

Book Review: International Responses to Mass Atrocities in Africa: Responsibility to Protect, Prosecute, and Palliate

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Abstract.

This is review of Kurt Mills' most recent book, *International Responses to Mass Atrocities in Africa: Responsibility to Protect, Prosecute, and Palliate*. In this book Mills looks at international responses to instances of mass atrocities in Africa. Mills utilizes a three part framework encompassing protection, prosecution and palliation to provide holistic account of international responses. By detailing the different types of responses side by side in four case studies Mills is able to show how each type of response both helps and hinders the effectiveness of other responses.

Keywords.

R2P, mass atrocities, prevention, protection, palliation

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Book Review: *International Responses to Mass Atrocities in Africa: Responsibility to Protect, Prosecute, and Palliate*

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International Responses to Mass Atrocities in Africa: Responsibility to Protect, Prosecute, and Palliate

Kurt Mills

Philadelphia, University of Pennsylvania Press, 2015

299 Pages; Price: \$69.95 Hardcover

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Since the early 1990s, international interventions have grown in size and complexity. Kurt Mills, a Senior Lecturer in International Human Rights at the University of Glasgow and the Director of the Glasgow Human Rights Network, brings his wide experience to bear in exploring this complexity, paying particular attention to international efforts to respond to mass atrocities. Mills' book *International Responses to Mass Atrocities in Africa* details the complicated, and contradictory, nature of international responses to mass atrocities and explores the fine line that the international community must walk when fulfilling its responsibility to protect.

The core concern of this book is to answer the question: How have and should mass atrocities be addressed? The book does a good job of addressing the former, specifically; it explains the successes and failures of responses to past or ongoing mass atrocities and the challenges that arose in each instance. In doing so, this book provides interesting insights into the crucible in which the concepts of protection of civilians and responsibility to protect were forged. However, when addressing how the international community should respond to mass atrocities, the author provides few answers.

To craft his argument Mills assesses four case studies (Rwanda, the Democratic Republic of the Congo, Uganda, and Sudan) using a matrix of three main types of international responses: protection, prosecution and palliation, which he calls R2P³. We start with the belated and incomplete response to the Rwandan genocide as the book discusses the downside of humanitarian interventions. Mills makes a strong argument that the botched international response to Rwanda's genocide sets the stage for the conflict in the Democratic Republic of the Congo, covered in his next chapter. Here, Mills' case study details the difficult dynamics between civilian and military actors striving to find a coherent approach to protection and where the international community begins to assess the emerging idea of protection of civilians. This case highlights the disconnect between the normative promise of protection with realities on the ground. The Ugandan Case illuminated the important, and problematic, role of the fledgling International Criminal Court in responding to atrocities. Finally, the crisis in Darfur is cast as the first real test of the nascent responsibility to protect and illustrates the challenges of sovereignty as an obstacle to preventing mass atrocities and the international community's struggle to articulate what taking responsibility would actually look like.

Mills' R2P³ typology allows the reader to see each case from three interacting, and often conflicting, perspectives: the military perspective of peace operations (protection), legal perspective of the International Criminal Court (prosecution) and the humanitarian perspective (palliation). This approach provides a more holistic view of each intervention than those available from works focusing on just one or even two of these aspects. These multiple perspectives also provide the two major takeaways from the book. First, even taken individually, there are moral ambiguities around any type of intervention. Second, when international interventions include two or more types of intervention there are political, practical, and normative trade offs that must occur; trade offs that might ultimately make the conflict last longer than if there had been no intervention at all.

Mills argues that moral ambiguities exist whenever the international community applies any one of the tools of his R2P³ framework. In almost every case he is successful in showing how,

on one hand, each intervention provides aid in ways specific to the organization's key goals, i.e. providing shelter, disarming militants, etc. On the other hand, interventions also make atrocity situations worse, for example, the shelter provided by humanitarians also provides lodging for rebels. These dilemmas are well demonstrated in the case studies provided in the book. In Rwanda (Chapter 2) humanitarian efforts to help those fleeing the genocide also allowed the génocidaires time to establish a firm grip on power in refugee camps, giving them a base for future attacks. In Uganda (Chapter 4) the Ugandan government used the ICC to legitimize military action against the Lord's Resistance Army (LRA) while at the same time downplaying its own culpability for the atrocities. Though the moral ambiguities of international interventions are well known to those who study them, Mills adds value by placing three different types of interventions side by side to show that the ambiguities inherent in an intervention are an issue, not just for the particular type of intervention, but for all types of interventions attempting to address the mass atrocity.

Mills' main contribution comes when he connects the different types of interventions to each other. As Mills shows, when humanitarian, military and legal responses are combined, there are large political, practical and normative trade offs that must occur. At the core of this issue is the fact that each type of intervention has its own goals, Mills demonstrates that these end goals, while they overlap, may not align. In fact, when they are combined they may actually extend or foster conflict. Though these trade offs occur in every case study Mills provides, the intervention in Darfur (Chapter 5) is particularly telling. In Darfur, every aspect of R2P³ was in play to disastrous effect. The initial humanitarian intervention allowed the international community to put off deploying a military force to provide protection to civilians in conflict. When a force was deployed, it slowed the rate of killing but was unable to stop it. However, when the ICC issued an arrest warrant for Sudanese President Bashir, there was a backlash against both humanitarian and peacekeeping interventions, making their work that much harder. Each type of intervention at best hindered, and at worst endangered, the work of other actors. Beyond this, Mills argues that not only must interveners negotiate amongst themselves, but the very presence of one type of intervention may facilitate or prevent the application of another type of intervention. For example, the humanitarian interventions in Uganda and Darfur allowed the international community to initially avoid deploying forces to protect civilians addressing difficult political and security issues.

This book does a good job of problematizing the current tools in the human rights and humanitarian toolbox when it comes to responding to atrocities. It demonstrates not just how these tools are underused, but also that even when they are used they may undermine each other. Mills does a good job of pointing out where additional thought is needed in how the international community coordinates and configures responses to mass atrocities. However, there are two areas where this book falls short of its potential.

First, Mills' R2P³ framework is based upon an uneven interpretation of the original tenets of the Responsibility to Protect (R2P). The concept of the responsibility to protect, as enshrined in the 2005 UN Summit Outcome document, has three distinct pillars arranged in order of preference. The first pillar places responsibility for protection of a population with each individual state, the second calls for the international community to assist the state in providing that protection and the third, the first two having failed, states that the international community has a responsibility to take collective action to protect populations at risk. Collective action covers the gamut from dialogue to sanctions to military interventions. This conception of R2P clearly shows that military intervention is the last resort when addressing mass atrocities. However, in the R2P³ framework promoted by Mills in this book, protection is overwhelmingly understood as military intervention. The first two pillars of R2P and many of the tools provided in pillar three are given only cursory consideration. This means that the entire spectrum of protection from targeted development to capacity building to sanctions is not considered. This produces a very lopsided and, arguably incorrect, conception of what protection means. There continues to be a significant amount of debate at the United Nations as to the meaning and use of the responsibility to protect. However, one of the few things that is generally agreed on is that the responsibility for protection first and foremost lies with the state and any outside efforts, particularly those that involve interventions, are a distant last.

Second, Mills' final chapter poses and attempts to answer three overarching questions that arise at the intersections of protection, prevention and palliation. One, do labels such as war

crimes and genocide matter? Second, have international norms around human rights outstripped our ability to implement them and should states recognize limits to their responsibilities? And third, what is the cause for failed or delayed international responses to atrocity crimes? Is it the international bureaucracy or lack of political will? While these are important questions that deserve answers, they are not particularly new. Here, Mills misses an opportunity to draw on the insights provided by his R2P³ framework to help answer these old questions or to pose new ones based on the dilemmas unearthed by this more holistic assessment on international responses to mass atrocities. The chapter closes with the unsurprising conclusion that, while there have been significant developments in the way the international community conceives of human rights and humanitarian norms, how they respond to violations of these norms, either with efforts to protect civilians, prosecute the worst offenders or relieve the suffering of those most effected, still lags far behind the ideal.

This book is accessible for lay audience. Mills takes pains to provide definitions and the history of key elements in the book such as the evolution of humanitarian intervention, the ICC and the Responsibility to Protect. He also provides an adequate, if somewhat simplified, background on each of the case studies. It would also be of interest to those interested in moral and ethical issues in humanitarian intervention and the evolution and impact of the ICC.