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The Good, the Bad, and the Invisible: A Critical Look at the *MARO* Report

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American policy on genocide prevention often reads like a children's story or a screenplay for a Hollywood B-movie. The "bad guys" (the wolves) are committing horrific acts against innocent civilians (the sheep) out of sheer malice and can only be stopped by the "good guys" wearing the uniform of the US Army. The problem is that this approach not only dominates the media, but it has also become popular among academics.

Many well-intentioned Americans, outraged at the human suffering shown on network news broadcasts, call for immediate action to "stop genocide" at any cost. And because of the media's political agenda, this usually means human rights abuses in the Sudan rather than in Colombia or Sri Lanka. However, this "buy now" television marketing of foreign policy is hardly conducive to serious academic discussions of such a complex and contradictory phenomenon as systematic mass murder.

The Rule of Law

Simplistic calls for trigger-happy intervention in "genocide hotspots" ignore the fact that America too is bound by the rule of law. Ever since the first moral codes were developed by the Ancient Egyptians, Hebrews, and Babylonians, the primary purpose of law has been to repress or control our innate capacity for evil so that we can live together in peaceful communities. Similarly, modern international law, which began as an attempt to safeguard territorial sovereignty in the seventeenth century in Europe, has developed into a complex set of constraints to prevent us from harming others.

True, there have been attempts in the past to create a form of "enemy criminal law." The logic of such legislation is simple: those who fail in their duties as citizens forfeit their rights as citizens and can be treated as enemies. We need only define someone as a bad guy in order to place him or her beyond the law and give free rein to our worst impulses. Legislation of this kind has a long history in Europe where it has been used, among other things, to legitimate the Nazi genocide.

According to the West, in particular the United States, during the Cold War period the bad guys were the Communists in the East. Behind the Iron Curtain lurked the Red Menace and beyond that the Yellow Peril. Once the Cold War was over, this division of the world into capitalist (good guys) and Marxist (bad guys) was no longer sustainable. However, there has been renewed interest in enemy criminal law in the wake of 9/11. For example, the concept of "illegal enemy combatants" as developed recently by the Bush administration has allowed a stigmatized and dehumanized enemy to be imprisoned and tortured without trial, habeas corpus rights, or due process of law.

Down the Slippery Slope

Equally serious is the fact that the same massive and systematic human rights violations that were ignored during the Cold War era because they supposedly helped to defeat the common enemy are being used as an excuse for a new model of intervention in the twenty-first century. An insidious logic links Samantha Power's criticism of the United Nations and the US government for failing to "prevent genocide"¹ to the Responsibility to Protect (a US responsibility, of course) and, from there, to the explicit modes of intervention laid out in the *Mass Atrocity Response Operations (MARO)* Report, a technical operations manual for US military intervention to prevent mass atrocities.

The Responsibility to Protect, together with a distinctly American interpretation of the concept, is mentioned explicitly in the opening pages of the report:

The MARO Project has emerged in parallel with growing consensus around the international norm of the "responsibility to protect" (R2P). The R2P concept was introduced in the 2001 report of the International Commission on Intervention and State Sovereignty (ICISS), which shifted the discussion away from the debate about whether a state had the right to intervene to save civilians at risk and toward the formulation of a state's "responsibility to protect" global citizens.²

On the next page, the report defines the roles assigned to the international community:

The UN General Assembly has articulated a requisite Security Council process for international decision-making about the use of military force in R2P situations. The MARO Project, as such, is agnostic about the politics; the concepts and tools we are developing can be used in an R2P case, in a "humanitarian intervention," or whenever national leadership decides it needs to conduct a MARO. (12–13)

But whoa! Hold your horses. . . . Who decides that an atrocity crime is taking place somewhere on the planet? Which international body is ultimately responsible for these military interventions to stop genocide? And how do we ensure that intervention does not bring about more deaths than it is intended to prevent? How do we prevent a rerun of Iraq or even Kosovo, to mention just two examples from the report?

These are not merely academic questions. US intelligence reports about weapons of mass destruction (WMD) in Iraq led to a unilateral intervention that has cost tens of thousands of civilian lives. Unconfirmed reports put the figure as high as several hundred thousand. On the other hand, Carne Ross, the former first secretary at the United Kingdom's mission to the United Nations, told the Chilcot inquiry in July 2010 that there was no "'significant intelligence' to support claims that Saddam Hussein had amassed an arsenal of deadly weapons" and that "Britain was taken to war in Iraq on the basis of 'lies,' scaremongering and deliberate exaggeration."³ Why then should we assume that reports of mass atrocities will be any more reliable?

It is disturbing, to say the least, that *MARO* seems to give the US government a free hand to intervene anywhere in the world without the need for regional or international agreements. It is also disappointing that the report focuses only on the "willingness to act" without taking into account what is known about policies of extermination and the origin and nature of evil in the world.

Milgram, Evil, and Obedience

Most readers of this journal will be familiar with Stanley Milgram's 1963 experiments on obedience.⁴ Briefly, subjects were told to give what they believed to be

electric shocks to a “learner” (in fact, a paid actor) for nothing worse than failing to memorize a list of word pairs. They were asked to increase the voltage by 15 volts for each wrong answer. Even though the victim began to scream and displayed apparent signs of pain at the 150-volt level, two thirds of the subjects were persuaded to administer a massive 450-volt electric shock and only one third refused to administer shocks between the 150- and 300-volt levels.

The important thing about these experiments is that Milgram’s subjects were ordinary Americans—professional people, technicians, housewives, teachers, and students. The experiments were designed to see if the subjects would obey immoral orders as many ordinary Germans had done under the Nazis. Of course, the usual objection to Milgram’s results (apart from ethical considerations) is that the world has changed since 1963. However, Jerry Burger’s 2006 partial replication of the experiments found obedience rates almost identical to those found by Milgram.⁵

This is a reminder, if one is needed, that Americans are as human as the rest of the world’s populations and that the United States is just another community within the international arena. The fact that most of us can be persuaded to torture another human being for no good reason should make us more cautious about unilateral military intervention. How do we ensure, for example, that new Abu Ghraibs or Guantánamos do not spring up all over the occupied territories? The risk seems especially high in Africa, which is portrayed in the report as a veritable breeding ground for genocide.

The Limitations of Binary Logic

The MARO Handbook’s 161 pages are packed with hard-to-decode acronyms describing how to reduce American casualties in various military interventions to stop atrocities. But there is little advice on how to limit “enemy” civilian casualties. Pages 70 to 87 describe seven different military intervention strategies: saturation, oil spot, separation, safe areas, partner enabling, containment, defeat perpetrators. In the section on containment there is one brief paragraph about the possibility of “collateral damage” from the indiscriminate shelling of the areas under the control of the “aggressor nation” (68). But collateral damage here refers primarily to third-party populations and victims of the aggressor state. The report seems to assume that civilians of a state that violates human rights are automatically accessories to these crimes and so their deaths are of no importance.

These oversights are inevitable if we reduce our prevention model to how to get the good guys to have the political will to neutralize the bad guys. The report’s implicit Manichaeistic worldview makes too many assumptions that are never named or addressed:

1. There is only one way to detect mass atrocities worldwide; this method is reliable and would never be distorted to justify a military attack for any other purpose (e.g., to overthrow an anti-American regime, to control natural resources such as water or oil, or to control a vital geopolitical territory).
2. Mass atrocities tend to be one-sided with a perpetrator population that either commits or supports genocide and a victim population that is helpless.
3. These atrocities can be prevented by the use of military force. It is enough to defeat the perpetrators in order to liberate the victims—a classic Hollywood happy ending.

But not only Hollywood is to blame for these simplistic views. The report reflects the growing trivialization of genocide since the term was coined nearly seventy years

ago. A simplistic model has emerged that requires each case of genocide to have one and only one victim and one and only one perpetrator. Victims, perpetrators, and accomplices that do not fit the model are ignored or rendered invisible.

For example, the Holocaust is often reduced to the persecution of Jews by Germans under the Nazis. Little attention is given to the other victims of Nazism—3 million non-Jewish Poles, 3.3 to 3.5 million Russian prisoners of war, and hundreds of thousands Sinti and Roma. Even less attention is given to the hundreds of thousands of *German* victims, including not only Jews, Sinti, and Roma but also political dissidents, Jehovah's Witnesses, homosexuals, the unemployed, and the handicapped. The Austrians, Croatians, Hungarians, French, Latvians, Lithuanians, Poles, and Romanians who also killed and tortured are forgotten.

In the same way, genocide scholars tend to focus on the massacre of Armenians between 1915 and 1923, ignoring the large numbers of Greek and Syrian Christians who were also murdered by the Young Turk Ittihadist party during the same period. More recently, oblivion has befallen the Hutu moderates killed in the Rwandan genocide in which Hutu militias mainly targeted Tutsis. However, the complex system of interrelated conflicts in the former Yugoslavia has proven impossible to explain away using a banal dualism of “goodies” and “baddies,” even if the Serbs could play the role of the bad guys. Attempts to label the current conflicts in the Sudan in terms of Arab Muslims against black Christians have similarly turned out to be oversimplified. Most of the groups involved are Muslim *and* black and define themselves as Arab.

All of this is not to say that the report's recommendations might not be of use to international organizations—and I stress the word *international*—where mass atrocities really are being committed by bad guys against good guys. But most conflicts are more complicated than the CNN would have us believe.

Counterinsurgency Doctrine: A Blast from the Past

One good thing about *MARO* is that it makes no bones about where it is coming from. Its authors took part in the US invasion of Iraq and the opening paragraphs make it clear that this is their model for “intervention.” Describing the origins of the project, the report states:

The US military has long focused on preparation for major conventional operations, rather than preparing for other types of military operations. As it struggled with counterinsurgencies in Afghanistan and Iraq, the United States military realized that preparation for conventional warfare was inadequate for some other military challenges. MAROs also generate such unique requirements. (5)

A few pages later, the report describes the role played by counterinsurgency doctrine in designing different forms of intervention:

Counterinsurgency (COIN) has some aspects that are similar to those of mass atrocity response. COIN also prominently features the civilian, along with insurgents and local and/or foreign counterinsurgents. Insurgent and counterinsurgent forces compete for civilian loyalties using positive (protection/assistance) and negative (threats/violence) actions, and some civilians will be allied more closely with the competing groups. (25)

This comparison is an interesting one. Throughout the Cold War, French and then American counterinsurgency doctrines brought terror to Latin America, Indonesia, Vietnam, and parts of Africa and Southeast Asia. They led to hundreds of thousands

of deaths in political, ethnonational, and religious genocides. Now, the same techniques designed to commit those crimes are thought suitable to prevent them.

The really frightening thing about this golden oldie remake, however, is that non-victimized civilians no longer deserve protection: “in COIN, all civilian protection is instrumental and relevant to the sides’ competition for legitimacy. In a MARO, protection of civilians victimized by perpetrators is the core objective of the mission” (25). This is the enemy criminal law doctrine mentioned earlier. In Hollywood it is cheaper these days to use computer animation than to shoot hundreds of extras.

UNASUR and the Crises in Bolivia, Honduras, and Ecuador

To their credit, supporters of military intervention argue that we cannot simply stand by and do nothing while atrocity crimes are being committed. But again, this is binary thinking. I wish now to consider a case study which shows that other options exist.

During the Cold War era, Latin America was ravaged by military dictatorships supported directly or indirectly by the US State Department. Since then, countries in the region have embarked on a process of political empowerment and regional reorganization. One of the institutions to emerge from this process is the Union of South American Nations (UNASUR), which is made up of twelve Latin American nations. Strangely, UNASUR is never mentioned in the MARO report, which refers to only one regional institution: the African Union.

Nevertheless, since the UNASUR Constitutive Treaty was signed on May 23, 2008, UNASUR has helped three countries in the region that have suffered attempted coups: Bolivia (2008), Honduras (2009), and Ecuador (2010). In each case there was a major crisis with the strong potential to trigger atrocity crimes.

The Bolivian crisis commenced in September 2008 with the massacre of poor *campesinos* by right-wing militias acting on the orders of the governor of Pando, the country’s northernmost province. The US Embassy in Bolivia not only failed to condemn the attempted coup—technically, a civic coup as the armed forces were not involved—but seemed to actively support it. However, a swift diplomatic response by UNASUR prevented the coup from spreading.

Officials from several Latin American countries traveled to Bolivia to show support for Evo Morales and persuade his democratically elected government to ignore calls for revenge from the Bolivian indigenous movement. Instead, a commission of inquiry was set up to look into the Pando massacre and advise on appropriate sentencing. The situation in Bolivia remains tense and is monitored each month. However, there have been no new crimes or attempts to overthrow the government.

The Honduran crisis started when President Manuel Zelaya was ousted by a military coup in June 2009. Zelaya was expelled from Honduras, but he returned and took refuge in the Brazilian embassy, where he was granted political asylum. The response from UNASUR and OAS (the Organization of American States) members was immediate: they refused to recognize the military government and instead called for the deposed president to be reinstated and for a democratic commission to investigate crimes committed by the rebels.

The new Obama administration initially agreed to the UNASUR and OAS initiative but later recognized the government that emerged from a rigged election called by the rebels in November 2009. Unfortunately, Honduras is one of the poorest countries in Latin America and, unlike Bolivia and Ecuador, it depends heavily on trade with the United States instead of trade with UNASUR members. So, Manuel Zelaya

never returned to power and the killing of journalists and political activists has continued under the “elected” government.

Finally, the Ecuadorean crisis began in September 2010 when riot police kidnapped and threatened to kill President Rafael Correa. On the same day, presidents of UNASUR countries met in Buenos Aires, declared the coup illegal, and sent their foreign ministers to Quito to defend the deposed president with the threat of sanctions if necessary. Arguably, the coup was just a well-planned mutiny since no leaders came forward to proclaim a new government. However, UNASUR’s rapid condemnation almost certainly played an important role in persuading Ecuador’s armed forces to intervene and free Correa, restoring institutional stability to the country.

To Thy Own Self Be True

Of course, this is not the only form of intervention possible and once atrocities are being committed, diplomatic efforts and verbal condemnations may not be enough to stop them. Stronger interventions, including the use of military force, might be necessary. However, because of the enormous risks involved in peacekeeping missions, including the possibility that the conflict will escalate, the decision to intervene militarily should never be made by just one nation, not even the United States. Only regional organizations have the legitimacy and authority to make such decisions.

If we accept this principle, then some of the techniques suggested in the report might actually work as long as there are thorough checks to prevent the sort of human rights abuses and collateral damage we have seen in Iraq. However, we should remember that some conflicts have been raging for centuries and that a peaceful solution to a conflict has a greater chance of being a lasting one. Quick and easy answers may satisfy our moral outrage, but in the long run they lead to greater suffering.

Let us also remember that we, as scholars, have a responsibility not to deny or distort the concepts that have developed over decades of fighting for the victims of gross and systematic violations of human rights. To borrow a line from the American actor and humorist, Will Rogers, “There’s only one thing that can kill the movies, and that’s education.”

Welcome to reality.

Notes

1. Samantha Power, *“A Problem from Hell”: America and the Age of Genocide* (New York: Basic Books, 2002).
2. Sarah Sewall, Dwight Raymond, and Sally Chin, *MARO: Mass Atrocity Response Operations; A Military Planning Handbook* (Cambridge, MA: Harvard Kennedy School / Carr Centre for Human Rights Policy, 2010), 11. Subsequent references appear parenthetically in the text.
3. Nigel Morris, “WMD Claims Were Lies Says Former Envoy,” *The Independent*, 12 July 2010, <http://www.independent.co.uk/news/uk/politics/wmd-claims-were-lies-says-former-envoy-2024868.html>.
4. Stanley Milgram, *Obedience to Authority: An Experimental View* (New York: Harper and Row, 1974).
5. Jerry M. Burger, “Replicating Milgram: Would People Still Obey Today?,” *American Psychologist* 64, no. 1 (2009): 1–11.