Towards a Cosmopolitan Approach to Human Protection? A Critical Analysis of the Responsibility to Protect

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**Abbreviations**

**AU - African Union**

**BRICS - Brazil, Russia, India, China and South Africa**

**CAR - Central African Republic**

**CFR - Charter of Fundamental Rights**

**CMC - Crisis Management Capacity**

**CSDP - Common Security and Defence Policy**

**EC - European Community**

**ECHR - European Convention on Human Rights**

**ECOWAS - Economic Community of West African States**

**EO - Executive Outcomes**

**ERRF - European Rapid Reaction Force**

**ESDP - European Security and Defence Policy**

**EU - European Union**

**FDA - Forestry Development Authority**

**GA - General Assembly**

**GCC - Gulf Co-operation Council**

**ICC - International Criminal Court**

**ICISS - International Commission on Intervention and State Sovereignty**

**ICCPR - International Covenant on Civil and Political Rights**

**ICSECR - International Covenant on Social, Economic and Cultural Rights**

**IMF - International Monetary Fund**

**IS/ISIS - Islamic State**

**LAS - League of Arab States**

**NATO - North Atlantic Treaty Organisation**

**NPFL- National Patriotic Front of Liberia**

**NGO - Non-Governmental Organisation**

**OHCHR - Office of the High Commissioner for Human Rights**

**RPF - Rwandan Patriotic Front**

**Abbreviations (cont.)**

**RUF - Revolutionary United Front**

**RTLM - Radio Television Libre des Mille Collines**

**R2P - Responsibility to Protect**

**RwP - Responsibility whilst Protecting**

**SCR - Security Council Resolution**

**SNM - Somali National Movement**

**SPM - Somali Patriotic Movement**

**TNC - Transitional National Council**

**UK - United Kingdom**

**UN - United Nations**

**UNAMIR - United Nations Assistance Mission in Rwanda**

**UNITAF- Unified Task Force in Somalia**

**UNOSOM - United Nations Operation in Somalia**

**UNPROFOR- United Nations Protection Force**

**UNSAS - United Nations Standby Arrangement System**

**UNSC - United Nations Security Council**

**US - United States**

**USC - United Somali Congress**

**WB - World Bank**

**WPA - World Parliamentary Assembly**

**WTO - World Trade Organisation**

**YPA - Yugoslav People’s Army**

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**Abstract**

This thesis will contribute to the existing literature on the *Responsibility to Protect* doctrine (R2P) and contemporary cosmopolitan theory by undertaking a robust and critical appraisal of the relationship between the doctrine and both the cosmopolitan form of human protection and Habermas’ constitutional cosmopolitan approach. It will contend that through its locus as an emerging and constitutive norm - and innovative and nascent legal principle - within international law, R2P has helped to perpetuate the sense in which the United Nations (UN) embodies the foundations of a weak yet emerging global constitutional order resembling something analogous to a legally-constituted political community of states and citizens, *tacitly* *extending* Habermas’ global constitutional paradigm. Consequently, and as will be articulated, R2P can, in both theory and, to a lesser extent, in practice, be seen to have provided a platform for the constitutionalisation and grounding of cosmopolitan *humanitarian* norms, helping to engender a sense of optimism over the evolution towards a more cosmopolitan approach to human protection in the post-Cold War period. Such enthusiasm has also been reinforced by the normative and, to a lesser extent, empirical framework the doctrine provides for addressing a fundamental weakness of cosmopolitan human protection, more specifically the latter’s failure in *practice* to offset the possibility of intervention being used as a ‘Trojan Horse’[[1]](#footnote-1) for the perpetuation of economic and political inclinations apposite to powerful states. Relatedly, and by way of a further contribution to the current literature, it will also assess the viability of a series of proposed institutional and legal reforms which, if implemented, could help to perpetuate the limited progress thus far made towards a more cosmopolitan approach to human protection and, normatively speaking, heighten the sense of optimism surrounding the evolution towards this cosmopolitan typology in the post-Cold War period.

1. See Alex Bellamy, ‘Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq’ Ethics and International Affairs, 19 (2005), p.32. [↑](#footnote-ref-1)