Bringing Reflective Judgement into International Relations: exploring the Rwandan Genocide

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Introduction

The wrongs which we encounter at times are so important that they cannot simply be a matter for subjective moral preferences: Isaiah Berlin captured the dangers of such subjectivism when he said, I do not say "I like my coffee with milk and you like it without; I am in favor of kindness and you prefer concentration camps" (Berlin 1999, 50). Berlin’s comment alerts us to the importance of having a moral language with which to address the dilemmas of intervention that arise in cases of genocide and mass killing. The Rwandan genocide which took place in 1994 and the United Nations’ failure to intervene represent such a moral dilemma. It asks what our moral compass should be in the face of crimes against humanity, where the humanitarian responsibilities of the UN should lie and, in the context of Rwanda, it asks how inaction, now condemned, came to be considered as ethical at the time.

Michael Barnett’s own experience with Rwanda embodies the conflicting moral choices such situations provoke. Does the UN’s humanitarian responsibility lie with the protection of its own soldiers and the UN as a continuing agent of conflict management, or does it lie with ‘saving strangers’ (Wheeler, 2000) and the protection of civilians? Barnett initially argued the former whilst working for the US mission to the UN as he could see no viable alternative; in later reflection, however, he has come to question the moral compass which prevented action being taken to protect civilians and prevent the genocide in Rwanda. He identifies this moral dilemma when he suggests that the ‘UN’s involvement in Rwanda is dreadfully disturbing because, in the main, these were highly ethical and decent individuals who believed that they were doing the right thing’ (Barnett 2002, 180). Central to
Barnett’s argument and this paper is that we can understand how the decision not to intervene in Rwanda was arrived at in 1994 without excusing that decision. Hannah Arendt’s focus on the particular, her reflections on judgement and bureaucracy, and her concern that external standards or laws might become a source of unthinkingness – a failure to think and an excuse not to judge for ourselves - offers one set of theoretical concepts with which to explore the problem of how to understand the failure to respond effectively to genocide in Rwanda.

A ‘systemic’ thinker, Arendt has authored a comprehensive body of work, addressing concepts in a variety of academic disciplines, not always, perhaps, in an internally consistent fashion. Consequently, there are many strands of philosophical and political thought to her work, varied interpretations and different forms of criticism. Of necessity, this article cannot address all these elements. Although much has been written on reflective judgement in political theory and philosophy, there have been fewer attempts to transpose these ideas to International Relations (see Owens 2007; Lang and Williams (eds.) 2005; Fine 2006) and this is where the article will focus.

By reading Rwanda through the lens of reflective judgement, this article both explores how judgement might operate in International Relations and offers a more nuanced account of the actions of the international community, drawing on the two perspectives of reflective judgement which Arendt identified: the actor and the spectator. The article begins by briefly reviewing the central aspects of Arendt’s concept of reflective judgement. It then sketches the story of the genocide and the role of the UN in Rwanda, before drawing out two elements central to Arendtian judgement, namely the role of bureaucracy and the ‘inability to think’, through a closer examination of Barnett and Finnemore’s (2004) interpretation of the events surrounding the failure to intervene. Recognising that the representation of Rwanda was contested, the discursive framing of the conflict was key to determining the response of the international community and to contributing to the continuation of violence. Identifying the presence, and tension, between the judgement of the political actor and the spectator in Arendt’s thought and their relevance for understanding international politics, the duality of these perspectives runs through the analysis. Indeed, Barnett’s own writings articulate the shift from actor to
spectator. Drawing on the example of the Rwandan genocide, the article will indicate how reflective judgement might be understood both as a means of critique and as normative guidance for political action.

**Arendt on Judgement**

Arendt believed that it was possible to judge moral and political phenomena. Although Arendt never wrote the section on Judging in *Life of the Mind*, some of her presumed intentions as regards the faculty of judgement have been pieced together from other sources. Judgement is defined as the ‘faculty of thinking the particular’ (Arendt 1982, 76). Kant distinguished between two types of judging and Arendt maintained this distinction: determinate judgement examines when and how universal principles of thought are applicable to any set of particulars, while reflective judgement ‘is the ability to “tell right from wrong even when all they have to guide them is their own judgement” and when their own judgement “happens to be completely at odds with what they must regard as the unanimous opinion of all those around them”’ (Arendt 1994, 295).

It is reflective judgement which Arendt values as a means to orient oneself in the world. It encourages us to make autonomous judgements when others are no longer able to; it is the means to trace a path between the ‘violent imposition of ‘universal’ principles and truths and the subjective dissolution of all principle and truth’ (Fine 2008, 171). This conception of judgement problematises a number of common positions within International Relations. For example, it questions some conceptions of human rights which, when grounded in natural law, call for certainty and universality. It demands that we question all ‘universal’ normative standards and think for ourselves. In practice it may be impossible to fully achieve either reflective or determinate judgement in their ideal forms: in the case of reflective judgement, we cannot arrive at judgements in total independence from any existing principle or norm any more than we are likely to move automatically and unreflectively from the universal principle to the particular (Fine 2008, 166-7). Arendt saw Kant’s notion of aesthetic judgement as fitting for political judgement because she argued that both aesthetic and moral validity are expressed through reflective as opposed to
determinant judgement. They cannot produce axiomatic statements, or final, abstract truth-claims or knowledge. Knowledge, in this context, is intersubjective, open-ended, fallible, interpretive, communicable and shared.

There are a number of elements to Arendt’s concept of judgement. There is, first of all, the relationship between unity of judgement and understanding: ‘The essential point is to learn to ‘understand without preconceived categories and to judge without the set of customary rules which is morality’ (Fine 2008, 169). Linked to this notion of understanding is the requirement for representative thinking or, to use Kant’s phrase, ‘enlarged thought’. This entails the requirement to think from the standpoint of everyone else:

Political thought is representative. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not. The more people’s standpoints I have present in my mind while I am pondering a given issue, and the better I can imagine how I would feel and think if I were in their place, the stronger will be my capacity for representative thinking and the more valid my final conclusions, my opinion (Arendt 2006, 237).

This formulation of enlarged thinking as the basis for judgement indicates the need for capacities such as imagination – imagining what it would be like to be somewhere else – and the subsequent requirement for the exercise of imagination, disinterestedness, in other words, ‘the liberation from one’s own private interests’ (Arendt 2006, 237) or ‘self-interest’ (Arendt 1982, 43). For Arendt, to think with an enlarged mentality means ‘that one trains one’s imagination to go visiting’ (Arendt 1982, 43). The other element, also derived from Kant, is ‘common sense’ (sensus communis). This refers to a sense of a world shared in common; the notion of a
communal sense or enlarged mentality. The representative nature of political thought which Arendt insisted on suggests a common world in which all men and women share the faculties of understanding and imagination. Representative thinking can only be done in the public sphere in the company of others where opinions can be changed and other standpoints examined. Agreement with the judgements of others cannot be forced; ‘one can only “woo” or “court” the agreement of everyone else’ (Arendt 1982, 72). Judgement is, for Arendt, both intersubjective and representative. Judgements are not based on universal rules or reasons yet neither are they inscrutable or inaccessible to others. The more perspectives one imagines and consults, the more valid one’s judgements will be.

Arendt argues that judgement’s claim to validity ‘can never extend further than the others in whose place the judging person has put himself for his considerations’ (Arendt 2006, 217). This requires the recognition of others and their particular contexts as well as the need for effective and legitimate communication.

A central aspect of Arendtian judgement is ‘exemplary validity’ (Ferrara 2008) and this is important for considering judgement in international relations: ‘in reflective judgements, where one does not subsume a particular under a concept, the example helps one in the same way in which the schema helped one to recognize the table as table’ (Arendt 1982, 84). Examples help to evaluate particular acts and to find the universal in them. When judging one might say “This man has courage”: ‘If one were a Greek, one would have “in the depths of one’s mind” the example of Achilles. Imagination is again necessary: one must have Achilles present even though he certainly is absent’ (Arendt 1982, 84). In other words, we can draw on a particular historical incident and make it ‘exemplary’ – ‘to see in the particular what is valid for more than one case’ (Arendt 1982, 85). Thus, when looking at a particular case of genocide, we might bring to mind the example of the Holocaust in order to guide our understanding and judgement.

Arendt’s account of politics is not free from problems for International Relations and its preoccupation with political violence. Habermas notes that Arendt ‘screens all strategic elements, as force, out of politics’ (Habermas 1977, 220). Arendt’s account of violence as an essentially mute use of physical force or instruments blinds us to other forms of direct domination such as coercion which
often rely on a plurality acting together, albeit strategically. We also need to
recognise the interlinked nature of power and violence – which Arendt separates
(1970) - because failure to do so conceals a kind of violence whose exposure is
fundamental for revealing power relations within international politics. If we follow
Arendt’s separation of power and violence and accept that violence is mute, without
speech, this blinds us to discursive violence and other oppressive modes of acting
together (Breen 2007). In other words, ‘being-with’ does not only produce positive
forms of power, but also negative dimensions. Discursive violence captures forms of
power, ‘acting-in-concert’, which are instrumental and used for coercive, dominating
ends. This is relevant, indeed crucial, in light of Bernstein’s remark that language is
not just a means of communication with which to mediate and interpret our
experiences, but also:

- a medium of domination and social power; it serves to legitimate
  relations of organized force. Insofar as the legitimations do not
  articulate the power relations whose institutionalization they make
  possible, insofar as these relations merely manifest themselves in the
  legitimations, language is also ideological (Bernstein 1995, 45).

Recognising this is important for placing the exercise of physical or mute force in its
political, social, cultural and economic content. Bernstein’s remarks resonate when
considered in context of the power relations, expressed dialogically, present within
the Security Council and the UN more broadly, and their impact on the political
violence occurring in different parts of the world. The Security Council’s nearly
unanimous reluctance to intervene in Rwanda in 1994 could be considered as
‘acting-in-concert’ but was instrumental in aiding the production of violence and
coercion. The discursive choices of the Secretariat, Department of Peacekeeping
Operations (DPKO), and member states not only were opposed to those of Dallaire
and other advocates for intervention, but can be seen to signify a responsibility for
continuing violence in Rwanda.

While cosmopolitanism is usually understood as referring to a world legal or
institutional order, Robert Fine has argued that a cosmopolitan outlook is ‘also a
mode of understanding the world, an ethic of responsibility and an ongoing exercise
of political judgement in the face of violence’ (Fine 2006, 49). It is this interpretation of cosmopolitanism to which judgement belongs. Cosmopolitan law, or judgement, by itself is insufficient because it runs the risk of resorting to a simplistic moral dichotomy of good and evil – moral perceptions of which are determined by those who create them, in other words, often the Western powers. This dichotomy permits the dangerous moralisation of warfare which is not anchored in a mode of understanding. This chimes with Carl Schmitt’s caution against some interpretations of Just War theory and it has parallels in contemporary politics where we see the prevalence of judgement without understanding articulated as the dichotomy between those who understand themselves as moral (the West) and those who are ‘evil’ — those who oppose our values. Judgement and understanding are often articulated separately, one excluded in favour of the other. Judgement implies, however, not only relations of friendship, but also those of enmity, therefore, ‘being-for’ and ‘being-against’ are intrinsic aspects of judgement (Breen 2007, 363). This dualism indicates that judgement requires tempering by understanding. Understanding in this context implies the ability to take into consideration the viewpoints of others; it is prepared to rethink its conclusions in discussion with others; it has no fixed, pre-determined position, and it always focuses on the particular situation (Fine 2008, 168-9).

Our political understanding, therefore, must be that which seeks to confront and understand without justifying or condoning the actions committed. Along with the worrying refusal to judge at all that Arendt detected in the furore over her report on the Eichmann trial, it is these issues which Arendt sought to address in her conclusions in *Eichmann in Jerusalem* (1994). Understanding requires politics not to be subsumed by institutions and established bureaucratic and legal mechanisms when responding to problems — in other words, politics needs to operate in such a way as to prevent the ‘colonisation’ of the political sphere by bureaucracy and ‘unthinking action’. Just as Habermas warned against the rationalisation of the lifeworld by the media of power and money, so should we extend this analysis to the international sphere and argue that we must fight for space for the political — for the exercise of judgement and understanding. Understanding does not preclude judgement, but it is central to our ability to judge in context. We may condemn
particular actions, such as terrorist activities, without being blind to the reasons or conditions which made them possible. This is precisely Arendt’s point in the controversy which erupted over her account of Eichmann’s trial. We are implored to critically assess the relationship between, and loci of responsibility for, dominant forms of public discourse, the language and institutions of international law, and structures of economic, juridical and political power in the international sphere.

A pertinent warning as to the dangers of losing the ability to exercise judgement emerges in Arendt’s essay ‘Lying in politics: Reflections on The Pentagon Papers’ (1973). Arendt was deeply concerned with the potential for the disappearance of the political and the emergence of a technological or bureaucratic culture, writing that ‘one sometimes has the impression that a computer, rather than ‘decision-makers’, had been let loose in south-east Asia. The problem-solvers did not judge; they calculated’ (Arendt 1973, 34). This concern is also reflected in her writings on Eichmann and his defence that he was but a cog in a greater system and therefore anyone would have done the same thing in his position. Arendt believed that Eichmann was representative of the notion that evil can emerge from failing to think. It was important for Arendt that understanding how Eichmann’s actions became possible did not excuse them.

Arendt’s position raises troubling questions for those who call upon the values of ‘the ‘international community’ to justify their actions. Although Arendtian representative thinking suggests we should move towards the imagined community of humanity, she does not consider that this ‘shared world’ should constitute a source of morality or authority analogous to the obligation of moral law (Garsten 2007, 1090). Garsten continues:

If the shared world was to be viewed in that way, then its dictates, however intersubjective their mode of derivation, would offer the same possibility of shifting responsibility and making excuses: “I was only following the common sense of the community” is not very different in form from the excuse that Eichmann gave, and seems equally well suited to rationalizing a refusal to judge (Garsten 2007, 1090).
This is perhaps a caution to take to heart in global politics; it is not enough to simply offer the principles of non-intervention, sovereignty or the ‘Responsibility to Protect’ to justify a response to particular conflicts. In other words, a consideration of judgement as a criterion for political legitimacy questions whether it reflects good judgement rather than simply following international law or principles. Arendt’s notion of individuality and the importance of this to her theory of judgement is admittedly difficult to replicate in international politics given the collective and representative nature of decision-making. However, the view expressed in *Eichmann* that judgement should be something more than simple obedience to rules or laws remains relevant to contemporary events, notably, in relation to the role that individuals play in international relations: the ‘cog in the system’ account is not, for Arendt, an acceptable defense. Significantly, in the analysis following most conflicts or violations of human rights (including Rwanda), there is usually an element concerned with identifying and locating individual responsibility. Judgements concerning the location and allocation of responsibility are usually undertaken by commentators and spectators after the conflict.

A factor which remains somewhat ambivalent in Arendt’s writing is the question of agency: is judging undertaken by the political participant or the spectator? For Arendt, judging seems to be a task for both the spectator and the actor (Beiner 1994). Beiner recognises the tension within Arendt as to whether judgement belongs to the *vita activa* or the *vita contemplativa*; her writings place judgement in both spheres on different occasions (Passerin d’Entreves 2000, 252). The latter operates retrospectively and is exercised by the spectator who ‘does not leave the world of appearances but retires from active involvement in it to a privileged position in order to contemplate the whole’ (Arendt in Passerin d’Entrèves 1994, 131). The former sees it as ‘a function of the representative thinking and enlarged mentality of political actors, exchanging opinions in public while engaged in common deliberation’ (Beiner 1994, 379). Both models share the faculties of communicability, imagination, intersubjectivity and representative thought. Arendt’s *Eichmann in Jerusalem* frames this dual aspect of judgement: first, there is Eichmann’s own inability to think or to judge, to tell right from wrong, and second, there is the question of ‘retrospective understanding; how should we judge the
‘meaning of Eichmann from a vantage point temporally and spatially removed from the events in question’ (Arendt 1982, 100). This duality of judgement pervades international relations as well, both as the very real concern of the political actor and the responsibility of the spectator as ‘storyteller’, analyst, historian, or journalist. Both strands run through the following sections of this article and frame the different perspectives with which Rwanda and the processes surrounding the genocide are explored.

Genocide in Rwanda

Following Arendt’s predilection for examples, I shall turn to the case of Rwanda and explore how these concepts might play out in practice. Arendt was clear that genocide could be allowed no place in politics because the nature of the crime was to annihilate a ‘unique view of the world’ by eliminating an entire people. Given that Arendt identified political life with plurality, genocide is ‘an attack upon human diversity as such’ (Arendt 1994, 269).

Between 6 April and 19 July 1994 approximately 800,000 Tutsis and politically moderate Hutus were killed in a genocide organised by Hutu extremists. At the outset, the United Nations had 2,500 (mostly ill-equipped) troops on the ground. Rather than try and stop the killings, the Security Council’s response was to withdraw its peacekeepers, reducing UNAMIR to 270 troops on April 21 (United Nations Security Council Resolution 912) and to refuse protection for Rwandan civilians, after which time the genocide intensified. The Security Council established UNAMIR (United Nations Assistance Mission for Rwanda) in October 1993 to oversee the Arusha Accords, which ended the civil war between the Rwandan Patriotic Front and the Rwandan government. Instead of a peace process, however, UNAMIR I, led by General Romeo Dallaire, was faced with an increasingly dangerous situation. Even prior to 6 April 1994, UNAMIR was faced with threats to peacekeepers and politicians, civilian killings, and a clear threat to the Arusha process. Following the assassination of President Habyarimana of Rwanda on 6 April, full-scale violence broke out, orchestrated and implemented primarily by Hutu government forces and militias (Melvern 2000, 44-5; Melvern 2004; Kuperman 2001, 39).
The majority of those who have written on the genocide have acknowledged that there were strong indications early on both that large-scale and targeted violence was imminent prior to 6 April and then that systematic genocide was occurring (Power 2002; Dallaire 2003; Prunier 1995; Barnett 2002). The attitudes towards Rwanda emanating from Western capitals are well documented. Samantha Power cites James Woods of the US Defense Department’s African Affairs Bureau whose bosses, when he suggested that Rwanda-Burundi be added to the list of potential trouble spots responded: “Look, if something happens in Rwanda-Burundi, we don’t care. Take it off the list. U.S. national interest is not involved and we can’t put all these silly humanitarian issues on lists....Just make it go away” (Power 2002, 342). This approach was reflected both in the stringent conditions limiting US support or involvement abroad articulated in the Presidential Decision Directive (PDD-25) and the reluctance prevalent among politicians and government officials both at home and in the Security Council to use the word ‘genocide’ in case it committed them to action under the 1948 Genocide Convention (Power 2002, 359; Barnett 2002).

The interpretations most often encountered concerning the events of the Rwandan genocide and the failure of the international community to respond effectively are twofold. It is frequently presented as the story of a lack of political will by member states, particularly by the great powers, thus handicapping the UN. There was no compelling argument concerning a threat to national interest or international peace and security to motivate states to act and the lack of political will led to a reluctance to supply the troops and support for either UNAMIR I or the expanded mission, UNAMIR II, mandated on 17 May 1994. (see Report of the Independent Inquiry 1999, Part Ia; Piiparinen 2009, 88-91). Alternatively, another tendency is what could be called methodological individualism, whereby isolated individuals such as officials of the UN Secretariat are identified as having failed and therefore carrying the brunt of the blame (Piiparinen 1999, 82-3). What follows is an attempt to offer a more nuanced, multi-faceted story of how the Rwandan genocide met with the response it did. It is not sufficient to either blame the institution or its officials for failure or to only blame the paucity of political will among member states; rather, we need to have an understanding of the interaction between
processes, bureaucratic structures and agents. Whilst the actions of Kofi Annan, head of DPKO, and Iqbal Riza, assistant secretary-general at DPKO, for example, may be understood in the context of being embedded in bureaucratic process and rules, this does not absolve them of responsibility for their actions. Similarly, the lack of political will in the Security Council also needs to be understood in the context of the discursive framing of the conflict in Rwanda as a civil war rather than genocide by the Secretariat and other actors.

**Bureaucratic culture and the United Nations**

Barnett’s and Finnemore’s (2004) critique of UN peacekeeping rules in the context of the genocide in Rwanda can be interpreted as a contemporary example of the need for Arendt’s notion of reflective judgement and an ability to think for oneself (Arendt 2003, 26, 44-5). They argue that the representation of violence by the Secretariat and the DPKO as renewed civil war between the Rwandese Patriotic Front (RPF) and the Rwandan Armed Forces rather than genocide was central to determining the response it was met with. This judgement of the violence as civil war emerged out of a misplaced adherence to the rules of bureaucracy and peacekeeping over an attempt to understand the dual nature of the violence – both as a civil war and as organised, genocidal violence. Barnett and Finnemore identify this as pathological, in other words, ‘behavior generated by the internal organizational culture that violates the self-understood core goals of the organization’ (2004, 38). Just as American politicians during Vietnam ignored facts which did not fit their ‘theory’, so were officials within the UN unable, or unwilling, to perceive the violence in Rwanda as anything other than civil war until it was too late, despite the evidence available to the contrary. The reports coming from Boutros-Ghali’s office referred to “chaos” on the ground, the immediate threat to peacekeepers and ongoing attempts to secure a ceasefire. This information helped to orient the attention of the Member States away from the dual nature of the violence and to reinforce the focus on the civil war.

Like all big organisations, the UN has developed a bureaucratic culture which shapes what constitutes appropriate behaviour, norms and goals (Barnett 2002, 7).
The UN’s view of Rwanda corresponded to the organisational script for such conflicts. By portraying ethnic violence as intrinsic to the nature of the civil war and as reflective of Rwanda’s turbulent history (Piiparinen 2009, 76-7), it became possible to overlook the considerable amount of information and intelligence which clearly indicated that the violence was highly organised and deliberate, indicated plans for genocide and identified the key actors responsible, thus paving the way for political alternatives, including lawful intervention by the Security Council (Dallaire 2003; Power 2002; Barnett 2002).

Barnett and Finnemore highlight the key role that particular individuals of UN staff such as the Secretary-General and the head of DPKO, Annan, played. Considered to have expert and moral authority, Secretary-General Boutros-Ghali could have used that authority to make the case for intervention, particularly since the Security Council was seeking advice and recommendations from the Secretariat on the potential efficacy of intervention (Piiparinen 2009, 96). Instead, the information passed to the Security Council by the Secretariat was incomplete and failed to accurately represent the evidence being transmitted by UNAMIR, instead reinforcing the perception of chaos and civil war (Barnett 2002, 108-111; Melvern 2000, 153; Melvern 2004, 89). This was to include the so-called ‘genocide fax’ sent by Dallaire on 11 January 1994 to the DPKO detailing information offered by a Hutu informant – who was a high-level trainer in the *Interahamwe* militia - concerning the presence of arms caches, the registration of all Tutsi and the intentions of the militia to exterminate Tutsi. The DPKO informed neither the Council nor the Secretary-General of the existence of this cable. As Piiparinen argues, ‘the bureaucratic culture in DPKO determined that the cable be processed as nothing more than an operational report concerning UNAMIR’s activity; in terms of UN procedures, the fax had nothing to do with early warning or the detection of genocide’ (2009, 128). Thus the perception, selection and presentation of intelligence were crucial to the framing of the conflict and to shaping the response it was met with. These actions can partly be explained by the DPKO’s interpretation of the mandate and the conflict through the restrictive rules of peacekeeping (Barnett and Finnemore 2004, 142) which, in turn, can be partially explained by recent peacekeeping experiences in Somalia.

Arendt’s discussion of the gap between the information provided by the intelligence
services during the US war in Vietnam and the actions of the ‘problem-solvers’ in government, along with ‘their disdain for facts’, offers us some parallels with the Rwandan case and the UN (Arendt 1973, 24).

Dallaire provides a number of examples where the bureaucratic procedures of the DPKO dictated his own actions, severely hampered or prevented the supply of military, logistic and humanitarian provisions to UNAMIR. In addition, they impeded changes to UNAMIR’s mandate to allow it to respond effectively to the changing circumstances on the ground despite the information concerning the increasing violence provided by the mission (Dallaire 2003, 131, 182, 306). Notably, in early January Annan and Riza prevented Dallaire from carrying out raids on secret weapons caches within the supposedly weapons-secure sector of Kigali. Whilst Dallaire interpreted the mandate to permit this action, the DPKO disagreed, despite the information that these were weapons to be used in the planned violence against Tutsis.

Cautious parallels can be drawn with Arendt’s reflections on Nazi bureaucracy as well as her criticism of the US bureaucracy during Vietnam. For Arendt, the role of bureaucracy becomes an environment whereby individuals lose their ability to judge, to tell right from wrong. They act in accordance with the law, but the law has turned norms and conventional morality upside down. The case of Rwanda is clearly far less extreme than Arendt’s notion of bureaucracy and we must resist pushing this parallel too far because of the implications it has for individual agency and institutional responsibility. It is not possible to comment on the capacity of actors within the UN to judge in the same way as Arendt does when she accuses Eichmann of failing to judge at all. It is one thing to say that Eichmann lost the capacity to tell right from wrong. To say that this applies to the UN is to miss the point: the UN believed that they were acting ethically as Barnett indicates. However, they had lost the capacity for reflective judgement and could not, therefore, think beyond the traditional norms of peacekeeping when the genocide began.

Arendt’s criticism of bureaucracy is relevant in different ways for critiquing the processes of the UN. When later asked, for example, why a representative of the ‘interim government’ (the legitimacy of the government and its presence in the Security Council was contested by the RPF) was allowed to sit as Rwanda’s
ambassador in the Security Council throughout the duration of the genocide, David Hannay, the UK’s ambassador to the UN would reply that ‘there was no procedure for getting rid of him’ (Melvern 2000, 199). The implication of the Rwandan presence in the Security Council was that he, and therefore the interim government responsible for the genocide, was privy to the informal consultations and was aware of the reluctance to intervene further and the pressure coming from several of the permanent member states to withdraw UNAMIR completely. It has been argued that this played into the hands of the genocidaires.

Coming back to Arendt’s concern with over-reliance on conventional norms and morality, it was perceived by those in the UN that the ethical response was to remain within a particular interpretation of the Chapter VI mandate which privileged the protection of peacekeepers and the survival of the UN over the protection of civilians during genocide. The lack of reflective judgement which underpins Arendt’s critique is clearly at stake here.

Barnett and Finnemore attribute the UN’s response to Rwanda to a rule-oriented peacekeeping culture which had been badly affected by previous experiences in Somalia and Bosnia and was actively seeking to limit its involvement in conflict situations to those which met strict criteria of impartiality, consent, a stable cease-fire and the existence of a peace deal. While this position can be justified on humanitarian grounds if there is no will to act on the parts of the states which have the capacity to make a positive difference (Wheeler 2000), it cannot evade the moral dilemma which ensues. Early peacekeeping efforts led to the development of second-generation peacekeeping operations with the support of key states in the Security Council. Confronted by drastic failures in Somalia and Bosnia, the Secretary-General lacked the authority to continue down this path as states were not providing the resources and support necessary for a growing agenda of intervention and conflict management. In other words, returning to the ‘organizations’ original rules of peacekeeping in limited, consensual circumstances protected the UN’s credibility and ensured its survival’ (Barnett and Finnemore 2004, 154).

Survival became a theme that was to animate those in the UN bureaucracy and to underpin a perception of their inaction during Rwanda as legitimate. Already
by 1993, officials were concerned that setbacks were being used by great powers to limit the role of the UN. This in part led to the revival of a classic interpretation of peacekeeping as requiring consent, impartiality and neutrality. The adoption of a set of rules which restricted the UN’s responsibility to act also ‘constricted the UN duty to aid […] UN staff were largely supportive of this constriction, for they lived in constant fear that any more perceived failures would lead to the demise of the organization; reducing its exposure would increase its durability’ (Barnett 2003, 181). The UN had become as interested in its own security as it was in ensuring human security (Barnett 2003, 181). The insistence on adhering to the rules generated an ‘organizational culture where it was tolerable, even desirable, to disregard mass violations of human rights’ (Barnett and Finnemore 2004, 155).

Given that the decisions concerning Rwanda were being made against the backdrop not only of the events in Somalia, but also of Gorazde in Bosnia where peacekeepers had failed to protect civilians, the frames of reference on which the actors drew to form their judgements become clearer. Arendt might have suggested that given the scale and nature of the killings, the Holocaust would have been a more appropriate examplar or frame to guide our judgement than either Somalia or Bosnia. This raises the question whether the most appropriate exemplar is always available to the actor, or whether this is more accessible to the judgement of the spectator.

Barnett and Finnemore argue that the conclusion that peacekeeping was not an appropriate response and the subsequent failure to intervene despite the evidence that the violence was organised, systematic and deliberate can be explained by arguments made by organizational theorists who suggest that ‘those in organizations tend to use the available scripts and rules to interpret information, and that past understandings generate a “systematic bias in favour of information consistent with information that we have already assimilated”’(Barnett and Finnemore 2004, 148). Ferrara relates this argument back to judgement when he writes: ‘In evaluating action, good judgement depends on knowing as much as possible about the two contexts within which the exemplary and the given actions acquire their meaning. Poor judgement is based on applying received stereotypes to stereotyped reading of doings’ (2008, 53). Ferrara indicates that judgement is tied to
the interpretation of action and therefore, ‘good judgement is linked with the question concerning which interpretation is better’ (2008, 53). This is relevant for an analysis of Rwanda where competing interpretations of actions concerning the nature of the violence (as civil war or genocide) and the best way to address it were available (UN documents).

A source which challenged the lens of civil war and peacekeeping through which Rwanda was perceived yet failed to influence debate within the UN in 1994 was the report carried out by Mr Ndiaye, Special Rapporteur for the Commission on Human Rights, published in August 1993, which identified a number of elements which would become central to the genocide in 1994. These included the hate propaganda broadcast by radio, the presence and actions of armed militia with political connections to the government and extremist parties, and the deliberate targeting of Tutsis by militia and Government forces. The report did not shy away from recognising the applicability of the Genocide Convention to its findings.

Additionally, on 17 April 1994, Dallaire sent a detailed cable to the Secretariat, setting out the nature of the killing, the inadequacy of UNAMIR’s mandate and the urgent need to stop the killings and protect civilians. Neither the report, Dallaire’s cables nor the information offered by the RPF in letters addressed to individuals within the UN at least as early as January 1994 which indicated that the violence was not a result of the civil war or ethnic conflict, but was targeting Tutsis with the intent to exterminate (RPF 6 January, 26 April, 30 April 1994) were discussed in the Security Council during the first few weeks of April. Ferrara’s conception of judgement suggests that the absence of such information meant that actors were not well placed to form good judgements.

To apply Arendt’s concern about the role of bureaucracy and its influence on the thinking processes of actors – ‘to make functionaries of men, mere cogs in the administrative machinery’ (Arendt 2003, 58) - to agents within the UN system would be inappropriate: the UN was not and is not the same kind of totalizing institution that Arendt identified in Nazism and the decisions over Rwanda were difficult and were contested by a range of actors. However, as has been shown, the bureaucratic processes nevertheless shaped and gave meaning to the knowledge and ethical
attitudes of its civil servants. This is not intended to serve as an excuse for individuals or collective actors, but rather as a partial and contextual explanation.

From Actor to Spectator

In 1993-4, Michael Barnett was on leave from academia, working as a political officer at the U.S. Mission to the United Nations, assigned first to Somalia, and then to African operations. At the time of the Rwandan genocide, he opposed intervention, believing, like many others, that the UN was likely to meet with failure on the ground; failure which would impact significantly upon the credibility of the organisation. Barnett writes: ‘I can pinpoint the exact moment when I began to reconsider the moral metric that I had been using to justify the UN’s actions’ (2002, x). He started to wonder why there had not been more substantive discussion concerning the possibility of an intervention. He began to ask himself how it was that ignoring such crimes against humanity could have been considered ethical by those involved at the time.

While I earlier raised the issue of whether the most appropriate exemplar is open to the political actor, or whether this is more accessible to the spectator, there is more to be said on this in relation to the demands of reflective judgement as articulated by Arendt. Reflective judgement, Arendt argues, calls for us to represent to ourselves the perspectives of others. The picture of self-absorption by those in the UN suggests that the ‘representative thinking’ or ‘enlarged mentality’ intrinsic to judgement was not present in the minds of many of those involved in the decision-making process. Instead of considering the standpoint of others (i.e. Rwandans) and exercising the faculties of imagination and disinterestedness, with few exceptions such as Nigeria, New Zealand and the Czech Republic, it was the rules and norms of a particular interpretation of peacekeeping (and self-interest) which guided the actions of Member States and the Secretariat. In other words, the particular understanding of Rwanda became subsumed under the norms and rules of peacekeeping as it was then defined. The lack of reflective judgement also meant that the relevant exemplar was excluded from consideration.
One such exception was the draft resolution proposed by Nigeria on 13 April in private, informal consultations, but which was never tabled publicly in the Security Council. It suggested that UNAMIR 1 be allowed to ‘enforce public order and the rule of law and create temporary state institutions’ (Melvern 2000, 159). Ibrahim Gambari, Nigeria’s ambassador, emphasised the need to protect the thousands of civilians sheltering under UN protection and requested reinforcements.

Barnett’s own journey and those of others such as Colin Keating, then New Zealand’s Permanent Representative to the UN and Security Council President in April 1994, reveals the journey from their judgements qua political actor to their, more reflective, judgements qua spectator (Barnett 2002; Keating 1996). Judgement by the spectator, for Arendt, was intended to recover meaning from the past and to reconcile us to what has happened. This retrospective faculty emerges from a consideration of the way in which spectators tend to pass judgement on the actors, such as the UN, involved at the time. Here it may help to understand how we pass judgement as spectators of the UN by briefly considering the nature of the moral agency and responsibility of institutions. Toni Erskine argues that it is possible to conceive of the UN as a moral agent, albeit one which operates under constraints which may limit its capacity to carry blame or responsibility. In other words, there are some duties which it cannot carry out either because of internal conditions such as structural constraints on the effective transfer of information between its organs, or because of external conditions which means that member states, the constituent parts of the UN, refuse to supply the UN with the necessary resources and material support (Erskine 2004, 37-8). It is fair to say that both of these conditions affected the UN’s ability to carry out its duties. Few of the non-permanent member states of the Security Council had their own sources of intelligence about events in Rwanda. They were reliant on the reports prepared by the Secretariat. It has been well documented, including admissions from Riza, that critical information available to the Secretariat was not passed to the Security Council (Melvern 2000). Keating, then President of the Security Council, later argued that the ‘situation was much more dangerous than was ever presented to the Council’, and ‘with better information, the council might have proceeded quite differently’ (Melvern 2000, 112). In
addition, reluctance of member states to provide troops or equipment for UNAMIR I or II has led many to identify such external conditions as the focus of blame.

Erskine develops the argument, however, that there is, perhaps, also a duty to address particular acts of omission caused by such institutional failings. In other words, the failings of institutional processes should not be used as an excuse for failing to act by individuals or other agents such as member states. Erskine concludes:

While blame can, and perhaps should, be distributed between the members of the collectivity – both for individual acts of omission when they were capable of acting and for failing to establish or empower a collective body when they were not – this does not mean that the United Nations as an institution escapes all blame. The fact that an association already exists – and that this association possesses (perhaps imperfect but nevertheless discernible) capacities for deliberation and action – reveals another viable bearer of retrospective responsibility (2004, 40).

Identifying multiple levels of responsibility as Erskine suggests, is precisely what Barnett’s work, Keating’s reflections and the Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda (1999) do (see Walzer 1992, 287-96). The report concludes that the ‘responsibility for the failings of the United Nations to prevent and stop and genocide in Rwanda lies with a number of different actors, in particular the Secretary-General, the Secretariat, the Security Council, UNAMIR and the broader membership of the United Nations’ (1999, Part II). Barnett’s work is also careful to identify what could reasonably be expected to have been known and by whom, thus locating responsibility for both actions and inaction (i.e. failure to act when actors might reasonably have been expected to do so, given their roles in international society and the information available to them). As representative thinking can only, according to Arendt, be done in the public sphere in the company of others where opinions can be changed, the standpoints of others considered, and judgements formed, then the individual possession of substantial intelligence by member states such as Belgium (Melvern
2004, 84, 117) and France (Kroslak 2007) and the DPKO which was not fully shared or openly discussed with the Security Council could be considered an impediment to forming good judgement.

When placed in the context of judgement by the spectator, it is possible to discern grounds on which we can locate responsibility beyond that which simply focuses on either member states and the absence of political will or national interest, or the UN as an institution. Indeed the independent inquiry was careful to allocate responsibility for specific actions and omissions among all agents. Coupled with Barnett and Finnemore’s critique of the role of peacekeeping, this concern for ‘retrospective understanding’ offers a more nuanced account of the particular context in which we engage our judgement as spectators. Such a perspective demonstrates both judgement and understanding. In other words, in the context of Rwanda, it enables an answer to the question Arendt asked of the spectator: ‘how should we judge the ‘meaning of Eichmann from a vantage point temporally and spatially removed from the events in question’ (Arendt 1982, 100)?

**Conclusion**

Human rights tend to gain importance in times of crisis. If this is indeed the case, and Arendt is right, ‘then the person who says ‘I cannot’ will be far more reliable than the person who refers to a set of norms and decides whether he or she ought to do something or not’ (Parekh 2008, 185). The point Arendt makes is that the measures we use can and do change – Arendt’s analysis of Nazism is indicative of the, albeit extreme, way in which immoral actions became legal. Rwanda offers a less extreme example, but nonetheless demonstrated how an organisation charged with maintaining peace and security, humanitarianism and the protection of human rights, privileged a particular interpretation of peacekeeping rules (impartiality and consent trumped the protection of civilians or a concept of peace enforcement) in a situation where to do so contravened their own self-professed goals. This is not to suggest that individual agents were no longer able to recognise right from wrong, but that institutional rules and processes led to the ‘wrong’ outcome. Barnett makes this point clearly:
The UN decisions that led it to be a virtual bystander to genocide did not come to pass because it had lost its ethical scruples. It believed that by standing aside, it was doing the right thing. The rule-driven morality of the United Nations, argumentatively put, had driven out the private morality of those in New York, leading them to adopt an ethical position that made turning away from crimes against humanity not merely pragmatic but also principled. The rules of peacekeeping had reconstructed the moral compass, pointing the needle north towards New York and away from Kigali (Barnett 2003, 188).

In times of crisis, therefore, we cannot always judge by established conventions and rules and, instead, need to rely on our conscience and ability to judge reflexively. Both the role played by bureaucratic culture and the notion of ‘unthinkingness’, or the conformity to traditional peacekeeping norms, within the UN can be read as forming a critique of the judgement of political actors in the context of Rwanda.

Arendt did not write about genocide in an age of debate over humanitarian intervention and we cannot know what she would have thought of these questions. However, given her belief in the unique nature of genocide and its relationship to the plurality and diversity intrinsic to the ‘political’, it is not implausible to speculate that she would have been critical of those who failed to exercise reflective judgement to find political alternatives to prevent genocide (see Owens 2007).

Arendt believed that men and women’s reasoning faculties would only flourish in a dialogic or communicative environment and in the public sphere. The representative thinking located in the public realm intrinsic to Arendt’s reflective judgement offer a sensitive means with which to look for contextual moral judgement without abandoning all universal grounds when faced with claims of necessity. It calls on us to understand the particulars of a case: ‘The general rule of generosity – to help those in need – does not aid here, for the issue is whether this particular situation is one in which this rule leads to a moral claim upon me’ (Benhabib 1992, 128). To return to the language of international relations, it suggests that the general rules or principles of non-intervention or peacekeeping do not necessarily provide us with the right answer; we must look to the particulars of
each case in order to judge what our duty is and what our actions should be. In this sense, bringing reflective judgment to bear on international politics offers emancipatory potential for political actors; the possibility of moving beyond constraints such as bureaucratic structures and processes or conventional norms and principles. In Rwanda, this might have meant supporting Dallaire’s ‘halfway-house’ plan for civilian protection and deterrence rather than the rule-driven options of either peacekeeping or peace-enforcement (Piiparinen 2009, 154-5).

Arendt’s representative thinking, her insistence on intersubjectivity and her argument that judgement’s validity cannot extend to those whose perspectives have been excluded offer conceptual critiques of the actions and omissions that took place in the case of Rwanda. The dual perspective of judgement by the actor and spectator offers an understanding of how to engage in political action and a means to interpret and come to terms with the tragic events which have happened in the past. Furthermore, Arendt’s concern that external standards or laws threaten to become a source of unthinkingness and an excuse not to judge for ourselves is both a welcome challenge to institutionalised forms of international law and decision-making and a caution not to tie the knot too tightly between law and morality.
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References


Berlin, I. 1999. The First and The Last, London: Granta


*Letter from the RPF to the President of the Security Council, 6 January 1994*, The Linda Melvern Rwanda Genocide Archive, Aberystwyth University

*Letter from the RPF written to Colin Keating, President of the UN Security Council, 26 April 1994*, The Linda Melvern Rwanda Genocide Archive, Aberystwyth University

*Statement by the Political Bureau of the Rwandese Patriotic Front on the Proposed Deployment of a UN Intervention Force in Rwanda, April 30, 1994*, The Linda Melvern Rwanda Genocide Archive, Aberystwyth University

*UNAMIR cable from Dallaire to Baril (NY), 17 April 1994*, The Linda Melvern Rwanda Genocide Archive, Aberystwyth University