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RESEARCH ARTICLE

Decoloniality, dewesternisation, and the Responsibility to Protect

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Abstract
The Responsibility to Protect (R2P) has been shaped by advocacy from states in the Global South. How should the impacts of this advocacy be understood? This paper argues that whilst Global South and rising-power engagement has shaped R2P, it has not unpicked elements of coloniality that remain embedded in the norm. In placing greater emphasis on state responsibilities to protect over international responsibilities, rising-power advocacy embeds further in R2P a colonial concept of the state which has been mobilised to ward off criticism of the state's colonial projects in its own peripheries. Moreover, the entrenchment of a colonial concept of the state at the heart of R2P reinforces a diagnosis according to which atrocity crimes occur due to failures within the state in which atrocity takes place. This diagnosis erases the role coloniality plays in the internationalised production of atrocity crimes, whilst also framing outsider states as potential saviours, thereby reproducing colonial saviourisms in R2P. Whilst R2P may be a dewesternised norm, it has thus not been decolonised.

Keywords: decolonisation; global governance; humanitarian intervention; mass atrocity; rising powers

In the context of a changing global order, the Responsibility to Protect (R2P) – the international commitment to prevent and respond to mass atrocity crimes – has been shaped by advocacy from rising powers and states in the Global South. But how should the impacts of 'Southern agency' on R2P be understood?[1] Thus far, it has been seen to bolster the legitimacy of R2P, evidencing growing international consensus and helping embed R2P and its associated practices of atrocity prevention and response in international society.[2] Southern agency has, in addition, been taken to show that R2P is neither a Trojan horse for renewed colonial interventionism nor a marker of the 'persistence of colonialism'[3] in international affairs.[4] Finally, it has been argued that the 'agency of states from the Global South' is 'decolonising the Responsibility to Protect'.[5]

This paper takes a different view, arguing that whilst advocacy from states in the Global South has played a significant role in the genesis and development of R2P, coloniality still pervades the

[1]Coralie P. Hindawi, 'Decolonising the Responsibility to Protect: On pervasive Eurocentrism, southern agency and struggles over universals', *Security Dialogue*, 53:1 (2022), pp. 38–56.

[2]Lisolette K. Odgaard, 'Responsibility to Protect goes to China: An interpretivist analysis of how China's coexistence policy made it a Responsibility to Protect insider', *Journal of International Political Theory*, 16:2 (2020), pp. 231–48 (p. 243).

[3]Jessica Whyte, '"Always on top"? The "Responsibility to Protect" and the persistence of colonialism', in Jyotsna G. Singh and David D. Kim (eds), *The Postcolonial World* (London: Routledge, 2017), pp. 308–24 (p. 308). See also Mahmood Mamdani, 'Responsibility to Protect or right to punish?', *Journal of Intervention and Statebuilding*, 4:1 (2010), pp. 53–67.

[4]See, e.g., Alex J. Bellamy, *Responsibility to Protect: A Defence* (Oxford: Oxford University Press, 2015); Hindawi, 'Decolonising the Responsibility to Protect'.

[5]Hindawi, 'Decolonising the Responsibility to Protect', p. 38.

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international politics of atrocity prevention and response. The paper argues that Global South states' engagements with R2P have further entrenched in R2P a colonial concept of the state. As a result, coloniality persists at R2P's heart, including in its first two pillars – pillars which have so far not been subject to extensive decolonial critique. In part to ward off any threat that R2P becomes an 'interveners' charter', rising powers have looked to emphasise the importance of R2P's first pillar, state responsibilities to protect their population from atrocity crimes. In the process, they have reinforced at R2P's centre a colonial concept of the sovereign state responsible for, and in control of, what happens in its own territory. This concept of the state has been mobilised by some rising powers, notably China and India, to ward off criticism of the state's colonial projects in its own peripheries. In relation to R2P's second pillar – international assistance and capacity building for the prevention of atrocity crimes – emphasis on the state as the key agent in preventing atrocity results in a diagnosis of atrocity crimes as events that occur for reasons internal to the state in question, erasing the role that international actors and ongoing power inequalities associated with colonialism play in the emergence of atrocity crimes. As such, R2P continues to veil the ways in which coloniality heightens the risk of atrocity, in the process drawing attention away from projects that could enrich atrocity prevention in R2P's second pillar. Moreover, in continuing to understand atrocity in terms of the role of the host state and the role of the international community of outsider states, R2P remains embedded in a vision of rescue that comes from state actors – domestically and internationally – and not the communities impacted by atrocity, thus reproducing colonial saviourisms and ignoring grassroots action on atrocity prevention and response.

The paper proceeds as follows. The following section introduces rising-power and Global South advocacy on R2P, showing how this has significantly reinforced commitments to state sovereignty in R2P. The next section draws on decolonial thinking to differentiate between dewesternisation – the growing recognition and power of agency outside of the West in global affairs – and decoloniality – a thorough transformation of concepts and practices that unpicks the enduring presence of power relations associated with colonialism. The last section explores the aforementioned persistence of coloniality in R2P's first and second pillars.

The article's primary contribution is to debates on Southern agency in the genesis and development of R2P.[6] Whilst this literature has done vital work in highlighting how Global South states have shaped R2P, it has moved too quickly in seeing this agency as necessarily augmenting the legitimacy of, and undermining decolonial critiques, of R2P. The paper also contributes to decolonial critique of R2P. Where anti-, post- and decolonial critique has focused primarily on R2P's third pillar, this paper also exposes coloniality in R2P's first and second pillars. Finally, amidst proliferating references to decolonisation in the context of rising-power-led transformations of the global order, the paper makes a broader contribution to debates on decoloniality by calling for care in differentiating dewesternisation from decoloniality.

Southern agency in the genesis and development of R2P

The emergence of humanitarian intervention in the 1990s was perceived to be Western-led, with the Group of 77 developing countries rejecting 'the so-called right of Humanitarian intervention'.[7] As R2P emerged out of humanitarian intervention, initial resistance from states in the Global South

[6]See, e.g., Hindawi, 'Decolonising the Responsibility to Protect'; Statamis Laskaris and Joakim Kreutz, 'Rising powers and the Responsibility to Protect: Will the norm survive in the age of BRICS?', *Global Affairs*, 1:2 (2015), pp. 149–58; Pak K. Lee and Lai-Ha Chan, 'China's and India's perspectives on military intervention: Why Africa but not Syria', *Australian Journal of International Affairs*, 70:2 (2016), pp. 179–214; Mikelli Ribeiro, Rafael Mesquita, and Mariana Lyra, 'The use of force should not be our first, but out last option: Assessing Brazil's norm-shaping towards Responsibility to Protect', *Global Society*, 35:2 (2021), pp. 207–28; Tiewa Lu and Haibin Zhang, 'Debates in China about the Responsibility to Protect as a developing international norm: A general assessment', *Conflict, Security and Development*, 14:4 (2014), pp. 403–27.

[7]Ministerial Declaration of the Meeting of Foreign Ministers of the Group of 77, New York (24 September 1999), available at: {https://www.g77.org/doc/Decl1999.html}, p. 69.

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resulted in a widespread presumption that it too was a Western-led norm. For critics, it repackaged the imperialism of humanitarian military intervention, reproducing civilisational divides by bifurcating the world into 'responsible' and predominantly Western states and dangerous post-colonial states in need of external protection, with the latter 'held responsible for their failures', potentially through military intervention, and the former able to 'evade responsibility and thus remain … always on top'.[8] A recent wave of R2P scholarship has thrown this presumption into question, highlighting the key role rising powers and Global South states have played in R2P's genesis and development. R2P, from this perspective, 'is not just a norm coming from and used by the West, but one that belongs to the Global South as well'.[9]

This account of Southern agency begins with the role African intellectuals and diplomats played in R2P's genesis, tracing R2P's roots to conceptions of responsible sovereignty developed by former Nigerian president Olusegun Obasanjo and Francis Deng, a Sudanese diplomat, member of the International Commission on Intervention and State Sovereignty (ICISS), which birthed R2P, and lead author of a 1996 book arguing that sovereignty should be understood as a responsibility for states to ensure the welfare of their citizens. As R2P has developed over the following two decades, 'the agency of states from the Global South' in negotiating its meaning and use has been 'both obvious and substantial'.[10] Of particular significance is the role played by rising powers and BRICS members including Brazil, China, and India. Shared concern with coercive military enforcement aspects of R2P's third pillar and commitment to a pluralist world order of sovereign states have brought common purpose to Brazil, India, and China's R2P advocacy. Far from simply rejecting R2P, these states have sought to shape it. Brazil has continuously highlighted the importance of R2P's first two pillars – state responsibilities and international assistance and capacity building – in ensuring humanitarian emergencies do not arise, points emphasised in their suggestion of adopting a sequential approach to the three pillars in a 2011 position paper on Responsibility Whilst Protecting.[11]

Like Brazil, China and India emphasise the primary responsibility of the state. China has 'stressed that the primary responsibility to protect lay with the governments concerned', with Liu Zhenmin, when Chinese deputy permanent representative to the United Nations (UN), asserting that 'the responsibility to protect citizens should finally reside on the state government'.[12] Similarly, India's permanent representative to the UN Ashoke Mukerjee considers 'the protection of civilians … primarily a national responsibility'.[13] The positions taken by China and India are reflective of wider concerns shared with the 20 State Group of Friends in Defense of the Charter of the United Nations. Whilst some members show greater levels of scepticism toward R2P, the group continue to speak with a common voice at annual interactive dialogues on R2P, 'emphasising', in 2023, 'the central role of states as guarantors of the safety, security and wellbeing of their respective populations' and calling for 'greater use' to be made 'of the tools provided by multilateralism and diplomacy for the peaceful settlement of disputes'.[14] China, like Brazil, has proposed new areas of emphasis in protecting civilians. China considers a strong and functioning state to be central to development and poverty alleviation and, in turn, sees development as key in preventing atrocity crimes. Stressing that 'better living conditions for civilians would address the root causes of atrocity crimes' – a point

[8]Mamdani, 'Responsibility to Protect'; Whyte, '"Always on top"', p. 308.

[9]Cristina Stefan, 'On non-Western norm shapers: Brazil and the responsibility while protecting', *European Journal of International Security*, 2:1 (2016), pp. 88–110 (p. 101).

[10]Hindawi, 'Decolonising the Responsibility to Protect', p. 38; p. 48.

[11]Ribeiro, Mesquita and Lyra, 'Use of force', pp. 219–20.

[12]Zhenmin, in Tiewa and Zhang, 'Debates', p. 8.

[13]Mukerjee, cited in Vikesh Chandra, 'Explaining India's approach to Responsibility to Protect', *Jadavpur Journal of International Relations,* 25:2 (2021), pp. 187–207 (p. 189).

[14]United Nations, 'Report on Responsibility to Protect spotlights development as prevention, special advisor says, stressing millions of lives depend on giving principle meaning: Meeting coverage and press release on 77th session, 83rd and 84th meetings (AM & PM) of the General Assembly (26 June 2003), GA/12513, available at: {https://press.un.org/en/2023/GA12513.doc.htm}.

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supported by representatives of Qatar, Iraq, and India – China has called for a focus on preventing atrocity crimes by building state capacity, rather than threatening state sovereignty.[15] Advocacy here has contributed to recent developments, with the 2023 annual UN Secretary General report on R2P articulating links between development and mass atrocity.[16]

How should rising-power engagement with R2P be understood? On some readings, a largely unchanged R2P is being taken forward by new norm carriers. From this perspective R2P, can 'thrive from being revised by contributions from non-Western members of international society'.[17] The extent to which rising-power engagements have decentred pillar three military intervention raises questions about whether what we are witnessing is just a change in norm carriers. Whilst the paragraphs agreed at the 2005 World Summit remain the same and continue to include reference to use of force as a last resort, military intervention authorised against the wishes of a state through the Security Council has taken a back seat in R2P discourse. As Bellamy notes, UN Secretary General reports since 2017 have focused on preventive aspects of R2P.[18] Indeed, 'none so much as implies that force may be occasionally needed to protect populations from atrocity crimes'.[19] Hindawi is thus right to suggest that 'Southern agency has exerted significant influence on the concept, both in its genesis and since the ICISS proposal', to the point that R2P 'has been shaped by the "rest" as much – if not more – as by the "West"'.[20] Through advocacy and engagement, Global South states and rising powers have shifted R2P's emphasis away from coercive military intervention and towards state responsibilities and capacity building for prevention including through development.

Across these interpretations is a shared sense that Global South advocacy runs against decolonial critiques of R2P. For Bellamy, 'the engagement of many African governments in the R2P related work of the General Assembly and Security Council' should 'disabuse us' of any notion that R2P is a Trojan horse for neocolonial interventionism.[21] Hindawi argues that 'critics explicitly committed to rejecting imperialism may actually be as complicit in the production of a colonial order of governance as many of those they criticise', on the basis that their failure to recognise R2P's mutual constitution amounts to an 'implicit silencing of the (non-Western) Other, whose designation as political objects with little agency they do not question'.[22] Decolonial scholarship on R2P thus ends up 'reinforcing the very aspect of the concept that these scholars claim is so problematic: its Westcentrism'.[23] Once these West-centric lenses are removed we see, Hindawi argues, the potential rise of a 'decolonial R2P' that is 'shaped to a large extent by Southern actors' and 'decisively focused on preventive and consent-based measures – though it does recognize the possible use of coercion and military means when all other means have been exhausted'.[24]

Is it right to suggest that rising-power engagements are bringing about a decolonial R2P? And is this the end of the story for decolonial critiques? I argue that this move from recognition of R2P's mutual constitution to the claim that Southern agency is decolonising R2P fails to differentiate between dewesternisation and decoloniality – a distinction that enables us to see how the coloniality of R2P persists through rising power and Global South engagements with it.

[15]Tiewa and Zhang, 'Debates', p. 411; Odgaard, 'Responsibility to Protect goes to China', p. 237.

[16]United Nations, 'Development and the Responsibility to Protect: Recognizing and addressing embedded risks and drivers of atrocity crimes, 2023 Report of the Secretary General, A/77/910-S/2023/409, available at: {https://r2pasiapacific.org/files/10135/SGReport_Development_and_R2P_2023.pdf}.

[17]Odgaard, 'R2P goes to China', p. 243.

[18]Alex J. Bellamy, 'R2P and the use of force', *Global Responsibility to Protect*, 14:3 (2022), pp. 277–80 (p. 278).

[19]Ibid.

[20]Hindawi, 'Decolonising the Responsibility to Protect', p. 51; p. 41.

[21]Bellamy, *Responsibility to Protect*, p. 117.

[22]Hindawi, 'Decolonising the Responsibility to Protect', p. 40.

[23]Ibid., p. 45.

[24]Ibid., p. 52.

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Dewesternisation and decoloniality

Rising-power engagements with R2P are symptomatic of what Mignolo and Mahbubani[25] call an era of dewesternisation, which is bringing with it 'the end of a long history of Western hegemony'.[26] Dewesternisation refers to the growth in the influence of, and recognition of, actors outside of the West in international affairs. For instance, in the context of international development, Mignolo notes, 'the idea of development goes unquestioned; what is brought into question is *who* is making decisions regarding development', and indeed what means are most effective in pursuing a broadly shared vision of development.[27]

Where dewesternisation refers to these broad shifts in geographies of power and influence, decolonisation refers to something more. Across different traditions and geographies of anti-colonial, post-colonial, and decolonial scholarship, fundamental transformations in both the location of knowledge and the nature of concepts we use is central to decolonising efforts. Here, I focus on decolonial thinking. Decolonial scholars argue that intersecting political, epistemic, economic, gender, racial, and other hierarchies have shaped the world since the 'discovery' of Latin America.[28] Together, these hierarchies form a colonial matrix of power – coloniality – that persists beyond the end of formal colonial rule. A key part of the colonial matrix of power is epistemic coloniality, or the coloniality of knowledge. Epistemic coloniality refers, in part, to hierarchies between 'reason' and 'culture' which set up a hierarchical relationship between Western ways of knowing, considered universal, and ways of thinking, knowing, and being from the other side of the colonial divide which are particular to a 'culture' or area. Think here, of how reflection on Western societies gave birth to sociology – the study of general laws of society – whilst the study of the Global South gave birth to anthropology – the study of culture. More significantly, the coloniality of knowledge refers to the very form of knowledge construction in enlightenment thought. Rather than acknowledging that thinking has a geopolitical location, enlightenment thought dissociates 'the subject from all bodies and territories'.[29] In thinking from a non-place, the disembodied thinker is considered able to 'speak beyond all the spatio-temporal limits of the cartography of social power'.[30] It is then that it becomes possible to imagine that ideas, values, practices, concepts, and institutions that have a particular history can, and ought to, be imposed as global, universal designs that are valid, appliable, and enforced everywhere.[31] In response, decolonial scholars call for thinking from the margins or 'borders'.[32] As Maldonaldo-Torres puts it, decolonial thinking gives 'a preferential option for the condemned of the earth', centring 'the questions, concerns and proposals for decolonization that emerge in the underside of the modern world'[33] as part of a project of driving a particular quality of conceptual and practical transformation, a transformation that recognises multiple ways of knowing and being.

Epistemic coloniality is part of a colonial matrix of power which, decolonial thinkers argue, constitutes the inextricable darker side of modernity. The claim, here, is that key formations of modernity such as a capitalist economy, patriarchal gender relations based on cisgender identities,

[25]Kishore Mahbubani, *The New Asian Hemisphere: The Irresistible Shift of Global Power to the East* (New York: Public Affairs, 2009).

[26]Walter Mignolo, *The Darker Side of Western Modernity: Global Futures, Decolonial Options* (London: Duke University Press, 2011), p. 48.

[27]Mignolo, in Christopher Mattison, 'Delinking, decoloniality and dewesternisation: Interview with Walter Mignolo (part II, 2012)', *Critical Legal Thinking*, available at: {https://criticallegalthinking.com/2012/05/02/delinking-decoloniality-dewesternization-interview-with-walter-mignolo-part-ii/}.

[28]Anibal Quijano and Michael Ennis, 'Coloniality of power, Eurocentrism and Latin America', *Neplanta: Views from South*, 1:3 (2000), pp. 533–80.

[29]Ramon Grosfoguel, 'Decolonizing Western universalisms', *Transmodernity: Journal of Peripheral Cultural Production of the Luso-Hispanic World*, 1:3 (2012), pp. 88–104 (p. 88).

[30]Ibid.

[31]Walter Mignolo, *Local Histories/Global Designs* (Princeton, NJ: Princeton University Press, 2000), p. 17.

[32]Mignolo, *Darker Side*, p. 89.

[33]Nelson Maldonado-Torres, 'On the coloniality of being', *Cultural Studies*, 21:2–3 (2007), pp. 240–70 (p. 246).

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enlightenment ways of thinking and knowing and, as elaborated further in the next section, the modern sovereign state, were dependent on colonial power hierarchies.[34] Decolonising refers not only to geopolitical shifts in power and influence away from the West, but a wider political project seeking to change a world in which racialised power relations, inequalities, injustices, oppressions, and dominations associated with colonialism remain intact. Decolonising concepts is linked, then, to the political project of decolonising practices, norms, and ways of thinking and being that continue to reproduce the violence of colonialism. It is precisely this transformation that separates decoloniality from the simple shift in the location of knowledge and power that characterises dewesternisation.

Bringing together a focus on epistemic coloniality and the claim that coloniality is the darker side of modernity raises questions concerning rising-power engagements with R2P: what is the *quality* of the conceptual and practical transformation that has taken place in R2P? Do changes to R2P work against or reinforce enduring aspects of coloniality that shape thinking on, and practices of, atrocity prevention and response? If the answer is that we are witnessing profound shifts in R2P that unpick remnants of coloniality in the norm and help fundamentally transform power relations associated with colonialism, then we are witnessing a decolonial R2P. If not, then R2P may be dewesternised, but not decolonised. The next section will turn to these questions, arguing that rising-power engagements with R2P have further embedded in R2P a colonial concept of the state which perpetuates coloniality at the heart of R2P and its associated practices of atrocity prevention and response.

The persisting coloniality of R2P

A particular idea of the sovereign state as a territorially bounded entity with authority over what occurs within it is central to Global South R2P advocacy. Advocacy has bolstered pillar one by emphasising the importance in supporting the formation of a strong developmental state able to prevent atrocity and decentred aspects of pillar three that place limits on sovereignty and legitimise external intervention. What if, in light of the claim that the formation of the modern sovereign state is inextricably linked with coloniality, the very concept of the state being entrenched in R2P is sutured with coloniality? The sovereign state has an ambiguous relationship with (de)coloniality. On the one hand, claiming state sovereignty was at the heart of formal decolonisation. Defending this hard-won sovereignty from neocolonial interventionism has been part of Global South advocacy on R2P. On the other hand, decolonial scholars argue that 'the state remains conceptually Eurocentric' and that 'controlling the state' has 'been confused for decolonisation'.[35]

Geopolitical imaginaries of demarcating territory through lines on a map emerged through colonial encounters. The 1494 treaty of Tordesillas divided the 'unknown' world that came to be known as Latin America between Portugal and Spain, bringing with it spatial imaginaries that went on to inform projects of demarcating sovereign states in Europe. This particular form of societal organisation – one particular amongst others that include the 'plethora of organisational forms of human associations' on the African continent from the 15th to the 19th centuries and Indigenous visions of territory as 'a spiritual realm in which humans coexist with all living things' – went on to be imposed as a universal, global design as other parts of the world were divided up between colonial powers.[36] As Ndlovu-Gatsheni documents, the late 19th-century Berlin Conference 'introduced and defined the rules of partition of Africa among European powers', carving up territory such that 'African people of different ethnic backgrounds were forcibly enclosed into one of the

[34]Quijano and Ennis, 'Coloniality of power'.

[35]A.jay Parasam, 'Postcolonial territory and the coloniality of the state', *Caribbean Journal of International Relations and Diplomacy*, 4:2 (2014), pp. 51–79 (p. 51; p. 72).

[36]Sabelo J. Ndlovu-Gatsheni, 'Genealogies of coloniality and implications for Africa's development', *Africa Development*, 40:3 (2015), pp. 13–40 (p. 25); Parasam, 'Postcolonial territory', p. 55.

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demarcated colonial boundaries of the colonial state'.[37] As territories so formed became independent states through decolonisation, formerly colonised people on the African continent 'found themselves enclosed in territorial boundaries that were decided in Europe'. The state form thus remains 'a long-standing form of coloniality because it is permanently inscribed on the boundaries of African states', with particularly pernicious effects on those subject to ongoing violence by the state.[38] From the perspective of Indigenous communities and communities facing state violence, 'commitment to the existing boundaries and prerogatives of state sovereignty' thus extends 'colonization in the present'.[39]

In retaining, indeed further embedding, a particular understanding of the state, Global South advocacy on R2P has at best retained, at worst deepened, aspects of coloniality that pervade R2P's first and second pillars. Greater emphasis on pillar one responsibilities has further emphasised, in R2P, a particular conception of the state as a territorially continuous and bounded entity over which the national governing authority has sovereignty. As illustrated by links between China and India's R2P advocacy and internal colonial projects in their own peripheries, this conception of the state is central to ongoing settler-colonial oppression of minoritised communities. In relation to atrocity prevention under pillar two, a colonial concept of the state embeds in R2P an internalist diagnosis of atrocity crimes, which fails to appreciate the way ongoing inequalities and power relations associated with colonialism play a role in the internationalised production of atrocity crimes. R2P thus continues to erase the role coloniality plays in the production of atrocity crimes, in the process presenting the international community as a potential saviour, not a co-creator of atrocity.

Pillar 1: Legitimising the settler-colonial state

The significance of the coloniality of the concept of the state starts to emerge when diving deeper into what is at stake in China and India's attempts to place greater emphasis on pillar one state responsibilities. This deeper dive exposes links between state engagements with R2P and nation-building projects that perpetuate coloniality.[40] Why have China and India worked to shape a norm they were initially sceptical of? Lee and Chan explain China and India's R2P advocacy in terms of 'an interplay between norms and interests'.[41] A rejection of US hegemony and commitment to a multipolar pluralist world order, together with shared principles established in the Panchsheel agreement, have informed their R2P advocacy. This commitment stems in part from an anti-colonial position. As Chandra puts it, 'India's policy on non-intervention and state sovereignty is largely a reflection of its colonial experiences … safeguarding sovereignty from the great powers' predation was India's top priority after independence'.[42] Whilst there is an anti-colonial aspect to this defence of sovereignty, there is more to the picture. Fear that 'pockets of conflict … might

[37]Ndlovu-Gatsheni, 'Genealogies of coloniality', p. 27; see also A. Rosen, 'The flawed foundations of post-colonial state borders', in S. Silverburg (ed.), *International Law: Contemporary Issues and Future Developments* (New York: Routledge, 2011). Available at: {https://www.taylorfrancis.com/books/edit/10.4324/9780429499715/international-law-sanford-silverburg?refId=f044e43a-f0c3-435b-abdd-74a70c5e395f&context=ubx}.

[38]Ndlovu-Gatsheni, 'Genealogies of coloniality', p. 28.

[39]Maria John, 'Persistent voices: A history of indigenous people and human rights in Australia, 1950s–2000s', in Rajini Srikanth and Elora H. Chowdhury (eds), *Interdisciplinary Approaches to Human Rights: History, Politics, Practice* (London: Routledge, 2019), pp. 196–212 (p. 198).

[40]Reflecting other parallels between these sometimes-rival rising powers, there are commonalities in the content of, and interests behind, China and India's R2P advocacy. See Lee and Chan, "China's and India's perspectives' and Nitasha Kaul, 'China: Xinjiang: India: Kashmir', *Made in China Journal* (2020), available at: {https://madeinchinajournal.com/2020/10/05/china-xinjiang-india-kashmir}.

[41]Lee and Chan, 'China's and India's perspectives', p. 179.

[42]Chandra, 'Explaining India's approach', p. 195.

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expose India to internationally legitimated interference'[43] has 'compelled' India 'to adopt a cautious approach' and not 'side with the West's interventionist approach'.[44] At the forefront of this concern is Kashmir. The Indian Ministry of External Affairs considers Kashmir to be an 'integral part of India' and 'a matter strictly internal to India'.[45] International pressure, with the Organisation of the Islamic Conference affirming solidarity with Muslims in Jammu and Kashmir and a UN Human Rights Commissioners report calling for an end to illegal detentions and disappearances, has generated a 'fear of internationalisation or external intervention'.[46] The Indian state has also been engaged in counter-insurgency measures amidst an armed Naxalite rebellion. 'With so many internal dissidents in India', Bajpal claims, 'New Delhi unsurprisingly is extremely wary of supporting intervention, even on humanitarian grounds, for fear that this might be turned against India someday.'[47] As Nitasha Kaul points out, there are notable parallels between Kashmir and Xinjiang, with China keen to mobilise sovereignty and a commitment to a strong developmental state to render illegitimate international condemnation of the situation in Xinjiang.[48]

Delving further into this mobilisation of anti-colonial defences of sovereignty in the context of Kashmir and Xinjiang highlights how India and China's emphasis on pillar one state responsibilities is bound up with ongoing colonial projects. Regions in Muslim-majority Kashmir and Xinjiang have 'witnessed a particular form of political power as exercised by the two rising behemoths India and China', including 'systematic human rights violations in the name of curbing separatism and terrorism'.[49] Whilst there are significant differences in the two cases, there are also similarities. In both cases, there are contested claims of sovereignty and racialised hierarchies shaping post-colonial nation-building projects. As Kaul puts it, 'these ethno-nationally different Muslim majority areas have become the focus of assimilation into the evolving Hindu majoritarian nationalism in India and Han majoritarian nationalism in China'.[50] Finally, there are settler-colonial dynamics at play. The encouragement of Han migration to, and establishment of re-education camps in, Xinjiang render 'the Chinese statist project of occupying, minoritizing and securitising different ethno-national peoples of Central Asia … a colonial project'.[51] In India, settler-colonial dynamics have stepped up since Jammu and Kashmir were stripped of constitutionally guaranteed autonomy in 2019. Legal changes allow non-citizens of former Jammu and Kashmir to receive fast-tracked domicile status based on residency, the state has facilitated the mass movement of Indian workers to Kashmir, and changes have been made to 'allow the designation of any area as strategic, permitting permanent constructions to be made there for the use of armed force'.[52] These are all suggestive of potential 'overwhelming demographic change' through the 'mass settlement of outsiders'.[53] Tellingly, here are the words of the Indian consul-general when speaking at an event in New York: 'if the Israeli people can do it, we can also do it'.[54] Finally, the notion of development that

[43]Rohan Mukherjee, 'Embattled sovereignty: India, the UN, and humanitarian intervention', *India in Transition* (Center for the Advanced Study of India, University of Pennsylvania, 2013). Available at: {https://casi.sas.upenn.edu/iit/rmukherjee#:~:text=The%20end%20of%20the%20Cold%20War%20was%20a%20watershed%20moment,of%200.44%20interventions%20per%20year}.

[44]Chandra, 'Explaining India's approach', p. 198.

[45]Cited in ibid., p. 197.

[46]Ibid., pp. 197–8.

[47]Kanti Bajpal, 'The logic behind the Libya decision', *Times of India* (2 April 2011), available at: {https://timesofindia.indiatimes.com/edit-page/the-logic-behind-the-libya-decision/articleshow/7845331.cms}.

[48]Kaul, 'China: Xinjiang: India: Kashmir'.

[49]Ibid.

[50]Ibid.

[51]Dibyesh Anand, 'Colonization with Chinese characteristics: Politics of (in)security in Xinjiang and Tibet', *Central Asian Survey*, 38:1 (2018), pp. 129–47 (p. 129).

[52]Kaul, 'China: Xinjiang: India: Kashmir'.

[53]Ibid.

[54]Express News Service, 'Indian diplomat compares return of Kashmiri pandits with Israeli settlements, sparks row', *Indian Express* (28 November 2019), available at: {indianexpress.com/article/india/indian-diplomat-compares-return-of-kashmiri-pandits-with-israeli-settlements-sparks-row-6140271}.

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is mobilised within India and China's R2P advocacy plays a role in justifying state-driven change, with a 'colonial imperative of we must develop them, with or without their consent' serving to legitimise the projection of state power in these contested peripheries.[55]

Whilst some of the narratives seeking to legitimise the exercise of state power in Xinjiang and Kashmir are securitising ones, the defence of the territorially continuous sovereign state that is at the heart of China and India's R2P advocacy plays a key role. Selective Western critiques of human rights records and the threat of muscular uses of force in defence of human rights have helped enable a 'nativist discourse that officials in countries like China and India use to justify their own behaviour'.[56] Perceptions of rising powers as only victims of colonialism – victims that are working individually and collectively to fight back against lingering aspects of coloniality in international affairs – foreclose critique of their actions in their peripheries. As a result, 'attempts to highlight the colonial actions of non-Western countries like India and China' are 'answered with the retort that these criticisms are just a regressive, Indophobic or Sinophobic, perhaps even racist, ploy to stop these powers from rising because they are not Western'.[57]

Reflecting the broader way in which the 'prodigious criticality' of decolonial thinking 'has not been adequately brought to bear on the actions of the formerly colonised states in the non-West as they have sought to recreate the colonial theatres in their own peripheries',[58] claims that rising-power engagements are decolonising R2P have not adequately accounted for the links between rising-power advocacy on R2P and rising-power colonial projects. Whilst the defence of sovereignty may help protect against neocolonial military intervention in the name of humanitarian concerns, it simultaneously legitimises the ongoing coloniality of the state in relation to its own peripheries, with devastating impacts on marginalised and Indigenous communities for whom decolonisation is not complete. The bolstering of pillar one commitments to the primary role of the strong sovereign state in protecting populations from atrocity crimes embeds further in R2P a colonial concept of the sovereign state – a concept of the state that is strong and resilient to intervention from the outside whilst simultaneously justified in pursuing internal colonial projects in relation to marginalised people, communities, and regions. As this vision of the strong sovereign state able to project sufficient power to 'protect' people within it is further entrenched in R2P through a bolstered first pillar, so too is a colonial concept of the state.

Pillar 2: Erasing the role of coloniality in the production of atrocity crimes

The colonial concept of the state as a territorially bounded entity that is responsible for, and in control of, what happens in its borders also inflects R2P's second pillar. In further emphasising that the sovereign state is in control of what happens within its own borders, R2P ends up viewing 'troubled states as root causes versus the international community as responsible for short-term operational prevention'.[59] For this reason, scholarship and policy on R2P offer internalist diagnoses of atrocity crimes, focusing on drivers of atrocity that are internal to the state in which atrocity occurs. Ramesh Thakur, for instance, suggests that 'the principle of R2P is an acknowledgement by all who live in zones of safety of a duty of care towards those in danger', a suggestion that splits the world in two: corrupt, rogue or weak areas where civilians are in danger; and good, strong and well-functioning areas where civilians are safe.[60] R2P, Thakur continues, offers 'vulnerable groups'

[55]Nitasha Kaul, 'Coloniality and/as development in Kashmir: Ethnonationalism', *Feminist Review*, 128:1 (2021), pp. 114–31 (p. 114).

[56]Kaul, 'China: Xinjiang: India: Kashmir'.

[57]Ibid.

[58]Kaul, 'Coloniality', p. 128.

[59]Alexandra Bohm and Garrett W. Brown, 'R2P and prevention: The international community and its role in the determinants of mass atrocity', *Global Responsibility to Protect*, 13 (2020), pp. 60–95 (p. 61).

[60]Ramesh Thakur, 'R2P after Libya and Syria: Engaging emerging powers', *The Washington Quarterly*, 36:2 (2013), pp. 61–76 (p. 62).

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'protection from predations by Brutish rulers domestically'.[61] Relatedly, Bellamy and Luck claim that 'the actors primarily responsible for determining whether or not a country will experience the horrors of atrocity crimes are those within the country itself'.[62] This focus also permeates R2P policy discourse. Secretary General reports on R2P in 2013, 2014, and 2019 emphasise the importance of building domestic capacity through an accountable security sector, vibrant civil society, and impartial institutions. In terms of international support, emphasis has been placed on awareness raising, norm dissemination, the education of national authorities and diplomacy: things that international actors might do to change the outlook or action of domestic actors as atrocities are imminent or already occurring.

This internalist diagnosis of atrocity ignores 'the ways in which the international community is a contributing factor in underwriting systemic and structural determinants of violence which erode state resilience against mass atrocity'.[63] As a result, it erases the way in which continuing power dynamics associated with colonialism contribute to the international production of atrocity crimes. Consider, here, links between lower levels of economic development and the incidence of atrocity crimes. As increasingly recognised in R2P scholarship and policy literature, atrocity crimes are linked to 'difficult economic conditions'.[64] These conditions are a factor decolonial scholars have long associated with the enduring presence of colonialism.[65] Indeed, as Adekanye noted decades ago in the context of intra-state wars on the African continent, 'ethnic and regional tensions are rising due to the conditions created by debts, economic crisis and adjustment'.[66] From a decolonial perspective, the risk of atrocity is linked to debt or poverty that, in turn, stems from prior colonial plunder, either indirectly through the loss of resources or directly in the form of debts for the loss of slaves. Moreover, tensions rise due to knock-on effects of ongoing economic interventions that constrain economies in the Global South in ways that mirror colonial plunder. Although foreign aid flows from richer to poorer states, aid is, as Hickel argues, 'a mere trickle' compared to 'the financial resources that flow in the opposite direction', from the formerly colonised to the former colonisers.[67]

Rising-power advocacy on R2P has brought with it a growing focus on development in the context of atrocity prevention. This has not, however, brought recognition that ongoing plunder is a barrier to development in most of the world. Indeed, reflecting the wider responsibilisation of the host state at the heart of R2P – and indeed China and India's position on the strong state being key to national development – the Secretary General's 2023 report on development and R2P is focused solely on how *the state in question* can 'leverage development programming across the spectrum of atrocity risk assessment, early warning, preparedness and response'.[68] Where the report does turn to international responsibilities, there is appreciation that international financial institutions and development banks need to 'take action to ensure that their activities do not create new forms of vulnerability or exacerbate pre-existing social tensions that in turn increase atrocity risk', perhaps recognising the links between previous adjustment policies and the emergence of atrocity crimes outlined by Adekanje.[69] Beyond that, however, there remains no recognition of the international communities' role in *producing* the 'under-development' that is linked to atrocity.

[61] Ibid.

[62] Alex J. Bellamy and Edward Luck, *The Responsibility to Protect: From Promise to Practice* (Cambridge: Polity Press, 2018), p. 113.

[63] Bohm and Brown, 'R2P and prevention' p. 60.

[64] Ibid.; United Nations, 'Development and the Responsibility to Protect', p. 8.

[65] Arturo Escobar, *Encountering Development: The Making and Unmaking of the Third World* (Princeton, NJ: Princeton University Press, 1995).

[66] J. Bayo Adekanye, 'Structural adjustment, democratization and rising ethnic tension', *Development and Change*, 26:2 (1995), pp. 355–74 (p. 372).

[67] Jason Hickel, *The Divide: A Brief Guide to Inequality and Its Solutions* (London: William Heinemann, 2017), p. 25.

[68] UN, 'Development and the R2P', p. 1.

[69] Ibid., p. 9; Adekanye, 'Structural adjustment'.

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Consider, also, the role environmental destruction plays in stoking conflict. Environmental destruction has long-standing links with the appropriation, use, and plunder of resources under colonialism and is disproportionately driven by the Global North, 'particularly when atmosphere emissions are tracked over the course of history'.[70] Finally, the way colonial-era divide-and-rule policies fed into genocidal killing in Rwanda and conflict on the African continent more broadly are well understood.[71] These divide-and-rule policies continue to play a role in producing contemporary atrocities, with Wikileaks cables and US military documents exposing a strategy of undermining the Syrian government 'by any available means',[72] including through playing 'on Sunni fears of Iranian influence' to 'capitalise in the sustained Shia–Sunni conflict trajectory'.[73] As Dunford and Neu have argued, already-existing international interventions play a key role in producing atrocity crimes.[74] Some of these – like divide and rule – directly replicate colonial strategies, whilst others build on the power relations and inequalities associated with colonialism. As rising-power advocacy shifts the focus of R2P further towards the role the host state plays in avoiding atrocity, the international communities' role in creating conditions in which atrocity occurs, and with it the coloniality of atrocity, only recedes further from view. With rising-power advocacy retaining in R2P a particular concept of the state – as responsible for what happens within its own borders – and a particular conception of outsider states as potential helpers but not co-producers of atrocity crimes – the decolonisation of R2P remains pending.

On the other side of the responsibilisation of the state is an understanding of the international community of outsider states as a potential helper and not a co-creator of atrocity crimes. This framing of outsider states as potential helpers is part of a wider 'salvation paradigm' that critics have identified in R2P.[75] As Megret has argued, R2P is 'embedded in a vision of … rescue primarily coming from the outside'.[76] Despite emerging talk of the role of civil society in preventing atrocities,[77] R2P's emphasis remains on protection by the host state and/or the international community of outsider states. Those most impacted by atrocity are still 'treated as objects, not actors'; as victims in need of saving, and not as agents that can and do play a role in preventing and indeed responding to or resisting atrocity crimes.[78] Indeed, even firm advocates of R2P have noted its tendency to leave 'no room for agency by those threatened by potential atrocity crimes', treating them as passive subjects waiting 'for governments and intergovernmental institutions to act on their behalf'.[79] This salvation paradigm 'is rooted in racist, colonial logics that encourage an undervaluing of civilian agency' and an erasure of the ongoing everyday forms of intervention that play a role in the making of atrocity.[80] It replays colonial tropes of powerless civilian victims in the Global South, who are

[70]Torban Black, 'Race, gender and climate justice: Dimensions of social and environmental inequality', in Phoebe Godfrey and Denise Torres (eds), *Systemic Crises of Global Climate Change: Intersections of Race, Class and Gender* (London: Routledge, 2016), pp. 172–84 (p. 172).

[71]Mahmood Mamdani, *When Victims Become Killers* (Princeton, NJ: Princeton University Press, 2001).

[72]Robert Naiman, 'Syria', in Wikileaks, *The Wikileaks Files* (London: Verso, 2015), pp. 297–322 (p. 290).

[73]Christopher G. Pernin, Brian Nichiporuk, Dale Stahl, Justin Beck, and Ricky Radaelli-Sanchez, *Unfolding the Future of the Long War: Motivations, Prospects, and Implications for the U.S. Army* (Santa Monica, CA: RAND Corporation, 2008), available at: {https://www.rand.org/content/dam/rand/pubs/monographs/2008/RAND_MG738.sum.pdf}, p. xvi.

[74]Robin Dunford and Michael Neu, *Just War and the Responsibility to Protect: A Critique* (London: Zed Books, 2019), pp. 59–93.

[75]Frédéric Mégret 'Beyond the "salvation" paradigm: Responsibility to Protect (others) vs the power of protecting oneself', *Security Dialogue*, 40:6 (2009), pp. 575–95. See also M. Mamdani, *Saviors and Survivors: Darfur, Politics and the War on Terror* (New York: Crown Publishing Group, 2010).

[76]Mégret, 'Beyond the "salvation" paradigm'.

[77]United Nations, 'Responsibility to Protect: From early warning to early action', Report of the Secretary General (01 June 2018), A/72/884-S/2018/525, available at: {chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.un.org/en/genocideprevention/documents/1808811E.pdf}.

[78]Felicity Gray, 'Relational R2P? Civilian-led prevention and protection against atrocity crimes', *Global Responsibility to Protect*, 14 (2022), pp. 313–38 (p. 318).

[79]Edward Luck, 'The adolescent: R2P at fifteen', *Global Responsibility to Protect*, 12:4 (2020), pp. 381–3 (pp. 382–3).

[80]Gray, 'Relational R2P', p. 318; see also Dunford and Neu, *Just War and R2P.*

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incapable of protecting themselves, and heroic rescuers. These framings that continue to permeate R2P carry with them the 'potential to be reproduced at ground level in violent interactions', potentially bringing an expectation of a debt of gratitude and the 'foreclosure of complaint on the part of the person saved', which feeds in to the all too common 'exploitation and abuse by members of international missions'.[81]

R2P's salvation paradigm brings us back to the question of agency in the context of decoloniality. R2P continues to ignore the agencies of those at the margins, seeing them as passive victims and not as agents tackling the drivers and impacts of atrocity. Whilst R2P may have been shaped by states and diplomats in the Global South, it has not similarly been shaped by those under threat of atrocity crimes, nor has it come to appreciate agency beyond the state and the international community. In the process, R2P discussions neglect 'the very real and often much more decisive role that "people" – individuals, civil society, resistance movements' play in preventing atrocity and in 'protecting themselves' when atrocity takes place, including through unarmed means of protecting civilians.[82] Think, here, of the ways communities have organised to control the spread of rumours, arrange mediation, develop practices of accompaniment to prevent sexual violence and targeted attacks on human rights defenders, and organise escape routes when prevention fails.[83]

As R2P is pushed further in the direction of focusing on state responsibilities, a colonial concept of the state is entrenched further at its heart. The effect is that the role coloniality plays in producing atrocity, and the agency of those most impacted in preventing and responding to atrocity, remain absent. We have not, therefore, seen the profound conceptual transformations and shifts in the location of thinking that are required to decolonise atrocity prevention and response. Decolonising R2P would require work in different directions, drawing attention to the coloniality of the very state form that operates as the locus of responsibilities for protection, highlighting the internationalised production of mass atrocity, centring the role those faced with atrocity crimes can and do play in preventing and responding to them, and exploring the decolonising measures that could be taken to tackle the root causes of atrocity crime – measures which may include the cessation of divide and rule, reparations for colonial and environmental violence, and the pursuit of global equality and justice.

Conclusion: To decolonise or to delink from R2P?

Rising powers and Global South states have played a significant role in shaping R2P. Southern agency in R2P's genesis and development has been considered to run against decolonial critiques of R2P and even bring about a decolonial R2P. This paper has offered a different reading. R2P's international construction is symptomatic of dewesternisation in world politics. From its inception, it has been shaped by actors outside the West. But a colonial conception of the state remains at the heart of R2P and has, if anything, only become further entrenched through Global South advocacy. As a result, coloniality continues to pervade R2P. First, whilst working against risks of former colonisers intervening in the affairs of former colonised sates, the emphasis on pillar one state responsibilities in rising-power and Global South advocacy works to legitimise the colonial state, with India and China's R2P advocacy part of a wider use of particular conceptions of sovereignty to legitimise nation-building projects that involve their own coloniality in relation to peripheries in Kashmir and Xinjiang. Second, greater emphasis on the state as a bounded entity responsible for and with full control over what happens in its own territory reinforces a framing of atrocity that responsibilises host states and erases the role ongoing power relations associated with colonialism play in producing atrocity. In the process, it also continues to frame outsider states as potential

[81]Gray, 'Relational R2P', p. 319.

[82]Megret, 'Beyond the "salvation" paradigm', p. 575.

[83]See, e.g., Rachel Julian and Russell Gasser, 'Soldiers, civilians and peacekeeping: Evidence and false assumptions', *International Peacekeeping*, 26:1 (2019), pp. 22–54.

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saviours and not as co-producers of atrocity crimes, embedding further in R2P saviour narratives that marginalise the agency of those most impacted by atrocity.

The persisting coloniality of R2P raises the question of whether R2P is so inherently colonial that work to decolonise it is futile. Whilst this paper has argued that coloniality remains deeply embedded in R2P, it cannot decisively rule out future efforts at decolonising R2P. There is always scope for surprise in what can be reclaimed or transformed. But the persisting coloniality of R2P does give pause for thought in relation to decolonial strategies concerning mass atrocity. Engaging productively with concepts and practices to unpick their links to power relations associated with colonialism is one important strategy at the heart of decolonising agendas, one that is widely seen in attempts to decolonise everything from world politics through university and school curriculums to galleries. But it is not the only one. We must, Fanon says, 'develop a new way of thinking'.[84] This takes us towards decolonial strategies of delinking. Delinking referred initially to pursuing economic strategies of breaking away from material incorporation into a capitalist world economic system to pursue alternative development strategies.[85] More recently, Mignolo has conceptualised delinking in terms of changing 'the terms and not just the content of the conversation' by detaching 'from that overall structure of knowledge in order to engage in an epistemic reconstitution … of languages, ways of life and being in the world that the rhetoric of modernity disavowed'.[86] Putting together the material dimensions of Amin's delinking and the epistemic dimensions of Mignolo's raises the question of whether decolonial projects concerning R2P might be better served by changing the terms of conversations on – and practices of – atrocity prevention and response. This would mean attending to ideas and practices that help prevent and respond to atrocity outside the constraints of the R2P framework, with its deeply embedded commitment to the sovereign (now redefined as responsible) state and the resultant responsibilisation of the host state and erasure of the agency of those impacted by atrocity. Delinking is a project that is always already underway, but recognising it in terms of atrocity prevention and response will mean shifting focus away from the state agency that is dewesternising but not decolonsising international work on atrocity crimes and towards other means of addressing atrocity, be it work to cancel colonial debts and bring about reparations for colonial violence, challenges to ongoing interventions around environmental destruction and divide and rule, or grassroots measures of atrocity prevention and response.

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[84]Frantz Fanon, *The Wretched of the Earth* (New York: Grove Press, 1961), p. 23.

[85]Samir Amin, *Delinking: Towards a Polycentric World* (London: Zed Books, 1987).

[86]Alvina Hoffmann, 'Interview – Walter Mignolo/part 2: Key concepts' (2017), *E-International Relations*, available at: {https://www.e-ir.info/2017/01/21/interview-walter-mignolopart-2-key-concepts/}.

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