

The Unbearable Vagueness of Exceptional Policies: The Case of Darfur Legislation in the United States

By
Péter Király

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Supervisor: Professor Paul Roe

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Abstract

The state of exception and exceptional measures are the two most important elements of the securitization theory of the Copenhagen School. The School's original framework, however, received much criticism due to the lack of conceptual clarification of securitization processes where the notions of the state of exception and exceptional means are present at different stages of the securitizing move. This thesis argues that this conceptual shortcoming is especially important when applying securitization theory to processes related to interstate relations, since the existence of normal politics and security in the realm of international relations should be clarified before assessing the outcome of a securitizing move. These shortcomings are to be demonstrated by the analysis of a securitizing move by various NGOs concerning the Darfur conflict and the subsequent debate in the US Congress. The thesis concludes that in order to avoid the use of objective or subjective measures in assessing the success of a complex securitization concerning interstate relations, securitization theory should include some notions from international political theory.

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Introduction

The notions of the state of exception and special or exceptional measures are amongst the most important concepts used by current critical scholarship in the field of International Relations. The difference between normal politics and exceptional measures is a key element in the securitization theory of Copenhagen School, since the act of securitization is the transfer of an issue from the sphere of politics to the sphere of security (Buzan et al. 1998). Developing the theory from the speech-act framework of Copenhagen scholarship towards a theoretical concept of securitization through practice, the Paris School showed that securitization might be possible with non-verbal means by the security professional apparatus of states or international organizations, so exceptionality might be created and maintained as a mean of governance (Bigo 2002). The question of exceptionality as it is developed by Carl Schmitt has played a major role in the debates on securitization and the War on Terror (C.A.S.E. Collective 2006), and some accounts even describe this element of the Copenhagen School as originating from the very same intellectual roots as the classical realism of Hans Morgenthau (M. C. Williams 2003). This element of exceptional measures is further emphasized in normative critiques of the Copenhagen School, which stress the need for emancipation from securitization and concepts of security (Aradau 2004; Booth 1991; Booth 2007) or in less radical approaches to desecuritization, putting issues off from the security agenda back to the sphere of normal politics (Roe 2004; Huysmans 1998).

This understanding of normal politics has received criticism due to its supposedly Eurocentric and Westphalian assumptions on normal politics and democratic freedom of speech and it has been argued that the demarcation of normal and exceptional measures is embedded in geographical and historical context (Wilkinson 2007; Vuori 2008). Less attention has been

paid to the applicability of the politics/security dichotomy of the Copenhagen School to interstate relations, since the School's primary aim was to deepen and broaden the concept of security from a state-centric view to a sectoral approach. Perhaps this is the reason why the concept of securitization is rarely referred to explicitly in the second major book by Buzan and Wæver which reintroduces some neorealist elements by looking at the structure of international security through regional security complexes. As the authors acknowledge in the concluding chapter of *Regions and Powers*, this is because securitization is 'an approach to be activated on a few crucial occasions. ... the analysis zooms in and uses more of the tools of securitization analysis' (Buzan & Wæver 2004). This thesis will point out one possible reason why securitization theory is less promising when 'zoomed out' to the international level by inspecting the sources of the politics/security cleavage.

The nature of the international system is very much at the heart of the debate in IR theory, but even strictly legalist schools agree that there is no clearly defined sphere of normal politics comparable to domestic constitutions in the Schmittian concept of exceptionality on which much of the current scholarly accounts rely. In the framework of securitization theory, securitization requires the language of exceptionality and the intersubjective construct of the state of exception and exceptional measures. This conceptualization, however, requires the definition of normal politics, which might be done in many domestic settings or institutional arrangements. Defining what normal politics between states is, on the other hand, is the very basic problem of international relations, since as it was established in the Hobbesian tradition, there is no sovereign in international relations who could declare a state of exception. Therefore there is a difference between the domestic and the external sphere, where normal politics and exceptional measures are both constituted by the same state practices and interpretations. This is especially visible in the field of sovereignty and humanitarian intervention, where the traditional European nomos of sovereignty is challenged by an

emerging doctrine of the responsibility to protect other states' population. The failures in the application of the responsibility to protect doctrine, however, raised widespread skepticism in critical scholarship.

The main research problem of this thesis is whether the political/security and normal/exceptional distinction of the securitization theory is useable in the specific context of interstate relations. The language of security is often used, but there are various conceptualizations of what constitutes an emergency or exceptional measure in such context. Although the writings of the Paris School provide a bridge between securitization and the notion of governing by exceptionality, the school's writings are concentrating on institutionalized processes of securitization and the so-called professionals of unease or security professionals, but not democratically elected representatives (Bigo 2002). Similarly, much of the literature is concerned with domestic emergency and exceptional measures, such as legislative side of the War on Terror, or the exceptionality of fighting against non-state actors, leaving the question of exceptionality in interstate relations on the sideline. More importantly, cases where measures might be called exceptional were realized are overrepresented in the scholarship, but less attention has been paid to cases where the measures taken were not as straightforwardly exceptional. I argue that a turn to the 'gray zone' between the language of security and enacted security measures would link the literatures on securitization and international political theory and both branches of scholarship could benefit from such inquiries.

This thesis aims to research the applicability of the concept of exceptionality by the means of a case study, the debate on the issue of Darfur in the United States Congress. Although US actions regarding the conflict are usually interpreted as a failure of the doctrine of humanitarian interaction and the responsibility to protect (Belloni 2006; Focarelli 2008; de Waal 2007), it is often overlooked that the issue was heavily debated in the US Congress and

national and state-level legislature measures were used against Sudan (Uscinski et al. 2009; S. Totten 2006; Bechky 2009). The level of commitment was often criticized by Darfur advocacy groups, who welcomed any measure, but called for a more radical approach towards the Sudanese government. In the conceptual terms of securitization theory, Darfur might be described as an unsuccessful security move or a successful security move not followed by exceptional measures, but such description would not explain why specific measures were taken while others were not. The research question therefore could be put as follows: how did US Congressmen understand and interpret proposed and accepted US legislation and policy on Darfur in terms of normal politics and exceptional measures? I will argue that while the US Congress was an audience of a securitization move originating from various NGOs, it only accepted and adopted the language of security from this move. Despite the fact that the meaning of Darfur was intersubjectively established between securitizing actor and audience, there was no agreement on the use of special measures against the Sudanese government.

The selection of the case is due to its applicability to the research problem and the additional issues mentioned above: it includes the US, one of the supposed proponents of a non-Westphalian international order with a distinct view on global politics, a negative outcome, a democratic body and no exceptional measures taken in the domestic sphere. The case of Darfur is of particular importance because while it is still a case of non-intervention in a decade of uni- or multilateral humanitarian interventions by the US, legislation on Sudan is a prominent example of the possibilities of non-military violations of sovereignty. Although material on NGO action and interpretation would be more plentiful, the US Congress was chosen as the main subject of inquiry, since it provides a relatively unmapped area in that regard. Although Congressional action on Darfur was briefly covered by a quantitative inquiry (Uscinski et al. 2009), there is no major qualitative research on the question, how Congressmen interpreted and argued for action or lack of action on Darfur.

The first chapter of the thesis will lay down the theoretical basis of the research by briefly reviewing the concept of securitization, the role of the state of exception and special measures in the original theory of the Copenhagen School and in different branches of IR theory. The second chapter will review how these concepts of exceptionality and special measures can be used in the context of Darfur and argues that there were two main interpretations of Darfur, from which one eventually dominated the language of security in the media and popular discourse. In the third chapter, I will argue that this language of exceptionality was also accepted in the discourse of the US Congress, but without its original proposals on applicable emergency measures. Research was conducted on the materials of the US Congress in the time frame of 2003-2005 (108-109th Congresses) and secondary sources including scholarly accounts of the Darfur conflict and the involvement of the United States.

Exceptionality in International Relations

The question of exceptionality and exceptional measures features prominently in both branches of literature I am using for the argument of this thesis. In this section, I will first introduce how it is perceived in the Copenhagen School's original framework and what elements were criticized by the academic community. In the third part of the section I will briefly introduce the notion in international political theory to establish that while these approaches share many assumptions, they nevertheless differ in some important aspects concerning exception and exceptionality.

Securitization and the Exception

The framework of securitization theory and the related regional security theory and sectoral approach as it was proposed by Barry Buzan, Ole Wæver, and Jaap de Wilde in their 1998 book, *Security: A New Framework for Analysis* (Buzan et al. 1998) is a 'complex and dynamic, yet also vulnerable, theoretical position, drawing upon a broad range of diverse influences', where the role of additional 'single elements of the theory can perhaps best understood in conjunction, by taking into account how processes of securitization in the theory work in combination with the concepts of sectors/referent objects and security complexes' (C.A.S.E. Collective 2006, p.452).

The exception is present at two stages in the original framework of Barry Buzan, Ole Wæver and Jaap de Wilde: the intersubjective establishment of existential threat between actor and audience and the extraordinary or exceptional measures required to handle these threats (Buzan et al. 1998, pp.22-27.). The first is the language of security, which should be accepted by both the actor and audience in order to securitize the issue, otherwise it remains only a securitizing move of the actor (Buzan et al. 1998, p.26). The second is the possibility of an external measure due to this language of security. It should be noted that in the original framework, the actual use of such measures is not required to securitization, since as the authors argue:

'We do not push the demand so high as to say that an emergency measure has to adopted, only that the existential threat has to be argued and just gain enough resources for a platform to be made from which it is possible to legitimize emergency measures or other steps that would not have been possible had the discourse not taken the form of existential threats, point of no return, and necessity.' (Buzan et al. 1998, p.25)

It should be noted that the existence of a security discourse but the lack of realized emergency measures creates a middle zone between security and normal politics, as Wæver

acknowledged that a partial solution to desecuritization is to use the language of security in a way which does not create further securitization or leads to realized special measures (Wæver 2000). This argument underlines the fact that ‘exceptional’ is present at two stages in securitization theory: both the existence of the existential threat and the exceptionality of the applied measures have to be intersubjectively established for a fully successful securitization. Nevertheless, when only the first one takes place, it is less clear whether it is closer to normal politics or security for the School. Therefore in this section I will briefly review some important elements which might affect the acceptance of the language of security, while in the next one I will deal with the importance of emergency measures.

The Critique of Securitization Theory

Three main criticisms were raised against the ‘speech act’ approach of the Copenhagen School by various scholars of critical security approaches. The first is concerned about the emphasis put on speech instead of other modes of action, the second argues that forms of securitization and speech acts may vary depending on the social context, while the third one is built upon the notion that while the Copenhagen School assumes a certain level of free speech for every potential actor, some actors or some issues might be silenced due to power relations. These critical points are not independent from each other, but they emphasize different shortcomings in the original framework of the School.

Although the School argues that ‘the process of securitization is what in language is called a speech act’ (Buzan et al. 1998, p.26), Claire Wilkinson contrasts this notion with the possibility of other modes of action in securitization (Wilkinson 2007). In her article about the ‘Westphalian straitjacket’ of the Copenhagen School, Wilkinson concludes that ‘the relationship between speech and action is more complex than the portrayal offered by securitization. Particularly in the case of domestic politics, action may precede the speech-act

that is fundamental to securitization' (Wilkinson 2007, p.22). This critique of the securitization framework opens up the possibilities of non-speech forms of securitizing acts. Nevertheless, if specific forms of action can be regarded as securitizing moves or even successful securitizations, the border between the intersubjective establishment of the threat and use of external measures becomes difficult to conceptualize. Securitization theory is based on both the illocutionary and perlocutionary (the act *in* and *by* saying something, respectively) aspect of speech act (Vuori 2008). Based on Wilkinson's theses, however, one can argue that a non-speech act can be both a securitizing move and the special measure against the threat at the same time. In the original securitization framework, Buzan and Wæver argued that a threat must be established intersubjectively, since there is no objective security citing the example of a hostile tank crossing the border, arguing that 'hostile' is an intersubjective construction and not an objective attribute (Buzan et al. 1998, p.30). They overlook, however, the fact that while this attribute is indeed socially constructed, it does not necessarily happens through a speech act. If the tank in this example is fired upon, this action incorporates both the intersubjective establishment of the 'hostile' attribute, or the threat, and the special measure needed to handle this threat. There is also a second possibility in the relationship between the establishment of the threat and the special measures, which is at the heart of this thesis: it is also possible to establish the threat, but handle it through measures whose establishment as exceptional or special is not necessarily accepted by every actor involved.

This phenomenon is not unknown to the literature in securitization theory. The CASE collective pointed out that Schmitt's concept of the exception and exceptionalism provide a possibility to directly link exceptionalism as an authoritarian mode of governance and special measures (C.A.S.E. Collective 2006, pp.465-466). Similarly, the difference between speaking security and acting security has been noticed by the scholarship. One possible solution

proposed that this might be not called securitization, as that concept would imply the enactment of actual special measures and the lack of them is a sign of normal politics (Collins 2005). Similarly, Paul Roe has proposed a dual step in securitization: that the declaration of emergency and the agreement on the measures are two distinct phases: a rhetorical and an active phase in securitization (Roe 2008). This thesis follows this line of thought, but it also adds that the difference between the two phases in international relations can be identified as the subjective point of view of individuals taking part in the process as actor or audience.

Closely linked to the question of speech act and other forms of action in securitizing moves is the field of institutionalized securitization. The securitization framework acknowledges the acceptance of ad hoc and institutionalized variants of securitization processes and even the presence of security not related to public discourse (Buzan et al. 1998, p.28), but it rejects the argument of Didier Bigo that institutions might hold ‘absolute power’ on security issues and the analysis of the actors should enjoy priority (Bigo 2002; Buzan et al. 1998, p.31). In Bigo’s view, however, the non-discursive and non-public processes of securitization possess a great importance, since the role of institutionalization and professionalization is more present than in the assumptions of the Copenhagen School (Bigo 2002). Although this critique is usually raised in relation with the so-called ‘professionals of unease’ of Bigo, it is very much present at the heart of democratic decision-making as well. As Paul Roe argues, formal support of a parliamentary body might be more important than the moral support of the masses when it comes to applying extraordinary measures. (Roe, 2008)

Beyond the speech act and emergency action, the School also proposed a third component of a successful securitization, ‘effects on interunit relations by breaking free the rules’ , the reliance on the agent’s own social resources instead of the ‘social resources of rules shared intersubjectively amongst units’ (Buzan et al. 1998, p.26). Although it is easy to grasp at first, this component is not without problems in interstate relations either. It refers to the shared

social resources between the securitized threat and the securitizing actor, it does not give consideration for the existence of other units beyond these two. Since international systems usually contain more than two units, it is not conceptually clear what happens with the shared resources between the securitizing actor and other units or between the securitized actor and other units.

In sum, securitization uses the exception at the level of the language of security and the step of special measures, and such exception apply to interunit relations. In the next chapter, I will continue my theoretical inquiry and look at the different notions of the state of exception as a governmental tool in international relations.

Which State of Exception in International Relations?

Beyond the Copenhagen School's understanding of exceptionality and exceptional measures in security studies, there is also a different branch of IR literature, mainly influenced similarly by Schmitt, but also by authors like Hannah Arendt or Michel Foucault (Arendt 1998; Peters 2006) which primarily concerns itself by the role of emergency or exceptional measures. This line of research is associated with political theory and its main strand looks at contemporary security through the lenses of domestic processes and the prolongation of the state of exception (Agamben 2005), while others concentrate on the effects of this domestication of external relations by biopolitical means (Duffield 2001). It is this branch scholarship which argues that contemporary international relations is not characterized by even fuzzy borders between normal politics and exceptional measures, but the exceptional is used as a governing principle, therefore it is becoming impossible to distinguish it from what was perceived as the normal conduct of international relations: a system of states, with sovereignty as the main

principle. This idea of a new, or alternative, type of sovereignty and international relations has been further developed by the notion of the American Empire (Hardt 2001) and by authors researching contemporary humanitarian interventions (Duffield 2001; Duffield & Waddell 2006; Hoffman 2006; Jackson 2003; Shannon 2009). What these authors agree on is that contemporary international relations is in transition and what emerging concepts like humanitarian intervention and the responsibility to protect provide is an alternative understanding of how international relations should be conducted (Byers & Chesterman 2003).

The first idea of exception was described by Carls Schmitt as the ‘nomos of Europe’, that is international relations regulating interstate relations where the state of exception is interstate war (Schmitt 2003). Outside international law there were the non-civilized nations without the legal protection or even the legal possibility to conduct international relations (Koskenniemi 2002). This was, however, replaced by the rule and exception of sovereignty, where the exception is not war, but international policing. This idea of Smith was developed by scholars like Stephen D. Krasner or Gerry Simpson, who argue that the rule of sovereignty and the exceptions like non-sovereign entities from rouge states to internationally administered areas are based on the inseparability of rule and exception (Krasner 1999; Simpson 2004).

Beyond the state centric notions of interstate war and humanitarian intervention or global policing, however, there is another possible interpretation which does not rely on direct violence. In their two books, Michael Hardt and Antonio Negri argue that contemporary international relations can be best described as an Empire, where global governance is only partially relying on direct violence and realist assumptions of power (Hardt & Negri 2004). What is interesting that the existence of the Empire might mean that exceptional measures are not necessarily military measures as they were in the age of European domination. Here we encounter the possibility of using economic, social or even linguistic power as an exceptional

measure: where governance does not depend on the traditional notions of sovereignty, but on the networked one proposed by Hardt and Negri, direct violence might be not as important.

Other scholars, however, argue that violence is still a main measure of exception but it is used for different state of exceptions. I have quoted the Copenhagen School in relation to the idea of peace missions and the military: but it is also possible that this 'liberal way of war' addresses threats other than the military threats (Dillon & Reid 2009). Linking the idea of Empire and humanitarian interaction there is the argument that states involved in humanitarian interventions are predominantly part of the Western world: mainly the US and its European allies, which states can only conduct interventions because of their existing power position in the international order. It is indeed the case that successful humanitarian intervention requires not only a sufficient military power, but as the example of the US shows, also a political leverage to get the support at least part of the states. Intervention is a luxury of the powerful, and this statement is only a step away from the understanding that intervention is a tool of the powerful (Chandler 2008; Chandler 2009). This line of argument is critical to the notion of human security and its prominent proponents argue that the linking of development and security is only a tool for developing an efficient mode of global governance, where apolitical techniques are used to deprive human beings from their political existence to a state of biological existence as it is argued by Mark Duffield (Duffield 2008).

Although securitization theory might be equipped to handle securitizations at the international level, the original framework is inadequate for this task due to two factors in the School's main framework: state-centrism and the sectoral approach. First, while the securitization framework both deepens and broadens the notion of security in international relations in general, there is a specific field where it is explicitly limits security from the traditionalist military perspective. In *Security: A New Framework for Analysis*, it is argued that 'routine world order activities, such as peacekeeping or humanitarian intervention' 'cannot be viewed

as concerning existential threats to their states or even as emergency action in the sense of suspending normal rules' (Buzan et al. 1998, p.22). This is a peculiar statement, since the authors see the main merit of the framework in opening 'a much more open spectrum of possibilities' with regard of the referent objects of security (Buzan et al. 1998, p.36). Although it might be possible that such actions are not related to existential threats and therefore to securitization, the authors here overlook the fact that the notions of 'peacekeeping' or 'humanitarian intervention' should also be established intersubjectively and more importantly, such measures might be part of a securitization whose referent object is not the acting state or states. In this respect, the state-centric argument opposes the main theoretical framework itself, by giving objective attributes to specific actions and overlooking the possibility that the referent object is not necessarily the securitizing state.

Second, the School's sectoral approach, which broadened the notion of security to non-military spheres also argues that 'the essential quality of existence will vary greatly across different sectors', such as the military, political, economic, societal and environmental (Buzan et al. 1998, pp.21-22). The problem with this sectoral approach is not only that it once again introduces an objective categorization into the framework, but that its conceptual coverage is insufficient to deal with situations where these sectors overlap. Although the authors note that the lack of social and political recognition of a state might increase the possibility of securitizing it as a military threat (Buzan et al. 1998, p.63), little attention has been paid to the fact that it is possible to handle a sectoral threat with the exceptional means linked to another sector of the framework. Critics of human security argue that economic or societal threats, such as immigration might be handled by the military means of humanitarian intervention, and many threats are handled through complex measures incorporating military, economic, environmental etc. means (Chandler 2009). Although the securitization framework itself does allow the interpretation and analysis of such situations, the sectoral approach adds a level of

uncertainty noted by Jackson and Roe: if a threat is intersubjectively established, but the measures taken are not from the means of the sector in which the threat can be found, could one call this process securitization or not?

The two criticisms I have raised above concerning securitization and interstate relations such as humanitarian intervention points to the problem of securitization theory: it is only applicable if the notion of normal politics and normal measures is established. As I have argued in the last part, however, there are various approaches to past and contemporary international relations with distinct views on the nature of normal interstate relations and the role and nature of exceptions.

In the next chapter of the thesis I will argue that due to its shortcomings concerning the delineation of the establishment of threat and the exceptional action as well as the assumption of a generally accepted notion of normal politics, the School's original conceptual framework is inadequate to grasp some types of securitization processes, while theories of exceptional governance lack detailed inquiries on the 'gray zone' between speaking security and acting security. I will start this discussion with presenting the case study and the two main securitizing moves in which it was discussed in the NGO sphere. These are important to their relevance in influencing the Darfur discourse in the US Congress.

Darfur: Two Interpretations

The name of Darfur gained worldwide notoriety after 2003, when the Sudanese government's counter-insurgency campaign deteriorated into mass killings and expulsion of civilians. The Darfur conflict has been interpreted in various ways in recent academic works, including long-term historical approaches (Daly 2007), short and concise recent histories (Flint & de Waal 2008; Prunier 2007), criminological accounts (Hagan et al. 2005), FPA-inspired

descriptions (Funk & Fake 2009) and works putting the conflict to a global context (Mamdani 2009). The list of topics linked to the Darfur conflict is even more exhaustive and incorporates a huge part of recently debated issues in International Relations, including gender issues (Abusharaf 2006) climate change, identity politics (de Waal 2005; Sharkey 2007), humanitarian intervention and the ‘responsibility to protect’ (Bellamy 2006), African peacekeeping and security (Willett 2005; P. D. Williams 2006; P. D. Williams 2007), individual state responses to the situation (Huliaras 2006), the question of genocide (Straus 2005; Brunk 2008), the role of the International Criminal Court and universal jurisdiction (C. D. Totten & Tyler 2008), and micro-level politico-economic sources and consequences of war economies (Buchanan-Smith & Fadul 2008), not to mention the numerous medical, humanitarian and refugee-related papers and NGO or governmental reports. In the first part of this chapter I will briefly review how the notions of exceptionality described in the previous chapter can be linked to the interpretations of the international reception of the conflict. In the second part of the chapter, I will trace the two most important of these interpretations raised mainly by various NGOs. I argue that the differences between the various views on the responsibility of international actors are due to different understanding of exceptionality in contemporary international politics. I will conclude that a wide coalition of organizations tried to securitize the Darfur conflict in the US Congress by direct lobbying and indirect popular pressure on policy makers.

Despite the existence of rich literature on the conflict and its Western reception and framing, surprisingly less attention has been paid to the issue from a securitization perspective. Since the campaign for Darfur in the United States is considered to be the finest example of a modern social movement to raise alertness to a conflict and influence foreign policy decision-makers, accounts cover a wide array of questions, including the role of social movements (Budabin 2009), the leverage of the evangelical right (Huliaras 2006), the supposed US

interests in the conflict (Funk & Fake 2009), the geopolitical importance of the conflict coverage (Jang Hyun Kim et al. 2007) and so on. Nevertheless, most of the accounts examine the political roots of the coverage of the conflict and the possibility that actors might have reasons not related to the actual Darfur situation largely escaped scholarly attention and was only raised by the critics of the Save Darfur coalition (Mamdani 2009). Similarly, Darfur experts also raised the question of celebrity involvement in the campaign (de Waal 2008) and the variations in the media coverage in a report by CARMA (CARMA Media Analysis 2006). Despite these writings, however, the scholarly community has yet to provide a comprehensive account on why various actors got involved in the securitization act concerning Darfur and why NGO discourses differ.

A Humanitarian Perspective

In recent years, with the re-emergence aid pessimism, the political leverage of aid NGOs has become a well-researched topic. NGOs were traditionally perceived as actors whose actions are based on normative bases rather than material interests, but it is not unusual for NGOs to act partially on material bases. Instead of questions of normative actions, recent research on organizations has been concentrating on the topic, 'how competing groups frame their positions, disseminate their agenda, deploy their ideas, and shape public interests' regardless of the basis of this process (Sell & Prakash 2004, p.160). Scholars also argued 'that many aspects of IO and INGO behaviour can be explained by materialist analysis and an examination of the incentives and constraints produced by the transnational sector's institutional environment'(Cooley & Ron 2002, p.6). In the case of Darfur, institutional environment provided an opportunity to securitize, but also put constraints on this process for humanitarian NGOs.

In 2003, Sudan had been already a primary target of humanitarian aid mainly under the auspices of the UN and its Interagency Consolidated Appeal for the Sudan Assistance Programme (ASAP), which provided more than 1 billion dollar between 2000 and 2004, mainly for programs in the South and IDP camps (Middleton & O'Keefe 2006, p.554). Although Darfur was not unknown to Western NGOs due to earlier experiences during the famines of the 1980s (Bush 1988), it was not amongst the most important regions of Sudan from an aid perspective. The emergence of the conflict and the sudden increase in displaced population had the magnitude to change this relatively minor involvement, but would have required an increase in funding and the launch of new programs.

Centralized allocation of foreign aid is described by Epstein and Gang as a process where 'it is not clear that aid will be allocated properly, say to the poorest or to maximize the social welfare. Rather, aid may be allocated to the efficient aid-seekers' (Epstein & Gang 2006, p.294). Darfur provided an opportunity for humanitarian NGOs to extend their presence in Sudan by applying efficient aid-seeking strategies. In that respect, Darfur's distance from other Sudanese regions had most of the advantages of regional dispersion described by Koch: it was not well-covered in the early 2000s by NGOs, it provided a new opportunity for NGOs to gain reputation, and it required a regional centre because of the difficulties in transit. Nevertheless, this regional dispersion comes with the advantages of the presence of NGOs in Sudan: inclusion to other programs in Sudan and the knowledge of the national political and economic situation (Koch 2007).

The exact security and humanitarian situation in Darfur, however, was largely unknown for all NGOs involved. As a field researcher writes about the immediate response, 'few humanitarian needs assessments were undertaken, and these inevitably had uneven and patchy coverage because insecurity limited access' (Young 2007, p.44) . In the first programs of the WFP for instance, 'targeting criteria used displacement as an indicator', and only after a later

survey was it discovered that IDPs were nowhere near as vulnerable as the rural population and this distribution caused additional social conflicts (Belgasmi 2007). The uneven distribution caused by the lack of information caused strange situations: Sudanese traders were reported as exporting food from Darfur because the flood of aid significantly decreased the market price of grain (Buchanan-Smith & Fadul 2008). Early humanitarian responses almost exactly copied the mistakes of the 1980s in regard of the urban-rural distinction (Bush 1988). It took months for the WFP and NGOs to conduct studies on the local impact of the sudden aid influx and introduce more appropriate forms of food aid in 2005. Although it was obvious that there was a humanitarian disaster in Darfur, humanitarian NGOs acted without any specific knowledge on the situation and introduced programs based on general assumptions and mechanisms as soon as possible. Although they didn't have actual information, they were the only professionals of the aid industry.

Field NGOs also had their constraints. A poll amongst NGO workers in Darfur shows that while aid workers were felt free to speak about aid deliveries, food shortages and camp conditions, the majority felt constraints in the issues of rape, the perpetrators, restrictions and the overall situation (Reuters Alertnet 2007). The audience of this securitization therefore could not be the general public, but only the main donors of the aid industry, 'since many agencies judged that 'going public' against Khartoum might mean the end of any immediate chance of access' (Slim 2004). The issue of humanitarian aid was also seen as a less sensitive one by international actors than political ones, therefore humanitarian discourse acted as the smallest common denominator between the parties. Any step towards a political discourse by humanitarian organizations would mean they must face a dilemma: should they name the causes and perpetrators of the conflict, they would be most likely expelled from the region and lose the possibility to conduct any program.

It happened in March 2009, when the government denied access to the Darfur region for 13 NGOs which supposedly provided proof to the International Criminal Court in the investigation against President Omar al-Bashir. Nevertheless, the humanitarian breakdown expected by some did not occur and the humanitarian community managed to 'fill the gap' by reorganizing the contract chains (Humanitarian Policy Group 2009). The NGOs which tried to expand the discourse to incorporate not only humanitarian but political issues lost their contracts and funding (Hassan 2009). The use of humanitarian discourse by NGOs served not only the flow of aid, but that this aid flows through them and while the impact of expulsion was minimal for the people of Darfur, more than 7,000 NGO workers and several programs were affected (Humanitarian Policy Group 2009). The cost of a non-humanitarian securitization discourse was incredibly high for those organizations that decided to act not as security professionals, but as supporters of a non-humanitarian discourse.

Darfur: An Interventionist Perspective

Beyond the international aid industry, however, there is another small sector in which securitization can be somewhat beneficial: domestic advocacy and campaigning. The American campaign for Darfur has been dominated by an umbrella organization, the Save Darfur Coalition – a group of over a hundred American NGOs, consisted of religious and human rights organizations, but not international aid NGO (Funk & Fake 2009, pp.106-107). The SDC is an example of an emerging new type of NGO: the advocacy organization, whose only aim is to securitize an issue (raise alertness) by campaigning and lobbying. Financial data from the SDC shows that from the roughly 9 million dollar expenses in 2007, about 3.8 million was spent on marketing and advocacy, and about 3.5 on maintenance, including salaries, travel expenses, postal expenses and other similar payments. This financial

distribution is the most visible in the 2006 fiscal year, when only direct marketing expenses made up 34 dollars from the 47 million dollar revenue (Save Darfur 2009). As Mahmood Mamdani puts it: ‘Save Darfur increasingly became a feature – an outstanding one – of the contemporary American political scene ... whereby the hallmark of a successful political campaign is its ability to create and sustain a credible political spin’ (Mamdani 2009, pp.52-53). It clearly shows that securitizing an issue is not only a political act, but a business venture as well: advocacy NGOs (and employees, lobbyists and experts) rely on the act of securitization as a source of income.

Humanitarian field NGOs and advocacy organizations both were interested in securitizing Darfur. Nevertheless, the two type of actors practiced different securitizations. Humanitarian NGOs acted as security professionals in the field of aid, having ‘specific modes of action of a technical nature that we are supposed to know about’ (Bigo 2002, p.76) , including the knowledge to decide on the type and amount of aid. The Save Darfur Coalition, on the other hand, relied on a discourse act by declaring that the referent object (the Darfuris) is existentially threatened (genocide) by a precisely defined threat (the GoS and the Janjaweed). Although this difference was overshadowed by the common interest of raising alertness, as the security situation in the field started to change, clashes between these discourses became imminent. As humanitarian NGOs started to reorganize the actual aid policies in Darfur and the level of violence sharply decreased after 2004/05, a ‘new security’ evolved in the region as the International Crisis Group reported (International Crisis Group 2007). The Save Darfur Coalition, however, not only used the same genocide discourse, but also launched new campaigns for more American involvement and against China. As Mamdani puts it, the organization ‘seemed to have no reality check’ and the director of InterAction, a group of aid NGOs expressed his concerns in a letter directed to the SDC (Mamdani 2009, pp.50-51). As

in late 2007, the two interpretations were so different, that the two most prominent figures of the two camps could hardly agree on any issue in a public debate (Newsweek 2007).

The Role of the Media in Securitizing Moves

The development of the Darfur media coverage is usually considered by scholarly accounts as a way from non-existence to general framing and poor coverage of the actual problems on the field (Hamilton & Hazlett 2007). Although it is argued by some that poor coverage is a result of a conscious US policy, data from the global coverage of the issue does not differ from the US one: an analysis of 64 newspapers shows that before the July of 2004, very limited information was provided by the media on the conflict, and the sudden flood of articles during late summer shortly decreased before December as the dataset of CARMA international implies (CARMA Media Analysis 2006). Although this pattern would support the ‘vultures of war’ view of sensational media, it should be also noted that the same report shows that only 21% of the coverage focused on human suffering, less than on political dimensions.

Securitizing the Darfur conflict through the media was not only not in the interest of NGOs, but also hard to execute due to the lack of long-term media interest and the complicated and unfamiliar political situation. As a journalist put it: ‘Darfur just doesn’t push a button...Pick a place perhaps more familiar to us and it will be enormous story’ (Eke 2008, p.284). As I have argued above, this was hardly a problem for field NGOs which had the institutional position to act as security professionals in the aid industry without public involvement. Advocacy NGOs, on the other hand, did not have that type of influence and had to rely on addressing the public as audience in order to gain legitimacy or seeking the help of other securitizing actors. Therefore Darfur advocacy movements tried to frame and supplement mainstream media

coverage with a series of documentaries relying on the ‘genocide’ discourse. With a very small number of exceptions (e.g. Meet the Janjaweed, a 30 minutes report from British Channel 4), genocide became the mainstream discourse, largely due to celebrity involvement.

Celebrities have been involved in humanitarianism for years if not decades and the prominence of Bono and others make humanitarianism a ‘rock man’s burden’ (Richey & Ponte 2008). For contemporary generations, celebrities provide legitimacy – but it is argued that the black and white world they provide is inadequate to depict the complexities of emergencies (Dieter & Kumar 2008). As the SDC grow in power, it started to attract the attention of well-known media humanitarians, including Angelina Jolie, Brad Pitt or George Clooney. What was surprising was the level of political activism in their actions combined with the lack of the ‘reality check’. This led to cases like George Clooney’s speech in the UN describing a worsening security situation and ongoing genocide in 2006, or Steven Spielberg’s sudden decision to resign as an adviser for the Beijing Olympics due to the information that the Chinese government supported Khartoum. Celebrity involvement reinforced the genocide discourse by providing the publicity of fans, although it was based on a ‘questionable political sense that the lack of precise knowledge... need not to be reason enough to keep one from taking urgent action’ (Mamdani 2009, pp.54-56). Although one might parallel this with the sudden influx of NGOs into Darfur in 2003, humanitarian NGOs are of a different view, defending their professionalism from the amateur celebrity incursion: ‘But who needs empirics when there is a good story to tell’ (de Waal 2008)? In many respects, celebrities were both secondary audiences for the advocacy stories and securitizers of the story: they acted as a bridge between the original security discourse and the public and politicians.

It is because of these alternative channels and celebrities that the ‘genocide’ view was so strong amongst the general public. Opinion polls show that in 2005, after the NGO advocacy

and campaign started to gain momentum, 64% of Americans were ‘aware’ or ‘slightly aware’ of the situation (International Crisis Group 2005). Google Trend archives show similarity in the search patterns to the keywords ‘Darfur’ and ‘genocide’ with almost identical fluctuation and search numbers, which indicate a causal relationship between the two. The same pattern, however, was not present in the news coverage. That phenomenon does not only support the CARMA data about issues in the coverage, but also implies that the genocide securitization was successful regardless of the support of conventional media, at least in the population using the Internet (Google Trends 2009). They, however, were not the primary audience of the securitization act.

The securitization perspective provides valuable results for understanding how and why the issue of Darfur became such a debated topic. Securitizing actors – aid NGOs and advocacy organizations – benefited from the securitization act itself, regardless of the effectiveness of their response to the threat. Although ‘Darfuris’ were the referent objects of securitization as victims of ‘humanitarian emergency’ or ‘genocide’, in the early months of the humanitarian action and in the later part of the genocide campaign, the act of securitization seemed to be more important than the actual answer to the threat and ‘providing aid’ and ‘raising alertness’ casted a shadow over ‘providing effective aid’ and ‘stopping genocide’. These phenomena imply that the act of securitization might be completely detached from the securitized threat and the referent object and not only function as an act of self-reservation, but as self-creation in the case of the SDC.

The professionalization approach of field NGOs and the speech acts by the SDC – the two securitizations – were incompatible with each other because of the different threat assessments. Humanitarian NGOs as security professionals understood humanitarian issues as threats and saw the genocide interpretation as a dangerous one due to Khartoum’s potential response to political pressure. The SDC, on the other hand, understood the ‘genocidal

government' as the main threat and saw humanitarian aid as a short-term approach failing to deal with the real threat. As the poll and the co-operation with the ICC shows, humanitarian NGOs were aware of the limitations of their approach, but with the exception of the later expelled organizations, they decided that as professionals, they should concentrate on humanitarian issues and leave the swamp of political questions to other actors. The SDC continued to push the successful genocide framing in the hope that this would result in more political pressure on Sudan. This led to a heated debate between the camps. This issue shows that the choice between speech acts and securitization practices is sometimes conscious: security professionals are aware of their practices and might propose alternative securitizations, but the institutional framework does not allow them to do so. As NGOs proposing the genocide discourse were expelled from Darfur, organizational pressure might repress alternatives in a hierarchic environment. Still, the two representations were both present and potentially influenced the discourse in the Congress. As I will show in the next section, the humanitarian and the interventionist human security perspective both influenced the language of security in the Congress.

The general public was not the audience of the securitization act for either organization. Humanitarian NGOs managed to securitize humanitarian emergency through institutional channels to donors. The SDC extensively used campaigning techniques, but their aim was to motivate politicians to eliminate the threat of genocide and its perpetrators. Nevertheless, convincing the public was utilized as the first step towards a successful securitization in the circles of decision-makers. The SDC diversified its resources and employed lobbying techniques in order to reach politicians, using celebrities to gather public support. In order to reach their primary audience, different secondary audiences were used as channels. Vaughn argues that NGOs can persuade multiple audiences and selected groups of one audience (Vaughn 2009). In the case of Darfur, however, the public was only used for increasing the

success of the securitization in the case of the political audience. Therefore it can be argued that securitizing actors are able to start a snowball effect in securitization and succeed in their goals by using the success in one audience to persuade the other.

The most important question concerning the securitizations of Darfur is the one about the success of these different discourses. Interestingly, as I will return to this question in relation to the US legislation in the next section, both securitizations were successful in some respect despite the clashing views. US aid to Darfur was largely increased after 2003, but it also became oriented towards financing peacekeeping (Gustafson 2009). With over 12,600 humanitarian workers from over 75 NGOs and a dozen UN organ and agency, Darfur became the scene of one of the largest humanitarian operations with its hundreds of small projects with a billion magnitude budget (Bellamy 2006; Brosché 2008). The ICC inspection against President Omar al-Bashir and the deployment of the UNAMID forces reinforced the credibility of the genocide discourse (Kelly 2008). In a more important way, however, the securitizing speech act of advocacy NGOs failed as the measures taken by the US administration did not follow the advocacy NGO's recommendations on military sanctions despite the usage of the same language.

Darfur in the US Congress

The issue of Darfur was discussed extensively from 2003 in the US media and in the US Congress as well. The US Congressional Records archive provide more than 1000 hits for the word 'Darfur' between 2003 and 2008, and most of the referred pages contain more than one speeches from US Senators and Representatives. The material is less enormous in the case of legislative documents, since the continuous debates on Darfur usually did not lead to accepted and enacted legislation based on the first proposals, various items were rejected and modified

over the time before accepting them. The thesis analyses only the debates, but not the legislation in detail, since they are two distinct elements of the securitization process: the establishment of a language of security and the actual special measure taken against the threat. Therefore I do not provide a context analysis of the legislation, only a review of its perception in the later debate and in secondary sources. I will argue that based on the corpus, the acceptance of the language of security was not uniform in the US Congress, although most interpretations saw Darfur as a situation requiring urgent measures. Still, there was no agreement on the nature of these urgent measures, which is due to the different points of view concerning the nature of international relations.

In the first part of this section, I will introduce the results of my analysis the discourse on Darfur in the US Senate in the period 2003-2005, while in the second section I will argue that the consequent Darfur legislation between 2003-2007 cannot be established firmly as a series of security measures nor as normal measures based on intersubjective establishment, since neither the Darfur advocacy and the Congress, nor individual Members of Congress shared a common view on what constitutes an emergency measure. My preliminary research in the Congressional Records did not indicate the presence of any new interpretation after 2005: although the period between 2006 and 2007 contains more sources, the quantitative difference is accompanied by any qualitative change. In addition, the 2006-7 legislation was largely influenced by the texts of earlier bills not passed in the previous Congress, therefore it is similarly based on the interpretations already introduced in 2003-5. In sum, the inclusion of the records from 2006-2007 would not have added any value to the argument of this thesis. Similarly, the corpus only contains texts available from the Congressional Records archive, but not from committee hearings, submitted reports or other Congressional documents because of two reasons. First, the scope of the material would far exceed the limitations of this thesis. Second, the main argument is concerned only about the representations of the topic

in the Congress as a political and legislative body and the inclusion of other sources would have changed the focus of the thesis from the theoretical problem and the research question.

The corpus for the analysis consists of 411 texts directly referring to Darfur. About 15% of these are not actual speeches but reports referred to the Congress or other non-substantial material such as lists of legislation, daily digests. These are obviously omitted as they do not contain any useful context for the analysis. Similarly, a small percentage of the texts only refer to Darfur in completely different contexts, only citing it as an example. On the other hand, due to the system of the Congressional Record database, recorded documents may contain more than one speech related to Darfur as minutes of debates are handled as one single document.

Darfur in the Congress: The Language of Security and the Main Themes of the Discourse

Humanitarian: The humanitarian theme is one of the two most prominent ways in which Darfur was represented in the US Congress. It is essentially a traditional humanitarian viewpoint, which concentrates on the sufferings of individuals regardless, or with little regard, to the political context. Two specific modes of humanitarian speech were dominant in the Congress in depicting the Darfur conflict: gender and close experience. Gender hereby is understood not only as a male-female distinction and the references to rape, which were present, but as a wide concept incorporating any act where there is a perpetrator and a victim without any chance to resist domination and violence. Beyond rape, the two most important forms are speaking about crimes and atrocities against children and the elderly. Close experience refers to any method used by Members of Congress to create a sense of closure

between policymakers and the victims, these include the record of articles or movie clips, or (non-officially) reporting their experience after visiting Darfur or its neighborhood.

It should be noted, however, that while the humanitarian theme is widespread in the discourse, it is very often not the only theme of speeches. Although there are speeches in the corpus from a clearly humanitarian point of view, others only use this perspective in their argument for further action. 'Basic' humanitarian speeches do not follow this pattern and only call for humanitarian assistance for the people concerned. Other measures will be dealt with when addressing the themes of different measures on Sudan.

Genocide: The notion of genocide is prominent in all interpretations of the Darfur conflict from 2003 on. Although in that year, some speeches and documents avoid the usage of the word, from early 2004 it is present in almost every speech concerning Darfur. This might be partially due to the 22 July 2004 Senate and House resolutions, which officially established that genocide was occurring in Sudan, while earlier official papers had referred to attacks against civilians. The genocide interpretation is so strong, that unlike most of the other socially constructed attributes of Darfur in the Congress, it has never been questioned or countered by alternative interpretations. In fact, while 2003 speeches parallel Darfur with the Rwanda genocide, the name of the state(s) quickly become a synonym for genocide and it was regularly referred to even in contexts unrelated to the Darfur legislation.

Urgency: Urgency is an important element in the securitization framework, as it creates the possibility for a non-political, security mode of action where issues are not discussed in a democratic way. For obvious reasons, the reference to urgency in the US Congress does not refer to such non-democratic processes, but only to the requirement of immediate decision from the House or the Senate. Similarly to the notion of genocide, such expressions of urgency are regularly appearing in the speeches.

Barbarians and terrorists: I have argued based on Koskenniemi in the first section that the civilized/barbarian distinction was as important element in creating an international state of exception (Koskenniemi 2002). Interestingly, the same argument was very much present at the early stage of Congress debate on Darfur, as three members of the Congress referred to the ‘civilized world’ or ‘civilized nations’ contrasting their behavior with that of the Sudanese government which launched a genocidal campaign against its citizens. Although none of the speeches refer to Sudan or the Government of Sudan directly as barbarians, such attribute is generally used for depriving their acts and general behavior. One of the clearest examples comes from a speech of Senator Hillary Clinton, who stated that

‘The situation in Sudan has been plaguing the civilized world for years. Despite the best efforts of those who have attempted to broker some kind of resolution, including our Secretary of State, the Secretary General of the United Nations, other people of good will, the Sudanese Government--which is largely a terrorist regime--continues to thumb its nose at the civilized world and continues to support and engage in the terrorism that afflicts the Darfur region.’ (Clinton 2004)

This example is interesting, since it uses two concepts for marking the Government of Sudan as an entity which should not be handled as a regular and equal partner in the world of states: it is uncivilized and terrorist at the same time. In a very similar fashion, Congresswoman Sheila Jackson-Lee called for those ‘who believe in a civilized world to stamp out the genocide occurring in Sudan’ (Jackson-Lee 2004). In this sentence, Sudan is not directly uncivilized, but its actions make it impossible to create such a world: while in Clinton’s construct, civilization or civilized life is existing in some places, in Jackson-Lee’s argument such civilized world is an aim which must be realized. Despite the small differences between these and similar sentences in speeches, such constructs share an underlying idea: that the Government of Sudan is not only a threat to its people, but it is an enemy of the ‘civilized world’. This theme, which is very much linked to the genocide theme is certainly one of the

strongest example of using language to create a need for security action, as one does not engage politically barbarians or terrorists. The term 'civilized nations', on the other hand might be also seen as part of a different theme in the Darfur discourse, multilateral action.

Rushed legislation and national interest: Although urgency was a dominant attribute when speaking about Darfur, on very rare occasions Congressmen did express their desire not to accept immediate legislation and hold the issue for further debate. In particular, Representative Ron Paul argued against a proposal on 22 July 2004, stating that it

'was rushed onto the suspension calendar (by House rules reserved for "non-controversial" legislation) at last minute. Perhaps there was a concern that if Members had more time to consider the bill they would cringe at the resolution's call for U.S. military action in Sudan...' (Paul 2004)

Although this remark is unique in its open rejection of a proposal related to Darfur, the argument of the Representative is especially interesting. He identified the reference to the possibility of unilateral military action against Sudan as 'dangerous', since 'men and women of the United States Armed Forces risk their lives to protect and defend the United States'. This argument is not only one of the most explicit statements which can be paralleled with the 'old' notion of exception as war based on clash of state interests, but it is also a fine example of the dual nature of exception in the Copenhagen School. Just as the School argues that securitization is a speech act and special measures, here we can see that the Representative was concerned that the language of security in the proposal might easily lead to the special (military) measures. Four months later Senator Jon Corzine based his argument on the very same base of US national interest, but with a completely different outcome calling for strong pressure on Sudan since

'Darfur may easily enter a state of anarchy; a total collapse of law and order. Permitting such a thing to happen is not only immoral, it is antithetical to our national security interests. Remember, Sudan is the country that once

harbored Osama bin Laden. The prospects of becoming a terrorist breeding ground are real. This is something that needs to be addressed now. ‘ (Corzine 2004)

Unless Ron Paul’s argument, Corzine’s is based on the promise that a ‘total collapse of law and order’ and the possibility of harboring terrorists in Darfur is a national security threat to the US, just as Clinton used barbarism and terrorism. In that respect, it can be argued that such view echoes the critique of human security – that Corzine’s view on the possibility of intervention in Darfur is an example of the global war on state failure, or the static agenda behind human security (Chandler 2009).

US interest and capabilities: Another interpretation of the conflict accepted some notion of exceptionality, but also the limitations of that time. Although Representative Charles B. Rangel strongly supported the assistance for the AU peacekeeping force, he also seemed to accept that such proposals might be not successful since he proposed to include an article to the record arguing that ‘Security Council members such as China are opposed to strong action, and the United States is conserving limited military and diplomatic resources for Iraq and the war on terrorism’ (Washington Post 2004). This is similar to the ‘Rushed legislation’ argument in its acceptance of the capabilities and options of the US, but there is an important difference. This notion sees the US responsibility to act in Darfur as primary, which is only limited by the available means and options, why in the previous paragraph I have argued that in the ‘Rushed legislation’ speech it was the national interest of the US which was at the first level.

Multilateralism: Despite Congressman Ron Paul’s attack on the word ‘unilateral’, surprisingly less speeches called for a unilateral US action related to Darfur. The role of other potential partners, mainly the UN, the African Union and the European Union is prominent from early 2004, since earlier US actions mainly used these channels to utilize political

pressure, provide humanitarian assistance and later financial and logistical help to AU peacekeepers. Nevertheless, several speeches call for a US action regardless of the international response, such as the one by Representative Chris Van Hollen according to who, 'even apart from U.N. action, we can immediately urge other nations to join us in taking these and other measures' (Van Hollen 2004).

The fact that the theme of multilateral action was so prominent provided me an interesting theoretical problem. As I have referred to the three steps of successful securitization, relying on the actor's own resources is an important element in the concept (Buzan et al. 1998, p.26). It is, however, less clear what can be considered as a US resource. Is urging the UN to impose sanctions on Sudan or financing an AU military contingent is the use of a US resource? These examples might be considered as social resources shared intersubjectively among the US and other units, but for their mobilization, a US action is clearly needed.

Beyond this problem, the theme points to a more important problem of the discourse on Darfur. I have argued above that different themes identified different referent objects of security from 'civilians' to the US and to the 'civilized world'. The use of the latter might question whether the US is the actual unit in this context, and not humanity as a whole or the 'civilization'. Indeed, the theme of multilateralism is present in two types of linguistic constructs. The first type calls for the US to use its influence at the international level, such as Congressman Thomas Tancredo who proposes instructions to the 'U.S. permanent representative to the U.N. to urge member-states to pursue accountability' (Tancredo 2004).

Above political: Most of the themes above imply the security importance of Darfur, that is the need for urgent and special measures without engaging with the Sudanese government. Some speeches were more explicit in saying so, such as Senator Michael DeWine, who introduced a bill by underlining that its recommendations will 'also prevent any normalization

of relations between the U.S. Government and the Sudanese Government unless and until the President of the United States can certify that the Government of Sudan is taking significant and demonstrable steps'(DeWine 2004). Similarly, the statement that the Government of Sudan must be forced through various measures, and not approached by normal diplomatic channels is present in numerous arguments by Members of the Congress. Even more direct was a sentence by Senator Samuel Brownback which argued that in order to save the lives of Darfuri people, the US must 'move beyond the politics' (Brownback 2005). Although it is not directly related to the international scene, there is another dimension of moving beyond the politics: the emphasis on bipartisan bills, such as the remarks of Congressman Jon Corzine, who stated that it was a 'dedicated bipartisan group of House members' pushing for the acceptance of a proposal (Corzine 2005). Therefore the exception did not only referred to the US policy on Sudan, but also to the he US policymaking, which is depicted here as above the normal politics in order to ensure the proper handling of a threat.

Political: Although the discourse was largely dominated by the themes presented above, a distinct theme differed from the mainstream arguments concerning Darfur, opposing the 'above the politics theme'. This theme is prominently present in the speeches of Senator William Frist, who took a relatively soft stand on Sudan in the July of 2004, when he declared that he 'will do ask the Government of Sudan to take immediate steps to end the violence in that part of the world' when the majority of the speeches only mentioned the Government of Sudan as an entity to be pressured, not asked (Frist 2004). Although in a later speech he switched to the word 'pressure', the context nevertheless emphasized the need for negotiations, since the 'conflict will only be resolved through peaceful negotiations and dialogue' (Frist 2005). This theme is interesting due to its stance on international relations and the language of security. It seems that 'pressure' and 'negotiation' can be used together, or in other words, the language of security can be used for rolling back to sphere of normal politics.

From an IR perspective, it can also mean that securitization and the language of security, including special measures might be part of the normal state of affairs. This very much echoes Collin's view on security, which argues that it is possible for an issue to become security without actually being fully securitized, since political alternatives might be pursued within the language of security (Collins 2005, p.621). The next three themes – the potential measures against Sudan – show that there were very different arguments concerning the special measures. At least three types of special measures can be identified: financial, political and military. The interesting element here is that these are not necessarily linked to any of the perceptions of Darfur described above – an interventionist human security argument did not necessarily lead to the preference of a military solution, but a support of political or financial measures against Sudan. One encounters here the problem reviewed in the theoretical section of the thesis: the acceptance of the language of security and the intersubjective establishment of special measures are not necessarily come together.

From the Language of Security to Proposed Measures

Financial sanctions: Proponents of financial sanctions argued for some kind of unilateral financial measure against Sudan, most importantly the freezing of Sudanese assets in the US and a possible ban for US companies to invest in Sudan, which was realized in 2007 (S8639). Financial sanctions are not related to any of the dominant themes on the state of exception, as they are proposed by proponents as diplomatic, political measures and as special ones, with the call for the international community or as a unilateral action. The problem here is that it is hard to conceptualize such measures in the Copenhagen framework: the threat is not economic or financial from neither a humanitarian nor from a human security point of view, not to speak of traditional notions of interstate diplomacy. Therefore the recommendation of

financial measures is an obvious case where the proposed action is not taking place in the sphere where the threat is established.

Political sanctions: Interestingly, while most Members of the Congress used the language of urgency, they called for political sanctions – that is, although they might have considered the proposed measures as special ones, they nevertheless agreed that they are of a political nature. That points to the argument in the theoretical section of the thesis when it was argued that it is possible to use the language of security with political measures. Political measures, just as financial measures were proposed by both from a unilateralist (bilateral) perspective, but it was mainly materialized as the support for the proposition removing Sudan from the UN Human Rights Council. In that regard, the word ‘political’ does not equate to the Schmittian or Copenhagen concepts of the ‘political’ or ‘normal politics’ – ‘political measure’ hereby refers to a measure which is not military or economic. This, however, does not indicate that a ‘political measure’ is not an exceptional measure: such exclusionary steps against Sudan actually very much along the line of the Schmittian conception of exceptionality or its Agambenian reinterpretation (Agamben 2005).

Military sanctions: Although humanitarian intervention is usually argued to be the exception of contemporary international relations as I have argued in the first chapter, surprisingly few Congressmen argued for the need of direct intervention, although the questions of peacekeeping and peace enforcement were very much present. Therefore there are at least three kinds of military sanctions proposed against Sudan: on very rare occasions a direct military intervention of the US, the call for an international measure, and later on the financial support for the established AU military mission. Once again, the proposed sanctions are not clearly linked to any of the representations above, as a military sanction can be argued from a unilateral, hegemonic point of view, as well as from a humanitarian or human security one. It is also questionable how should one interpret the financial support for peacekeeping as it

handles a threat through military tools used in a non-military context by providing the material assets.

It should be also noted that some speeches which evaluate earlier actions by the Congress or other actors and find it insufficient. This theme is usually only serves as an introduction before recommendation for a specific type of action, but it also signals the effectiveness of the earlier securitization or measure or the speaker's view on the exceptional nature of those earlier measures.

In sum, the issue of Darfur was interpreted in various ways in the US Congress. The shared language on the securitiness of the situation does not mean that the question of exceptional measures is automatically intersubjectively established. Although a language of security was clearly established almost unanimously, Members of Congress did not have a shared notion on the nature of this state of exception not on the special measures. Individual themes, however, could be easily identified as originating from specific approaches to the state of exception from international political theory.

The Evaluation of the Darfur Securitization: Exceptional Measures?

As I have argued in the previous section, there is no clearly objective view whether the securitization moves concerning Darfur were successful or not. The real targeted audiences of the Darfur securitizations were US politicians, since as John Prendergrast said, 'activists seek to raise the alarm bell and to shape the policy priorities of their government'(Newsweek 2007). The importance of this alarm bell is disputable as despite 'alertness', the issue of Darfur was not a priority for the electorate (Uscinski et al. 2009). But as the list of the SDC members show, several important ethnic and religious organizations were actively involved in

the SDC, including several Christian churches and Islamist organizations, and Jewish and Afro-American groups. Researchers have shown that the support for Darfur was influenced by race, while party affiliation had only very limited effect (Uscinski et al. 2009, p.493). Most politicians accepted the genocide interpretation and the language of security because the heterogeneous SDC involving important ethnic and religious minorities was a desired partner in domestic politics as I have argued above. The securitization discourse provided by the SDC was hard to oppose, since Darfur could be linked the issue of genocide, the Holocaust and the Afro-American movement by its organizational affiliation and membership (Eichler-Levine & Hicks 2007). As for a consequence, the question was not ‘why would an MC support Darfur legislations?, but also why wouldn’t an MC support Darfur legislation?’(Uscinski et al. 2009, p.490) The most peculiar success of the SDC relied on completely different actors: governors of the states. The Bush administration did not issue serious legal actions against Sudan, but authorized states to adopt individual divestment policies towards investors in Sudan, and more than half of the US states decided to do so (Bechky 2009). The issue of Darfur became a ‘collaborative experiment’ as an umbrella organization of Jewish, Afro-American, Muslim and various Christian NGOs and interpreted Darfur as a common concern of all these groups by linking narratives of the suffering Africa, the Holocaust, and so on.(Eichler-Levine & Hicks 2007)

As for reshaping the American national foreign policy in and after the main timeframe of this thesis, the SDC policy was largely ineffective since seemingly only the logic of appropriateness made all parties interested in supporting the campaign. As both leading Democrats and Republicans joined the campaign, President Bush was pressured to put the issue of Darfur to his agenda. It is argued that despite the rhetoric, the foreign policy to Sudan mainly remained the same (Eichler-Levine & Hicks 2007, p.713). The previous section, however, showed that the issue of Darfur not only raised significant interest, but also an

incentive for legislation and direct US aid to Darfur was doubled between 2006 and 2008. But the increase in the budget for humanitarian operations in Darfur meant a new division of humanitarian and peacekeeping finance: advocacy NGOs also managed to securitize genocide and got politicians to increase the finance of military presence (Gustafson 2009). Nevertheless, one might argue that advocacy NGOs failed to promote any direct US presence in Sudan: the new ‘constructive engagement’ of the Obama administration has caused much dissatisfaction in the SDC despite its use of the genocide rhetoric (Prendergast 2009).

As I have argued above, however, the notions of failure and success can be interpreted in various ways due to the problems with the Copenhagen framework. These are because of the mixed nature of the school incorporating various elements: while the framework depends too much on the supposed existence of intersubjective agreements related to the threat and the special measures, its objectivist assumptions about sectors limit the potential combinations of threats or state of exceptions and measures.

The statement that the Darfur legislation and therefore its securitization was a failure/success based on an objective or subjective assumption contrasts the Copenhagen School’s emphasis on the intersubjective creation of security and a socially constructed sphere of security. It is not a task of the analyst to speak or assess security, only to see if actors involved are doing so. The problem here is that while securitization might be perceived as failed from the perspective of the advocacy movement based on the difference between the interventionist measures recommended to the Congress and the actually enacted legislation, it is not necessarily failed from the point of view of the Congress as a whole or as individual Congressmen.

I have shown in the previous part of this section that despite the shared language, or the presence of a successful rhetorical securitization – which can be easily perceived as a success,

since the use of a specific discourse can be measured objectively - , it is highly disputable whether the measures proposed are special. Arguably, almost all proposed measures did or would have changed the interunit relations between the US and Sudan and they were also proposed in a language of urgency. Still, perceptions of Congressmen differ when it comes to assess the exceptionality of these measures. Some lines of securitizations can be argued to be failed, such as the existence of a direct military threat against the US which should be handled through military measures. But some speeches argued for the existence of such military threat and recommended measure not related to the military sector at all in the form of financial retribution or political pressure. Others perceived even this pressure as potentially part of the normal handling of such situations in interstate affairs. In sum, the basic framework of securitization theory is inadequate to analyze the discourse about proposed Darfur legislation as the problems pointed out by the critics of the School are clearly present in this case.

The problem is not that one cannot establish the case as securitization, but that after doing so, one should analyze whether the measures enacted are enough to call the issue a case of successful securitization or it is just a securitizing move which either failed or succeeded only in the rhetorical step, but not the active one. Should one agree with this conceptualization, the question still remains: how could the analyst argue for or against the existence of a successful securitization without using some objective measure regarding exceptionalism and exceptional measures?

Conclusions

The case of Darfur in the US Senate shows some shortcomings and some potential power of securitization theory and international political theory. As for securitization, the first problem which is very much present in the case study is that of the existence of different referent objects in securitizations or securitization moves. Although many Members of Congress called for action concerning Darfur, different themes in the discourse used very different referent objects. Members with a human security point of view see the referent object as the people of Darfur, while others argued that Sudan represents a threat to the civilized world and the international community. Others were arguing that the chaos in Sudan clearly threatens the US, while a counterargument did not see any direct threat from that direction to the US as a referent object. What is important here is that referents objects can be paralleled with a specific point of view about the nature of contemporary international relations and security. The Copenhagen School argues that security is intersubjectively constructed, as some form of acceptance is needed. The majority of the Congress accepted the language of security concerning Darfur, but the internal debates show that behind this acceptance, Members of Congress saw the conflict and Sudan a threat because of different reasons. Therefore this acceptance was not fully based on the intersubjective establishment on the nature of the threat. Still, the different subjective interpretations were not incompatible with each other, or at least not all of them. In the terms of the Copenhagen School, it is not easy to conceptualize this phenomenon. It can be only explained if it is the subjectively perceived state of exception which creates the securitizing agent or audience from the individuals. Therefore the individual views on the nature of the exceptions must exist prior to the intersubjective acceptance of the securitization and these are not subject to the intersubjective phase, as different notions about the state of exception remain even after establishing the language of security or even some

security measures. Securitization has been criticized from a normative point of view due to its undemocratic nature, and as a mode of governance, but the Darfur case shows that the actors and audiences involved might have very different agendas in a shared securitization process.

From the perspective of desecuritization, it also raises some important questions. As I have argued in the first chapter, cases where the language of security is used, but special measures are not, constitute a 'gray zone' for securitization: it is not a fully successful securitization in Copenhagen terms, but it not normal politics either. Since the Ole Waver argued that stopping the spiral of special measures is a first step in a potential desecuritization, what happens when it is not the state of exception, but only the existence of special measures which is not intersubjectively established? There is obvious need for some definition for such measures, but if it is not agreed upon by all actors and cannot be objective, where should the analyst search it for? Similarly, if a case cannot be declared to be a securitization due to the actor's reliance on assets linked to other units, how does the Copenhagen framework address it? These issues can be only resolved if one introduces a step before the whole securitization process: that is the context of interstate or international relations, whose rules and exceptions are also intersubjectively created. I propose three ways in which securitization theory and international political theory might cooperate and develop an enhanced framework for understanding international relations.

First, combining the two approaches it might be possible to conceptually refine the 'gray zone' between speaking security and acting security. For securitization theory, it might be useful to use the concept of the state of exception in international relations for defining the initial rules of the game, the state of normal, political relations. It is usually perceived as either objectively existing (states usually do not invade other states) or dependent on the analyst's view on the question, such as in the normative critiques of the Copenhagen School. I have argued that the acceptance of a state of exception and special measures does not

necessarily means the intersubjective establishment of these. Political theory-inspired accounts, however, argue for the existence of a different intersubjective creation at the international level: a commonly agreed view on what constitutes exceptional. Here the two theories might mutually reinforce each other: political theory would benefit from comparative and case studies of securitizations, refining its view on how these notions might change over time. Securitization theory, on the other hand, would benefit from building its framework in this change in order to gain a conceptual apparatus for analyzing exceptions and measures. In the case of Darfur, it might be argued that based on the historical evolution of exceptionality, the inadequacy of securitization theory is because of a lack of a commonly agreed notion of exception. Still, if one bases his or her argument on a specific exception described by a political theorist, the gray zone will disappear: if there are a large number of similar securitization processes in the international scene based on a policing-like state of exception with economic measures, it can be argued as a point of departure for other securitization analyses.

Second, the problem of unit relations should be also linked to the institutionalized state of exceptions, such as the UN. The question of unilateralism and multilateralism is very much related to international political theory, and here is the potential link to securitization. Securitization theory should move away from a simple view on unit-unit relations to the questions of complex institutional settings. More emphasis should be put on the role of power relations in securitization along the lines of the gender critique of the Copenhagen School. In that respect, the School's concentration on speech acts might be not the best way when the audience has more power than the securitizing actor. The issue of Darfur received much discussion in the US media, public and legislative body, but the securitizing move lost from its impetus or changed its meaning at every level: between the advocacy and Congress

discourse, Congress discourse and legislative action, the options offered by legislation and its realization by the President or international organizations.

A third added value of a stronger cooperation between scholars of securitization and political theory would be a revising of the sectoral concept of the Copenhagen School. Although the sectors are artificial, this is not the main problem with the approach, since every theory is based on abstraction and some level of categorization in order to have conceptual clarity. The sectoral approach, however, is not sufficient for dealing with complex securitizations, such as the case of Darfur. Members of Congress perceived different referent objects, threats and special measures in the same securitization process between 2003 and 2005. The sectoral approach is inadequate for analyzing this: the analyst should either have an idea of objectively existing sectors or see the case of Darfur as a complex of various securitizations from different sectors. In the era where traditional and critical notions of security are present at the same time, and notions like biopolitics or human security create cross-sector linkages between exceptions and measures, even the concepts of 'military' or 'economic' are in flux. The sectoral approach cannot address such situations without seriously modifications – it might be easier to understand securitizations not in the objective framework of sectors, but according to the subjective and intersubjective relation of actors and their political/theoretical view on international relations.

Buzan and Wæver argued that the theory of Regional Security Complexes can be used as an additional level over securitization (Buzan & Waever 2004). RSC, however, only provides an additional level where actors involved in a securitization (including the actorized threat) are in the same complex. Contemporary international political theory, on the other hand, argues that the most important level of analysis is the global one, whether is it a world of Empire or Multitude, a hegemonic hierarchy with a central superpower or a global network of biopolitical governance: the exception is defined at the top level in international relations due

to its link to power and order. Therefore I propose that securitization theory should be linked with these approaches in order to be able to serve as a framework for analysis at the macro level of world politics. What is required is to move forward a step and see the mutual relationship between the state of exception in a given international system and the individual policymakers' notions of international relations. After all, the main dividing line in international relations theory is the one between words and deeds and the ever-present gap between them. Securitization so far was mainly concerned with the mechanism of speech acts, while other critical schools concentrated on the pure power relations behind the rhetoric. Perhaps a fusion of these branches leads to an ontological compromise: although security might be socially constructed, systems of exception may last long enough to be referred to as objective points of reference. Or security might be objective and real, but due to their own real security concerns, actors develop and use complex and long-lasting rhetorical constructs of false notions of security. The proposed merge might be usable in both situations, although it cannot necessarily tell the difference between them. But after all, is there any practical difference between the two?

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