

NONVIOLENCE

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Unarmed Bodyguards to the Rescue? The Ethics of Nonviolent Intervention

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INTRODUCTION

In this chapter, I will consider an underappreciated means of preventing and tackling conflict, human rights abuses, and government oppression. This is “civilian peacekeeping,” the most notable method of which is “international protective accompaniment” by groups such as Peace Brigades International and Nonviolent Peaceforce. This comprises unarmed bodyguards protecting potentially threatened groups or individuals by deterring abuses, or if abuses occur, reporting them.

My aim in this chapter is straightforward: to defend civilian peacekeeping as a morally desirable part of a preventive and reactive toolkit for tackling human rights abuses, including mass atrocities. This is, in large part, because it avoids many of the real and alleged pitfalls of humanitarian intervention and “military peacekeeping” – that is, peacekeeping that uses armed soldiers (e.g. many current UN missions). To that extent, I will argue that civilian peacekeeping is a desirable option under a fleshed-out account of last resort in Just War Theory. Notwithstanding, the chapter also argues that civilian peacekeeping should not always be undertaken at the expense of military peacekeeping or humanitarian intervention, but rather sometimes used in addition to these methods and potentially alongside them. To that extent, in contrast to some of the defenders of civilian peacekeeping who are overly critical of military peacekeeping or humanitarian intervention (e.g. Carriere 2010), I will defend the need for military peacekeeping and humanitarian intervention *as well*. I will suggest that Just War conditions such as Presumptive Last Resort should not be seen as always requiring *one* particular means; a combination of means may be required.

The chapter will proceed as follows. In the next section, I will outline in more detail what civilian peacekeeping involves. In the section “The Prima Facie Case for Civilian Peacekeeping,” I will present the prima facie case for civilian peacekeeping by first delineating ten (real and alleged) frequently noted

problems faced by military peacekeeping and humanitarian intervention, as well as eight related advantages of civilian peacekeeping. This will be followed by a section in which I will consider three potential objections to civilian peacekeeping. These are that it (1) can rely on racism and is predicated on privilege (the “Privilege Objection”), (2) is impracticable on a larger scale because it relies on volunteer human shields (the “Supererogation Objection”), and (3) cannot achieve much (the “Inefficacy Objection”). In the section “The Upscaling Issue and the Relation to Military Peacekeeping,” I will argue that, if civilian peacekeeping were upscaled, it could face several problems that would resemble some of the current problems facing military peacekeeping and humanitarian intervention. Nevertheless, I will argue that civilian peacekeeping *should* be upscaled and that, more broadly, military peacekeeping and humanitarian intervention should be undertaken when required. In the final section, I will consider some of the implications of the analysis for Just War Theory and pacifism. In particular, I will suggest that civilian peacekeeping is a plausible option of first resort and that the case for it should be separated from the case for pacifism.

WHAT IS CIVILIAN PEACEKEEPING?

Civilian peacekeeping is “the prevention of direct violence through influence or control of the behaviour of potential perpetrators by unarmed civilians who are deployed on the ground” (Schweitzer 2010, 9). The most frequently undertaken activities in civilian peacekeeping are international protective accompaniment and observing and reporting human rights abuses (Janzen 2014). As noted above, international protective accompaniment involves “unarmed bodyguards, often spending twenty-four hours a day with human rights workers, union leaders, peasant groups, and other popular organizations who face mortal danger from death squads and state forces” (Mahony 1997, 208). Other activities include inter-positioning between fighting forces, negotiation and dialogue with the relevant actors, relationship building, solidarity actions, rumor control, early warning, and training (Nonviolent Peaceforce 2014, 3; Schirch 2006, 31–40; Schweitzer 2010, 11–12).

Civilian peacekeeping differs *somewhat*, but not *altogether*, from UN peacekeeping and from the roles played by other non-state actors before, during, and after conflict, such as certain journalists, human rights advocacy groups, and humanitarian organizations. On the one hand, unlike many of the more well-known contemporary manifestations of UN peacekeeping, which have received a Chapter VII mandate from the UN Security Council to use coercive means to militarily ensure the protection of civilians, civilian peacekeeping is nonmilitary and comparatively non-coercive. It clearly differs, for instance, from the UN’s “Intervention Brigade” in the Democratic Republic of Congo, which has a mandate to use force to coerce spoilers. However, although the UN’s more coercive peace operations, such in the Democratic

Republic of Congo, attract much more attention, there are still several UN peace operations, such as the missions in the Western Sahara (MINURSO), the Israel-Syria border (UNDOF), and Cyprus (UNFICYP), which do not involve the direct use of military force. Similarly, several of the roles played by humanitarian organizations and human rights advocacy groups can resemble that of civilian peacekeeping. For instance, the presence of humanitarian aid workers in a refugee camp may help to deter attacks on the camp. These may be unintended but welcome effects of these organizations' main objectives or secondary, subsidiary ones. Unlike for civilian peacekeeping organizations, however, international protective accompaniment or similar roles are not their *primary* intention.

Thus far, civilian peacekeeping has been on a relatively small scale. As Randy Janzen (2014) documents, the exact number of civilian peacekeepers is very difficult to determine, but around fifty organizations have engaged in unarmed civilian peacekeeping since 1990, with a significant recent rise. Civilian peacekeeping is also largely new. It mostly developed in the 1980s, largely in Latin America with the work of Peace Brigades International, the best-known organization. Founded in 1981, Peace Brigades International focuses on nonpartisan protective accompaniment and it has served in Nicaragua (1983), Guatemala (1983–1999; 2003–present), El Salvador (1987–1992), Sri Lanka (1989–1998), North America (1992–1999), Haiti (1992–2001), Columbia (1994–present), Mexico (1995–present), Indonesia (2000–2011), Nepal (2005–present), Kenya (2013–present), and Honduras (2013–present).¹

There are differences between civilian peacekeeping organizations, such as variations in the importance given to being nonpartisan, avoiding interfering in the situation, and obeying the law (Coy 2012). For instance, Christian Peacemaker Teams and International Solidarity Movement are much more partisan in their interventions: In addition to international protective accompaniment, they engage in solidarity activities, such as rebuilding destroyed homes, dismantling barricades and blockades, organizing demonstrations, and even engaging in civil disobedience (Coy 2012, 971). Note that I will focus on *international* civilian peacekeeping. Protective accompaniment may also be provided by local organizations (or have a local element to it), but my focus is on the international element.

Civilian peacekeeping has had some notable successes. For instance, Tim Wallis (2010, 30), the former Executive Director of Nonviolent Peaceforce and International Secretary of Peace Brigades International, documents the success of protective accompaniment in Nicaragua during the 1980s. The mission began when several US citizens went to border towns in Nicaragua to investigate the effects of the Reagan Administration's funding of the Contras. They found that, contrary to what they had expected, there were no attacks on civilians. The villagers told them that as long as "you're here they are not going to attack us." The Americans reportedly responded, "oh, if that's really the case, then we'll stay here and we'll get more people, and

we'll stop them attacking you!" Subsequently, over the next seven years, Witness for Peace (a civilian peacekeeping organization) sent 7,000 US citizens to Nicaragua. The presence of these Americans meant that the Contras could not attack due to the risk of killing American citizens, given that they were being funded by the United States, so they stopped attacking the villages. More generally, many organizations have noted that there have been immediate shifts in the treatment of human rights activists once civilian peacekeepers have been deployed (Janzen 2014). Indeed, in 2004, Peace Brigades International reported that *no* human rights activist accompanied on a one-to-one basis by one of their civilian peacekeepers had been killed in the last two decades (Schirch 2006, 57).

How is civilian peacekeeping – and particularly international protective accompaniment – successful in the face of violence? As Christine Schweitzer, one of the founders of the International Balkan Peace Team, notes, “[m]any people find it hard to understand what an unarmed peacekeeper can achieve in a violent environment . . . They cannot shoot and kill attacking perpetrators . . . Unarmed peacekeepers do, however, have their own sources of power” (2010, 13). These include the moral authority that comes with using nonviolent methods in the face of violence. More precisely, protective accompaniment works by changing the perceived costs of using violence, since aggressors “typically see a higher political cost when using violence around foreigners” (Mahony 1997, 210). These costs include the reporting of international misdeeds globally, which can lead to direct or indirect repercussions, including pressure on the supporters of perpetrators (Schweitzer 2010, 13). It is important to highlight here that what matters is the *perception* of such costs: “[i]f they believe foreign witnesses will produce international political consequences, then any foreigners may play some protective role, whether or not they can really produce such consequences” (Mahony 1997, 212). Beyond affecting strategic calculations, international civilian peacekeeping can also help with long-term stability by emphasizing the potential role played by nonviolence, such as by developing cultures of peace (Janzen 2014).

More generally, nonviolent methods work – and contrary to much popular opinion – work *better* than violent ones. This has been documented recently in the influential work of Maria Stephan and Erica Chenoweth (e.g. 2008) on civil resistance movements, who find that major nonviolent campaigns are *six* times more likely to be successful than violent campaigns facing repression. The reasons they give include nonviolent movements’ increased legitimacy and, in turn, participation rates, as well as the fact that regime violence against nonviolence can lead to higher costs for the regime, such as increasing solidarity with the resistance movement, defections, and external support for the opposition. This builds on the work of Gene Sharp (three-times nominated for the Nobel Peace Prize), who, in his three-volume *The Politics of Nonviolent Action*, catalogues 198 nonviolent measures, outlines how these can be used successfully, and defends the case for nonviolence.² A central notion is what he

calls “political *jiu-jitsu*” (1973, 657–697). This concerns the process by which nonviolence deals with violence. Violence against nonviolent groups is much more likely to delegitimize the oppressors than if it were against violent groups, with third parties (including international ones) and members of the oppressor group more likely to dissent. At the same time, the victims’ cause will be viewed more favorably and there will be increased support, as well as increased resistance from the oppressed group. Thus, “[t]heir nonviolence helps the opponent’s repression to throw him off balance politically. The nonviolent group is also able to gain far more support and power than if it had met violence with violence” (Sharp 1973, 658; emphasis in original). As violent groups become aware of these effects, they may become less willing to use force in the first place, out of fear of repercussions.

THE PRIMA FACIE CASE FOR CIVILIAN PEACEKEEPING

To show the prima facie case for civilian peacekeeping, and particularly protective accompaniment, this section will outline how it appears to be comparatively advantageous to military peacekeeping and humanitarian intervention. To do this, I will first consider seven leading objections presented to military peacekeeping and humanitarian intervention in the literature on International Relations, civilian peacekeeping, pacifism, and Just War Theory (some of the objections are more applicable to humanitarian intervention or to military peacekeeping, and some apply equally to both). For instance, versions of the “Selectivity Problem,” the “Motive Problem,” the “Harm Problem,” and the “Unrealistic Expectation Problem” are presented by Roland Paris (2014) as some of the “structural problems” of humanitarian intervention that, he claims, ultimately render the responsibility to protect doctrine as “fated to flounder.” I will then consider five apparent advantages of civilian peacekeeping and, in particular, protective accompaniment.

- (1) The Selectivity Problem: Humanitarian intervention (and, to a lesser extent, military peacekeeping) is alleged to be carried out selectively. It is claimed to occur only where the major powers – and particularly the major Western powers – have vested interests.
- (2) The Motive Problem: As the Selectivity Problem alleges, humanitarian intervention is often claimed to be carried out for purely self-interested motives. In similar vein, it may be alleged that troop-contributing countries only contribute troops to UN peace operations for financial reasons. It may also be alleged that the particular soldiers involved agree to such operations only out of purely self-interested reasons, such as those related to financial incentives.
- (3) The Capacity Problem: In recent times, the UN Security Council has authorized peace operations that the UN lacks the capacity to deliver. This is in terms of both the number and the quality of troops available

from troop-contributing countries and the in-house capacity of the Department for Peacekeeping Operations to run the missions.

- (4) **The Unrealistic Expectation Problem:** Both military peacekeeping and humanitarian intervention can face unrealistic expectations about what can be achieved by the operation from those enduring the current crisis and from the international community more generally. Intervening forces are often expected to make significant, visible increases in civilian protection across vast areas, yet lack sufficient troop numbers or equipment to be able to achieve this. They are also often judged according to much more ambitious political goals, rather than whether they contribute to improving civilian protection. Moreover, situations can deteriorate further while intervening forces are in the field. Although such operations may still be effective, this is often only counterfactually – the situation would have been even worse without the intervening forces. Establishing their effectiveness can therefore be very difficult.
- (5) **The Harm Problem:** Humanitarian intervention and military peacekeeping often harm innocents. This is sometimes through the direct use of force, such as through bombing campaigns that cause collateral damage, or through indirect effects that can arise with the presence of an intervening military force, such as prostitution rings, human trafficking, and dramatic changes to the local economy and cost of living. The worry in both cases is not simply a consequentialist one about the foreseeable problematic, unintended effects of humanitarian intervention and military peacekeeping. It is also deontological in that the intervening parties *do* harm. That is, even if they are effective all things considered, they still *do* harm. This is particularly important for those who hold that there is a significant and perhaps absolute moral difference between the *doing* and *allowing* of harm.
- (6) **The Risk Problem:** Both humanitarian intervention and military peacekeeping can lead to casualties on behalf of the intervener or peacekeeping force. This may be reduced by significantly increasing force protection by, for instance, conducting only aerial bombing campaigns, but this can in turn exacerbate the Harm Problem.
- (7) **The Conscription Problem:** Humanitarian intervention and peace operations, the argument runs, rely on soldiers who, even if not conscripts, have signed up to risk their lives only to provide national defense, not to protect the lives of those beyond the borders of the state (Cook 2000). Such operations are therefore a form of conscription in that they require soldiers to fight wars to which they have not agreed.

To be clear, I think that, despite these (real and alleged) problems, humanitarian intervention and peacekeeping operations *are* often justifiable and indeed morally required (see section V). Yet, civilian peacekeeping, at least as it is

currently practiced, seems to avoid many of these problems. In fact, it has the following notable advantages.

- (1) The Motive Advantage: Civilian peacekeepers are *more likely* to be motivated by altruistic reasons *in the overall balance of reasons* than regular soldiers. There may be exceptions where some regular soldiers may overall be better motivated (even by solely altruism) and there may be civilian peacekeepers who are motivated largely by self-interest. But even if both civilian peacekeepers and regular soldiers will have mixed motives, it seems that altruism is likely to be a weightier reason, in the overall balance of reasons, for civilian peacekeepers. For instance, members of Witness for Peace and Christian Peacemaker Teams have been reported to be motivated out of a spiritual desire to confront violence nonviolently, and other groups have cited their members' humanitarian motives and the desire to help people in need (Schirch 2006, 82). Similarly, Matthew Eddy's (2011) study of International Solidary Movement highlights the import of volunteers' construction of a cosmopolitan identity.
- (2) The Effectiveness Advantage: The apparent success of international protective accompaniment can be more easily demonstrated. It depends, in part, on whether the specific individuals accompanied have been killed or subject to various abuses, which is easier to establish than showing that human rights abuses have been prevented across vast areas. To be sure, counterfactual assessments may be required to prove, in reality, that protective accompaniment was in fact successful, given that the protected individual may not have been killed. However, even if the counterfactual judgment is questioned, protective accompaniment is not simply about tackling *objective* threats to individuals and groups, but also about improving *subjective* perceptions of security. That is, civilian peacekeepers can reduce the subjective perceptions of insecurity of such individuals and groups that can lead to them being too fearful to engage in their human rights activism. As Liam Mahony (1997, 210) argues, international protective accompaniment provides encouragement to engage in activism, regardless of whether the accompaniment actually protects people from anything – it helps them overcome the long-term fear installed by statist terror.
- (3) The Nonviolence Advantage: Given that it does not involve any violent methods, protective accompaniment seems to *do* no harm, or at least do no *direct* harm using military force. To the extent that the difference between doing and allowing has significant moral weight, this may be a major reason in favor of it.
- (4) The Risk Advantage: Despite the appearance of significant risk, civilian peacekeepers have rarely been subject to attack. For instance, attacks on the peacekeepers of Peace Brigades International have been remarkably

few (although include the bombing of its offices and the knifing of its volunteers in Guatemala) (Coy 2012, 967–968). Indeed, Janzen (2014) finds that the fatality rate for UN peacekeeping mission staff is more than twelve times as much as that of civilian peacekeepers. This may be because of the success of political *jiu-jitsu* or, instead, because civilian peacekeepers tend to operate in situations where they are less likely to be subject to attack. (To be sure, there are more attacks on civilian peacekeepers perceived to be partisan, such as members of International Solidarity Movement (see Coy 2012).

- (5) The Volunteer Advantage: All the members of civilian peacekeeping forces are volunteers (in the sense that they are not conscripted; some are paid) and often from states where they have several other reasonable options, rendering their consent sufficiently free.

It seems, therefore, that there is a strong *prima facie* case for protective accompaniment. It appears to have several potential, notable advantages over military peacekeeping and humanitarian intervention.

OBJECTIONS TO CIVILIAN PEACEKEEPING

Thus far, I have painted a very rosy picture of civilian peacekeeping. I will now consider three potential objections to it. Note that there are several other objections that could arise if protective accompaniment were used for unjust causes, used to protect military personnel or installations, used in clear contravention of the consent of those protected, and in contravention of a UN mandate. Although they raise several interesting issues, these objections are only hypothetical since civilian peacekeepers do not currently act in these circumstances and are very unlikely to be used in these ways in the future. I will focus instead on what I see as the three main current and prospective ethical issues.

The Privilege Objection

The first objection, which I will call the “Privilege Objection,” is that protective accompaniment is premised upon, and reinforces, privilege, potentially including racism. The objection stems from the fact that “outsiders are often seen as more effective peacekeepers than insiders because of the power of their Western passports, their white skin, and/or their ability to be impartial” (Schirch 2006, 52). To that extent, Patrick Coy (2011) discusses the example of “George,” a veteran of multiple Peace Brigades International teams, who responds to the question, “if there is violence all around, who is going to protect you?” Coy reports that “[w]ithout missing a beat he raised the bear underbelly of his forearm to the group, and with his other hand he pinched a gathering of the pale skin there to highlight it and said simply, ‘My white skin’” (2011).

The privileged status of civilian peacekeepers is also often influential in obtaining access in the first place (Boothe and Smithey 2007, 46). In addition, civilian peacekeeping may also be claimed to reinforce prejudice (which gives rise to privilege to the beneficiaries), and, in particular, racist attitudes by highlighting that white skin renders one as immune from attack and darker skin renders one more dispensable.

Given these sorts of concerns about relying upon and reinforcing prejudice (and in turn privilege), Coy (2011) notes that many members of Peace Brigades International felt extremely uncomfortable. The issue is not limited to Peace Brigades International, however; Coy (2011) suggests that this has been a problem for *all* international accompaniment organizations in the past and will be in the future. This is because such organizations “can never operate completely outside the prevailing dynamics of race and privilege that still permeate the social and political systems within which accompaniment is applied” (Coy 2011). That is, where there are white Westerners performing protective accompaniment, or simply even Western organizations employing civilian peacekeepers, the underlying dynamics of race are likely to be present, often through colonial legacies or the systemic privilege of the West.

Although the Privilege Objection is, of course, potentially very serious, it is not as worrisome as it may first seem. First, some of the reliance on racist attitudes and privilege more generally has been reduced (if not eliminated altogether for all organizations). This is because many organizations, including Peace Brigades International, are now much more ethnically diverse and use uniforms, rather than simply their white skin color, to demarcate themselves (Coy 2011). They also employ more local staff. For instance, Nonviolent Peaceforce (2014, 7) report that 41 percent of their staff are from the host state.³ In addition to those who come from the host state (e.g. South Sudan), many of the internationals are from developing countries in Africa and Asia.

Second, as Coy (2011) documents, some members of Peace Brigades International argue (quite plausibly) that international protective accompaniment subverts status quo relations because white people become the escorts, rather than the stars of the show. This is particularly for nonpartisan groups such as Peace Brigades International, given that they do not direct any of the activism. It is often based on solidarity rather than usurpation (Boothe and Smithey 2007, 42).

Third, even if reliant on racist attitudes (or privilege more generally), international protective accompaniment may be morally justifiable on occasion if there are much greater benefits achieved overall. International protective accompaniment may not reinforce racism (or privilege) and may do much to undermine it in the long run, even if somewhat reliant on racist attitudes to do so in the first place. Indeed, protective accompaniment often attempts to protect human rights activists that defend moral equality and this may be much more important in challenging racism and other prejudices (see Schirch 2006, 57).

The Supererogation Objection

The second objection, the “Supererogation Objection,” is that civilian peacekeeping – and in particular international protective accompaniment – cannot be defended as anything more than supererogatory. This is a worry because it may be wrong then to claim that this is a policy that *should* be put in place as an alternative or addition to other means of tackling human rights abuses. The objection, in brief, is as follows: (1) International protective accompaniment largely relies on, in effect, people willing to be human shields. (2) Individuals cannot be morally *required* to be human shields since this seems far too demanding. They are in the field without any weapons to defend themselves. (3) Protective accompaniment therefore relies on supererogatory action and, as a result, cannot be prescribed.

To be sure, prescriptions may still be made whilst there are sufficient volunteers. For instance, we can say that various actors in the international community should try to encourage and support the volunteers as far as possible. But, if protective accompaniment is to be expanded, it will need many more high-quality volunteers, which the organizations may find very difficult to obtain. The issue could be resolved by significantly incentivizing protective accompaniment. At the moment, some civilian peacekeepers are paid a wage; this could be significantly increased. Yet this risks protective accompaniment facing many of the problems that arise with the use of financially motivated private actors (e.g. private military and security companies) in a conflict zone, such as that of mercenary motive (see Pattison 2014).

Alternatively, civilian peacekeepers may be conscripted. On the face of it, this may seem abhorrent. Yet, it is widely thought (e.g. Rawls 1999) the conscription for wars of self-defense may be, on occasion, morally permissible. It also seems that it may be occasionally permissible to use conscription for humanitarian intervention (see Baker and Pattison 2012; Pattison 2013). If individuals can be conscripted permissibly to defend fellow nationals, it may also seem that they may, on occasion, be conscripted to defend those beyond their borders. Even when conscripted soldiers will be subject to notable risks, states and – more generally – third parties, may still be able to permissibly subject their soldiers to such risk. This is if they will be able to save a much greater number of innocent individuals, such as when using a conscripted army to halt a genocide. Suppose, for instance, that in 1994 François Mitterrand could have used France’s conscript armed forces to intervene militarily much earlier and more effectively than it did in response to the Rwandan genocide (and suppose that the French conscripts would not have consented to the operation). Even if the humanitarian intervention would have been very costly for some of the soldiers (e.g. death was likely for some), Mitterrand still could have permissibly ordered the intervention (and perhaps was obliged to do so). In such cases, any fiduciary obligations owed by a leader

to his or her soldiers are outweighed by the greater moral import of saving a large number of lives by using the conscript army.

Hence, the consent and interests of soldiers should not be given overwhelming weight in a leader's deliberations when they decide whether to order intervention. It may seem that similar arguments provide the case for conscription for protective accompaniment. That is, the consent and interests of potential civilian peacekeepers should not be given *overwhelming* weight in third parties' deliberations in the case for protective accompaniment.

Note, though, that the form of conscription differs. Conscription for civilian peacekeeping would not force individuals into becoming *combatants*. The civilian peacekeepers would still be civilians since they would not engage in combat. As such, the risks to them will not be likely anywhere near as high as they are for when individuals are conscripted to be soldiers. In other words, the potential conscription would not be *military* service, but rather would be compulsory *civilian* service, albeit international and somewhat risky. It also follows that, unlike regular soldiers, they would be conscripted without having any weapons to defend themselves when in the field.

There is an obvious worry with the case for conscription for civilian peacekeeping: The potential benefits of protective accompaniment seem to be of insufficient weight to render conscription permissible. There will not be enough vulnerable people protected to outweigh the wrongness of forcing individuals to be civilian peacekeepers, who are potentially at significant risk and, even if not, are forced to give up their own pursuits and take on significant hardships in the field.

Could instead the second premise of the Supererogation Objection be disputed? That is, could it be denied that being a civilian peacekeeper is only supererogatory? On the one hand, it may seem that being a civilian peacekeeper could, on occasion, be morally *required* if we hold that individuals are under an enforceable duty to protect vulnerable populations, when this can be done at relatively small cost. This may mean that they are required to even volunteer to be a human shield, if this is not too costly. (Note that by "human shield," I simply mean someone whose presence deters an attack on another. It is a further question whether the individual consents to being a human shield or whether they are used by state or non-state actors.) Consider the following case:

Human Shield: Alan is trying to kill Barbara. Christine can save Barbara by placing herself in front of Barbara, since she knows that Alan would be very unlikely to attack her. He has always had a crush on her and would not want to be violent in front of her.

One might think that Christine has a duty to act as a human shield, given that the risks to her are quite small. This might even be the case if there are *some*, albeit small, risks to Christine, such as if Alan has been drinking heavily and there is a small risk that he may become violent. To that extent, individuals may be morally required to be human shields on occasion.⁴

However, there are two countervailing problems with applying this to protective accompaniment. The first is that the costs to particular peacekeepers do seem likely to be often much greater than they can be reasonably required to bear. In addition to the risk of harm (even if, as in the Risk Advantage, this is not actually that high), there is significant bravery required, discomfort, and cost borne by civilian peacekeepers. For protective accompaniment to be effective, it is vital that peacekeepers maintain their presence in the face of danger – this is in order to show the inefficacy of intimidation or violence in halting civilian peacekeeping (Schirch 2006, 47). In addition to risks in the field, being a civilian peacekeeper can involve quite significant hardship. Coy (2011) reports that Peace Brigades International members had to pay their own travel expenses, and received only limited health care and a stipend of \$50 per month; in return, they put themselves at physical risk while working in a stressful, demanding job, living together with foreign nationals in a building that also doubled up as an office. (That said, and as noted above, many civilian peacekeepers are now paid a wage.)

The second problem is that, even if there is a duty to be a civilian peacekeeper, this does not seem to be a duty that could be permissibly enforced, at least at the moment. This is because there are not currently the accompanying institutional structures to render this permissible. NGOs are not appropriate agents to force individuals to be peacekeepers. States, for various reasons, can sometimes legitimately use coercive measures, but do not tend to engage in civilian peacekeeping. Even if they did, they would be morally required to develop institutional structures to render conscription for civilian peacekeeping permissible (such as a lottery to determine who is required to be a peacekeeper) and to show that alternative measures to increase the number of civilian peacekeepers, such as those considered below, would not render the resort to the draft redundant.

Hence, it seems that the Supererogation Objection is largely valid and can, at best, only be ameliorated, at least for the foreseeable future. The following steps might be taken to ameliorate the problems. More volunteers could be encouraged by, for instance, publicizing civilian peacekeeping and the need for volunteers. More expenses could be paid to cover training and travel. It could also become more professionalized, increasingly being seen as a career option, even if it is not directly incentivized with very high wages or other similar benefits. Other costs to volunteers could also be reduced as far as possible, such as risks in the field and lengths of service in the field, so that volunteers are encouraged and, in time, civilian peacekeeping may become morally required of individuals.

As an aside, it is worth noting here that, even if conscripted, civilian peacekeepers would not be liable to attack. They would still clearly be noncombatants: They almost always protect only other noncombatants, rather than those engaged in hostilities. They therefore differ from other forms of human shield, who protect military personnel or military

infrastructure. Even on a revisionist approach to Just War Theory (e.g. McMahan 2009), which famously takes a more permissive view of noncombatant immunity, civilian peacekeepers would almost always not be liable. They act in just causes and so therefore seem very unlikely to do anything to abrogate their right not to be killed. In theory, it may be permissible to harm them collaterally, but they enjoy at least the same protections as innocent civilians. In fact, they probably require greater protections, given their morally valuable protection work of others, such as human rights workers, which means that most attacks on them would be disproportionate. The issue of collaterally harming civilian peacekeepers is also unlikely to arise in practice, given that organizations do not tend to send their peacekeepers into places where they might be harmed. This brings us to the next objection.

The Inefficacy Objection

The third objection, which I will call the “Inefficacy Objection,” is that civilian peacekeeping cannot achieve much. It is limited only to cases, first, when governments do not reject the presence of civilian peacekeeping. Access may often be revoked when, for instance, the state is repressive. Second, it is unlikely to work in situations of major conflict, where belligerents have few scruples about using force against international peacekeepers. In such situations, civilian peacekeepers may be killed indiscriminately, along with those whom they are trying to protect. Thus, Lisa Schirch (2006, 98–9) notes that there are no recent examples of effective civilian peacekeeping where there is high-intensity, widespread, decentralized fighting with massive numbers of troops and large-scale weaponry.

Is the Inefficacy Objection correct? On the one hand, these limitations clearly demonstrate that protective accompaniment may not always work and cannot fully replace more coercive options, most notably humanitarian intervention. As I will reiterate further below, even though civilian peacekeeping is desirable, humanitarian intervention and military peacekeeping may still sometimes be morally permissible (and required). On the other hand, such limitations should not be overstated; they may sometimes not apply.

First, civilian peacekeepers can work without the express consent of the government (even if civilian peacekeepers still seek it) and are often better placed to negotiate access. This is because governments may not perceive them to be a major threat, given that they are unarmed, and so find less reason to oppose them than a military presence by peacekeeping or intervening forces.

Second, although civilian peacekeeping may not work in areas where there is major, ongoing fighting, it may still work in areas where there is still conflict but at a lower level of intensity. For instance, Nonviolent Peaceforce has been operating in South Sudan, despite the ongoing, brutal civil war, with tens of thousands being estimated to have been killed. They report that they have

provided international protective accompaniment for vulnerable civilians, such as women at risk of sexual violence and internally displaced persons, and stayed on even while many humanitarian organizations pulled out (and provided protection for them) (Easthom 2014, 11). They also report that they have protected 31,160 children, extracted thirty-three civilians from areas where mass atrocities were ongoing, saved the lives of “dozens of civilians” who were at imminent risk of being killed in an ethnically mounted attack, helped 60,000 internally displaced persons to avoid being raped, attacked, or killed (which apparently were common occurrences when they were not present), and even negotiated with gunmen to stop them shooting women and children (Easthom 2014, 11).⁵ As the latter case shows, belligerents can, in certain cases, still be influenced by the various tactics of civilian peacekeepers.

THE UPSCALING ISSUE AND THE RELATION TO MILITARY PEACEKEEPING

A related problem to the Inefficacy Objection, as already alluded to, is that civilian peacekeeping is currently on a small-scale. But Rachel Julian and Christine Schweitzer (2015) suggest that Nonviolent Peaceforce and other civilian peacekeeping organizations set themselves the goal of deploying enough peacekeepers so as to be comparable to military peacekeeping. If civilian peacekeeping were to be used more widely, which seems attractive given the notable benefits outlined above, it may run into some notable problems of upscaling. These problems, I will now suggest, would mean that it could face some of the similar real and perceived problems of military peacekeeping and humanitarian intervention, although, like these two options, it would still sometimes be morally permissible and perhaps even morally required in the future.

If civilian peacekeeping organizations were to become larger, they may become much more dependent on funding from particular streams. This may mean that civilian peacekeeping organizations lose some of their independence, which is easier to maintain when a smaller organization. Decision-making may also become increasingly influenced by political concerns – even if ultimately for the greater good – and this could lead to accusations of improper motive and selectivity (the Motive Problem and the Selectivity Problem). In fact, according to Schirch (2006, 71–72), the latter is an issue that civilian peacekeepers already face. In addition, if there were more civilian peacekeepers in the field, occasional mistakes may be more likely. Mistakes could include shows of strong partisanship, which could make redundant a whole civilian peacekeeping mission that depends on nonpartisanship (e.g. by Peace Brigades International), as a government takes a different stance and views them as activists rather than simply protectors. In addition, if there were many more civilian peacekeepers in the field, this would raise the probability of peacekeepers *doing* harm, even if

unintentional, such as by distorting local practices. For instance, as Mahony notes, there is already a worry that, “[w]ith accompaniment, activists might perceive their available space far exceeding the real space. That is, they may risk dangerous activities because of accompaniment’s encouraging function” (1997, 211). A much larger presence could also mean that peacekeepers face the Unrealistic Expectation Problem, as various actors in the international community and those who are vulnerable think that civilian peacekeeping could achieve much more than it can. Civilian peacekeepers could also become expected – and relied upon – to do much more than they would have the ability to do, leading to a form of the Capacity Problem.

Do these potential issues mean that civilian peacekeeping should remain on a small scale? No, since some of these potential problems may be avoided or at least minimized by careful management of expansion. For instance, an increased professional ethos being taught could reduce the risks of occasional shows of partisanship and a repeated public reiteration of the limits of civilian peacekeeping may limit some of the risks of the Capacity Problem. And, even if they would apply, they would not necessarily preclude justifiable civilian peacekeeping. This is because many of the frequently noted problems listed above about humanitarian intervention and military peacekeeping are either (1) not really problems or (2), they are problems but they are not, all things considered, sufficiently weighty to render impermissible humanitarian intervention and military peacekeeping that will be highly effective at improving the enjoyment of basic human rights.

For instance, I have argued elsewhere (Pattison 2010) that the Motive Problem and the Selectivity Problem are unpersuasive objections to humanitarian intervention because the value of an intervener’s having a humanitarian motive is likely to be overshadowed by other, more morally important factors and because selectivity only really repudiates the failure to act, rather than the actual intervention. Similarly, the Conscriptio Problem seems mistaken since (1) intervening soldiers often *do* seem to consent to peacekeeping operations and humanitarian interventions and (2), even if they do not, (as suggested above) conscription may still sometimes be permissible, even if only rarely. In addition, the Unrealistic Expectation Problem is not a problem for interveners *per se*, but rather is a matter of managing expectations – this might be achieved with better communication.

The Harm and Risk Problems pose more valid moral concerns. Yet military peacekeeping or humanitarian intervention may still, on occasion, be morally permissible (and even required) because they are likely to make a significant improvement in tackling the mass violations of basic human rights, compared to doing nothing, and will be much better than any other option, including civilian peacekeeping. As already suggested, this seems particularly likely in situations where there is significant ongoing conflict. In doing so, despite some negative effects that they cause, such as risk to intervening soldiers, they will *sometimes* do a lot more good overall by tackling the mass violation of basic human rights.

The efficacy of UN military peacekeeping is supported by a recent quantitative study by Lisa Hultman, Jacob Kathman, and Megan Shannon (2014), who find that UN peace operations lead to a 73 percent reduction in battlefield violence (where there is at least a 10,000 troop deployment).

The same replies would be open to defenders of civilian peacekeeping if it were to face these issues. Despite the more complex moral picture that may develop if civilian peacekeeping were upscaled significantly, it may still be morally permissible and even potentially a duty (if sufficient civilian peacekeepers could be recruited). Although it may face several further alleged problems, some of these may be only illusory and other problems may be outweighed by much greater improvements in the overall enjoyment of basic human rights that outweigh these problems.

CONCLUSION

In summary, rather than being overly critical of military peacekeeping or humanitarian intervention, civilian peacekeeping is best seen as an *additional* means to military peacekeeping or humanitarian intervention, rather than a full replacement. Given the Inefficacy Objection, in more conflict-laden situations military peacekeeping or humanitarian intervention may be the only suitable option.⁶ In situations where there are mixed levels of conflict it may be appropriate to carry out both military peacekeeping or humanitarian intervention (in the more conflict-laden areas) *and* civilian peacekeeping (in the less conflict-laden areas). Although protective accompaniment may appear to be required to be undertaken in less conflict-laden situations *instead of* military peacekeeping or humanitarian intervention, given the Supererogatory Objection and the fact that civilian peacekeeping is currently only on a small scale, this cannot yet be prescribed. As such, in all levels of conflict, civilian peacekeeping cannot yet be seen as a replacement for military peacekeeping or humanitarian intervention, given the Supererogatory and Inefficacy Objections. If it were upscaled, civilian peacekeeping might be able to take on more cases where there is lower-level conflict, but military peacekeeping or humanitarian intervention would still be required where there is more intense conflict.

To finish, I want to highlight two points about my argument. The first is that, although civilian peacekeeping is often defended by pacifists, civilian peacekeeping can – and should – be endorsed (when appropriate) by both pacifists and those who reject pacifism, given the arguments above. Those who reject pacifism can accept the strong desirability of nonviolence, such as in the form of civilian peacekeeping, as a response to violent situations, even if violence may sometimes be required to tackle violence (Howes 2013). This is in similar vein to the “strategic,” rather than “principled,” view of nonviolence, such as taken by Gene Sharp (see Coy 2013). Another way of putting this is that nonviolence can be justified for consequentialist, and not simply deontological, reasons.

The second point is that civilian peacekeeping should be seen as a plausible and desirable option under the last resort principle of Just War Theory. There are various understandings of this principle in the literature (see Aloyo 2015). I think the most plausible is what I call “Presumptive Last Resort” (Pattison 2015). Presumptive Last Resort compares the various military and nonmilitary options, weighing the various goods and harms. Importantly, unlike accounts that reduce last resort simply to this weighing, and so are therefore the same as an *ad bellum* principle of necessity (e.g. Aloyo 2015), Presumptive Last Resort also holds that *doing* harm should *generally* (if not *always*) be avoided. From this basis, it requires that, when there is a choice of feasible options, (1) war should (generally) be the last feasible option and (2) the comparatively best nonviolent option(s) should be tried first. This second point goes beyond prevailing accounts of last resort to offer an account of first resort, second resort, and so on. It is in this context that civilian peacekeeping can be located. It will often be a desirable option to be pursued before war and other more coercive alternatives, such as economic sanctions, particularly since it appears often to be effective and to *do* less harm.

But, as we have also seen, sometimes military peacekeeping and humanitarian intervention are required. How should we understand this in terms of Presumptive Last Resort? First, Presumptive Last Resort is only a *presumption* against war, based on the foreseeable negative consequences of war; sometimes the risks of war or military intervention, and the fact that it involves *doing* harm, will still be worth taking, given that it may save many more lives. As such, the import of Presumptive Last Resort will be outweighed.

Second, as noted above, military peacekeeping and humanitarian intervention could be undertaken alongside civilian peacekeeping. Comparative Just War conditions such as Presumptive Last Resort should not be seen as always requiring *one* particular means; a combination of means may be required. That is to say, the comparative Just War conditions such as last resort should not involve considering whether war and intervention would be better than each of the various alternatives, but rather whether war and intervention, potentially *in combination* with other alternatives, would be better than particular alternatives or a combination of them (also see Lango 2014, 154–155). As such, civilian peacekeeping may be viewed as desirable *alongside* violent and nonviolent options.

Hence, civilian peacekeeping seems to be a desirable option of first resort and, even when other options have been undertaken, a desirable addition to the current central mechanisms of addressing human rights abuses.

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NOTES

1. Descriptions of the roles performed in these states are available at www.peacebrigades.org/about-pbi/pbi-history/.
2. An updated list of methods to include digital forms of nonviolent resistance has been compiled by Mary Joyce and Patrick Meier, available here: <http://digital-activism.org/projects/cr20/>.
3. The issue may still not be resolved though. Boothe and Smithey (2007, 51–52) claim that, despite some improvements, certain organizations pay insufficient attention to the role of privilege in their training of staff.
4. For a defense of (exceptional) permissibility of using human shields in war, see Fabre (2012, 256–267). Much of Fabre’s case depends on the chances of the human shields living a minimally decent life being improved by this use. By contrast, my point here relies simply on human shields’ duty to rescue. Also see Gross (2014) for a defense of the use of human shields.
5. Nonviolent Peaceforce has also recently received a grant from the EU to strengthen Syrian civil society’s capacity to protect civilians from violence, with a view to providing protective accompaniment when “appropriate and safe” (Duncan 2015).
6. What is a suitable option will also depend on not simply the *intensity* of the conflict, but also its *other characteristics*, such as the degree to which the belligerents are concerned about harming foreign civilians.