

**American Exceptionalism and United Nations Institutional Challenges in
Realizing the Responsibility to Protect**

International Studies 491 Independent Study

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Abstract: The fall of the Soviet Union has created complex intranational security conflicts previously unforeseen to the United Nations (UN), challenging the institution's efficacy and complicating the United States' (US) role within the body. As the US continues to oscillate between a leader in international interventions and a removed state that prioritizes its own national security interests, its selectivity has formed a policy of exceptionalism within the United Nations. Throughout the most recent humanitarian conflicts, the US has selectively chosen the UN missions in which it involves itself, otherwise circumventing the Security Council (UNSC) to unilaterally interfere and/or aligning itself with alternative coalitions of the willing to retain the option rather than obligation to intervene. Most importantly, it has directly blocked multilateral negotiations over the Responsibility to Protect (RtoP) (a norm that would codify shared standards under which international intervention is permissible) further complicating the potential for cooperation in crisis. Yet the UN is similarly unequipped to enforce RtoP, as certain institutional barriers such as weak mandates, insufficient communication, and the UNSC unanimity rule impede its ability to enforce and administer peacekeeping operations. Thus, this article argues that both American exceptionalism and institutional UN obstacles hinder the implementation of RtoP, while also reaffirming the norm's benefits.

I. Introduction

Since the fall of the Soviet Union in 1989, the American relationship with the United Nations has changed significantly.¹ With a previously quiet UNSC due to an absent Russia and China, the United States was able to pursue its own security interests as the UN largely avoided peacekeeping operations during the Cold War.² However the break up of the Soviet Union no longer permitted the US to pursue its own security priorities unchallenged.³ The trend towards *intranational* rather than international conflicts posed by Post-Soviet and African states called for an increased multilateral military commitment from the international community, as well as challenged

preconceptions of national sovereignty with an increasing emphasis on the rights of individuals.⁴ These trends would eventually cause the international community to propose the Responsibility to Protect, a norm that would codify international standards for intervention in extreme conditions based on the responsibility of the international community to protect individuals in humanitarian crises.⁵

Although the US initially led peacekeeping operations following 1989 to assert its influence on the world stage, the televised dragging of murdered US peacekeepers in Mogadishu, Somalia caused the US to withdraw from international crises and criticize the UN's authority and efficacy.⁶ The United States has since selectively decided whether or not to intervene in similar crises according to its national interest.⁷ While this trend alone does not indicate exceptionalism, its role in circumventing the United Nations, the supposed premier international authority for overseeing humanitarian security, suggests otherwise.⁸

By using other coalitions of the willing, avoiding or ignoring the Security Council before acting, or thwarting negotiations that would codify RtoP, the United States has acted as a leading exceptional member state within the larger United Nations, thus undermining the body's authority.⁹ Part of this exceptionalist rationale is the notion that the US should retain the *option* to intervene in international crises based on their own national interests rather than be *obligated* to intervene under shared conditions.¹⁰

However, also underlying this rationale is that the UN oftentimes lacks the institutional means to successfully enforce peacekeeping missions. Specifically, the UNSC's unanimity rule, insufficiently weak peacekeeping mandates, and miscommunication between departments lack the organization and means to intervene as

effectively as the US.¹¹ Therefore, while the US acts exceptionally as a UN member state, thereby undermining the body's authority, the UNSC's incomplete ability to oversee and support international intervention has oftentimes necessitated that the US circumvent the body's authority to more accurately and forcefully address humanitarian crises.¹² Thus, the inability to cooperate on international intervention is not merely due to American exceptionalism, but equally due to the UN's inability to independently enforce peacekeeping.

This defective relationship has similarly characterized the approach to RtoP. Initially proposed in 2005 in the World Summit Outcome Document, the language insinuates that the international community has a responsibility to protect individual victims of extreme humanitarian conflicts such as genocide in the event their home state is unable to do so.¹³ Ironically, such standards could limit rather than expanded American commitments abroad by creating narrow conditions for intervention and increasing burden sharing, thus serving rather than threatening US interests.¹⁴ Meanwhile, with a shared commitment to eradicating the most severe humanitarian emergencies, RtoP improves the probability of success and would restore the UN's role as the leading international authority.¹⁵ Thus, despite the US and UN's inability to codify RtoP, it remains a promising and even beneficial tool for both actors in mitigating crises.

II. Case Studies

Recent humanitarian crises in Bosnia-Herzegovina, Rwanda, Darfur, Iraq, and Kosovo have characterized the US/UN relationship with respect to international intervention; thus, this article will use these examples to demonstrate the major trends

that affect RtoP codification as well as the US/UN dynamic. Throughout these conflicts, the UN's role has remained more or less the same; expressing a desire to expand its peacekeeping operations, although institutional boundaries and restrained force have resulted in only moderate successes.¹⁶ Meanwhile, the US role has changed, choosing either to remove itself or to lead operations based on national interests, oftentimes circumventing the UN to carry out its personal goals.¹⁷ Therefore, these case studies are separated by cases of US non-intervention (Bosnia, Rwanda, and Darfur) and US intervention (Kosovo and Iraq) not only to demonstrate U.S. selectivity and exceptionalism, but also to illustrate US effectiveness compared to UN ineptitude in the absence of greater cooperation.

Non-intervention

Bosnia

Immediately following the breakup of the Eastern Block, the US, NATO, and the UN were faced with the threat of ethnic cleansing in former Yugoslavia.¹⁸ Although Eastern Europe was a historic ally of the US and the UN and its success was vital to prevent against the region's potential reversion to tyranny, both parties were cautious to commit themselves abroad for the risk to American soldiers and an unwillingness to alter the UN's neutrality.¹⁹ Illustrated by the attack on the UN stronghold of Srebrenica, Bosnia represents the first of many cases of US non-intervention characterized by UN institutional challenges and US exceptionalism.

In April of 1992, Bosnian-Serb forces began a campaign to ethnically cleanse non-Serbian and Muslim peoples from the country using brutally repressive tactics.²⁰ The

previously created United Nations Protection Force (UNPROFOR) was merely mandated to monitor zones of separation, escort humanitarian aid, and protect safe areas rather than defend rural towns where ethnic violence was ensuing.²¹ Furthermore, UNPROFOR's majority Dutch peacekeepers were lightly armed due to limited training time, adherence to the UN defensive peacekeeping principles, and to demonstrate that weapons would only be used in self-defense rather than provocation.²² Previous discussions show the US and other allies favored a more bolstered force, yet European member states feared the risk to their forces given previously weak mandates and US noncooperation, prompting the UN to defect to its traditional role of minimally armed neutrality.²³ Although the peacekeeping force was ultimately more present than in the later case of Rwanda, a surprise attack on the UN safe area of Srebrenica in mid 1995 was met without UN resistance based on a logistical inability to protect the stronghold UN Commander Philippe Morillon's decision to adhere to UN neutrality.²⁴ However, both the UNSC and the Secretariat were informed previously of a similar attack two months before at Tuzla, where Scandinavian troops under the same broad mandate were able to successfully defend the safe zone.²⁵ This sect of peacekeepers (NORDBATT), however, had at their disposal powerful military weapons, which they negotiated for prior to agreeing to join the peacekeeping operation, significantly increasing their ability to protect the area.²⁶ UNPROFOR's comparative failure to defend the town and uphold the mandate resulted in the killing of 8,000 Muslim boys and men.²⁷ Amidst the committed atrocities, the operation highlighted the UN's ineffectiveness as an international peacekeeping authority, insufficiently weak mandates, and further enabled Bosnian-Serbs to pursue practices of ethnic cleansing despite the UN's presence.²⁸

Srebrenica's failure acted as an alarm to the larger international community, especially the United States. The news of the Srebrenica massacre damaged American defense credibility and swung public opinion to promote intervention abroad. Outrage at the event thus prompted the US to the table, leading to the eventually successful NATO bombing campaign, and later, the Dayton Accords.²⁹ However, continuous reluctance to deploy American troops to the area, a delayed reaction only after its credibility was damaged abroad, and eventual deference to NATO rather than the UN nonetheless represented an the US's exceptional desire to remove itself from the conflict as well as involve itself only for national interests.³⁰ When US and NATO allies reengaged in UNSC discussions on how to bolster UNPROFOR's strength, they concluded that force the only leverage left able to deter additional violence and coerce Bosnian-Serbs into a diplomatic solution.³¹ Yet President Clinton still resisted American boots on the ground and instead supported lifting UNPROFOR altogether.³² Although Clinton later changed his mind when it was later revealed that 25,000 US troops would need to replace the force, the US chose to forego any consensus with the UN on shared peacekeeping forces, instead deferring to NATO where it had the option for more direction and fewer committed American troops.³³³⁴ Yet the US was eventually able to conduct a strategy that proposed a division of entities for the region with the threat of the US/NATO combined airstrikes and ground forces as well as additional arms to Muslim peoples as an incentive for Serbian acceptance.³⁵ The resulting bombing campaign successfully coerced Serbian officials towards the Dayton Accords and utilized UN peacekeepers as IFOR implementation officers.³⁶

Thus, although American intervention was cause for an eventually successful diplomatic solution, it was also marked by a US desire to exceptionally direct peacekeeping operations, limited military commitment until a heightened American presence was rendered necessary, and an overall slow response until public outrage finally coerced the US towards intervention.³⁷ At the same time, insufficiently weak mandates and poorly armed UN peacekeeping forces enabled the continuation of genocide on UN safe zones, nearly necessitating outside intervention for a successful solution.³⁸ Thus, the Bosnian genocide, characterized by the assault on Srebrenica, was both an instance of UN institutional ineptitude as well as American exceptionalism.

Rwanda

Rwanda is possibly the most infamous example of the failure to prevent genocide, resulting in over 800,000 Tutsi-minorities killed in only 100 days since the removal of UN forces and US reluctance to deploy troops.³⁹ Although many steps have been made by the US and the UN to prevent such inaction in later crises, the decisions and instruments that permitted the humanitarian crisis in Rwanda demonstrate a basis for the larger narrative of US exceptionalism and UN institutional barriers to action.

Nearly a year prior to the outbreak of genocide in the country, warnings of genocide reached the UN via the special-rapporteur on extra-judicial executions and foreign diplomats.⁴⁰ However, rather than treat the reports seriously, the UN interpreted the threat of violence as the unfortunate yet characteristically tense conditions under which peacekeeping is implemented.⁴¹ The body was insistent on maintaining peace under the 1993 Arusha Accords, a treaty that ended a three-year civil war between the

Hutu-majority Rwandan Government and the Tutsi minority Rwandan Patriotic Front.⁴² Thus, the UN saw its role in the process as a non-militant enforcer that would be able to oversee the ceasefire via a small and lightly armed international peacekeeping force (the UN Assistance Mission for Rwanda, or UNAMIR).⁴³

When the violence erupted again as Hutu militias began executing Tutsi minorities, the body failed to embolden UNAMIR's mandate despite its calls for heightened defense and forces.⁴⁴ The existing mandate remained and no further options were put forward by the UNSC, limiting UNAMIR's responsibilities to monitoring observance of the ceasefire agreement and the security situation, investigating alleged non-compliance with the provisions of the Arusha Accords, and assisting in the coordination of humanitarian assistance.⁴⁵ Unable to take measures for self-defense or prevent violence, peacekeepers merely emboldened the Hutu-dominated government to continue acts of genocide as they were met with virtually no opposition.⁴⁶

Furthermore, at the onset of genocide when 10 Belgian peacekeepers were captured and killed, member countries aggressively campaigned for retreat given the UN's refusal to strengthen the mandate amidst the increasing risk.⁴⁷ Rather than discussing bolstering the mandate or combining forces with more member countries such as the US, the UNSC approved of UNAMIR's withdrawal, leaving the Hutu government's acts of genocide unchallenged.⁴⁸ Decisions to launch another peacekeeping force during the genocide were unsuccessful until the conflict's end, where UNAMIR II was only permitted to assist in the settlement of refugees in surrounding countries rather than quell the residual violence within Rwanda's borders.⁴⁹ Thus, the UN was both aware and capable of acting on credible reports of genocide in the region, yet because the

UNSC viewed the conflict as maintaining a ceasefire rather than genocide, the discussion of combining troops and bolstering UNAMIR's weak mandate was never taken seriously.

However the UN's inaction were not unshared. The United States equally downplayed the conflict and impeded intervention based on their reluctance to deploy troops abroad. Following the Somalian peacekeeping mission where US soldiers were killed and publicly dragged through Mogadishu, public outrage and doubts of Rwanda's importance to the US made the Clinton Administration averse to UN peacekeeping missions and disinclined to commit American troops internationally.⁵⁰ Also similar to the UN response, State Department elites and Pentagon reports characterized the conflict as political versus genocidal, despite reports from the State Department's Africa Bureau recognizing the endemic as ethnic violence.⁵¹ Furthermore, Pentagon officials strongly opposed intervention, advising President Clinton to support the withdrawal of UNAMIR forces and remain uninvolved given the US's history in Bosnia and Somalia and the country's other existing operations.⁵² The disagreement between State Department officials only strengthened the Pentagon's arguing position, leading the already cautious Clinton administration to follow its new hands-off peacekeeping policy.⁵³

Following Somalia, Presidential Decision Directive 25 issued rigid conditions for US support for future peacekeeping operations, such as that its participation in UN missions must be in response to international peace and security, advance American interests at an acceptable risk, retain adequate command and control procedures, and have an exit strategy in place.⁵⁴ The directive only strengthened the US's ability to oppose UNAMIR expansion, particularly with American troops. It was not until the UN requested a renewed UNAMIR II mandate based on refugee humanitarian intervention

that the US reconsidered its support.⁵⁵ However, its distrust of the African Union's ability to execute successful peacekeeping operations and reluctance to commit its own troops lead to a still weakened mandate that prevented action within the country, limited US involvement to lending weapons to African peacekeepers, and restricted the use of force.⁵⁶ The final peacekeeping arrangement of UNAMIR II thus represented a mitigating rather than a preventative strategy.

Thus, both the UN and the US impeded progress on the prevention of genocide. The UN's insistence on a traditional rather than a bolstered mandate in what it viewed as a political rather than humanitarian conflict prevented the body from accurately interpreting numerous warnings about Rwanda's genocide and strengthening its peacekeeping forces to deter extreme violence. The State Department and Pentagon elites' distrust of the UN from previous missions and unwillingness to commit Americans abroad lead the Clinton Administration to act on its previous Directive, limiting American participation in UN operations to rigid conditions that met US national interests. Such exceptional demands were unmatched by other member states, despite similar sentiments of wariness across the UN.⁵⁷ The US's insistence on separate American standards unfortunately only further weakened the peacekeeping mission rather than created more effective conditions for intervention. However, the UN's mismanagement of previous conflicts and weak peacekeeping mandates disincentived all members, let alone the US, from participating in UNAMIR, virtually obliging the United States to circumvent the UN's standards to avoid substantial risk. Thus, as in Bosnia, nonintervention in Rwanda was similarly characterized by US exceptionalism and UN mismanagement.

Intervention

Kosovo

Following the slow response to genocide in Bosnia, the US decided to break from previous policy and successfully intervene in a similar threat in the neighboring former Yugoslavian state of Kosovo.⁵⁸ However, by excluding the UN in its decision to carry out airstrikes with NATO allies, the response to this conflict represents an exceptional rather than cooperative process. At the same time, the threat of a rejected UNSC resolution from China and Russia enabled the US unilaterally and prevented the UN from more effective involvement in the crisis.

When Serb forces began persecuting Kosovo's Albanian population, the US spearheaded a NATO bombing operation, describing the decision as one that protected thousands of innocent lives, prevented a wider war, and demonstrated a commitment to NATO as well as its allies.⁵⁹ Outlining US interests in a speech announcing the campaign, President Clinton described Eastern Europe as vital to the US' national security interests in the region and force as a necessary last response after exhausted diplomatic channels.⁶⁰ In stark contrast to the failure to prevent genocide in Bosnia, the US was motivated by its guilt of the former crisis to act quickly and strove to outline the national interests to its domestic constituents so as to avoid public discontent for American involvement in interventions abroad.⁶¹

While the NATO campaign attempted to gain authorization from the UNSC for military action abroad, Russia and China both indicated they would veto such a proposal.⁶² Unable to bear the responsibility of permitting another genocide abroad, the NATO coalition thus launched a campaign without UN approval, choosing to forego a

vote with the UNSC before its airstrikes.⁶³ While the bombings were ultimately successful in deterring the retreat of Serbian troops, eventually securing a diplomatic solution, and transferring power to the supervision of the United Nations, it nonetheless undermined United Nations credibility as the international authority on humanitarian intervention, especially in cooperation with a seemingly more willing and capable alternative coalition.⁶⁴ When contrasted with the US decision to unilaterally invade Iraq after a failed UNSC resolution, it is clear the US recognized the body's authority by allowing the vote to go through even if not abiding by it. In Kosovo, the United States failed to do either.⁶⁵ Therefore, although a UNSC vote was unlikely to permit a military solution, the United States nevertheless circumvented international law to successfully deter the crisis and only decided to act abroad after failing to prevent two other major humanitarian crises.⁶⁶ Thus, although successful, the US-led NATO bombings in Kosovo also represent a case of US exceptionalism based on national interest.

On the other hand, previous weak peacekeeping mandates and the prospect of an unsuccessful UNSC resolution made it nearly impossible for the US to cooperate with the UN framework and successfully prevent humanitarian atrocities. The unanimity rule within the permanent five members of the Security Council also inhibited the UN itself to effectively prevent in contrast to the larger NATO campaign, thus undermining its own ability to effectively intervene in humanitarian crises and by extension, its own credibility as the premier international authority. While then Secretary General Kofi Annan strongly condemned the US' role in circumventing the Council and regretted that the body was not involved in the decision making process, his speech also failed to suggest institutional policy proposals that would prevent the same potential for inaction from happening

again.⁶⁷ While it is highly unlikely the framework for the Security Council will ever be amended given that veto power is a source of cooperation between Western states and China and Russia, it nonetheless hinders the UN from properly bolstering its own peacekeeping forces let alone permitting the use of force by other coalitions. Thus, in the case of Kosovo, UN institutional challenges were equally to blame for noncooperation on humanitarian crises as was US exceptionalism.

III. Conclusion

Across the examples of US non-intervention (Bosnia, Rwanda, Darfur) and intervention (Kosovo, Iraq) in UN peacekeeping missions, it is evident that UN institutional barriers to action and US exceptionalism characterize the diplomatic relationship between the two actors. In cases of non-intervention, insufficiently weak peacekeeping mandates and an inability for self-defense render UN peacekeeping forces individually ineffective, oftentimes leaving the threat of genocide unchallenged.⁶⁸ Similarly, US distrust of the organization's management and unwillingness to commit troops abroad represents an exceptional desire of a member state to remain uninvolved in greater humanitarian conflicts.⁶⁹ In cases of US intervention, similarly weak peacekeeping mandates, a split security council, and prior failures to correctly interpret and defend against atrocities make the UN unable to deter humanitarian conflicts alone, undermining its credibility as the premier international authority on international intervention.⁷⁰ Such institutional challenges incentivize if not force the US to circumvent the body's authority in order to successfully intervene with more like-minded and able coalitions of the willing.⁷¹

Yet this sets a dangerous precedent. Without a larger international authority able to effectively prevent humanitarian atrocities, the success of global peacekeeping missions are more or less dependent on US cooperation. Although the US has taken active roles in the most recent humanitarian conflicts, as an exceptional actor that demands control and compliance with national interests before engaging abroad, US selectivity only guarantees the potential for atrocity prevention for certain, rather than all, humanitarian conflicts. Ironically, the codification of RtoP would prevent this scenario. The norm, rather than merely creating an obligation for intervention, creates narrow conditions exclusively under which peacekeeping operations are permissible as well as promotes burden sharing and cooperation given that it would be a collective norm with equal responsibility.⁷²

Unfortunately, barriers to action similar to the more broad US/UN relationship inhibit the norm from being codified. The US is unwilling to accept the premise of shared standards for intervention, as it believes it creates an obligation for intervention rather than its reserved option to intervene under national interests.⁷³ Additionally, the US more or less understands that its military capabilities along with NATO allies are the key to enforcing peacekeeping operations abroad and wants to refrain from over-commitment and the single responsibility of intervention.⁷⁴ In this case, UN institutional reforms that would render more effective alternate peacekeeping operations may coerce the US to increase its support for RtoP, as it would share the responsibility of intervention without damaging the chances for success.⁷⁵ Yet the institutional problems that hinder UN effectiveness, such as weak mandates from its role as a neutral body and unanimity on the UNSC are unlikely to be changed. While not sufficient for preventing atrocities,

neutrality allows the UN to operate in high-conflict areas that would otherwise be non-cooperative should the body take on a more militant role.⁷⁶ Furthermore, veto power is unlikely to be amended despite its impact as a stranglehold to action given the resistance of Russia and China. Therefore, while RtoP holds the potential to incentivize greater shared cooperation that would mitigate extensive US commitment or exceptionalism and bolster UN effectiveness, it is nonetheless these two factors that bar its ratification.

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