

Resource Paper for
Members of Canadian Yearly Meeting to
Discuss their Response to
The Responsibility to Protect

Giving

Perspectives and Alternatives on the Protection of Civilians:

Remembering

Non-violence,
Just Policing,
and the Transformation of Deep-rooted Identity-based Conflict

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Executive Summary

This paper presents a selection of resources and queries to assist Quaker Meetings in Canada to discuss the international policy theme “The Responsibility to Protect”, commonly referred to as “R2P”. “United Nations Secretary-General Kofi Annan, in his report to the 2000 General Assembly, challenged the international community to try to forge consensus, once and for all, around the basic questions of principle and process involved: when should intervention occur, under whose authority, and how. The independent International Commission on Intervention and State Sovereignty was established by the Government of Canada in September 2000 to respond to that challenge. The Commission's report, *The Responsibility to Protect*, is the culmination of twelve months of intensive research, worldwide consultations and deliberation.”¹ The Government of Canada supports R2P's conclusions, making it a bedrock of Canadian foreign policy and has advocated for its support at the international level. UN members endorsed R2P as a part of the outcomes of the 2005 World Summit, held in New York.²

R2P redefines a state's sovereignty as the responsibility to protect all of its citizens, including protection from threats that originate within the state. It insists that in cases where a state is unable or unwilling to protect, the international community, under the authority of the UN, has a responsibility to intervene and protect. Intervention is interpreted as including armed force “in the last resort”. During 2007, we will be responding to the invitation from the Canadian Council of Churches to comment on and suggest improvements to the draft statement they have prepared on which they hope member churches (including CYM) will ultimately sign off.

Why should Canadian Friends give attention to “The Responsibility to Protect”? What should be the Quaker response to the dilemma posed by massive human rights violations such as genocide and crimes against humanity? Does the international community have a responsibility to protect victims? How can such a responsibility be carried out? What does our Peace Testimony call us to, “in the last resort”?

This is an opportunity for us to show how nonviolent strategies can transform conflict. To do this we need to understand how nonviolent protection works, to come to terms with the dilemmas of force and coercion, and to become fluent in the description of practical nonviolent alternatives.

The paper begins with a selection of experience stories of unarmed people protecting people from the violence of armed people in the midst of general armed crisis: Former Yugoslavia, D. R. Congo, Cambodia, and Uganda. Friends are invited to share their own stories, and develop their response to the larger question from their observations of these experiences. Canada-based stories are also welcome. It is a mistake to think that the dilemmas of security and intervention only apply in distant places. One of the fundamental things that I learned from reflecting on these stories is that in every violent crisis, there are people in the midst of it who are working for peace.

The second section provides a selection of formal statements on this theme. Specifically, the defining paragraphs of the International Commission on Intervention and State Sovereignty, whose report coined the R2P phrase, the relevant paragraphs of the outcome document from the UN's World Summit in September 2005, and the Canadian Council of Churches draft statement. Further

¹ International Commission on Intervention and State Sovereignty website <<http://www.iciss.ca/menu-en.asp>>

² http://www.humansecurity.gc.ca/resp_protect_un_reform-en.asp

statements that may be of interest to Friends are provided in the Appendix. These give the framework of the international debate, and a sample of the practical and ethical responses from Quaker, Mennonite and ecumenical sources.

The third section, entitled “Sovereignty and the Concept of the State”, points out that the real world is more complex than a community of more or less similarly organized states, and that intervention is more complex than sending a force somewhere to do a job and then leave. One way of interpreting R2P is to see it as an attempt to make boundaries more permeable. When understood as a way to make it easier to send in an armed force, it is quite a threatening idea. But perhaps it could be conceived as a way for states to get external counseling on the path to firmly and respectfully protecting their own people. An example from the European Community is given, showing the success of a highly skilled diplomat using good offices, and having a framework of incentives and sanctions to work within. A second example from Bosnia is given that shows the psychology of a host country that has accepted an armed intervention. Is it possible for such an intervention to be neutral? Is it possible for it to have a transformative effect rather than simply an effect of freezing relations in the condition they were when the intervening force arrived? How can intervention be done in a way that really makes it possible for the force to depart without a recurrence of the original problem? Finally, we must take into account the fact that there are a number of countries in our world where the apparatus of the state is not really like a state at all, and no wonder they are not able, or are unwilling, to protect citizens. How did this come about? Is the problem all “over there”, far away from us? Would prescriptions that might work in places where the state is more capable also work in these cases, or does our response have to be different?

Paragraph 17 of the Canadian Council of Churches’ draft statement makes a distinction between “war fighting” and “just policing” in an attempt to define acceptable uses of force. The special interest group at Canadian Yearly Meeting 2006 that discussed the CCC draft statement also pointed out that Friends generally do not object to the presence of a police force in a well-ordered society. What does this distinction mean in practical terms? Earlier paragraphs of the CCC draft statement also declare that real long-term solutions cannot be military, but must be multidimensional, including economic, social, political and diplomatic activities. Friends recognize this as well, from our understanding that conflict arises from unmet human needs. How is this long-term view connected to short-term needs for protection, security, safety?

A summary is given of the theory of conflict transformation as expressed by Vern Redekop in his *From Violence to Blessing*. Essentially, violence occurs when a person or an identity group acts to satisfy their identity needs at the expense of another person or identity group’s identity needs. Violence spreads, is learned, and becomes ingrained in structures when we imitate it. Blessing happens when people find satisfaction of their own needs in ways that also satisfy the needs of others, and acts of blessing can transform structures of violence when they are imitated. The power of imitation can be surprising, even cataclysmic. People from opposing sides can come to view their conflict differently through encounters during which they help each other understand the conflict within the more objective framework of human needs theory, and soon they can identify specific acts of blessing that they wish to undertake together in order to build peace. These kinds of encounters do not take long, and can be arranged in even the most polarized, violent circumstances.

Questions are asked about the role of coercion in nonviolent protection. Baldly, coercion occurs when people are made to do something (or not to do something) against their will. Making someone stop attacking another person, when it is clearly their will to continue attacking, is coercion. It is interesting to note that the root meaning of the word “arrest” is “stop”. There are nonviolent

strategies for coercion. These usually involve overwhelming numbers of people refusing to co-operate. They may also take action that obstructs the perpetrator or leaves the perpetrator only one choice, a choice that is acceptable to those doing the nonviolent coercion. Police forces in relatively nonviolent social systems depend upon the legal possibility of using (usually non-lethal) physical force to coerce law-breakers. People commonly think of coercion as the use or threat of lethal force, but there are many strategies for coercion that are non-lethal. Coercion, even nonviolent coercion, is not a sustainable strategy on its own. Can it operate as a background framework for diplomatic, counselor-type strategies that gradually reconcile belligerents, making space for the construction of peaceful systems?

From sharing experience through theoretical analysis we come to a moment for applying what we know to the two practical questions that we must answer in order to respond to our needs and those of our global neighbours: How can we do better prevention? How can we do better intervention? The paper offers some advice and questions from the author's experience and reading, but, as in every section, we hope to collect more and more wisdom as Meetings and individuals respond.

Why have the international preventive campaigns or mechanisms such as the United Nations Program of Action for the Limitation of Small Arms Trade and the UN Human Rights Council (formerly the UN Human Rights Commission) failed? Is it because there isn't yet an effective framework of nonviolent coercion connected with their implementation? It is important to note that "successful" states are as much at fault here as "failed" states. Programmes that strengthen community members' capacity to respond nonviolently to conflict are usually thought of as preventive strategies with only long-term benefits, but the examples from the first section show that people start to implement their capacities immediately, affecting their community's security in the short term.

Current crises can benefit from a greater nonviolent component in the interventions planned for them. What are the critical factors for unarmed intervention to work along side armed intervention? One such factor may be that the armed intervention be clearly mandated and prepared to behave as a just police and not as an army. This means the focus is on arrest, not on killing or military victory. Better intervention needs to have two capacities in balance: the capacity to arrest, and the capacity to reconcile. **We must also recognize that there are local people acting nonviolently for peace in every crisis situation.** The fundamental strategy of nonviolent intervention is to assist those local people, at their invitation and under their advice. The capacity to arrest is not just the ability to apply a coercive force, but also to give people fair treatment after arrest. The paper offers a list of useful roles for unarmed workers, both local and foreign. Over the past decade, a large number of people worldwide have been trained in conflict resolution and related skills, so there is a significant human resource ready to be engaged.

Finally, having collected our wisdom about how to do this better, we can take a moment to consider how to transform the current system. Quakers are not alone in this endeavour! For example, there are a number of organizations, such as Peace Brigades International, faith-based Peacemaker Teams, and the Nonviolent Peaceforce, who are learning how to be nonviolent interveners. We hope that Friends connected to these organizations will add their knowledge about protection and their strategies for system transformation to our thinking, and help us co-operate.

In the course of preparing this paper, I came to my own new understanding of the role of a trustable justice system in building peace. Then, I had the privilege of reading Ursula Franklin's compilation of a lifetime's writing on the subject. Let me conclude with her words: "Peace is the absence of

fear...the central element to bring peace to all levels and to reduce fear is justice. Justice means freedom from arbitrary interference, but it also means a fundamental equality of caring... The second component of a commitment to peace is a rejection of the use of fear as an instrument of policy... Non-co-operation with threat systems is therefore one of the central necessities of a commitment to peace.”³

And:

“I can envision a theology of peace that focuses primarily on the discernment of means – a discernment equally valid on small and on large issues. In such a theology of peace we would find the practical manifestation of the prophetic voice; such a focus on means would expose the common roots of many issues that are now addressed separately. Speaking truth to power through a dialogue on acceptable means may allow a focused witness, according to the demands of our faith.”⁴

³ Franklin, Ursula. *The Ursula Franklin Reader: Pacifism as a Map*, Toronto: Between the Lines, 2006. p.70

⁴ Ibid, p. 73

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1 Introduction: Why should Canadian Friends Give Attention to the Responsibility to Protect?

What should be the Quaker response to the dilemma posed by massive human rights violations such as genocide and crimes against humanity? Does the international community have a responsibility to protect victims? How can such a responsibility be carried out? This question touches our Peace Testimony deeply, and deserves a careful response.

It is easy to identify the destruction caused by the war system. Its foundation rationale is “defence”: states need armies to protect their citizens. The human need for safety is legitimate. If we wish to transform the war system, we must show how people can be protected nonviolently. So the question posed in the Responsibility to Protect is central to our peace testimony. R2P is also Canadian foreign policy and an accepted approach to conflict de-escalation at the UN, so it impacts Friends’ work on the ground and advocacy efforts. We invite you to take this opportunity to consider, and then express your conclusions about, what are the peaceful and just means that can build a peace system.

The phrase “Responsibility to Protect” was coined in 2001 by the International Commission on Intervention and State Sovereignty, or ICISS, which was initiated by Canada at the invitation of the Secretary General of the UN. It redefines a state’s sovereignty as the responsibility to protect all of its citizens, including protection from threats that originate within the state. It insists that in cases where a state is unable or unwilling to protect, the international community, under the authority of the UN, has a responsibility to intervene and protect. Intervention is interpreted as including armed force “in the last resort”. The report of the ICISS also insists on the importance of prevention.

In August 2006, Yearly Meeting asked CFSC to organize Monthly Meeting and Worship Group discussions to formulate a response to the Canadian Council of Churches (CCC) draft statement on the topic of “Responsibility to Protect”. CFSC’s Quaker Peace and Sustainable Communities Committee invites Monthly Meetings and Worship Groups to nominate a discussion leader who could attend a preliminary workshop led by Gianne Broughton in February or March 2007, then return to his or her Meeting to facilitate discussion there, and send results back to QPASC in preparation for a report to Yearly Meeting in August 2007. We are planning to hold a preliminary workshop in each region of the country, so that travel costs and time for discussion leaders will be minimized.

The preliminary workshop will introduce the discussion leaders to the resource materials prepared by CFSC, and give them a chance to work out how they might use them with their Monthly Meetings or Worship Groups. It will be a one-day workshop, probably on a weekend.

Nominees would contact Gianne and dates and venues for workshops in the different regions will be set based on the availability of the nominees. Sometimes “one day” works out better as a Saturday afternoon and a Sunday morning, depending on the necessities of travel. The regions thought of are: Atlantic Canada (perhaps in Sackville), Eastern Ontario and Montreal (perhaps in Kingston), Western Ontario (perhaps in Kitchener), and Western Canada. We are hoping to be able to do two workshops in Western Canada, one in B.C. and one in the Prairies.

Monthly Meetings or Worship Groups, with the help of their discussion leader, would be able to choose the depth to which they would like to study the question. The discussion materials will be designed to support a range of options, from a one-afternoon discussion, to a series of discussions. The discussion leaders will be invited to participate in a conference call in early July after the feedback from all the discussions across the country has been synthesized, in order to season the report to Yearly Meeting. Discussion leaders may wish to contact the planners of regional gatherings to consider holding a discussion on this topic there as well.

Our objective is not only to respond to the CCC draft statement, but, if Friends find that we are ready, to formulate our own statement.

1.1 Discussion Resources

This paper gathers together summaries of a number of books, articles, and bodies of experience that can assist in the consideration of the questions raised. It is not expected that every participant of a discussion meeting will have read the whole document. It is hoped that the nominated discussion leaders will read it and have these resources at their disposal should they become useful. They will likely wish to duplicate key pages for distribution, such as the CCC draft statement.

Different Meetings will have different levels of ability and interest to engage in discussion. Just below, I have provided a list of 7 questions. In the minimal case, where a meeting can gather only once, I would recommend that they consider question 1, one of questions 2 or 3, and question 4.

Where they can meet for a whole day, or for two or more sessions on different days, they can use the whole list of questions.

The sections of the resource paper roughly follow the themes of the 6 questions listed on the next page for easy reproduction. There are a few other resources on the CFSC website, for those who wish to get behind the summaries that are presented in this paper.

1.2 Sending in Responses

Please send responses to Gianne Broughton, at the contacts listed on the cover, by June 22, 2007, for inclusion in the preparation for Yearly Meeting in August 2007.

We are interested in every aspect of your discussions, and please send as much depth or detail as is convenient to you. There are three areas of response that are most needed:

- 1) Your experience stories in response to question 1 on the following page.
- 2) Your advice and questions for better prevention and better intervention. This can be our “tool kit” for nonviolent protection.
- 3) What wording changes you would recommend for the CCC draft statement, if any.

Please also indicate the name of the person from your meeting who would participate in the conference call at the beginning of July. **Six Questions to Focus Response:**

Preamble:

The phrase “Responsibility to Protect” was coined in 2001 by the International Commission on Intervention and State Sovereignty, or ICISS, which was initiated by Canada at the invitation of the Secretary General of the UN. It redefines a state’s sovereignty as the responsibility to protect all of its citizens, including protection from threats that originate within the state. It insists that in cases where a state is unable or unwilling to protect, the international community, under the authority of the UN, has a responsibility to intervene and protect. Intervention is interpreted as including armed force “in the last resort”. The report of the ICISS also insists on the importance of prevention.

It is easy to identify the destruction caused by the war system. Its foundation rationale is “defence”: states need armies to protect their citizens. The human need for safety is legitimate. If we wish to transform the war system, we must show how people can be protected nonviolently. So the question posed in the Responsibility to Protect is central to our peace testimony. We invite you to take this opportunity to consider, and then express your conclusions about, what are the peaceful and just means that can build a peace system.

- 1) **Stories:** We would like to collect stories of unarmed people protecting people from the violence of armed people. Please share your own experiences, or stories that can be verified.

- 2) **Just Policing:** We often say that you can’t have peace without justice. Also, that peace is not merely the absence of war but the absence of fear, which is the presence of justice. Is there a role for police in a society that has peace with justice? What is that role? How is it different from the role of an army in another kind of society?

- 3) **Coercion:** Coercion occurs when people are made to do something (or not to do something, such as not attack other people) against their will. Police forces in relatively less violent social systems depend upon the legal possibility of using (usually non-lethal) physical force to coerce law-breakers. People commonly think of coercion as the use or threat of lethal force, but there are many strategies for coercion that are non-lethal.

Is there a role for coercion in nonviolent strategies to build peace in large-scale violent crises? What is that role? In concrete terms, how can it be carried out?

- 4) **CCC draft statement:** What comments would you like to make upon the Canadian Council of Churches’ draft statement? What recommendations do you have for changes in wording, if any?

- 5) **Better Prevention and Intervention:** What advice and questions do you have to help improve prevention and intervention?

- 6) **System Conversion:** What can we do now to foster the conversion of the war system into a peace system?

2 Sharing our Experience

What is protection? What is nonviolent protection? What is security? Pacifists are well aware of how what societies should do in longer-term ways to encourage peace, but are there effective nonviolent strategies in the midst of violent crisis?

Many Friends, drawn by their peace testimony, have been in the midst of violent conflict, helping in the search for transformation, for an end to the violence and a peace with justice. By listening to these experiences, and reflecting on them, we can begin to understand the patterns of nonviolent protection.

CFSC invites Friends to share their stories of unarmed people protecting people from the violence of armed people. Your own experiences, or stories that can be verified are welcome. Canada-based stories are also welcome. It is a mistake to think that the dilemmas of security and intervention only apply in distant places.

Here are a few stories of nonviolent protection, from the midst of war, crimes against humanity, genocide.

2.1 Experience Story Number One: Former Yugoslavia

The people of the village of Donje Baljvine near Mrkonjiê Grad have a tradition of protecting each other. The full story told in Svetlana Broz's *Good People in an Evil Time: Portraits of Complicity and Resistance in the Bosnian War* reflects a series of dangers that the two ethnic groups (Muslims and Serbs) of the village helped each other through (pp. 3 to 10).

The first example took place during World War II. "Once Ustasha fighters came to our village to torch Serbian homes. The Muslims rushed out of their houses and raised barricades on the street. They wouldn't let anyone by. 'If you feel like torching houses, start with ours...', they told the Ustasha." After further exchange of words, the Ustasha left. "Meanwhile some Muslims went off to the Serbian village of Boêac to warn the people there to hide because the Muslims wouldn't be able to protect them all. The Serbs got out of Boêac in time. The Ustasha did torch their homes, but the people's lives were saved.

"After the Ustasha retreated, then the Chetniks came, but none of our Serbian neighbors would let them attack the Baljvine Muslims. In that war and now in this one, we have all survived pretty well." (p. 4)

Here is a second example, from the 1990's: "When the war began our Serbian neighbours gave us weapons. Baljvine was within the territory of Republika Srpska, and that way Muslim and Serbian boys could patrol around the village at night so that no one from outside could get in and set fire to someone's house. If that had happened everyone would have wanted to know whether it was a Muslim or a Serb who had set the fire. No one would have considered that it might have been an evildoer from Herzegovina or Croatia. Rumors like that could have led to awful things, as they did in so many other places where extremists from somewhere else would sneak in and start the bloodshed, and then blame the local people. We didn't dare let this happen, so we patrolled the village side by side." (pp. 5-6)

This second example is not strictly nonviolent, but it shows the nature of the preventive, protective thinking that was a point of pride in this village. They have learned how to respect the identity needs of people who define themselves as “Muslim” or “Serb”. They have developed an identity of Baljvine wherein each person sees his or her own benefit in the benefit of the other. Once that basic, “good-neighborly” foundation is there, nonviolent protection responses are immediate. They don’t take so long to organize that they seem impractical.

Shared patrolling can also be a nonviolent strategy. In Colombia⁵, some villages have declared themselves “weapons-free zones”, and they have un-armed patrols of men and women mixed who confiscate and destroy weapons of villagers if they find them, and if armed people try to enter, they are told to leave their weapons behind. Various communications and their reputation convince the outsiders that there are no guns in the village and they can safely enter without their weapons. The reputation of the Baljvine villagers for good relations between the Muslims and the Serbs also protected them in some dangerous situations. Their calm solidarity de-escalated tensions.

2.2 Experience Story Number Two: Bukavu, D. R. Congo

In June 2004, a rogue commander of the superficially integrated National Army of D. R. Congo, Laurent Nkunda, attacked and looted Bukavu. He said that he wasn’t rebelling against the commanders-in-chief set up by the peace accords the previous year, but that he had to use force to protect his confreres of the Banyamulenge ethnic group, who were being oppressed by their neighbours of other ethnic groups. In fact, at that time, there were very few incidents in Bukavu of inter-ethnic violence. People had been enjoying a moment of relative peace after years of occupation by competing Congolese armed factions and armed forces from neighbouring Rwanda. His forces looted Bukavu mercilessly, and killed, mutilated or raped wantonly, mostly hurting people who were not Banyamulenge. The UN peacekeeping force (MONUC) did not engage the looters, but they did show their presence, and Laurent Nkunda withdrew his forces.

This was not the first time that a similar attack had been launched in this part of the country, and the peace workers there recognized immediately that innocent Banyamulenge who had nothing to do with this leader were likely to suffer the force of their neighbours’ anger and grief. So, they spread the word to all of their network, people they had been training in the skills and thinking of non-violence, to invite their Banyamulenge neighbours to move into their houses with them. Hundreds of families took refuge this way. Angry mobs did attack Banyamulenge homes, and did challenge the non-Byamulenge hosts, vilifying them for protecting “the enemy”, but the hosts were able to speak to the attackers’ grief, show them that all the people present were human, and calm them down.

Though property was lost, few people were killed in the days of reprisal.

A published declaration, jointly drafted by Banyamulenge churches and the National Council of Churches in South Kivu, lauds the actions of the majority of citizens of Bukavu to shelter and protect Banyamulenge during the June 2004 violence in Bukavu, with specific references to individuals and churches throughout the town.

⁵ See article on AFSC web page. <http://www.afsc.org/colombia/peace-communities/views-south.htm>

2.3 Experience Story Number Three: Cambodia

Since the fall of the Khmer Rouge regime in 1979 many communities in south-western Cambodia have been plagued by violence at the hands of marauding heavily armed bands--some are former Khmer Rouge or government soldiers, some are affiliated with other political factions and some are just bandits. They arrive at villages seeking food, shelter or supplies. While villagers are not unwilling to share their very meager resources with these groups, their visits often result in fights erupting, weapons being fired and villagers dying.

In 1998 women of one village sought the help of several AFSC project peace workers after hearing that an AFSC project had helped people in a nearby village develop peaceful strategies to address some of their local community problems. The staff of that project visited the village and asked the people to describe the violence they experience in their village. After talking it over among themselves for a number of days they decided they wanted to work on the violence that arose from the bands of “men with guns”. They decided that they would not permit the armed bands to bring guns into their village any longer. They could feed them, but the guns had to stay outside. But how were they going to enforce this rule? The women agreed that they would face the risks together and they prepared for the task ahead. They came to understand that they could overcome their fear by acting together, which would give them the power to make a change. So whenever an armed band approached, the women of the village went out to meet them. Unarmed, they formed a circle around the band. They told the men that they could come into the village and have some food, but that they had to leave their guns behind. And they did.

The experience of taking charge of their problem of violence and developing their own solution has empowered the women in many areas of their lives. Their example has inspired other villages throughout Cambodia to empower themselves for peace.

2.4 Experience Story Number Four: Uganda

To protect children from kidnap by the Lord’s Resistance Army, peace workers led by the Acholi Religious Leaders Peace Initiative and the Peace and Justice Commission of the Catholic Church (both of which have been assisted by Quaker Peace and Social Witness and Mennonite Central Committee representatives) organized parents to send their children from the rural villages into the centers of the various towns in the affected northern region of the country. The children collect together in the bus stations, which are really open spaces surrounded by walls, and the LRA doesn’t try to enter the towns to raid them – the strategy has foiled their primary psychological goal of terrorizing the countryside.

By publicizing the experience of these children, the religious leaders have been able to draw international attention to the twenty-year failure of the Ugandan government and its supporters to end this conflict. The Quaker UN Office in New York has been instrumental in bringing the witness of northern Ugandan peace workers to the Security Council and all the ancillary international processes.

A key message of their witness is that the conventional two-track strategy of military action intended to put pressure on the rebels so that they will come to the negotiating table only results in more misery for civilians as the LRA moves into new areas and takes revenge upon villages it accuses of supporting the government army, or as the civilians get caught between the two armies. In the northern Uganda situation, there is the problem of infinite retreat for the LRA into Sudan or even Congo.

The northern Ugandan peace workers have recognized that the LRA has the nature of a cult, and exists to maintain its culture of violence rather than to attain any negotiable political goal. So the answer to the problem has to be more in the nature of de-programming adherents than in the nature of political/diplomatic or military maneuvering.

3 Defining Statements from International Institutions, and the Draft Statement from the Canadian Council of Churches

In this section, we have a selection of statements on this theme, giving the framework of the international debate, and the draft statement from the Canadian Council of Churches to which Canadian Yearly Meeting is asked to respond. A sample of the practical and ethical responses on the general topic from Quaker, Mennonite and ecumenical sources is included in the Appendix.

3.1 *The International Commission on Intervention and State Sovereignty Promotes the Term “Responsibility to Protect”*

At the United National General Assembly in 1999, Kofi Annan, UN Secretary General, posed the question, “... if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that affect every precept of our common humanity?” and later the Government of Canada established the International Commission on Intervention and State Sovereignty, producing their report, “The Responsibility to Protect”. The report emphasized prevention and concluded that, while protection of citizens is first the responsibility of the state where they live, the international community has responsibility to intervene when that state is unwilling or unable to do so, and they may use armed force in a last resort, based on the following criteria (ICISS p. xi)⁶:

The Responsibility to Protect: Principles for Military Intervention

(1) The Just Cause Threshold

Military intervention for human protection purposes is an exceptional and extraordinary measure. To be warranted, there must be serious and irreparable harm occurring to human beings, or imminently likely to occur, of the following kind:

- **large scale loss of life**, actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or
- **large scale 'ethnic cleansing'**, actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.

(2) The Precautionary Principles

- **Right intention:** The primary purpose of the intervention, whatever other motives intervening states may have, must be to halt or avert human suffering. Right intention is better assured with multilateral operations, clearly supported by regional opinion and the victims concerned.
- **Last resort:** Military intervention can only be justified when every non-military option for the prevention or peaceful resolution of the crisis has been explored, with reasonable grounds for believing lesser measures would not have succeeded.
- **Proportional means:** The scale, duration and intensity of the planned military intervention should be the minimum necessary to secure the defined human protection objective.

⁶ See this website for full document: <http://www.iciss.ca/report-en.asp>

- **Reasonable prospects:** There must be a reasonable chance of success in halting or averting the suffering which has justified the intervention, with the consequences of action not likely to be worse than the consequences of inaction.

(3) Right Authority

There is no better or more appropriate body than the United Nations Security Council to authorize military intervention for human protection purposes. The task is not to find alternatives to the Security Council as a source of authority, but to make the Security Council work better than it has. Security Council authorization should in all cases be sought prior to any military intervention action being carried out. Those calling for an intervention should formally request such authorization, or have the Council raise the matter on its own initiative, or have the Secretary-General raise it under Article 99 of the UN Charter.

The Security Council should deal promptly with any request for authority to intervene where there are allegations of large-scale loss of human life or ethnic cleansing. It should in this context seek adequate verification of facts or conditions on the ground that might support a military intervention.

The Permanent Five members of the Security Council should agree not to apply their veto power, in matters where their vital state interests are not involved, to obstruct the passage of resolutions authorizing military intervention for human protection purposes for which there is otherwise majority support.

If the Security Council rejects a proposal or fails to deal with it in a reasonable time, alternative options are:

- consideration of the matter by the General Assembly in Emergency Special Session under the "Uniting for Peace" procedure; and
- action within area of jurisdiction by regional or sub-regional organizations under Chapter VIII of the Charter, subject to their seeking subsequent authorization from the Security Council.
- The Security Council should take into account in all its deliberations that, if it fails to discharge its responsibility to protect in conscience-shocking situations crying out for action, concerned states may not rule out other means to meet the gravity and urgency of that situation - and that the stature and credibility of the United Nations may suffer thereby.

(4) Operational Principles

- Clear objectives; clear and unambiguous mandate at all times; and resources to match.
- Common military approach among involved partners; unity of command; clear and unequivocal communications and chain of command.
- Acceptance of limitations, incrementalism and gradualism in the application of force, the objective being protection of a population, not defeat of a state.
- Rules of engagement which fit the operational concept; are precise; reflect the principle of proportionality; and involve total adherence to international humanitarian law.
- Acceptance that force protection cannot become the principal objective.
- Maximum possible coordination with humanitarian organizations.

3.2 World Summit, September 2005

The Responsibility to Protect concept figured in the deliberations of the Secretary-General's High Level Panel on Threats, Challenges, and Change and in the Secretary General's response to their report⁷. These processes were in preparation toward the World Summit, which took place in September 2005, and produced a number of results laying out a program of reform for the UN system as a whole.

On this question of intervention and state sovereignty, the final communiqué of the World Summit stated:

Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter of the United Nations, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.

⁷ <http://www.un.org/secureworld/report.pdf>

3.3 *The Canadian Churches and the Responsibility to Protect*

Introduction

1. In October 2005, the Commission on Justice and Peace of the Canadian Council of Churches held another of a series of forums related to the topic of responsibility to protect. At this meeting, it was decided:

- ❖ that “The Canadian Churches’ and the Responsibility to Protect” be the basis for formulating a document for discussion and discernment in the churches;
- ❖ that a revised document be considered by the members of the Commission at its April 2006 meeting and then sent to the churches for a response; and
- ❖ that a document which incorporates the responses from the churches be ready for consideration by the Commission at its fall 2006⁸ meeting.

Since then, the World Council of Churches (WCC) meeting in Porto Alegre, Brazil in February 2006 adopted a similar statement, closely derived from that original document. The text of that version follows with minor adaptations made for the context of the Canadian Council of Churches.

2. The use of force for humanitarian purposes is a controversial issue in most intellectual and political spheres. While some believe that the resort to force must not be avoided when it can alleviate or stop large-scale human rights violations, others can only support intervention by creative, nonviolent means. Others again, give a very high priority to territorial integrity and sovereignty. Churches too have necessarily entered this debate.

3. In history, some churches have been among those legitimising military interventions, leading to disastrous wars. In many cases, the churches have admitted their guilt later on. During the 20th century churches have become more aware of their calling to a ministry of healing and reconciliation, beyond national boundaries. In the New Testament, Jesus calls us to go beyond loving the neighbour to loving the enemy as well. This is based on the loving character of God, revealed supremely in the death of Jesus Christ for all, absorbing their hostility, and exercising mercy rather than retribution (Rom 5:10; Luke 6:36). The prohibition against killing is at the heart of Christian ethics (Mt 5: 21-22). But the biblical witness also informs us about an anthropology that takes the human capacity to do evil in the light of the fallen nature of humankind (Gen. 4). The challenge for Christians is to pursue peace in the midst of violence.

4. Canadian churches believe that every human being is created in the image of God and shares the human nature assumed by Jesus Christ in his incarnation. This resonates with the articles of the Universal Declaration of Human Rights. The WCC has initiated an ecumenical “Decade to Overcome Violence 2001-2010: Churches Seeking Reconciliation and Peace” parallel to the United Nations “Decade for the Culture of Peace. 2001-2010”. It is in those who are most vulnerable that Christ becomes visible for us (Mt 25: 40). The responsibility to protect the vulnerable reaches far beyond the boundaries of nations and faith-traditions. It is a shared responsibility, conceiving the world as one household of God, who is the creator of all. The churches honour the strong witness of

⁸ The Commission’s own processes have moved more slowly than planned, and responses are now expected before the Fall 2007 meeting.

many individuals who have recognised the responsibility to protect those who are weak, poor and vulnerable, through non-violence, sometimes paying with their lives.

From “humanitarian intervention” to the “responsibility to protect”

5. The concept of Responsibility to Protect was developed by the International Commission on Intervention and State Sovereignty (ICISS) in its December 2001 report. It shifted the debate from the viewpoint of the interveners to that of the people in need of assistance, thus redefining sovereignty as a duty-bearer status, rather than as an absolute power. This innovative concept focuses on the needs and rights of the civilian population and on the responsibilities of sovereignty, not only on the rights of sovereignty. Hence, the shift from intervention to protection places citizens at the centre of the debate. States can no longer hide behind the pretext of sovereignty to perpetrate human rights violations against their citizens and live in total impunity.

6. The churches are in support of the emerging international norm of the responsibility to protect. This norm holds that national governments clearly bear the primary and sovereign responsibility to provide for the safety of their people. Indeed, the responsibility to protect and serve the welfare of its people is central to a state’s sovereignty. When there is failure to carry out that responsibility, whether by neglect, lack of capacity, or direct assaults on the population, the international community has the duty to assist peoples and states, and in extreme situations, to intervene in the internal affairs of the state in the interests and safety of the people.

Our primary concern: Prevention

7. To be faithful to that responsibility to protect people means above all prevention – prevention of the kinds of catastrophic assaults on individuals and communities that the world has witnessed in Burundi, Cambodia, Rwanda, Sudan, Uganda, the Democratic Republic of Congo, and other instances and locations of human-made crises. While Canadian churches hold different views on the use of force for human protection purposes, they agree on the essential role of preventive efforts to avoid and, if possible, tackle the crisis before it reaches serious stages. Protection becomes necessary when prevention has failed. Hence, churches emphasise the need to concentrate on prevention. While external intervention – by the use of force or nonviolently - may seem unavoidable in some situations, churches should nevertheless be engaged in increasing the capacity of the local people to be able to intervene themselves by strengthening structures of the civil society and modern public-private partnerships, in terms of prevention as well as protection. Churches are called to offer their moral authority for mediation between differently powerful actors.

8. The prevention of catastrophic human insecurity requires attention to the root causes of insecurity as well as to more immediate or direct causes of insecurity. Broadly stated, the long-term agenda is to pursue human security and the transformation of life according to the vision of God’s Kingdom. The key elements of human security are economic development (meeting basic needs), universal education, respect for human rights, good governance, political inclusion and power-sharing, just trade, control over the instruments of violence (small arms in particular), the rule of law through law-biding and accountable security institutions, and promoting confidence in public institutions. On the other hand, the more immediate preventive attention to emerging security crises must include specific measures designed to mitigate immediate insecurities and to instil the reliable hope that national institutions and mechanisms, with the support of an attentive international community, will remain committed to averting a crisis of human insecurity.

9. At the national level, governments should undertake self-monitoring to become aware of emerging threats, establish mechanisms for alerting authorities and agencies to such emerging

threats, engage civil society and churches in assessing conditions of human security and insecurity, initiate national dialogues, including dialogue with non-state actors, to acknowledge emerging problems and to engage the people in the search for solutions, and develop national action plans.

10. Prevention requires action to address conditions of insecurity as they emerge, before they precipitate crisis, which in turn requires specific prevention capacities such as early warning or identification of emerging threats or conditions of insecurity, and the political will to act before a crisis occurs. To act before a crisis is present requires a special sensitivity to and understanding of the conditions and needs of people, which in turn requires the active co-operation of civil society, and especially faith communities which are rooted in the daily spiritual and physical realities of people. Faith communities are playing a major role in trust-building and truth finding processes in many contexts of crisis, such as truth and reconciliation commissions, trauma-healing centres, providing safe meeting places for adversarial groups, etc.

Forming the ecumenical mind on the dilemmas of the use of force

11. It is necessary to distinguish prevention from intervention. From the church and ecumenical perspectives, if intervention occurs, it is because prevention has failed. The responsibility to protect is first and foremost about protecting civilians and preventing any harmful human rights crisis. The international community's responsibility is basically a non-military preventive action through such measures as the deployment of humanitarian relief personnel and special envoys, through capacity building and the enhancement of sustainable local infrastructure, and the imposition of economic sanctions and embargoes on arms, etc. The international community has a duty to join the pursuit of human security before situations in troubled states degenerate to catastrophic proportions. This is the duty of protection through prevention of assaults on the safety, rights, and wellbeing of people in their homes and communities and on the wellbeing of the environment in which they live.

12. In calling on the international community to come to the aid of vulnerable people in extraordinary suffering and peril, the fellowship of churches is not prepared to say that it is never appropriate or never necessary to resort to the use of force for the protection of the vulnerable. This refusal in principle to preclude the use of force is not based on a naïve belief that force can be relied on to solve intractable problems. Rather, it is based on the certain knowledge that the objective must be the welfare of people, especially those in situations of extreme vulnerability and who are utterly abandoned to the whims and prerogatives of their tormentors. It is a tragic reality that civilians, especially women and children, are the primary victims in situations of extreme insecurity and war.

13. The resort to force is first and foremost the result of the failure to prevent what could have been prevented with appropriate foresight and actions, but having failed, and having acknowledged such failure, the world needs to do what it can to limit the burden and peril that is experienced by people as a consequence. This force can be legitimised only to stop the use of armed force in order to reinstate civil means, strictly respecting the proportionality of means. It needs to be controlled by international law in accordance to the UN Charter and can only be taken into consideration by those who themselves follow international law strictly. This is an imperative condition. The breach of law cannot be accepted even when this, at times, seems to lead – under military aspects – to a disadvantage or to hamper the efficiency of the intervention in the short term. Just as individuals and communities in stable and affluent societies are able in emergencies to call on armed police to come to their aid when they experience unusual or extraordinary threats of violence, churches recognise that people in much more perilous circumstances should have the right to call for and have access to protection.

14. Churches may acknowledge that the resort to force for protection purposes in some circumstances will be an option that cannot guarantee success but that must be tried because the world has failed to find, and continues to be at a loss to find, any other means of coming to the aid of those in desperate situations. It should be noted that some within the churches refuse the use of force in all circumstances. Their form of responsibility is to persist in preventative engagement and, whatever the cost – as a last resort – to risk nonviolent intervention during the use of force. Either of these approaches may fail too, but they both need to be respected as expressions of Christian responsibility.

The limits of the use of force

15. Canadian churches do not, however, believe in the exercise of lethal force to bring in a new order of peace and safety. By limiting the resort to force quite specifically to immediate protection objectives, the churches insist that the kinds of long-term solutions that are required – that is, the restoration of societies to conditions in which people are for the most part physically safe, in which basic economic, social, and health needs are met, where fundamental rights and freedoms are respected, where the instruments of violence are controlled, and in which the dignity and worth of all people are affirmed – cannot be delivered by force. Indeed, the limiting of legitimate force to protection operations is the recognition that the distresses of deeply troubled societies cannot be quickly alleviated by either military means or diplomacy; and that in the long and painstakingly slow process of rebuilding the conditions for sustainable peace, those that are most vulnerable are entitled to protection from at least the most egregious of threats.

16. The use of force for humanitarian purposes can never be an attempt to find military solutions to social and political problems, to militarily engineer new social and political realities. Rather, it is intended to mitigate imminent threats and to alleviate immediate suffering while long-term solutions are sought by other means. The use of force for humanitarian purposes must therefore be carried out in the context of a broad spectrum of economic, social, political, and diplomatic efforts to address the direct and long-term conditions that underlie the crisis. In the long run, international police forces should be educated and trained for this particular task, bound to international law. Interventions should be accompanied by strictly separate humanitarian relief efforts and should include the resources and the will to stay with people in peril until essential order and public safety are restored and there is a demonstrated local capacity to continue to build conditions of durable peace.

17. The force that is to be deployed and used for humanitarian purposes must also be distinguished from military war-fighting methods and objectives. The military operation is not a war to defeat a state but an operation to protect populations in peril from being harassed, persecuted or killed. It is more related to just policing – though not necessarily in the level of force required - in the sense that the armed forces are not employed in order to "win" a conflict or defeat a regime. They are there only to protect people in peril and to maintain some level of public safety while other authorities and institutions pursue solutions to underlying problems.

18. It is the case, therefore, that there may be circumstances in which affected churches actively call for protective intervention for humanitarian purposes. These calls will always aim at the international community and pre-suppose a discerning and decision-making process in compliance with the international community, strictly bound to international law. These are likely to be reluctant calls, because churches, like other institutions and individuals, will always know that the current situation of peril could have been, and should have been, avoided. The churches in such

circumstances should find it appropriate to recognise their own collective culpability in failing to prevent the crises that have put people in such peril.

Proposals

That the Commission on Justice and Peace, Canadian Council of Churches meeting in April, 2006:

- a) *Invites* all members of the Canadian Council of Churches to consider adopting this statement on the Responsibility to Protect.
- b) *Asks* the Governing Board of the CCC to table this report for discussion at a future meeting within the next 18 months.
- c) *Recommends* that the churches refer to this statement and draw on the approaches and principles it articulates when considering appropriate responses to situations of conflict and humanitarian crisis.
- d) *Recommends* that the Canadian churches contribute to a study process coordinated by the World Council of Churches and other church bodies to develop an extensive ecumenical declaration on peace, firmly rooted in an articulated theology. This declaration should deal with topics such as just peace, the Responsibility to Protect, the role and the legal status of non-state combatants, and the conflict of values in situations such as territorial integrity and protection of human life.

4 Sovereignty and the Concept of the State

When thinking about international relations, we have certain assumptions about the nature of a state and that of intervention. Do these assumptions reflect reality? If not, how do they need to be adapted?

The experience stories shared in the first section are primarily from action at the community level, of inter-personal interaction, though perhaps a large number of inter-personal interactions. What is the connection between our experience at that level and the level of inter-state interaction?

4.1 *Permeability of Boundaries*

These reports and statements have come in the historical context of several armed conflicts that have used the rationale of protecting civilians to trigger intervention: the “coalition of the willing”, meaning the USA, Britain, and a few others, to save the people of Iraq from their dictator, and the world from his unproven weapons of mass destruction and unclear connections to Al Qaeda; the on-going NATO action in Afghanistan that has failed to bring any security to civilians outside the national capital after five years; the controversial UN intervention in Haiti.

There are examples of less questionable motivation or capacity: The UN intervention in Sierra Leone, after some fits and starts, did midwife a return to security, and the international community finally did play a positive role in returning peace to neighbouring Liberia. Though not examples of genocide or ethnic cleansing, these two conflicts were examples of war crimes and crimes against humanity.

Then there are the examples of the international community ignoring massive humanitarian crises where civilians are being attacked (war crimes, crimes against humanity), such as northern Uganda and Burma. The warnings with regard to the Darfur region of Sudan started to sound more than two years before intervention decision-making began, and the warnings with regard to eastern Sudan are still being ignored. The unwillingness of the international community to take a “whole of Sudan” perspective echoes the blindness that Uganda and Burma have experienced. In D.R. Congo, the world’s largest current UN force, MONUC, has a robust mandate to protect civilians but has been heavily criticized for standing by watching while massacres destroy whole villages, men, women and children.

With such a mixed record, it is not surprising that the concept of threat to civilians overriding state sovereignty is greeted with charges of neo-imperialism. Yet, preventive and un-armed strategies for protection also require a softening of the hard boundary of state sovereignty. The ICISS report articulated this also:

3.34 One of the increasingly evident problems with the whole strategy of prevention is that some states are becoming reluctant to accept any internationally endorsed preventive measures at all - even of the softest and most supportive kind. Their fear is that any "internationalization" of the problem will result in further external "interference" and start down a slippery slope to intervention. There are two answers to

this fear. The first is for international policy makers to be sensitive to it: to recognize that many preventive measures are inherently coercive and intrusive in character, to acknowledge that frankly, and to make a very clear distinction between carrots and sticks, taking care always in the first instance to fashion measures that will be non-intrusive and sensitive to national prerogatives. But the second answer is one for the states themselves: those who wish to resist external efforts to help may well, in so doing, increase the risk of inducing increased external involvement, the application of more coercive measures, and in extreme cases, external military intervention. Intervention should only be considered when prevention fails - and the best way of avoiding intervention is to ensure that it doesn't fail. (ICISS p. 25)

If the recent developments can be the opening for implementing such strategies, this could be an unprecedented opportunity.

Alan Pleydell's paper, "Giving Meaning to 'Never Again' " ⁹, cited a successful example of a preventive, un-armed strategy at the diplomatic level, for protecting societies from violent inter-ethnic conflict.

The OSCE Commissioner on National Minorities.

Yugoslavia's membership of the Organisation for Security and Cooperation in Europe (OSCE – then 'CSCE') was suspended in 1992, owing to its behaviour in Croatia and Bosnia. This significantly reduced the authoritative purchase which the OSCE had on the situation. Once membership was suspended, a right of scrutiny could not be upheld or imposed as part of the rules of membership which had previously been accepted voluntarily. However, in many other states, and behind closed doors, Max van der Stoel, the OSCE Commissioner on National Minorities, was able by dint of their membership to negotiate with many governments on improving their relationships with minority ethnic and linguistic populations, in the Baltic States and elsewhere such as Hungary, Slovakia and Romania – and equally to negotiate with the representatives of the populations themselves. In consequence, attempted draconian nationalist legislation on the part of new governments seeking to throw off the yoke of former oppressors, in the form of harshly restrictive and inherently discriminatory nationality and language laws, was gradually replaced by legislative accommodation to the reality of more than one culture and language. It involved not only relaxation of the respective governments' stance, but also the corresponding relaxation of their less realistic demands for secession, irredentism or greater independence on the part of the new minorities, so that crisis was averted. The essence of Van der Stoel's capacity to do this was the skilled application of good offices – being repeatedly and at length in touch with all parties from an early stage, behind closed doors, acknowledging the reality of their insecurities, and talking with each of them about the enduring reality of the others' positions in order to create and establish a basis for exchange. It also involved having something desirable and credible to offer – continued and increasing membership of the European club (from OSCE towards NATO, the EU) for the potentially abusive authoritarian/majority government and a guaranteed reduction of threat to their security and welfare and full access to the benefits of citizenship to the minority populations.

⁹Alan Pleydell, who is Europe/post-Yugoslav Countries Programme Manager at Quaker Peace and Social Witness in the U.K., prepared a paper for his Canadian tour on this subject in 2005. http://cfsc.quaker.ca/pages/resources_peace.html

In his foreword to the main academic study on Van der Stoel's work¹⁰, Michael Ignatieff commented that it was doubtful whether the Commissioner's methods were transferable to theatres of conflict other than Europe such as Africa and Asia 'where regional organisations are weaker [and] the available incentives for good behaviour are weaker'. Further reasons might be the comparative lack of a history of consolidated statehood conceived in terms other than of tribal advantage and domination, or of the stable and acknowledged representatives of oppressed minorities to negotiate with. Nonetheless there are signs of the consolidation of more stable democratic statehood in Africa in a relatively short period. Something like this work, as has been acknowledged by Kofi Annan amongst others, has to be evolved, if military intervention, with all its hazards and unsustainability, and with its necessarily accumulation of mounting future problems is not to predominate and destabilize the world structurally even further.

I discussed the responsibility to protect concept with group of pacifist pastors in Goma, in the eastern part of D.R. Congo in November 2005. They pointed out: if the international community, including members of the Security Council (which is the authority that can initiate a protective intervention), fulfilled their responsibilities to abide by international laws and agreements on arms trade, and human rights; if they stopped propping up unaccountable governments; if they took seriously their responsibility to prevent armed conflict; and turned away from engaging in armed conflict, then they would have some credibility to act on a responsibility to protect.

Again, a softening of the hard boundary of state sovereignty could bring about more accountability of "successful states" with regard to their responsibility to prevent.

4.2 A Question from Bosnia: If you intervene, how and when can you withdraw?

Again, from Alan Pleydell:

Faced with the reality of actual or imminent massacre, the option of military intervention can seem overwhelmingly necessary. And after it is undertaken it is often claimed to have been the best and indeed the only available option – even if earlier and more concerted diplomatic interventions might have been better. Yet in evaluating the 'success' of military intervention we should be fully aware of the costs. The fact remains that a full ten years after Srebrenica, Bosnia remains an international protectorate, unable to move forward or back, with no prospect of orderly withdrawal in sight. The UN High Representative Paddy Ashdown is caught on the horns of a dilemma. To get anything done he has to continue to be authoritarian and heavy-handed and use his power to sack recalcitrant and corrupt local ministers who yet have been duly elected by democratic process – as it happens he does it without much public protest – people know the score and the name of the game and they are not fools. But the more he exercises his power, the more it inhibits the growth, evolution and maturation of any possible mature, cooperative politics – normal, more or less nonviolent politics. The presence of the international authority becomes a deepening self-fulfilling prophecy. The same holds true of Kosovo;

¹⁰ *Quiet Diplomacy in Action: the OSCE High Commissioner on National Minorities*, ed. Walter A. Kemp, Kluwer Law International, The Hague, 2001: ISBN 90-411-1651-6, p. xvii

though I won't go into that in detail here. In the eastern part of Bosnia today - in the heart of Republika Srpska, it is not only that Radovan Karadic happens to remain unarrested, it is that the reason for this is that practically the entire local population remain in support of him, despite the huge price on his head. They haven't changed their spots one iota and, love them or hate them, they know the meaning of loyalty. His defence is many lines deep, though his imminent arrest has been confidently announced with boring regularity for most of the last ten years. For the local people, Karadic is their hero and the events of Srebrenica in July 1995, the murder of 8,000 men and boys, are still referred to locally as its 'liberation'. A month or so ago, Karadic's mother died. Of course Radovan found himself not able to be there at the funeral, since it would effectively actualise the long-predicted arrest. But the other brothers were. And even from the freshly dug grave, through them - Mother was able to issue a defiant cry which echoed throughout the region - 'Radovan; our cause is just; don't let the bastards get you!'

4.3 The challenge of the shadow state

Let's consider one of the framing phrases of the discourse:

"In cases where states are unwilling or unable to protect their citizens..."

How does this condition of unwillingness or inability occur? Is it just a regrettable happenstance? Or is there a pattern of conditions in the current system of world interactions that causes this breakdown? And if the nation-state in question is only a façade, how does that effect our imagining of appropriate responses?

The following two paragraphs are a summary of the first eight pages of Susan Willet's well-documented article, "Development and security in Africa: a challenge for the new millennium" in *Achieving Security in Sub-Saharan Africa: Cost-effective alternatives to the military*¹¹ :

States need to collect taxes in order to provide their structure and services, which means, they need sustainable diversified economies with a balance of imports and exports. Most of the states in Africa have never even been on the road to developing such economies. In the two decades after independence, (the 60's and the 70's) they continued to produce and sell primary agricultural or mineral commodities and to import manufactured goods, continuing the pattern that was established by the colonial system to benefit the colonial master. Following orthodox economic advice to stick to their "competitive advantage", they did not reinvest in building manufacturing in order to use their own resources for their own needs. They did begin to build social infrastructure (schools, clinics). Then, in the 80's, commodity prices, set in Northern markets, crashed in comparison with manufactured goods, and there was no longer any internal source for savings that might have been invested. External sources included overseas development assistance (grants and loans from donor governments) and loans from the International Monetary Fund and the World Bank.

¹¹ Willet, Susan. "Development and security in Africa: a challenge for the new millennium", in *Achieving Security in Sub-Saharan Africa: Cost Effective Alternatives to the Military*. Geoff Harris, editor. December 2004. http://www.iss.org.za/pubs/Books/AchievSec_Dec04/Contents.htm

During the Cold War, the East and the West each did their best to capture the local elites in African countries, and prop up strong-men who did not develop public institutions or succeed in building diversified economies with the assistance they received, much of which was military. At the end of the Cold War, the triumphant West used Neo-liberal theories to argue that there was no role for the state in development, and overseas development assistance was much reduced. The structural adjustment programs required by the IMF and World Bank also emphasized a minimal role for the state. So, not only are states required to use a large part of their income to repay debts, they are not allowed to use the capital that they had borrowed to build state services. For the citizens, it doesn't look like the state is good for anything. Many African states do not even provide a reliable postal service. Structural adjustment and conditional overseas development assistance required states to deregulate and open up their domestic markets to foreign investment. This meant that a broad range of actors within the states could make deals with foreign interests, with no attendant state services to notice whether human rights were being neglected or natural environments degraded, or arms or drug trafficking agreements violated. And so many people live in such desperate poverty that they can be recruited easily to the armed groups that soon began contesting control of the resources the foreigners were interested in buying.

Susan Willet paraphrases M. Duffield¹²: “the proliferation of international criminal networks, shadow war economies and cultures of violence in the developing world are rational, calculated responses that maximize comparative advantage in the periphery of a deregulated and liberalized global political economy. Far from being the irrational response of primitives, these ‘post-modern’ forms of conflict are highly rational responses in a context of economic scarcity and exclusion. As such, many conflicts in Africa are best seen as a product and a process of the evolving global order, not an aberration as is often assumed...Collectively, these observations help to explain the durability of violence and conflict in Africa and the general resistance they have displayed in the face of the international community’s attempts at conflict resolution and international peace brokering.”¹³

When thinking of the responsibility to protect civilians, we must recognize that “Attempting to reconstruct the security of the state in Africa is often misplaced, because it assumes that there is a state around which security can be re-established, when in fact the state in Africa has literally imploded under the combined effects of economic crisis, neo-liberal programs of structural adjustment, and the loss of legitimacy of political institutions. The basic capacity to administer, even in the most established of regimes, is dwindling. It is further eroded by the migration of the educated...and by privatization schemes of public institutions, including the organs of national security....In a large part of Africa, the capacity to execute any form of policy has virtually disappeared. In its place is a shadow state, dependent on militias and other paramilitary organizations.”¹⁴

¹² Duffield, M. Globalization, transborder trade and war economies *in* Berdal, M. and Malone D., eds., *Greed and Grievance: Economic agendas in civil wars*, Boulder CO, 2000: Lynne Reiner, pp. 60 - 89.

¹³ Op. Cit., p. 111.

¹⁴ Ibid., p. 112.

5 Nonviolence Theory and Protection

Paragraph 17 of the Canadian Council of Churches' draft statement makes a distinction between "war fighting" and "just policing" in an attempt to define acceptable uses of force. The special interest group that discussed the CCC draft statement at Canadian Yearly Meeting 2006 also pointed out that Friends generally do not object to the presence of a police force in a well-ordered society. Earlier paragraphs of the CCC draft statement also declare that real long-term solutions cannot be military, but must be multidimensional, including economic, social, political, and diplomatic activities. Friends recognize this as well, from our understanding that conflict arises from unmet human needs.

In order to express our response, we will need some common theoretical vocabulary. In order to begin to provide that, I have included here a brief resume of the theory of conflict transformation, based on human needs theory, as presented by Vern Redekop in his book *From Violence to Blessing*¹⁵.

The problem of being able to practically distinguish between the force used in "war fighting" and that used in "just policing" is not overtly dealt with in Redekop's work. In section 5.2, I have attempted to sketch some relevant theory, but we will have to rely on Friends who engage in the discussion process to clarify and deepen it.

5.1 Human Identity needs and the Potential for Transformation of Violence

The goal of nonviolent action is to transform the structures of violence into life-affirming, positive structures, or "structures of blessing" to use the term chosen by Vern Redekop in his book which lays out a theory of transformation of deep-rooted or identity-based conflict through reconciliation.

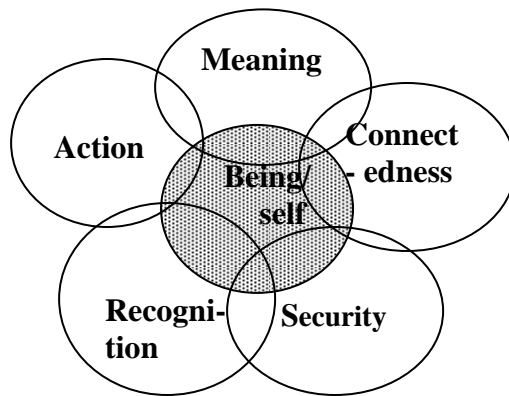
Redekop joins several branches of theory together:

- human needs theory
- René Girard's theory of how humans learn to use violence to satisfy human needs through mimesis, or imitation¹⁶,
- theories of power relations or hegemonic structures from liberation theology
- hermeneutics (the art or science of interpretation) to help interpret the discursive or language-based hegemonic structures

¹⁵ Redekop, Vern Neufeld. *From Violence to Blessing: How and understanding of deep-rooted conflict can open paths to reconciliation*, Ottawa, 2002: Novalis, St Paul University.

¹⁶ Girard, René. *The Girard Reader*, James Williams, ed. New York, 2000: Crossroad.

Redekop expresses the categories of human needs this way:



In violent relationships and structures, people meet their human identity needs in ways that deprive others of the things or experiences that meet *their* needs. These relationships and structures can be transformed when even one person within them starts to meet his or her needs in a way that also meets the needs of others. For people who are used to thinking of life in terms of zero-sum games, it is hard to visualize that this can happen in the real world. But this is exactly what was going on in the village of Baljvine in section 3.4.2 above.

When an occupying military commander realized that the Muslims and the Serbs in Baljvine were absolutely committed to helping each other, he exclaimed, “God help us! You Muslims aren’t Muslims, and you Serbs aren’t Serbs! You must be from somewhere else. In that case, go right ahead and live together if that’s what you want!” (Boz, p. 8) This quotation also emphasizes how, outside of Baljvine, an assumption of violent relations had become the definition of these identities.

On page 281 of *From Violence to Blessing*, Redekop lists several types of transformational phenomena.

As René Girard observed that there can be a kaleidoscopic change in structures of violence from mimetic doubling to scapegoating, so we can observe that the structures within a relational system can be transformed from violence to blessing or from blessing to violence. Sometimes this takes place almost instantly and at other times it takes place through a thousand hurtful comments and actions, each of which might seem innocuous at the time but add up cumulatively to a change in the orientation of the relationship from blessing to violence.... The transformation from violence to blessing may also happen through a thousand acts of respect and kindness or some dramatic event.

The transformation of structures takes place mimetically (that is, by imitation). This mimetic transformation can take place with two parties imitate one another through a feedback loop so that when one starts on a violent path the violence is returned with interest. Similarly, a good turn can be subject to the mimetic effect where kindness is returned with kindness that leads to a mimetic structure of blessing.

Another way transformation happens is when everyone acts in concert through a virtually simultaneous mimetic effect in which there is a crescendo of activity. This

is evident after a disaster when everyone donates money, food, and clothing to victims. The efforts of everyone are subject to imitation by everyone.

A third way in which transformation happens is when a leader takes an initiative that resonates with people within a relational system and inspires people to mimetically follow the lead. This happened in South Africa when Nelson Mandela and De Klerk developed a black-white relationship that opened the way to dismantle apartheid.

When a mimetic structure of violence is transformed into a mimetic structure of blessing, we say that the different sides have reconciled. Such transformation can be apparently spontaneous, but there are things we can do, “interventions” that can:

...enable people in a deep rooted conflict to begin a path of reconciliation. Reconciliation is not, however, a function of technique, though certain techniques might help, and it is not about programming people to be different. Reconciliation starts with... the observation that each person’s interiority is infinite and cannot be boxed in. Never the less, there are teachings and processes that can expedite reconciliation; there are conditions under which reconciliation is more likely to occur. Physicians and midwives cannot guarantee the birth of a healthy child, but they can make it more likely that certain complications will not harm the new baby.¹⁷

Redekop’s intervention strategy, that has been in practice now for nearly 10 years, in many parts of the world, is to begin with gathering a group of 16 to 20 people coming from each of the identity groups in a conflict situation, and offering them training in Third Party Neutral Intervention. The training could be in some different system of understanding conflict. The point is not to focus on issues, not to try to resolve a particular contention, but to find a way to see conflict from a different point of view, as a result of analysis using theoretical terms built up from a wide range of human experience. “Whatever type of training, it should be experiential, it should put people into smaller groups, it should be interactive, it should be positively centred and non-issue-based, and it should train people in the principles that expedite conflict resolution.”¹⁸ The most important consideration in choosing who to gather into such a group is not their position of influence, but their ability to be open to dialogue. “Reconciliation has two significant moments. The first is an escape from the mimetic structure of violence brought about by the deep-rooted conflict. The second is the creative construction of mimetic structures of blessing.”¹⁹ The training in a mixed group is the first moment. As the training draws to a close, the group begins to identify creative responses, even “interventions” on its own. They look for actions of blessing that might inspire people to imitate them and that might result in transformation.

5.2 Is There a Role for Police or Coercion in a Nonviolent Protection Strategy?

The Canadian Council of Churches’ draft statement makes mention of an acceptable role for policing. Friends, while working hard to ensure that police and the justice system respect human

¹⁷ Op. Cit., p. 328.

¹⁸ Ibid., p. 330.

¹⁹ Ibid., p. 287.

dignity (that of God in each and every person), have generally accepted that there is a role for policing in society. Here is one glib way of expressing the distinction between “just policing” and “war fighting”: the goal of the police is to arrest, and the goal of the armed fighter is to kill in order to win.

This actually assumes that there is a role for coercion to help us deal with the extreme situations that do arise.

What is coercion? I admit that I only understand the surface of the concept as yet. Baldly, coercion occurs when people are made to do something (or not to do something) against their will. Making someone stop attacking another person, when it is clearly their will to continue attacking, is coercion. It is interesting to note that the root meaning of the word “arrest” is “stop”.

There are nonviolent strategies for coercion. These usually involve overwhelming numbers of people refusing to co-operate. They may also be taking action that obstructs the perpetrator or leaves the perpetrator only one choice, a choice that is acceptable to those doing the nonviolent coercion.

Police forces in relatively nonviolent social systems depend upon the legal possibility of using (usually non-lethal) physical force to coerce law-breakers. People commonly think of coercion as the use or threat of lethal force, but there are many strategies for coercion that are non-lethal.

When people who are in a situation of choosing whether or not to negotiate know that they may be coerced into a solution, they may decide to negotiate for this reason: they may have more control over a negotiated solution than a coerced solution.

There is an element of coercion in the case of the OSCE Commissioner on National Minorities (see section 4.1). A country that wishes to be a member of the Organisation for Security and Cooperation in Europe, and eventually the European Union with its economic advantages, **MUST** meet certain human rights standards, and **MUST** accept external monitoring of its human rights practice. This firm line is what gives the Commissioner a lever for negotiation. But the coercive element has to stay in the background. As the example showed, as soon as Yugoslavia was evicted from membership due to human rights violations, this strategy was no longer available. Which suggests that more than one framework is needed in order to be able to stay engaged in difficult cases.

At various times in history, in many societies, the father, as sovereign over his family was free to (and sometimes expected to) use violence on family members to gain their submission. When reformers began to propose a role for the state in protecting family members, objections were raised that such intervention would destroy the institution of the family. There are many examples of misuse of the power of the state to intervene in the family. There are also, after three generations of experience continually seeking to improve, examples of families becoming healed or reconciled as a result of interactions with counselors appointed by the state. In such cases, society has drawn a firm line and said, “You may **NOT** continue to abuse your family member(s).” The justice system has required that the family go into counseling, with some much more coercive alternatives in the background, such as restraining orders, incarceration, the taking of children into foster care. But the counselor, in his or her relationship with the family, must keep the framework of coercion far enough in the background that the family members can be open to learning new ways of

relating to each other. It is a delicate role, requiring skill and compassion, and a clear understanding of boundaries.

Is there a role for police in a society that has peace with justice? What is that role? How is it different from the role of an army in another kind of society?

Is there a role for coercion in nonviolent strategies to build peace in large-scale violent crises? What is that role? In concrete terms, how can it be carried out?

6 Better Prevention: Advice and Questions

All of the formal statements about Responsibility to Protect in section three and in the appendix call for better prevention and better intervention. From our experience living out the Peace Testimony, Friends can offer some advice about this. Questions also help us find improvements. In these last two sections, I list some of the advice and questions that have come to me while spending a year and a half helping American Friends Service Committee set up their Quaker International Affairs program in Central Africa. The issues raised by the Responsibility to Protect are the daily reality of Rwandans, Burundians and Congolese.

Other Friends with other experiences will have advice and questions to add.

6.1 Policy-level Prevention and Nonviolent Coercion

A major difficulty facing the development of more effective nonviolent strategies for prevention and for intervention is the same: How can we support persuasive action with an appropriate nonviolent, proportional form of background coercion?

The first thing to recognize is that we, the global village, have already formulated a number of preventive frameworks. Why have they not actually worked? Is it because the necessary coercion has been lacking? The frameworks are often not adhered to or implemented. And the non-adherents are often world powers, not only “shadow” or “failed” states.

Two examples are very pertinent. The UN Universal Declaration of Human Rights; and the UN Small Arms and Light Weapons Limitation Program of Action. Preventive strategies are seen as too long term to save lives. But even if started late, they provide an important framework for short-term intervention strategies.

Genocide Watch has produced a cogent tool describing the “Eight Stages of Genocide” (see appendix), with preventive measures identified at each stage. At every stage, the preventive action is related to a provision of the Universal Declaration. When we have an effective UN Human Rights Council, with recourse to a universally recognized International Criminal Court, and an effective method for making arrests, we will prevent genocide—and not only genocide but many other contributing factors to war. The OSCE Commission on National Minorities example given in section 4 could be a model for instituting monitoring and counseling in all countries, and especially in so-called successful states. What is missing from the international architecture for such a model? The Lubicon people in northern Alberta, Canada, for instance, are facing extinction. Though few weapons have been fired, there are grounds for a human rights abuse against Canada.

At the United Nations Small Arms Conference in July 2001, the international community recognized the need to control the state-sanctioned trade in small arms. Section II, Paragraph 11 of the UN Programme of Action on Small Arms and Light Weapons (SALW) states, "Member States undertake to assess applications for export authorizations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the existing responsibilities of States under relevant international law."

It would be interesting to consider how an immediate, full-hearted implementation of the Programme of Action might have reduced the devastation in the Darfur region of Sudan. What prevented such implementation in that case? It is also interesting to note that small arms limitation is mentioned in the “Responsibility to Prevent” chapter of the “Responsibility to Protect” report.²⁰

In 2006, there was a review conference of the Programme of Action in New York. Project Ploughshares, the Canadian ecumenical peace organization, participated. Here is part of their report:

The International Action Network on Small Arms (IANSA) made forceful presentations on five issues that members, including Project Ploughshares, felt the outcome document should include: transfer controls, national firearms legislation, links to development, assistance to survivors, and follow-on mechanisms. Countering IANSA’s demand that national regulation be included were gun-lobby groups from Canada, New Zealand, Brazil, Australia, and the US, which had three National Rifle Association members in its official delegation.

The third iteration of the outcome document was a real step backwards. There was no link between development and small arms, no recognition that illicit trafficking and proliferation of small arms fuel human rights abuses and violations of international humanitarian law, no reference to global guidelines on transfer controls, and no reference to the human costs. References to national laws to stem misuse and a commitment to develop best practices on stockpile and destruction had been deleted. Many NGO analysts felt that this version could weaken the PoA itself.

At the end of the second week there were still diverging views on too many issues. Unfortunately, there was some confusion among delegates about the negotiation process, facilitators the President had appointed were not always available, and a handful of spoiler states took advantage of the consensus-based process. Finally, the President gave up trying to reach consensus on an outcome document.

It is interesting to interpret this inability for “successful states” to fulfill their responsibility to prevent in light of the following statistics, also published by Project Ploughshares:

- The USA, UK, France, Russia, and China are responsible for 88 per cent of reported exports of conventional arms. These are the five permanent members of the United Nations Security Council.
- Other important producers include Brazil, China, Canada, Japan and the Russian Federation.
- From 1998 to 2001, the USA, the UK, and France earned more income from arms sales to developing countries than they gave in aid in that same time span.

Richard Preston of Hamilton Monthly Meeting has postulated a role for UN- appointed special rapporteurs, partly from experience during the passed decade in the formulation of the Declaration on the Rights of Indigenous Peoples. His concept is described in CFSC’s first discussion paper on

²⁰ ICISS. *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*. Ottawa, 2001: IDRC Books. p. 23. (Download it at: http://www.idrc.ca/en/ev-9436-201-1-DO_TOPIC.html)

R2P²¹. The role of the Special Adviser of the Secretary-General on the Prevention of Genocide, as mentioned in the World Summit statement quoted in section 2, may be similar. Jennifer Preston, Programme Coordinator for CFSC's Quaker Aboriginal Affairs Committee, has co-authored a publication reflecting on implementation of the recommendations of the UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, and we might find useful advice there.

Our standard way of thinking about world community decision-making relies on the concept of States coming to the table and agreeing to things like the SALW Program of Action, then implementing them. In the case of shadow states, can prevention activities and intervention activities have to find ways to partner with non-governmental organizations that can deliver the programs accountably?

There are two other kinds of entities that we have to find ways to think about: transnational corporations and the power brokers within shadow states.

There are a number of NGOs worldwide who have been investigating the role of extractive industries in financing organized violence, from collusion with government forces to force the removal of residents from land newly claimed for exploitation, to financing arms for rebel groups who seize control of a mineral-rich area. What they are calling for is a simple application of existing human rights concepts: All the activities of any corporation should respect human rights, regardless of where those activities take place. The governments of the countries where these companies hold their legal incorporations and where they are listed on stock exchanges should be responsible for investigating complaints and taking legal action against violating corporations. The governments of the countries where the violations take place are also responsible, but may be “unable or unwilling”.

A crucial prevention strategy is to stop the policies that create the shadow states, which are “rational, calculated responses that maximize comparative advantage in the periphery of a deregulated and liberalized global political economy”. The locus for this preventive action is the global north (that is, so-called western countries).

6.2 Prevention and Nonviolent Transformation

Referring back to the Cambodian case recounted in section 1, nurturing community-based problem-solving and local capacities for nonviolent protection is important and effective preventive work. People usually think of this work as being long-term with delayed results, but the examples from Cambodia and Colombia show that this work can begin even in very violent contexts and have immediate results. It is both a prevention and an intervention strategy.

When I was in Philadelphia, PA in July 2006, there was a battle between rival gangs in a rough neighbourhood. Twenty-three people were injured and a few died. That is more violence than was reported in Bujumbura, Burundi, in the same month, but the US Embassy's advice to travelers was that Bujumbura is too dangerous to visit.

²¹ http://cfsc.quaker.ca/pages/documents/R2Pdiscuss_000.pdf

The community-level preventive work provides a complement to the sort of mechanism represented by the OSCE Commissioner on National Minorities. It is a strategy by which states can build and maintain their positive status with such a commission. This kind of support for the development of nonviolent protection could make a difference in Northern states as much as Southern ones. In fact, if such scrutiny or monitoring combined with capacity building were accepted by “successful” states first, the others who feel more under threat of foreign interference would be more likely to find the doctrine of Responsibility to Prevent and Protect credible.

Redekop’s reconciliation intervention strategy has a lot of the same characteristics, and can be implemented at different levels of social influence.

7 Better Intervention: Advice and Questions

To begin, let me reiterate that here I am sharing my learning and curiosity and that the purpose of this discussion process is to invite Friends to add theirs.

The ultimate goal for pacifists and Quakers is that all intervention will be nonviolent.

There are urgent needs for protection now and these crises can benefit from a greater nonviolent component in the interventions planned for them. What are the critical factors for unarmed intervention to work along side armed intervention? One such factor may be that the armed intervention be clearly mandated and prepared to behave as a just police and not as an army. This means the focus is on arrest, not on killing or military victory. The foregoing sections of this paper suggest that better intervention needs to have two capacities in balance: the capacity to arrest, and the capacity to reconcile.

Beyond the faith-based commitment to nonviolence, there are also practical reasons for developing nonviolent intervention: since it is less threatening, states or other abusers are more likely to cooperate with it, so it can be deployed sooner; it is more economical since it doesn't use expensive weapons; it is more compatible with the reconciliation process that is a pre-requisite for setting up a situation where withdrawal of the intervention will not precipitate renewed hostilities.

It is not fair to send in people to provide nonviolent protection while not implementing the preventive measures such as Small Arms Limitation. International measures such as arms embargoes and targeted financial sanctions against all belligerents can provide a necessary containment of the armed power that the unarmed workers are facing. This does not mean that we cannot do any nonviolent intervention until the preventive measures are perfected. It means that states should put a high level of political will and resources into prevention. Intervention, if undertaken, will have more local credibility if prevention measures are progressing visibly.

Nonviolent intervention for protection is based on the knowledge that there are local people acting nonviolently for peace in every crisis situation. The fundamental strategy of nonviolent intervention is to nurture, support, strengthen, protect, and assist those local people. And to do so at the invitation and under the advice of the local peacebuilders. The general form of the intervention would be small numbers of armed foreign people, a larger number of unarmed foreign people, who together provide an accountability framework for supporting local peacebuilders who are already active. In co-operation with the "outsider" unarmed people, the local peacebuilders gradually organize more and more local people who are undertaking nonviolent initiatives that protect themselves and their communities.

The exact tactics of nonviolent action always depend on the particular situation of the conflict in question. On the coercion side of the picture, the goal is to contain the armed people and to arrest the organizers of the violence on all sides. The nonviolent intervention needs the framework of a judicial system that can be trusted to be fair and proportional in its responses. On the reconciliation side of the picture, the goal is for people to develop viable, safe alternatives so they can choose to stop killing, and eventually, leave their armed life behind.

Currently, there are a large number of people worldwide who have received nonviolence training or peacebuilding training of one kind or another, because there has been a focus on this kind of capacity building in the humanitarian aid community for at least ten years.

What exactly are the kinds of actions that the unarmed people can undertake?

The core of the action is facilitating communities to talk across the fears that divide them in order to find practical things for them to do to protect themselves. They can organize patrols, negotiating teams, message systems, hiding places, friendship gestures, soup kitchens, mobile clinics, etc. Whatever is appropriate to their situation and capacity.

In addition, one of the most important roles is the spreading of accurate, verified information to quell rumours, rectify damaging beliefs, and inform people of their real options. This involves radio and television as well as face-to-face interaction. It is important to quell rumours about “enemy action” and give people an accurate base for evaluating their security situation, so that they are not reacting, often violently, out of baseless fears. It is important to debunk myths about the various sides, to deprogram what may be generations of attitudes that provide excuses for hurting the “other”.

Then there is the trustable judicial structure. Most peacekeeping missions now have a judicial reinforcement component, including work with judges and with police. In many current cases this component is seriously under resourced. In a situation where there is organized armed opposition to the government, and these armed people are attacking civilians, the government has to take action to contain that armed opposition, in order to fulfill its responsibility to protect. It is very difficult to identify exactly who is a member of the armed opposition, so the government has to arrest suspects (which is better than shooting them!). Still, the human rights of arrested suspects have to be respected. Impartial observers and visiting judges and other necessary judicial officers can help the process to be fair and respectful and efficient, and to inform the population of the true conditions and procedures of the prisons.

The great advantage of unarmed people is that they have more opportunity for actually talking with the fighters. Nonviolent strategies usually recognize a number of levels of organization within fighting organizations. There are the masterminds at the top, who have one set of fears and interests or needs, and there are the “grunts” or lowly adherents at the bottom, who have another set of fears and interests or needs. There may be more than one level in between, again with sets of fears and interests specific to them. Knowing how the fighters themselves see their situation, knowing their fears and interests or needs, allows people to design viable, safe alternatives for them. Peace workers in many different parts of the world have set up “half-way houses” with specific services and legal frameworks based on what they have learned from the fighters themselves, to give fighters a place to come to if they find that they can leave the armed group.

It is easier for the layperson to imagine strategies for the lowly adherent level than for the mastermind level, but reaching and stopping the people at the mastermind level is crucial. This is where the community-based nonviolence practice needs to be complemented by preventive diplomacy. Targeted financial sanctions against Charles Taylor and his lieutenants had an important role in ending the wars in Sierra Leone and Liberia. It is very important in the psychology of recovery that the lowly adherents are not over-punished and neglected while the masterminds go free.

The planning stage of the intervention is extremely important. We often think of an armed intervention as being an immediate deployment, but that is hardly ever the case. All international interventions take months to prepare. Suppose part of that planning process were Third Party Neutral Intervention training, gathering local peacebuilders with the international intervention planners, including both the people who are planning the “capacity to arrest” and the “capacity to reconcile”. In such a planning group, it would be very important to include local constructive economic organizations. In Burundi, throughout the ten years of war, the national credit union kept its branches open in every part of the country, and people were able to find a little economic security as a result. An organization with that experience is a priceless asset in the effort to offer practical nonviolent alternative livelihoods. The peace accords in the Burundian conflict promised a sum of \$100 US to each demobilized soldier. This is barely enough to support a family for a month, and not much of a stake for starting a micro enterprise, in a country where there are no jobs available. But if deposited with the credit union, those funds could have formed the basis of a loan that could have helped the ex-soldier start something constructive. With its experience of facilitating group loans, the credit union might have helped some groups of ex-soldiers pool their capital and skills. But the credit union was not at the negotiating table, and such creative, co-operative systems were not thought of.

8 Partners in Transformation

If, as a result of discussing the preceding elements, Canadian Friends become clear concerning nonviolent protection, if we come to know what responses we think are in tune with our Peace Testimony, it would be good if we also had some guidance as to how such responses could be actualized in the real world. How can we proceed to help the war system transform into a reconciliation system?

Of course humanity is in the middle of a stream of action centuries long, of attempts to achieve that transformation. And Quakers are far from alone. For example, there are a number of organizations, such as Peace Brigades International, faith-based Peacemaker Teams, and the Nonviolent Peaceforce, who are learning how to be nonviolent interveners. In the preparation of this paper, I did not consult with them about their thinking on Responsibility to Protect, or about their conception of how the war system might be transformed into a reconciliation system. There are a number of Friends who are involved in these kinds of organizations. We hope to hear from them in the course of this discussion process.

My own theory of systems transformation has four stages:

- 1) Analyse the current system
- 2) Articulate the desired alternative
- 3) Test the desired alternative
- 4) Plan the conversion to the alternative in minimally-threatening dialogue with the current system.

Pacifists and near-pacifists have come a long way in the first three tasks. What do we need to do in order to focus on the fourth?

Ursula Franklin has given us some good advice in her recent *Pacifism as a Map*²². She reminds us of the analysis we need to do in preparation for speaking truth to power. We can speak in a prophetic voice or engage in a “shadow cabinet” kind of exchange, founded on technical practicalities, and both have their uses, but they are different. She advises us to focus on means, on agreeing on criteria for acceptable means, on testing proposed means with the questions, “Who bears the burden?” “Who benefits?” “Who suffers?”. When planning an approach to power, we have to analyse the practical locus of power, because the position names on the office doors may be misleading, and because the locus of power changes. Also we should beware of the assumption that the people running our parliamentary democracy are well-intentioned but ill-informed. We should consider how to respond to the possibility that they are ill-intentioned and well-informed.

A fundamental strategy arises from Franklin’s analysis of peace as the absence of fear. With this definition, “the central element to bring peace to all levels and to reduce fear is justice. Justice

²² Franklin, Ursula. *The Ursula Franklin Reader: Pacifism as a Map*, Toronto, 2006: Between the Lines.

means freedom from arbitrary interference, but it also means a fundamental equality of caring... The second component of a commitment to peace is a rejection of the use of fear as an instrument of policy...Fear has become a universal management tool at all levels, from national and international governments to actions among or within corporations and procedures in local endeavours...Non-cooperation with threat systems is therefore one of the central necessities of a commitment to peace.”²³

There is much advice in the book, but let me close with this summarizing quotation:

“I can envision a theology of peace that focuses primarily on the discernment of means – a discernment equally valid on small and on large issues. In such a theology of peace we would find the practical manifestation of the prophetic voice; such a focus on means would expose the common roots of many issues that are now addressed separately. Speaking truth to power through a dialogue on acceptable means may allow a focused witness, according to the demands of our faith.”²⁴

²³ Ibid., p.70

²⁴ Ibid, p. 73

9 Appendices

9.1 Relevant Minute of Canadian Yearly Meeting 2006

46. Responsibility to Protect: Gianne Broughton introduced this subject. A CFSC discussion paper has been available for some time, and a Canadian Council of Churches (CCC) statement is also available. The CCC has invited all member churches to present official responses to their statement by the fall of 2007. A special interest group met on this subject yesterday, and asked Gianne and Janine Gagnier to prepare a summary of their discussion. This summary was read, and will be included with the Late Reports.

The SIG presented the following recommendation:

The Canadian Council of Churches statement is so important and thoughtful that CFSC should organize discussion of it at the Monthly Meeting level and report back to CYM next year. The development of a Canadian Quaker Statement could be part of this process, rather than a simple question of endorsing or not endorsing the CCC statement. Like the Mennonites, we recognize our responsibility to stretch the imagination, to offer practical alternatives that go beyond denouncing armed intervention.

This is approved.

Friends suggested that when Monthly Meetings consider this, where possible they engage in this discussion with other local churches, especially the historic peace churches. We were encouraged to make clear our position that war and violence not only are wrong, but that they don't even work to achieve the ends that their perpetrators intended.

Report of SIG

The phrase *Responsibility to Protect* was coined in 2001 by the International Commission on Intervention and State Sovereignty, or ICISS, which was initiated by Canada at the invitation of the Secretary General of the UN.

It redefines a state's sovereignty as the responsibility to protect all of its citizens, including protections from threats that originate within the state. It insists that in cases where a state is unable or unwilling to protect, the international community, under the authority of the UN, has a responsibility to intervene and protect. Intervention, in the last resort, is interpreted as armed force. The ICISS report also insists on the importance of prevention.

At the millennium summit in September 2005, the General Assembly of the UN accepted this concept as a part of its general reform of the UN system. The World Council of Churches, and the Canadian Council of Churches have been working on statement in response to this development. CYM is a member of both Councils. Our representative to the WCC, Katie Aven, was consulted in the formulation of its statement, which is the basis of the CCC statement. The CCC invites comment from its members for discussion at its meeting in Fall 2007.

The Friends who met in the SIG yesterday found a number of positive elements in the CCC statement, and they posed some thought-provoking questions.

Some positive elements were:

Point 7: emphasizes nonviolent action and calls for strengthening local capacities for non-violence and encourages the churches to have a positive role in this.

Point 17: discusses policing and the use of force for restraint or arrest rather than killing.

We found that the statement indicates that the churches are shifting from a Just War to a Just Peace philosophy.

Some thought provoking questions are:

How can the Responsibility to Protect concept be applied to the case of Burma, where civilians have been killed in large numbers by their government, but the international community has not called for an armed intervention?

How do we use this opportunity to promote the development of preventive and nonviolent responses?

What is nonviolent protection?

Is there a role for force in nonviolent protection? If so, what is that role?

Friends at the SIG also found a statement from the Mennonite Central Committee's 1997 study on "the Principles for Relating to Peacekeepers" thoughtful and challenging. They said, "We will not call for humanitarian military intervention. We appreciate that there may be tragic situation where we have no alternative course of action to suggest. This could be either because our understanding is incomplete or because we cannot see a possible nonviolent solution. In situations like these, we may choose to publicly neither oppose nor support an international intervention. We would remain silent, not to disengage or avoid action, or to legitimate violence, but in recognition of the tragic and ambiguous nature of the situation. Governments, however, seldom have the same option for silence or choosing whether to act or not. They are required to act. Part of our responsibility at such times is to stretch the imaginations of both those who must act and those who can choose whether to act or not. In this light, we will frequently comment on humanitarian military interventions that government or international bodies decide to take. We acknowledge that interventions can, in some situations, save lives."

Recommendations:

The Friends who attended the SIG felt that the CCC statement was so important and thoughtful that we recommend that CFSC organize discussion of it at the monthly meeting level and report back to CYM next year. The development of a Canadian Quaker Statement could be part of this process, rather than a simple question of endorsing or not endorsing the CCC statement. Like the Mennonites, we recognize our responsibility to stretch the imagination, to offer practical alternatives that go beyond denouncing armed intervention.

We have resources and experience that shows that there are practical nonviolent alternatives. For example, Pamela Leach has been involved in research with the Mennonites that has produced a book that presents and analyses nonviolent alternatives. Gianne can offer stories from Central Africa and other countries in crisis.

9.2 Mennonite Central Committee, Intervention, and “Humanitarianism”

Mennonite Central Committee’s Peace Committee met in Winnipeg in October 2005 to consider the way increased reliance on armed intervention, especially international intervention under the rubric of protection for innocent civilians, impacts the program work of MCC. The following are their recommendations for MCC policy, based on their 1997 “Principles for Relating to Peacekeepers”, as published in their Peace Office Newsletter of July-September 2006, on pages 3 to 5.

1. (1997) The Language We Use

We noted the Mennonite churches have changed a great deal in recent decades in the vocabulary we use to address topics of peace: from saying to government that we have “nothing to say about how it runs its war, but only about how we should be excused from participation in it,” to activist participation in advocacy; from describing ourselves as nonresistant or pacifist, to talking about peacemaking and conflict transformation. This change in language reflects the changing nature of our identity and relationships in the wider world.

2. (1997) Silence and Action

We will not call for humanitarian military intervention. We appreciate that there may be tragic situations where we have no alternative course of action to suggest. This could be either because our understanding is incomplete or because we cannot see a possible nonviolent solution. In situations like these, we may choose to publicly neither oppose nor support an international intervention. We would remain silent, not to disengage or avoid action or to legitimate violence, but in recognition of the tragic and ambiguous nature of the situation.

Governments, however, seldom have the same option for silence or choosing whether to act or not. They are required to act. Part of our responsibility as such times is to stretch the imaginations of both those who must act and those who can choose whether to act or not. In this light, we will frequently comment on humanitarian military interventions that governments or international bodies decide to take. We acknowledge that interventions can, in some situation, save lives.

(2005) Amended Comment, Silence and Action: The use of the word “silence” was intended to reflect the need for a non-arrogant posture in the face of tragic situations, but it did not communicate well to MCC workers or to constituency. We might rather speak of remaining in solidarity with partners, focusing on commitment to people even when we do not see a clear solution or a path through the struggle at hand. It is suggested that we refer to this as “wise engagement.” We will give wise and careful reflection to the situations we encounter. Our responses to these situations will range from that of bold prophetic voice to gentle advocacy to lament/silence in solidarity. Our stance will be one of listening and learning, speaking and naming, and preserving/ prayerful/patient service-oriented engagement in the name of Christ.

3. (1997) Underlying Theological Issues

We experience tension between two ways, present both in the Bible and in our tradition, of talking about the relationship between God and the world’s governing structures. Romans 13 suggests that governments have the purpose of restraining evil, including the use of armed force, while Christians, as part of the redeemed community, are not to participate in the use of such force. This implies a different ethic for the church than for governing authorities. In some tension with this is an understanding that sees the Lordship of Christ over both church and world as suggesting that God has one standard for both Christians and governing authorities. We have some differences among us in the weight we assign to these two emphases, but suggest that future Peace Office commentaries take seriously the concerns raised by both of them.

3. (1997) Police or Military

Is there a fundamental difference between the function of police and the function of a military force? If so, is this helpful for our discussion? Our practice as pacifists includes reliance on police services in our home communities. We are troubled by what looks like hypocrisy when we rely on such maintenance of order, but critique actions designed to bring order in other, more chaotic situations.

MCC workers and partners frequently find themselves in places where order has broken down. Is action on the part of an international force closer to police work or military work in such a setting? When structures that usually surround the work of police, such as courts and civilian review, are not in place, can an intervention force perform a police function? Would it be helpful to have clearer criteria for understanding the difference between police and military forces? The Committee did not reach consensus on this issue, and recognizes that it is a real question faced by MCC workers.

(2005) Amended Comment, Police or Military: The guidelines raise the question of whether police or military have different functions and whether we could more easily embrace the former than the latter. Assuming a clear understanding and definition of who MCC is (as noted above), we might rather say that MCC will not call for intervention responses that rely on the use of lethal military force. In MCC's advocacy work where there may be coalitions to join or petitions/letters to sign onto, we will work for careful and precise language that makes this clear. We can imagine many alternative activities for international participation short of those that require lethal force, such as international monitoring, election supervision, police patrolling and training, and other activities that reflect the normal ordering/security functions of a society. When participating in discussions in these situations, or expressing solidarity via some forms of direct participation, the principle of keeping our interactions with state actors ad hoc, discussed at length in the 1997 meeting, seems most appropriate. Here MCC, via the counsel of friends and partners, will decide on how to be engaged.

5. (1997) Pacifist Identity

We agreed that Christian pacifism based on following Christ is a central eschatological commitment shaped by membership in the faith community. If we rely on practical solutions in a tragic world, without this eschatological commitment to following Christ, pacifism will erode. A clear sense of our identity in Christ precedes ethical discernment on all things, but especially complex issues like peace in society. There is need for humility in striving to be faithful. We will be challenged and stretched by our involvements with the hurts of the world.

6. (1997) Guidelines for MCC

- “Ad hoc partnering”: We can partner with a wide range of groups, including governments. We need to keep such determinations “ad hoc” or “case by case” without making commitments beyond functional activities, and on the basis of careful discernment.
- Primary partners will continue to consist of faith communities, civil society groups and international nongovernmental organizations. Focusing primarily on these, rather than state structures, is not only a traditional bias but a choice centered on an understanding of where societal change happens most effectively.
- We will maintain a clear sense of identity as pacifist Christians when we join others in coalition. Our goal should be to join those activities where our positions remain intact and do not become diluted or rendered invisible.
- We should recognize that governments organize positive security. Especially in this era of “government-bashing” we may need to focus more on this positive understanding of our

participation in society. Organized human society (government) provides many securities that are good, that are needed and that we can support (such as social support systems).

Supporting effective security programs is as important as our critique of those we question.

- MCC needs to place people who are well grounded in the Christian faith tradition, who value the Reign of God above all and who are willing to have their imaginations stretched.

We acknowledge our own sinfulness and limitations and desire to maintain a humble posture, but do not want to let this inhibit or restrict engagement in places where Christian compassion is needed.

9.3 “Vulnerable populations at risk”. World Council of Churches Statement on the responsibility to protect

The Ninth Assembly of the World Council of Churches, meeting in Porto Alegre, Brazil, 14-23 February 2006, adopted the following resolution. Please refer to the appendix for the complete document with the background logic for the resolution. The issues addressed in that background included:

- From “humanitarian intervention” to the “responsibility to protect”
- Our primary concern: Prevention
- Forming the ecumenical mind on the dilemmas of the use of force
- The limits of the use of force

Resolution:

The Ninth Assembly, meeting in Porto Alegre, Brazil, 14-23 February 2006:

a) *Adopts* the statement on the Responsibility to Protect and expresses thanks to all member churches and individuals involved in the study and consultation process on “The Responsibility to Protect: Ethical and Theological Reflection” and asks the Central Committee to consider further developing guidelines for the member churches, based on the principles in this report.

b) *Fosters* prevention as the key tool and concern of the churches, in relation to the Responsibility to Protect. Because churches and other faith communities and their leadership are rooted in the daily spiritual and physical realities of people, they have both a special responsibility and opportunity to participate in the development of national and multilateral protection and war prevention systems. Churches and other faith communities have a particular responsibility to contribute to the early detection of conditions of insecurity, including economic, social and political exclusion. Prevention is the only reliable means of protection, and early detection of a deteriorating security situation requires the constant attention of those who work most closely with, and have the trust of, affected populations.

c) *Joins* with other Christians around the world in repenting for our collective failure to live justly and to promote justice. Such a stance in the world is empowered by acknowledging that the Lordship of Christ is higher than any other loyalty and by the work of the Holy Spirit. Critical solidarity with the victims of violence and advocacy against all the oppressive forces must also inform our theological endeavors towards being a more faithful church. The church’s ministry with, and accompaniment of, people

in need of protection is grounded in a holistic sojourning with humanity throughout all of life, in good times and in bad.

d) *Reaffirms* the churches' ministry of reconciliation and healing as an important role in advancing national and political dialogue to unity and trust. A unifying vision of a state is one in which all parts of the population feel they have a stake in the future of the country. Churches should make a particular point of emphasizing the understanding of sovereignty as responsibility. Under the sovereignty of God we understand it to be the duty of humanity to care for one another and all of creation. The sovereignty exercised by human institutions rests on the exercise of the Responsibility to Protect one another and all of creation.

e) *Calls* upon the international community and the individual national governments to strengthen their capability in preventive strategies, and violence-reducing intervention skills together with institutions of the civil society, to contribute to and develop further the international law, based on human rights, and to support the development of policing strategies that can address gross human rights violations.

f) *Urges* the United Nations Security Council, in situations where prevention has failed and where national governments cannot or will not provide the protection to which people are entitled, to take timely and effective action, in cooperation with regional organizations as appropriate, to protect civilians in extreme peril and foster emergency responses designed to restore sustainable safety and well-being with rigorous respect for the rights, integrity and dignity of the local populations.

g) *Further calls* upon the international community and individual national governments to invest much greater resources and training for nonviolent intervention and accompaniment of vulnerable peoples.

h) *Asks* the Central Committee to consider a study process engaging all member churches and ecumenical organizations in order to develop an extensive ecumenical declaration on peace, firmly rooted in an articulated theology. This should deal with topics such as just peace, the Responsibility to Protect, the role and the legal status of non-state combatants, the conflict of values (for example: territorial integrity and human life). It should be adopted at the conclusion of the Decade to Overcome Violence in 2010.

9.4 Friends Committee on National Legislation statement on Darfur

Quakers (the Religious Society of Friends), in their different peace organizations around the world, have not yet developed a general statement about the issues raised under the topic of Responsibility to Protect. There are some published writings on particular relevant cases, like this one from the Friends' Committee on National Legislation, which has been actively advocating changes in US policy with regard to Sudan for many years.

Ending Genocide in Darfur, Promoting Peace in Sudan FCNL Recommendations for U.S. Policy January 2006

On July 22, 2004, Congress declared that genocide was underway in the Darfur region of Sudan. The Bush administration soon followed with its own declaration of genocide. Despite a number of steps by the U.S. and the international community in response to the crisis in Darfur, more than two years after the conflict erupted the killing continues and violence has recently escalated.

Without increased international attention and support for restoring peace in Darfur, conflict in the region is likely to spread. Given the escalating violence in Darfur, rising tensions in the East of Sudan, cross-border fighting with Chad, slow implementation of peace between North and South Sudan, and increased conflict in neighboring countries, a very real potential for regional collapse now exists.

Immediate and longer-term steps by the international community are needed to help protect human life, de-escalate violence in Darfur, and resolve conflicts throughout Sudan in a more comprehensive manner. Toward that end, FCNL urges Congress and the administration to:

- **Press all parties to the conflict to abide by existing ceasefire agreements, commit to seeking a political settlement, and negotiate in good faith.** The U.S. has significant diplomatic, political, and economic leverage with the parties engaged in conflict in Darfur. The Bush administration should engage at the highest levels in pressing all parties to end the violence and reach a durable political settlement as quickly as possible. The U.S. should also provide financial and political support to the African Union-led peace process.
- **Provide high-level political and financial support to a comprehensive peace process for Sudan.** The U.S. should invest the same level of diplomatic and financial support for peace processes to resolve the conflicts in Darfur and East Sudan as it did in the North-South process. This should include high-level U.S. representation to peace talks and significant funding to support negotiations. The U.S. should also support efforts to peacefully resolve the crisis in Northern Uganda, which continues to destabilize Southern Sudan and the broader region.
- **Increase humanitarian and development funding to meet basic human needs in Darfur, the wider Sudan, and throughout the Horn of Africa.** Recent reports suggest that the U.S. is moving toward drastic cuts of as much as 60% in humanitarian funding for Darfur, despite no reduction in urgent needs on the ground. Without such funding thousands of lives will be at risk and the potential return and future livelihood of those displaced by violence will be further undermined. Moreover, chronic poverty and the struggle for scarce resources throughout Sudan and the Horn of Africa require long-term solutions to break the cycle of crises now undermining the region. The U.S. should be increasing, not cutting, humanitarian and development assistance.
- **Support African Union peacekeepers in Darfur and an expanded international peacekeeping presence under UN authorization with a clear mandate to protect civilians.** The African Union Mission in Sudan (AMIS), now comprising some 7,000 monitors, police, and protection troops on the ground, has saved lives and helped ensure the delivery of humanitarian aid in many instances. However, its visible presence and capacity to protect civilians are limited by its small numbers in a vast area, a lack of command and control, equipment, and logistics capacities. In response to militia attacks on more than a dozen villages in Southern Darfur in December, 2005, UN Secretary-General Annan reported to the UN Security Council: “An attack of this scale, occurring over the course of more than one week in an area where the African Union Mission in Sudan (AMIS) is present, is a shocking indication of the Government [of Sudan’s] continuing failure to protect its own population, and of the collective failure of the international community to prevent these horrendous crimes from occurring.” In January, 2006, the African Union authorized the continuation of AMIS but also raised the issues of a possible handover to a UN force. Annan called publicly for an expanded and strengthened UN peacekeeping force to take over from AMIS in the coming months.

A UN-authorized expansion - or “blue-hatting” - of AMIS, including increased numbers of international peacekeepers on the ground and a clear mandate for protecting civilians, could help reduce the violence, increase safety, facilitate delivery of humanitarian aid, and provide security for the future return of those displaced by the conflict. UN peacekeeping has been successful in helping to prevent violence and creating space for political transition in other instances where regional organizations initially took the lead, including in Burundi and Liberia. A UN peacekeeping mission for Darfur should work with AMIS to ensure a smooth transition and be clearly charged with protecting civilians and deterring violence through increased patrolling, civilian accompaniment, and confidence-building. Any UN mission should not engage in offensive military operations. However, it should have the necessary mandate and equipment to effectively deter and prevent attacks against civilians and its own personnel. It should also be charged with enforcing the international arms embargo and helping restrict the flow of weapons into Darfur²⁵.

The U.S. should work with the African Union to introduce and pass a resolution through the UN Security Council authorizing a handover of AMIS to UN peacekeepers. In the meantime, the U.S. should provide, along with allies in the EU and NATO, additional funding, equipment, and logistics support to AMIS, as requested by the AU, to ensure civilian protection is strengthened in the interim. **In particular, the Administration and Congress should provide adequate funding for AMIS and UN peacekeeping in Darfur through State Department foreign assistance accounts in future supplemental requests and FY07 appropriations.** Such funding should be in addition to, not earmarked from, amounts appropriated to pay all assessed dues for other UN peacekeeping missions.

- **Share information with the International Criminal Court and support its investigation into atrocities in Darfur.** Impose travel bans and asset freezes on individuals responsible for the genocide. The UN Security Council has referred the situation in Darfur to the International Criminal Court. The U.S., rightly, did not veto the referral. However, strong ideological opposition to the ICC within the Administration has hampered information-sharing and undermines U.S. support for holding those responsible for atrocities accountable under international law. The U.S. should initiate sharing of information from its own investigations with the ICC. In addition, the U.S. should support the enforcement of travel bans and asset freezes on those responsible for atrocities, and encourage active engagement by the UN Security Council to continue and follow up the work of the UN sanctions committee now reviewing the situation in Darfur. Recognizing that justice also requires healing, the U.S. should provide diplomatic and financial support for long-term reconciliation processes led by the people of Darfur.
- **Maintain and strengthen the arms embargo and U.S. prohibitions against military aid to Sudan.** Despite a UN-authorized arms embargo, weapons continue to flow into Sudan and fuel the conflict in Darfur. Increased monitoring and enforcement of the arms embargo is

²⁵ FCNL does not believe outside intervention and military force will resolve the conflict in Darfur. War is not the answer. So-called “military humanitarian interventions” have a mixed record at best and have often only fed cycles of conflict. Moreover, the long history of U.S. involvement in the region suggests any U.S.-led military intervention would further escalate regional and global violence. It is incumbent on the international community, however, having failed to prevent genocide in Darfur, to use the least violent, most legitimate mechanisms possible to halt the killing, restore public safety, and open space for a political settlement. Currently, international peacekeeping forces under UN authorization remain the most legitimate and potentially effective mechanism available for such an effort. Any further deployment of international peacekeepers to Darfur should be in conjunction with the African Union and in the context of seeking to demilitarize the conflict and return to civilian rule of law. In addition, any peacekeeping mission in Darfur must be part of sustained international support for a broader political peace process to resolve the underlying causes of conflict throughout Sudan.

needed to help de-escalate the conflict. In addition, recent suggestions that the U.S. may move to lift some prohibitions against the transfer of military aid to Sudan raise serious concerns. Providing military aid will not resolve the political, economic, and social crises which underlie conflict in Darfur, between North and South Sudan, or in other marginalized areas like the East. Lifting sanctions on military articles while genocide in Darfur persists sends the wrong message.

- **Support a comprehensive and lasting peace for all people of the region as the highest priority for U.S. policy toward Sudan.** The genocide in Darfur and other violence throughout Sudan are symptoms of deep-rooted economic, political, social, and cultural conflicts and long-running cycles of violence. U.S. involvement in the region should support the people of Sudan and the surrounding region in their own work to break these cycles and resolve the conflicts. The U.S. has a long and complicated history in Sudan and the surrounding region, which includes support for abusive regimes, intelligence and counterterrorism activities, and military intervention, including the bombing of a pharmaceutical factory in Khartoum in 1998. In addition, past activities by U.S. oil corporations in Sudan and the ongoing global race to secure oil resources have contributed to a climate of mistrust and manipulation. While the U.S. is poorly positioned to play peace broker, it did take the lead in helping negotiate a peace agreement between North and South Sudan, and, in 2004, Congress and the Administration declared the situation in Darfur genocide.

If the U.S. is to live up to its claims of supporting peace and stability in Sudan, it must significantly change its current and long-term policies toward the region. Current approaches that elevate “war on terror” alliances or potential access to oil reserves above saving lives and peacefully resolving conflicts only contribute to cycles of violence. Ending genocide in Darfur and preventing further escalation of conflicts throughout the region should take priority over short-term U.S. military, intelligence, and resource interests in the region.

We believe peace is an ongoing process in any society, not something that can be enforced from the outside or imposed by others. Our faith in the presence of God in every person leads us away from violent means in the pursuit of any ends. We deeply regret the failure of the international community to prevent genocide in Darfur or to effectively help contain and de-escalate the conflict. We work to change U.S. policy in ways that will help peacefully manage conflicts before they erupt into humanitarian tragedies and violence.

9.5 Concern about Police Power and Peace: University Friends Meeting, Seattle, Washington.

The following minute was approved by University Friends Meeting in Seattle Washington on November 13, 2005.

“The Religious Society of Friends (Quakers) has traditionally supported state power to make and enforce just laws, including police power to arrest lawbreakers and to stop those harming other. We recognize that



Above: a medal of the Multi-national Force and Observers, an independent (non-UN) peacekeeping mission created as a result of the 1978 Camp David Accords and the 1979 Treaty of Peace. Various nations have contributed personnel to serve in Egypt's Sinai Peninsula as part of this organization.

most Friends as citizens have been protected by the implicit power of police to use legal violence; we tacitly invoke this potential when we request police assistance. We recognize that many Friends have also struggled to promote police systems that avoid lethal violence and to end inequitable treatment on the basis of race, politics or other kinds of discrimination; we insist that police must be responsible to all the communities they serve.

“Now we call on Quakers to re-examine their position and their relationship to power. We commend to you Bill Hanson’s article from Friends Journal on “Police Power for Peace” as a place to begin your deliberation. This concern becomes every more important as we look at both international police action to prevent or substitute for war, and at the complex crime and punishment system in the United States.

“How can power be used to protect and serve a nonviolent society? What is the state’s or international government’s role in enforcing laws, in reducing conflict, in protection from violence? What kind of police actions can Friends support for domestic tranquility and for growing a system of international law that will end military responses to conflict?”

“We look forward to your discernment and action in response to this concern. We hope to hear from your Light on this subject.”

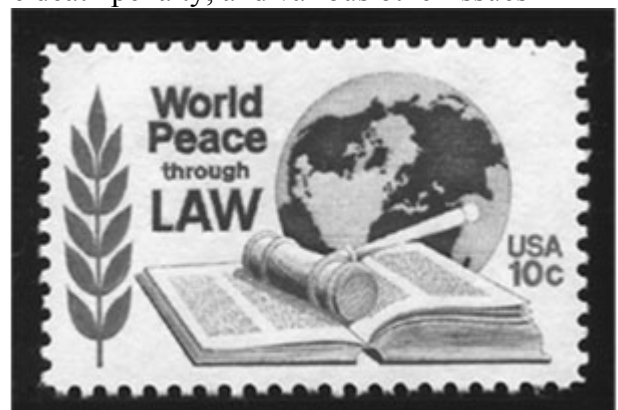
Here are the highlights of the recommended article by William (Bill) Hanson, a semi-retired lawyer, and member of that Meeting.

Pacifists like me, many of whom are Friends, have made accommodation to the police function and criminal justice system. We rely on that system for daily protection, but we are unclear in our relationship to it because it involves force. We extend that same ambiguity to the use of force in foreign policy. This means we are unsure about world law.

Peace as a way of life and not an interval between wars requires a world community of law rather than one of competing military forces. Disarmament is possible only as a product of a degree of governance. That requisite minimum of world law is the goal of our effort to emerge from the chaos of wars. ...

The Encarta World English Dictionary defines "police" as follows: "[verb:] control, guard, patrol, watch; [noun:] a civil organization whose members are given special legal powers by the government and whose task is to maintain public order and to solve and prevent crimes; the enforcement of law and the prevention of crime in a community."

Friends and other pacifists have not paid attention to police. There is a discontinuity here... In our public efforts, we engage with police and criminal law at several main points: demonstrations, confronting police abuse, the death penalty, and various other issues surrounding prisons. We have voluminous writings and programs to promote nonviolence. However, few of these consider the need for and appropriateness of police. It is almost as though the police and criminal justice systems existed in an alien, parallel universe. Our constant concern about violence coexists



U.S. Postage stamp issued in 1975

awkwardly with our constant acceptance of protection by police.

If we were truly engaged with police issues, we would work for minimum-force police weapons and tactics. We would work on the thorny task of creating world police forces that would not wage wars. But we don't do those things. Instead, we seem to regard police work as an unpleasant necessity best done by someone else.

A search through Friends writings from the founding years of the mid-1600s reveals a dearth of comment on force when used by the protectors of society. There is much material on imprisonment and punishment suffered by Friends, but only a few statements about "the magistrate's sword," referring to civil police power, and these statements seem ambiguous. Howard Brinton, in *The Peace Testimony of the Society of Friends*, wrote: "From the first . . . Friends have acknowledged what they once called 'the power of the magistrate's sword' if wielded lawfully and justly as a restraint against evil doers." Brinton characterizes policing as "different from war in which there is neither law nor justice."

Here in this country,
we have let a TV show
teach more than
many pacifists do about
minimum force:
Star Trek's Captain Kirk
says, "Set your phasers to
stun!"

Ideally, police power, including physical force, is directed toward offenders and is intended to protect persons and property. Offenders may need to be removed from society and face imprisonment and/or parole. Further, ideally, judicial action acts as "restorative justice" to compensate victims and rehabilitate offenders. In contrast, war usually involves indiscriminate destruction, killing, and maiming, and the objective is often to take territory and resources rather than to protect people. ...

I feel it is urgent for Friends to encourage FCNL to give priority to work on both world police and local police. At the exact place where the Peace Testimony is most needed—ending war by extending international law—Friends have not expressed their opinion.

FCNL's new pamphlet, *Peaceful Prevention of Deadly Conflict*, reflects this ambiguity. It speaks of preventing war, but not stopping it. It states (p. 86): "The International Criminal Court is a major advance . . . to handle cases of genocide, crimes against humanity, and war crimes when national governments are incapable or unwilling to do so." The pamphlet proposes "international civilian [meaning nonmilitary] police corps." If FCNL were not inhibited by the uncertainty among Friends concerning police, these proposals could be elaborated and the policy could deal at length with stopping and preventing wars.

For another indication of ambiguity, see a statement in *Faith and Practice* of North Pacific Yearly Meeting, 1993: "Proper police activities . . . seem necessary and helpful." The word "seem" suggests hesitation. These policy statements might be revised to clarify and strengthen language in favor of minimum-force policing at all levels.

Mary Lord, in a speech delivered at the 2002 annual meeting of Friends World Committee for Consultation, Section of the Americas (reprinted in *FRIENDS JOURNAL* in July

2002) made a statement with which I wholeheartedly agree: "On September 12, [2001,] the U.S. immediately began to prepare for war. There was another road that might have been taken—the road of international law, working . . . with other nations to find and arrest the members of the criminal conspiracy."

In 1996, Pendle Hill published *A Continuing Journey: Papers from the Quaker Peace Roundtable*, containing various views and historical materials. In it Daniel Seeger, a CO in the Korean War and the person who successfully challenged the "superior being" requirement for CO claims, wrote in favor of conscious support of international law with a police/judicial component. He states, "Such progress will require development of a body of international law . . . and a capacity for the international community to enforce these laws on behalf of the common good. . . . This will involve some sort of international police force."

We witness worldwide strife, but great dangers are great opportunities: this can be the birth pangs for a new world of peace. Let us end 350 years of hesitation and become sophisticated, loving, committed, and effective in our call for peace. My case here is incomplete, merely an outline of a concern; the next step could be assembling and publishing a booklet on "police power for peace" by FCNL and/or AFSC, as a sequel to AFSC's 1955 booklet *Speak Truth to Power*. This could provide a basis for discussion, programs, and public advocacy. . . .

The strength of Quakerism has been its unified vision of a Divine Ground, a universal community, matching practices for spiritual strength and growth with steady work for social change and building community. A central Friends doctrine is that revelation is not closed. Persons can experience new visions, ideas, and possibilities for action. Both our intellectual and spiritual integrity now require our attention to the need for law, police, and the judicial process at the world level.

9.6 Always like a mustard seed

"...on the question of endorsing military intervention to prevent extreme cases of genocide is the fact that estimates for the number of people who die each year as a result of global capitalism range from ten million to sixty million. This includes death by starvation as a result of displacement, death by preventable disease, and death as a result of crop failures caused by global warming. Despite the megacidal nature of the machine in which we live, Quakers do not advocate the armed overthrow of the capitalist system, but seek the profound transformation of our society through nonviolent means. We must, I believe, be consistent when responding to the danger of a specific act of genocide or megacide and advocate only nonviolent measures of violence prevention. The kingdom of God is always like a mustard seed and never like an F-16."

This is the response offered by David Greenfield, member of Canadian Friends Service Committee, to the ICISS report.

9.7 Vulnerable populations at risk. World Council of Churches' Statement on the responsibility to protect (document no. PIC 02-2 – adopted)

*The following report was presented to and received by the Assembly.
Its resolutions were proposed by the Public Issues Committee and approved by the Assembly through consensus.
Dissent expressed by Assembly delegates is recorded as endnotes.*

Introduction

1. In January 2001, the Central Committee of the World Council of Churches (WCC) received the document “The protection of endangered populations in situations of armed violence: toward an ecumenical ethical approach”. The document, which requested the churches to further study the issue, was also the beginning of a study and consultation process within the WCC, carried out by the Commission of the Churches on International Affairs (CCIA). A deeper reflection on ethical and theological aspects of the Responsibility to Protect is not only of concern to the churches. In a meeting in New York City in 1999, UN General Secretary Kofi Annan asked the WCC General Secretary, Rev. Dr. Konrad Raiser, to contribute to the international debate on “humanitarian intervention” by bringing a theological and ethical perspective on the issue of intervention for humanitarian purposes.
2. The use of force for humanitarian purposes is a controversial issue in most intellectual and political spheres. While some believe that the resort to force must not be avoided when it can alleviate or stop large-scale human rights violations, others can only support intervention by creative, non-violent means. Others again, give a very high priority to territorial integrity and sovereignty. Churches too have necessarily entered this debate and the current dilemma among the WCC’s constituencies has prevailed since the very beginnings of the Ecumenical Movement. During the 1948 WCC first Assembly in Amsterdam, the Assembly restated the opposing positions:
“a) There are those who hold that, even though entering a war may be a Christian’s duty in particular circumstances, modern warfare, with its mass destruction, can never be an act of justice.
In the absence of impartial supra-national institutions, there are those who hold that military action is the ultimate sanction of the rule of law, and that citizens must be distinctly taught that it is their duty to defend the law by force if necessary. Others, again, refuse military service of all kinds, convinced that an absolute witness against war and for peace is for them the will of God, and they desire that the Church should speak to the same effect.”
3. In history, some churches have been among those legitimising military interventions, leading to disastrous wars. In many cases, the churches have admitted their guilt later on. During the 20th century churches have become more aware of their calling to a ministry of healing and reconciliation, beyond national boundaries. The creation of the WCC can be interpreted as one result of this rediscovery. In the New Testament, Jesus calls us to go beyond loving the neighbour to loving the enemy as well. This is based on the loving character of God, revealed supremely in the death of Jesus Christ for all, absorbing their hostility, and exercising mercy rather than retribution (Rom 5:10; Luke 6:36). The prohibition against killing is at the heart of Christian ethics (Mt 5: 21-22). But the biblical witness also informs us about an anthropology that takes the human capacity to do evil in the light of the fallen nature of humankind (Gen. 4). The challenge for Christians is to pursue peace in the midst of violence.
4. The member churches of the World Council confess together the primacy of non-violence on the grounds of their belief that every human being is created in the image of God and shares the human nature assumed by Jesus Christ in his incarnation. This resonates with the articles of the Universal Declaration of Human Rights. The WCC has therefore initiated an ecumenical “Decade to Overcome Violence 2001-2010: Churches Seeking Reconciliation and Peace” parallel to the United Nations “Decade for the Culture of Peace. 2001-2010”. It is in those who are most vulnerable that Christ becomes visible for us (Mt 25: 40). The responsibility to protect the vulnerable reaches far beyond the boundaries of nations and faith-traditions. It is an ecumenical responsibility, conceiving the world as one household of God, who is the creator of all. The churches honour the strong witness of many individuals who have recognised the responsibility to protect those who are weak, poor and vulnerable, through non-violence, sometimes paying with their lives.

From “humanitarian intervention” to the “responsibility to protect”

5. The concept of Responsibility to Protect was developed by the International Commission on Intervention and State Sovereignty (ICISS) in its December 2001 report. It shifted the debate from the viewpoint of the interveners to that of the people in need of assistance, thus redefining sovereignty as a duty-bearer status, rather than as an absolute power. This innovative concept focuses on the needs and rights of the civilian population and on the responsibilities of sovereignty, not only on the rights of sovereignty. Hence, the shift from intervention to protection places citizens at the centre of the debate. States can no longer hide behind the pretext of sovereignty to perpetrate human rights violations against their citizens and live in total impunity.
6. The churches are in support of the emerging international norm of the responsibility to protect. This norm holds that national governments clearly bear the primary and sovereign responsibility to provide for the safety of their people. Indeed, the responsibility to protect and serve the welfare of its people is central to a state’s sovereignty. When there is failure to carry out that responsibility, whether by neglect, lack of capacity, or direct assaults on the population, the international community has the duty to assist peoples and states, and in extreme situations, to intervene in the internal affairs of the state in the interests and safety of the people.

Our primary concern: Prevention

7. To be faithful to that responsibility to protect people means above all prevention – prevention of the kinds of catastrophic assaults on individuals and communities that the world has witnessed in Burundi, Cambodia, Rwanda, Sudan, Uganda, the Democratic Republic of Congo, and other instances and locations of human-made crises. WCC studies showed that although churches have different views on the use of force for human protection purposes, they agree on the essential role of preventive efforts to avoid and, if possible, tackle the crisis before it reaches serious stages. Protection becomes necessary when prevention has failed. Hence, churches emphasise the need to concentrate on prevention. While external intervention – by the use of force or non-violently - may seem unavoidable in some situations, churches should nevertheless be engaged in increasing the capacity of the local people to be able to intervene themselves by strengthening structures of the civil society and modern public-private partnerships, in terms of prevention as well as protection. Churches are called to offer their moral authority for mediation between differently powerful actors.

8. The prevention of catastrophic human insecurity requires attention to the root causes of insecurity as well as to more immediate or direct causes of insecurity. Broadly stated, the long-term agenda is to pursue human security and the transformation of life according to the vision of God's Kingdom. The key elements of human security are economic development (meeting basic needs), universal education, respect for human rights, good governance, political inclusion and power-sharing, fair trade, control over the instruments of violence (small arms in particular), the rule of law through law-biding and accountable security institutions, and promoting confidence in public institutions. On the other hand, the more immediate preventive attention to emerging security crises must include specific measures designed to mitigate immediate insecurities and to instil the reliable hope that national institutions and mechanisms, with the support of an attentive international community, will remain committed to averting a crisis of human insecurity.

9. At the national level, governments should undertake self-monitoring to become aware of emerging threats, establish mechanisms for alerting authorities and agencies to such emerging threats, engage civil society and churches in assessing conditions of human security and insecurity, initiate national dialogues, including dialogue with non-state actors, to acknowledge emerging problems and to engage the people in the search for solutions, and develop national action plans.

10. Prevention requires action to address conditions of insecurity as they emerge, before they precipitate crisis, which in turn requires specific prevention capacities such as early warning or identification of emerging threats or conditions of insecurity, and the political will to act before a crisis occurs. To act before a crisis is present requires a special sensitivity to and understanding of the conditions and needs of people, which in turn requires the active co-operation of civil society, and especially faith communities which are rooted in the daily spiritual and physical realities of people. Faith communities are playing a major role in trust-building and truth finding processes in many contexts of crisis, such as truth and reconciliation commissions, trauma-healing centres, providing safe meeting places for adversarial groups, etc.

Forming the ecumenical mind on the dilemmas of the use of force

11. It is necessary to distinguish prevention from intervention. From the church and ecumenical perspectives, if intervention occurs, it is because prevention has failed. The responsibility to protect is first and foremost about protecting civilians and preventing any harmful human rights crisis. The international community's responsibility is basically a non-military preventive action through such measures as the deployment of humanitarian relief personnel and special envoys, through capacity building and the enhancement of sustainable local infrastructure, and the imposition of economic sanctions and embargoes on arms, etc. The international community has a duty to join the pursuit of human security before situations in troubled states degenerate to catastrophic proportions. This is the duty of protection through prevention of assaults on the safety, rights, and wellbeing of people in their homes and communities and on the wellbeing of the environment in which they live.

12. In calling on the international community to come to the aid of vulnerable people in extraordinary suffering and peril, the fellowship of churches is not prepared to say that it is never appropriate or never necessary to resort to the use of force for the protection of the vulnerable. This refusal in principle to preclude the use of force is not based on a naïve belief that force can be relied on to solve intractable problems. Rather, it is based on the certain knowledge that the objective must be the welfare of people, especially those in situations of extreme vulnerability and who are utterly abandoned to the whims and prerogatives of their tormentors. It is a tragic reality that civilians, especially women and children, are the primary victims in situations of extreme insecurity and war.

13. The resort to force is first and foremost the result of the failure to prevent what could have been prevented with appropriate foresight and actions, but having failed, and having acknowledged such failure, the world needs to do what it can to limit the burden and peril that is experienced by people as a consequence. This force can be legitimised only to stop the use of armed force in order to reinstate civil means, strictly respecting the proportionality of means. It needs to be controlled by international law² in accordance to the UN Charter and can only be taken into consideration by those who themselves follow international law strictly. This is an imperative condition. The breach of law cannot be accepted even when this, at times, seems to lead – under military aspects – to a disadvantage or to hamper the efficiency of the intervention in the short term. Just as individuals and communities in stable and affluent societies are able in emergencies

to call on armed police to come to their aid when they experience unusual or extraordinary threats of violence, churches recognise that people in much more perilous circumstances should have the right to call for and have access to protection.

14. Churches may acknowledge that the resort to force for protection purposes in some circumstances will be an option that cannot guarantee success but that must be tried because the world has failed to find, and continues to be at a loss to find, any other means of coming to the aid of those in desperate situations. It should be noted that some within the churches refuse the use of force in all circumstances. Their form of responsibility is to persist in preventative engagement and, whatever the cost – as a last resort – to risk non-violent intervention during the use of force. Either of these approaches may fail too, but they both need to be respected as expressions of Christian responsibility.

The limits of the use of force

15. The churches do not, however, believe in the exercise of lethal force to bring in a new order of peace and safety. By limiting the resort to force quite specifically to immediate protection objectives, the churches insist that the kinds of long-term solutions that are required – that is, the restoration of societies to conditions in which people are for the most part physically safe, in which basic economic, social, and health needs are met, where fundamental rights and freedoms are respected, where the instruments of violence are controlled, and in which the dignity and worth of all people are affirmed – cannot be delivered by force. Indeed, the limiting of legitimate force to protection operations is the recognition that the distresses of deeply troubled societies cannot be quickly alleviated by either military means or diplomacy; and that in the long and painstakingly slow process of rebuilding the conditions for sustainable peace, those that are most vulnerable are entitled to protection from at least the most egregious of threats.

16. The use of force for humanitarian purposes can never be an attempt to find military solutions to social and political problems, to militarily engineer new social and political realities. Rather, it is intended to mitigate imminent threats and to alleviate immediate suffering while long-term solutions are sought by other means. The use of force for humanitarian purposes must therefore be carried out in the context of a broad spectrum of economic, social, political, and diplomatic efforts to address the direct and long-term conditions that underlie the crisis. In the long run, international police forces should be educated and trained for this particular task, bound to international law. Interventions should be accompanied by strictly separate humanitarian relief efforts and should include the resources and the will to stay with people in peril until essential order and public safety are restored and there is a demonstrated local capacity to continue to build conditions of durable peace.

17. The force that is to be deployed and used for humanitarian purposes must also be distinguished from military war-fighting methods and objectives. The military operation is not a war to defeat a state but an operation to protect populations in peril from being harassed, persecuted or killed. It is more related to just policing – though not necessarily in the level of force required - in the sense that the armed forces are not employed in order to "win" a conflict or defeat a regime. They are there only to protect people in peril and to maintain some level of public safety while other authorities and institutions pursue solutions to underlying problems.

18. It is the case, therefore, that there may be circumstances in which affected churches actively call for protective intervention for humanitarian purposes. These calls will always aim at the international community and pre-suppose a discerning and decision-making process in compliance with the international community, strictly bound to international law. These are likely to be reluctant calls, because churches, like other institutions and individuals, will always know that the current situation of peril could have been, and should have been, avoided. The churches in such circumstances should find it appropriate to recognise their own collective culpability in failing to prevent the crises that have put people in such peril.

Resolution:

The Ninth Assembly, meeting in Porto Alegre, Brazil, 14-23 February 2006:

a) *Adopts* the statement on the Responsibility to Protect and expresses thanks to all member churches and individuals involved in the study and consultation process on “The Responsibility to Protect: Ethical and Theological Reflection” and asks the Central Committee to consider further developing guidelines for the member churches, based on the principles in this report.

b) *Fosters* prevention as the key tool and concern of the churches, in relation to the Responsibility to Protect. Because churches and other faith communities and their leadership are rooted in the daily spiritual and physical realities of people, they have both a special responsibility and opportunity to participate in the development of national and multilateral protection and war prevention systems. Churches and other faith communities have a particular responsibility to contribute to the early detection of conditions of insecurity, including economic, social and political exclusion. Prevention is the only reliable means of protection, and early detection of a deteriorating security situation requires the constant attention of those who work most closely with, and have the trust of, affected populations.

c) *Joins* with other Christians around the world in repenting for our collective failure to live justly and to promote justice. Such a stance in the world is empowered by acknowledging that the Lordship of Christ is higher than any other loyalty and by the work of the Holy Spirit. Critical solidarity with the victims of violence and advocacy against all the oppressive forces must also inform our theological endeavours towards being a more faithful

church. The church's ministry with, and accompaniment of, people in need of protection is grounded in a holistic sojourning with humanity throughout all of life, in good times and in bad.

d) Reaffirms the churches' ministry of reconciliation and healing as an important role in advancing national and political dialogue to unity and trust. A unifying vision of a state is one in which all parts of the population feel they have a stake in the future of the country. Churches should make a particular point of emphasising the understanding of sovereignty as responsibility. Under the sovereignty of God we understand it to be the duty of humanity to care for one another and all of creation. The sovereignty exercised by human institutions rests on the exercise of the Responsibility to Protect one another and all of creation.

e) Calls upon the international community and the individual national governments to strengthen their capability in preventive strategies, and violence-reducing intervention skills together with institutions of the civil society, to contribute to and develop further the international law, based on human rights, and to support the development of policing strategies that can address gross human rights violations.

f) Urges the United Nations Security Council, in situations where prevention has failed and where national governments cannot or will not provide the protection to which people are entitled, to take timely and effective action, in cooperation with regional organisations as appropriate, to protect civilians in extreme peril and foster emergency responses designed to restore sustainable safety and well-being with rigorous respect for the rights, integrity and dignity of the local populations.

g) Further calls upon the international community and individual national governments to invest much greater resources and training for non-violent intervention and accompaniment of vulnerable peoples.

h) Asks the Central Committee to consider a study process engaging all member churches and ecumenical organisations in order to develop an extensive ecumenical declaration on peace, firmly rooted in an articulated theology. This should deal with topics such as just peace, the Responsibility to Protect, the role and the legal status of non-state combatants, the conflict of values (for example: territorial integrity and human life). It should be adopted at the conclusion of the Decade to Overcome Violence in 2010.

9.8 Project Ploughshares: R2P Discussion Document for CJP/CCC

Introduction

On 26 Apr 2006 members of the Commission on Justice and Peace of the Canadian Council of Churches (CJP/CCC) met in Toronto and had a lengthy discussion on the international principle or norm of “Responsibility to Protect”—often referred to as R2P.

For their consideration the CJP/CCC members had before them 2 statements:

- 1) “Vulnerable Populations at risk. Statement on the responsibility to protect.” World Council of Churches 9th World Assembly, Document No. PIC 02-2 Adopted, Brazil, Feb 2006
- 2) “The Canadian Churches and the Responsibility to Protect,” CJP/CCC, Apr 2006

The CJP/CCC members received these reports with thanks and asked that the second paper be distributed to CCC member churches with an invitation for denominational response to the document, aided by a suitable discussion instrument. Further, it recommended that the statement be used in dialogue with others – government and partners – to determine where R2P might be helpful.

This package of material and the accompanying references are intended to assist the CCC member churches in their consideration and response to the CJP/CCC statement of Apr 2006.

Canadian Church Consideration of R2P

The CJP/CCC statement on R2P was developed in response to the WCC statement, as well as a number of formal and informal discussions over the past several years. The Canadian ecumenical coalitions KAIROS (www.kairoscanada.org) and Project Ploughshares (www.ploughshares.ca) have worked on the policy implications of R2P with respect to their international work. Together they have assisted the CJP/CCC in discussions of R2P, most recently at its meeting in Waterloo in Oct 2005. Several of the CCC member churches have initiated their own internal discussions on R2P and with national and international partners. The CJP/CCC intends to receive periodic reports from churches on their R2P deliberations and if related policy decisions are taken.

R2P has not been universally accepted. There are states and international church partners that both support and oppose R2P. The challenge for the Canadian churches is to consider if, and under what circumstances, they would be willing to call for or support a military intervention to protect vulnerable populations. This challenge may present itself differently to churches in the just war and historic peace church traditions.

What is R2P?

The R2P concept emerged in response to the challenge of the Rwandan genocide in 1994 and other situations where large scale violations of human rights and atrocities were being committed, and the state was either unwilling or unable to stop these violations. The question being asked was: Under what conditions should the international community over-ride the sovereignty of a state to protect

vulnerable populations? The Government of Canada sponsored the process that resulted in 2001 in the publication of the report by the International Commission on Intervention and State Sovereignty (ICISS) entitled, “The Responsibility to Protect.” The full text of the ICISS report can be found online at: [*The Responsibility to Protect \(PDF\)*](#)

The ICISS report juxtaposed the principle of state sovereignty, as embedded in the United Nations Charter, with the principle of the duty of states to protect its own citizens, as embedded in international instruments such as the Universal Declaration on Human Rights. It not only spoke about responsibility to react, or intervene in the event of wide spread atrocities, but also the international community’s responsibility to take steps to prevent such situations, and the responsibility to rebuild where intervention has taken place.

Canadian churches have developed and approved policies over the years that support the need to prevent and rebuild where there is violent conflict. The challenge lies in developing policy on the middle step, the potential intervention by the international community.

R2P: From “Candidate Norm” to International Obligation

To date there have been significant steps taken in the United Nations to raise R2P from a concept with considerable support among states to an internationally recognized norm that would create an obligation for the international community to intervene when the circumstances in a particular situation met the threshold for military intervention under the R2P doctrine.

Heads of state and government agreed to the following text on the Responsibility to Protect in the Outcome Document of the High-level Plenary Meeting of the General Assembly in September 2005:

Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as

necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.

http://www.responsibilitytoprotect.org/index.php/united_nations/398?theme=alt1

Ernie Regehr has cautioned that the September 2005 Outcome Document does not create or make reference to an explicit responsibility:

In effect, the declaration says that under Chapter VII [of the UN Charter] there is an *option* to protect – that is, the wording is careful to preserve maximum discretion for the Security Council. One can read into the statement a declared willingness and even intention to act to protect vulnerable people, but there is no clear commitment and certainly no recognition of an obligation to act if peaceful means fail. (Ploughshares Monitor, Autumn 2006, pp.16)

<http://www.ploughshares.ca/libraries/monitor/mons05e.htm>

International norms evolve toward recognition in formal documents of the UN and through their reference to specific actions by the international community. Paragraphs 138-140 in the Sep 2005 Outcome document were a step forward in the international community's recognition of R2P. The crisis in Darfur, Sudan, beginning in 2003, has challenged the international community to consider if this is a situation in which an R2P intervention was warranted. On 31 August 2006, the Security Council passed Resolution 1706 calling for the rapid deployment of UN peacekeepers in Sudan. The resolution makes explicit reference to the **Responsibility to Protect** by reaffirming the provisions of Resolution 1674 on the protection of civilians in armed conflict and the provisions of paragraph 138 and 139 of the 2005 Outcome document.

<http://daccessdds.un.org/doc/UNDOC/GEN/N06/484/64/PDF/N0648464.pdf?OpenElement>

United Nations S/RES/1706 (2006)

Security Council

Distr.: General

31 August 2006

06-48464 (E)

0648464

Resolution 1706 (2006)

Adopted by the Security Council at its 5519th meeting, on 31 August 2006

The Security Council,

Recalling its previous resolutions concerning the situation in the Sudan, in particular resolutions 1679 (2006) of 16 May 2006, 1665 (2006) of 29 March 2006, 1663 (2006) of 24 March 2006, 1593 (2005) of 31 March 2005, 1591 (2005) of 29 March 2005, 1590 (2005) of 24 March 2005, 1574 (2004) of 19 November 2004, 1564 (2004) of 18 September 2004 and 1556 (2004) of 30 July 2004 and the statements of its President concerning the Sudan, *Recalling also* its previous resolutions 1325 (2000) on women, peace and security, 1502 (2003) on the protection of humanitarian and United Nations personnel, 1612 (2005) on children and armed conflict, and 1674 (2006) on the protection of civilians in armed conflict,

which reaffirms inter alia the provisions of paragraphs 138 and 139 of the 2005 United Nations World Summit outcome document...

This resolution calls for an increase of up to 17,300 troops for UNMIS, along with 3300 civilian police officers, to replace or absorb the 7,000 member African Union force in Darfur. The sponsors of Resolution 1706, the United States and Britain, are hopeful that Khartoum to accept UN peacekeepers. The question being asked is whether the UN force should intervene in Darfur to protect vulnerable civilians even if the Government of Sudan objects to its deployment.

A recent CIIA “Behind the Headlines” publication is helpful in describing how international norms progress to recognition, and the need for sound institutions to implement the emerging or candidate norms such as R2P. Governments and civil society organizations such as churches that support the recognition and implementation of R2P are described as “norm entrepreneurs.” (See: Jutta Brunnee and Stephen J. Toope, “Norms, Institutions and UN Reform: The Responsibility to Protect,” Behind the Headlines, CIIA, Vol. 63 No. 3.)

The CJP/CCC Statement on R2P

These are complex matters of great importance for the public witness of the churches. We echo the cry of others after the Rwanda genocide, “Never Again,” but what does it mean for the churches to affirm the principles of R2P in support of a potential international military intervention in a situation such as Darfur?

The CJP/CCC Statement on R2P reflects the distilled wisdom to date of those in the Canadian churches who have been in conversation with each other and with international partners through the WCC and elsewhere. The CJP/CCC is asking CCC member churches to prayerfully consider the statement and share the outcome of their discussions and decisions.

9.9 Eight Stages of Genocide

By Gregory H. Stanton (Originally written in 1996 at the Department of State; presented at the Yale University Center for International and Area Studies in 1998)

Genocide is a process that develops in eight stages that are predictable but not inexorable. At each stage, preventive measures can stop it. The later stages must be preceded by the earlier stages, though earlier stages continue to operate throughout the process.

The eight stages of genocide are:

- Classification
- Symbolization
- Dehumanization
- Organization
- Polarization
- Preparation
- Extermination
- Denial

1. CLASSIFICATION:

All cultures have categories to distinguish people into "us and them" by ethnicity, race, religion, or nationality: German and Jew, Hutu and Tutsi. Bipolar societies that lack mixed categories, such as Rwanda and Burundi, are the most likely to have genocide.

The main preventive measure at this early stage is to develop universalistic institutions that transcend ethnic or racial divisions, that actively promote tolerance and understanding, and that promote classifications that transcend the divisions. The Catholic church could have played this role in Rwanda, had it not been riven by the same ethnic cleavages as Rwandan society. Promotion of a common language in countries like Tanzania or Cote d'Ivoire has also promoted transcendent national identity. This search for common ground is vital to early prevention of genocide.

2. SYMBOLIZATION:

We give names or other symbols to the classifications. We name people "Jews" or "Gypsies", or distinguish them by colors or dress; and apply them to members of groups. Classification and symbolization are universally human and do not necessarily result in genocide unless they lead to the next stage, dehumanization. When combined with hatred, symbols may be forced upon unwilling members of pariah groups: the yellow star for Jews under Nazi rule, the blue scarf for people from the Eastern Zone in Khmer Rouge Cambodia.

To combat symbolization, hate symbols can be legally forbidden (swastikas) as can hate speech. Group marking like gang clothing or tribal scarring can be outlawed, as well. The problem is that legal limitations will fail if unsupported by popular cultural enforcement. Though Hutu and Tutsi were forbidden words in Burundi until the 1980's, code-words replaced them. If widely supported, however, denial of symbolization can be powerful, as it was in Bulgaria, when many non-Jews chose to wear the yellow star, depriving it of its significance as a Nazi symbol for Jews. According

to legend in Denmark, the Nazis did not introduce the yellow star because they knew even the King would wear it.

3. DEHUMANIZATION:

One group denies the humanity of the other group. Members of it are equated with animals, vermin, insects or diseases. Dehumanization overcomes the normal human revulsion against murder.

At this stage, hate propaganda in print and on hate radios is used to vilify the victim group. In combating this dehumanization, incitement to genocide should not be confused with protected speech. Genocidal societies lack constitutional protection for countervailing speech, and should be treated differently than in democracies. Hate radio stations should be shut down, and hate propaganda banned. Hate crimes and atrocities should be promptly punished.

4. ORGANIZATION:

Genocide is always organized, usually by the state, though sometimes informally (Hindu mobs led by local RSS militants) or by terrorist groups. Special army units or militias are often trained and armed. Plans are made for genocidal killings.

To combat this stage, membership in these militias should be outlawed. Their leaders should be denied visas for foreign travel. The U.N. should impose arms embargoes on governments and citizens of countries involved in genocidal massacres, and create commissions to investigate violations, as was done in post-genocide Rwanda.

5. POLARIZATION:

Extremists drive the groups apart. Hate groups broadcast polarizing propaganda. Laws may forbid intermarriage or social interaction. Extremist terrorism targets moderates, intimidating and silencing the center.

Prevention may mean security protection for moderate leaders or assistance to human rights groups. Assets of extremists may be seized, and visas for international travel denied to them. Coups d'état by extremists should be opposed by international sanctions.

6. PREPARATION:

Victims are identified and separated out because of their ethnic or religious identity. Death lists are drawn up. Members of victim groups are forced to wear identifying symbols. They are often segregated into ghettos, forced into concentration camps, or confined to a famine-struck region and starved.

At this stage, a Genocide Alert must be called. If the political will of the U.S., NATO, and the U.N. Security Council can be mobilized, armed international intervention should be prepared, or heavy assistance to the victim group in preparing for its self-defense. Otherwise, at least humanitarian assistance should be organized by the U.N. and private relief groups for the inevitable tide of refugees.

7. EXTERMINATION:

Extermination begins, and quickly becomes the mass killing legally called "genocide." It is "extermination" to the killers because they do not believe their victims to be fully human. When it is sponsored by the state, the armed forces often work with militias to do the killing. Sometimes the genocide results in revenge killings by groups against each other, creating the downward whirlpool-like cycle of bilateral genocide (as in Burundi).

At this stage, only rapid and overwhelming armed intervention can stop genocide. Real safe areas or refugee escape corridors should be established with heavily armed international protection. The U.N. needs a Standing High Readiness Brigade or a permanent rapid reaction force, to intervene quickly when the U.N. Security Council calls it. For larger interventions, a multilateral force authorized by the U.N., led by NATO or a regional military power, should intervene. If the U.N. will not intervene directly, militarily powerful nations should provide the airlift, equipment, and financial means necessary for regional states to intervene with U.N. authorization. It is time to recognize that the law of humanitarian intervention transcends the interests of nation-states.

8. DENIAL:

Denial is the eighth stage that always follows a genocide. It is among the surest indicators of further genocidal massacres. The perpetrators of genocide dig up the mass graves, burn the bodies, try to cover up the evidence and intimidate the witnesses. They deny that they committed any crimes, and often blame what happened on the victims. They block investigations of the crimes, and continue to govern until driven from power by force, when they flee into exile. There they remain with impunity, like Pol Pot or Idi Amin, unless they are captured and a tribunal is established to try them.

The best response to denial is punishment by an international tribunal or national courts. There the evidence can be heard, and the perpetrators punished. Tribunals like the Yugoslav, Rwanda, or Sierra Leone Tribunals, an international tribunal to try the Khmer Rouge in Cambodia, and ultimately the International Criminal Court must be created. They may not deter the worst genocidal killers. But with the political will to arrest and prosecute them, some mass murderers may be brought to justice.

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