Chapter Eleven

Prevention by Bystanders

1. Introduction

Ervin Staub, the scholar whose life was saved by Raoul Wallenberg in Budapest (see our previous chapter), wrote: ‘Once perpetrators begin to harm people, the resulting psychological changes make greater harm-doing probable. However, early public reactions can counteract these changes and inhibit further violence’ (Staub 1989, 79). It is these ‘early public reactions’ on which we will focus our attention in this chapter. We will examine the reactions from third parties before the conflict or atrocities have begun, as well as the reactions in the early phases of the conflict or atrocities. We will thus focus on the preventative stage, which includes measures to ensure that a conflict or atrocities in their early phase do not escalate (Reychler 1999). These early public reactions can be made by bystanders at all of the four levels that we have previously distinguished, with the desired result of decreasing or even stopping the level of violence or the number of violations. In chapter 13 we will study intervention, i.e. the reactions to a conflict or atrocities once they have escalated or even reached their full scale. At this point we can therefore no longer talk of prevention.

Opposing indifference, opposing non-action, taking sides not only against the perpetrator and collaborator but also in particular against the bystander, is an immense task. In this chapter we will study what the possibilities are for taking such action considering the power and instruments that are available primarily at the state and international levels. In section 2 we will discuss the different stages within a genocidal process and point to the measures that can be taken to prevent genocide. The opportunities to prevent genocide and other international crimes or gross human rights violations by international actors will be dealt with in section 3. In section 4 we will discuss a rather new and novel principle in international affairs: the so-called “Responsibility to Protect” (R2P) principle. However, before a third party can act it must have information on the situation in the target country and policy options on how to act. The available early warnings and accompanied signals will thus be elaborated in sections 5 and 6. These sections on prevention will study the information that is available – early warnings as a concept and signals for
early warning – and then elaborate on the possibility for preventive action in section 7. Following this, section 8 will focus on ‘peace-keeping forces’ as an important instrument of prevention. The evolution of peace-keeping and the three core principles of peace-keeping (consent, non-use of force, and impartiality) will be explained and illustrated in sub-sections 8.1–8.4, whilst the strength, mandate, composition, and rules of engagement will be described in section 8.5. In section 8.6 a short note on regional peace-keepers will be given. Chapter 11 provides the background for the case studies that will be examined in Chapter 12.

2. Prevention of Genocide

Raul Hilberg described the role of bystanders as follows:

Most contemporaries of the Jewish catastrophe were neither perpetrators nor victims. Many people, however, saw or heard something of the events. Those of them who lived in Adolf Hitler’s Europe would have described themselves, with few exceptions, as bystanders. They were not “involved”, not willing to hurt the victims and not wishing to be hurt by the perpetrators. Yet the reality was not always so uncomplicated…In some areas, bystanders became perpetrators themselves. In many regions they took advantage of Jewish misfortunes and seized a profit, but there were also those who helped the hunted. (Hilberg 1992, xi)

In our previous chapter we demonstrated that the term ‘bystander’ is an ambiguous concept. We concluded that by doing nothing, the bystander helps and facilitates the perpetrator and thus becomes a ‘collaborator’. Bystanders can also however help victims and thus oppose the perpetrator and should in this instance be called a ‘rescuer’. In short, we concluded in the previous chapter that although the bystander was often seen as neutral at the first stage, in fact by doing nothing during the atrocities he becomes a collaborator, helping the perpetrator. In an interview with the Dutch Newspaper, NRC Handelsblad, almost twenty years after he wrote Modernity and the Holocaust Zygmunt Bauman (1989) underlined the importance of ‘responsibility’. Taking responsibility means opposing the ‘bystanders’ because these onlookers facilitate the repression and exploitation of others.1 The meaning of ‘repression and exploitation of others’ was clearly explained by Raul Hilberg in 1985 when putting forward that any repression proceeds the following five stages: 1. shutting off the supply of information for all outsiders; 2. restricting participation to those with knowledge; 3. prohibiting criticism

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1 See NRC – Handelsblad, 4 February 2006, p. 47, the interview was conducted by Ellie Smolenaars.