bankruptcy of realpolitik.'

He has a point, though diluted by the fact that the state suppression of protests in Bahrain, Yemen and even Syria, while harsh, did not come close to the Libyan horrors. But the point is, like any other international norm,

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is a political one - and politics, in a far-from-perfect world, will never be free of double standards.

But having said that, the international community should make

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less open to manipulation by powerful countries. Mr. Hillstrom argued correctly that if the UN wishes to make

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a legally binding principle, it should initiate broader discussions that lead to a consensus codified in a written legal document. 'The framework for such a process is not in place and without such a framework all future decisions will similarly be ad hoc,' he wrote. 'This is not a prescription for international justice.'

What is needed, then, is consistency in the application of

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- a benchmark for judging both the actions of states against their citizens, and the actions of powerful states against others. At present, it is a good norm in search of fairness.

See

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