Explaining inconsistency:

Motive, intent, and the practice of human protection

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Abstract: What accounts for the inconsistency of human protection practice? This article explores the role of motive and intent in determining collective responses to humanitarian crises. The article outlines the purpose and roles of protection agents – with a focus here on states acting collectively – as well as motives and intent. The study finds that, while human protection norms have gained traction and this is reflected in collective practice, responses to humanitarian crises are not consistently motivated primarily by humanitarian concerns. Even where there is robust political will to respond to a crisis, intentions may differ among protection agents and can account for variability in the nature of collective responses. A comparative case study of international responses to the post-electoral crisis in Kenya, 2007-8, and NATO's intervention in Libya, 2011, illustrates these dynamics.

Introduction

What accounts for the inconsistency of human protection practice, despite the emergence of an international human protection regime? This is a thought-provoking question because it focuses on the difference between what is, and what ought to be. Despite the endorsement of the responsibility to protect principle by states at the World Summit of 2005,[1] variability in protection responses remains an inherent feature of states' protection practice. Given their central role as protection agents with the authority to initiate coercive responses, as well as to support, endorse, facilitate or, in some cases even only to tolerate, the protection responses of other agents, including humanitarian and human rights organisations, the reliability of states' responses across cases is critical for the development of a protection regime that enables habitual and robust collective responses to humanitarian crisis. However, states' responses vary depending on case, even where these are similar in terms of the nature of the conflict and the scale of the humanitarian crisis. While some populations at risk from direct harm in armed conflict receive protection and humanitarian assistance, others do not. This may cast doubt on the legitimacy of the regime and its associated practices: 'When the genocide was perpetrated in Rwanda, the international community was slow to condemn the mass killings,' Ismael Mugabo, a resident of Kigali said when asked about his opinion of NATO's intervention in Libya – 'the international community should be consistent in its policies', he added.[2]

Consistency, in this context, means the equal application of norms of protection by international actors as a collective. It does not refer to the size or tenacity of any particular kind of response, given that every crisis is unique. 'Consistency', here, refers to a hypothetical state in which collective responses to humanitarian emergency are determined by humanitarian need rather than by the private interests of individual states. 'Actors' become 'protection agents' when they effect action in order to prevent harm to civilians and alleviate humanitarian suffering. Motives and intent shape actions: when actors' intentions are to protect civilians and alleviate humanitarian suffering, their actions are consistent with norms of protection. When actors habitually prioritise human protection – reliably across cases – their responses are consistent in that they display a high degree of invariability.[3]

Outcomes – for example the number of lives saved, or the extent to which indirect harm from conflict is mitigated – are influenced, but not determined solely by, the decisiveness and robustness of international responses. Large-scale responses do not necessarily produce optimal outcomes. The case of the Democratic Republic of Congo (DRC) serves as an example.[4] In contrast, limited responses may produce good outcomes, such as the mediation in the aftermath of the post-electoral violence in Kenya, 2007-08, as discussed below. Consistent responses, therefore, are responses that honour the protection imperative and are motivated by humanitarian dedication. Consistent, norm-compliant responses honour the protection norm in that they employ measures that are appropriate to the crisis at hand. A standard of consistency therefore supposes measures need to be decisive and robust, with due consideration given to the anticipated effects of the measures implemented. A standard of consistency does not necessarily suppose that responses should be uniform across cases, given that every crisis is different.

The constructivist literature on norm dynamics provides useful conceptual tools for understanding the salience and diffusion of norms.[5] It describes the internalisation of new norms, and outlines how norms shape and constrain behaviour. While norms influence protection practice across cases, several factors, including private interests of protection agents, explain why there is variability in the degree to which protection agents adhere to norms of protection. Motive and intent are useful terms for distinguishing between states' reasons for humanitarian action, and their aims when acting in particular ways.[6] Intent can be inferred from justifications, the absence of plausible alternative explanations, and types of actions taken. Motives may, however, be mixed, encompassing both humanitarian and private reasons for acting. Similarly, intent may be the sum of several interests including both humanitarian and other interests. For example, a state may have an economic interest in maintaining trade relations with a neighbour whose economy is affected by civil unrest. Assuming this interest provided the sole impetus for said state to intervene, unilaterally or in support of a multilateral undertaking, their motive for doing so would be to safeguard economic interests. However, their intent may be the same as if their motive had been purely humanitarian: to resolve the conflict or mitigate its consequences. A state's response may be shaped by mixed motives; a host of

concerns, including humanitarian and non-humanitarian considerations, may drive state responses. However, motives are significant because they are likely to influence mandates, the choice of instruments and, where coercive military measures are employed, operational objectives, as well as rules of engagement and troop conduct. Contingent factors unrelated to a state's motivations for meeting the humanitarian response imperative – including practical considerations, as well as the perceived intentions of other states – may play an important role in determining states' responses in a given case.[7]

This article discusses several reasons for the observed inconsistency of international practice, despite the emergence of a protection regime, focusing in particular on the role of state preferences and their interaction with norms of protection. Five explanations for the inconsistency of international responses across cases can be identified. First, cases are not alike: even assuming perfect consistency, responses must vary if they are to effect human protection. However, holding all else constant, similar cases ought to produce similar collective responses, if international practice were consistent. Second, there will be differences in state interests and the degree to which humanitarian concerns determine states' preferences. Third, there may be prohibitive costs associated with private interests of influential actors and the need for prudential responses (where decisive responses, for example the use of force, have poor prospects of success). Fourth, competing norms of protection may result in ambiguity or incoherence and permit strategic application of norms.[8] Finally, the contestation of norms associated with the regime and differing interpretations by protection agents may result in inconsistency among international responses across cases.[9] Contestation can take the form of an agent's questioning of the validity of a norm in light of other rules that structure social interactions, or it can relate to the scope and applicability of the norm.[10] While all of these explanations are salient, this article takes a closer look at the role of identity, interests, and prudential concerns in shaping protection responses.

The article proceeds in three parts. First, the article outlines the international human protection regime and the inconsistency that characterises international responses to conflict and complex humanitarian emergencies that put the lives of civilians at risk. A range of explanations for inconsistency are

discussed. Second, an actor-centric approach for understanding the nature of collective responses, and the role of states in co-ordinating collective responses, is outlined. The empirical part then discusses explanations for inconsistency: variation in the characteristics of crises; parochial interests and mixed motives; the need for prudential considerations; as well as regime incoherence and norm contestation. Two cases, responses to Kenya's post-electoral crisis of 2007-08 and to the start of the Libyan conflict, 2011, are compared to illustrate these points.

The international human protection regime and consistency of practice

An international regime is a set of 'principles, norms, rules and decision-making procedures around which actors' expectations converge in a given issue area'.[11] Consistency of responses to conflict and humanitarian crisis, therefore, and notwithstanding the caveats outlined above, indicates the consolidation of norms of protection.[12] Together with the formation of new institutions, habitual practice characterises the emergence of an international protection regime.[13] The recent trajectory has been one in which a principled position of 'non-interference' has given way to one of 'non-indifference' to human rights violations, with profound implications for policy and practice.[14] 'Sovereignty as responsibility'[15] has become a guiding principle shaping perceptions of appropriate responses. The nascent regime suggests international actors have a collective responsibility to protect individuals and groups from conflict-induced threats to their survival and livelihoods.

However, inconsistency of practice continues to characterise collective responses to complex humanitarian emergencies: situations in which there is organised violence, with civilian fatalities as a result of both the direct and indirect consequences of conflict. While some cases of conscience-shocking humanitarian suffering elicit decisive collective responses that are proportionate to the scale of the crisis, others fail to compel decisive responses. Inconsistent responses thus defined a) do not address the political problem, and b) leave populations in need without security, shelter, or vital medical supplies. While some human protection crises compel robust responses – responses that are effective in addressing the problem and preventing further harm to individuals and groups – others fail to compel robust collective responses.

Despite its moral significance and role in advancing norms of appropriate behaviour, 'consistency' in the practice of human protection has received little scholarly attention to date. Where it has, it has been viewed through the prism of 'selectivity', 'double standards', and 'hypocrisy'. These labels have been used to flag perceived failures of the United Nations (UN), as well as the actions of individual states intervening unilaterally on humanitarian grounds. For example, in the aftermath of NATO's Kosovo intervention, Robert M Hayden questioned NATO's rationale for the war, suggesting it amounted to 'humanitarian hypocrisy'.[16] 'The problem becomes more acute', Mohammed Ayoob suggests, 'when these "representatives" of the "international community" choose targets for intervention selectively while ignoring human rights violations of equal or greater magnitude elsewhere … [casting] doubts on the sincerity of the intervening powers', and further suggesting 'double standards were at work'.[17]

These concepts have been applied to frame some empirical studies. For example, Michael Lipson surveys post-Cold War peacekeeping practice through the prism of 'organised hypocrisy',[18] and Natalie Zähringer and Malte Brosig use 'organised hypocrisy' as a prism through which to understand norm contestation at the regional level.[19] Some work has systematically surveyed the response consistency of individual protection agents, or the consistency with which specific protection measures have been employed. For example, Melissa Labonte surveys the responses of the UN, finding 'double manifest failure' to protect populations at risk.[20] Martin Binder compares the responses of the UN to a range of humanitarian crises, finding that the two main determinants of coercive Security Council responses are scale of the crisis and previous involvement of the Security Council.[21] An empirical survey by Michael Gilligan and Stephen Stedman finds that the UN acts in line with its stated goals, but is distinctly biased towards conflict in Europe and the Western hemisphere, and is also guided by considerations of power, cost, and risk.[22] Andrea Everett comes to a similar conclusion, finding there are typically great disparities between proclaimed humanitarian principles and the operational objectives that determine the nature of responses.[23] However, the field still lacks a cogent account of reasons for inconsistency of collective practice across cases and, furthermore, most studies focus on non-normative explanations for variability in responses.

The human protection regime is ambiguous, leaving much scope for interpretation.[24] However, the annual reports of the UN secretary-general on the responsibility to protect, particularly the reports of 2009 and 2013, *Implementing the Responsibility to Protect* and *State Responsibility and Prevention*, respectively, have helped clarify the remit of the principle and the scope of measures available to states and other actors.[25] In his report of 2019, *Lessons Learned for Prevention*, the secretary-general summarised and reiterated the core preventive responsibilities of the international community, encompassing both structural and direct preventive measures.[26] The latter include political engagement by the UN and regional actors as well as neighbouring states, mediation, the prevention of hate speech and incitement to violence, arms embargos, forcefully limiting military capacities of a potential perpetrator of mass violence, the provision of safe havens to affected populations, the dispatch of peacekeepers, reporting of human rights violations, and taking humanitarian action to alleviate the suffering of affected populations. Not every instrument is employed in every case, but recent practice suggests that international actors are routinely resorting to many, if not most, of these instruments when responding to conflict and humanitarian crisis. The most contentious aspect remains the decision to employ force in the pursuit of protection; the more coercive measures generally are employed with the least consistency across cases.[27] Less contentious measures, including the provision of humanitarian aid, in contrast, are employed with a greater degree of reliability.

Individual motives, collective intent and the practice of human protection

Explanatory theories of international relations, both rationalist and constructivist, assume behaviour is necessarily inconsistent, even where social norms are well-established.[28] Therefore, inconsistent responses to crises are to be expected, even where protection norms are internalised and institutionalised. Constructivists assume that ideas, and values may influence behaviour by elevating some interests over others, but social behaviour is still defined by exceptions to the rule and indeed, norms are most visible where they are violated.[29] Constructivists conceptualise norms sociologically, as typically observed behaviour in situations in which an actor with agency can make a choice, and this relates in some way to a social rule.[30] Observed behaviour can be described as norm-adherence

(conforming with general practice) or norm-violating (deviating from general practice). A useful analogy is a standard normal curve where about two-thirds of the cases fall within one standard deviation of the mean, and only extreme outliers fall outside of two standard deviations of the mean. If observed collective behaviour is best described as a standard normal curve, one can ascertain the existence of a norm of social practice.

For rationalists, interests are fixed, inherently tied to the function of an actor. For states, that function is internal control and external defence. Values play a marginal role, if at all, and for structural realists, they play no role at all.[31] However, state practice does suggest that collective responses have become more consistent than rationalist approaches would predict, in that there is habitually some form of international response to conflict and humanitarian crisis and there is a repertoire of available responses that are deemed appropriate in certain circumstances by states and other actors. A state's motivation for responding to humanitarian crisis is determined by a combination of factors, including the interests of domestic constituencies, resource dependencies, and competition for status and international influence. Function and relative power are significant determinants of behaviour, but states' motives are not solely determined by strategic and geopolitical interests. Identities and norm internalisation play a role in accounting for preference formation. The degree to which humanitarian dedication drives responses may be marginal in relation to other interests, but nevertheless plays a discernible role in shaping protection responses. Contrasting the function, role, and identities of states to those of civil society actors puts the inconsistency of states' protection practice into stark relief: although humanitarian and human rights organisations also behave inconsistently given organisational pressures and hierarchies among non-governmental organisations and their need to reconcile material imperatives with normative interests,[32] their actions are more in line with norm-compliant behaviour precisely because of their more limited function and purpose. The behaviour of these protection agents demonstrates how function and purpose work to shape the nature of responses to individual crises. Nevertheless, the role of these actors as protection agents in case-specific contexts has received marginal attention at best in the existing literature.[33] Utilising constructivist assumptions about preference formation and the role of identity and norm internalisation can help shed light on the way

motives shape intent and produce more, or less, robust case-specific collective responses and, in aggregate terms and over time, specific patterns of collective practice.[34] Protection agents for whom human protection is a priority will respond more reliably across cases. States' interests are determined by their function, their role among their peers (the degree of their influence, as well as the nature of their relations with other states), as well as their identity (the degree to which they have internalised and institutionalised norms of protection). The degree of a state's humanitarian dedication will likely influence, although not determine, the consistency of its responses across cases, so that we should expect a principled state to prioritise protection, although pragmatic interests and prudential concerns are bound to play a role in determining a state's case-specific responses.

The role of states as protection agents

The study of individual cases permits an illustration of the way in which a range of motives determine state behaviour, particularly when states must consider interests and choices available to other states. There are two ways of identifying interests in general, and case-specific motives in particular: by way of declaration (discourse), or by way of logical deduction based on an actor's function and purpose. The first approach is based on an analysis of statements (ie, analysis of discourse). Rhetoric matters because, through a constructivist prism, verbal commitments may 'rhetorically entrap' actors;[35] through a rationalist lens, there is evidence to suggest that even 'cheap talk' can be a form of signalling, which 'functions, within limits, to coordinate players expectations'.[36] However, given the uncertainty, rhetoric may not always be a reliable source of establishing motives. Alternatively, motive can be deduced from an agent's function, in conjunction with identity and values.

A state's essential purpose is derived from its monopoly on the use of force and de facto control over a given territory. Its identity, however, is shaped by a range of individual factors, not least by its influence and power relative to other actors. States have played a central role in advocating consistent protection practice, although they have not been the only or even the most significant norm advocates.[37] State positions can be explained by a desire, on the part of policymakers, to prevent atrocity crimes following recent experience with such crimes, or an interest in increasing a state's

reputational standing among its peers internationally. At the same time, some states maintain cautious positions on human protection norms, or reject the norms associated with the regime outright.[38] For states that have experienced colonisation, the memory of domination and injustice associated with this era – including that of the atrocity crimes committed by colonial powers – is etched into collective memory. In many cases, states' history of colonial subjugation on the one hand, and recent experience of atrocity crimes on the other, finds expression in ambiguity towards human protection norms advocacy. Table 1 describes motives of states and the repertoire of measures available to them. This list is illustrative and not exhaustive; a range of other measures are available to protection agents.[39]

Table 1: States as protection agents		
Purpose and function (identity)	*Motive and intent (interests)*	*Repertoire of available measures*
• Provide defence and security • Maintain control domestically	• Increase wealth and influence relative to other states • Enhance international reputation and standing among peers • Improve state capacity and institutions • Maintain support from domestic constituencies	• Preventive diplomacy and mediation • Military intervention • Sanctions and other non-military coercive measures • Stigmatisation; naming and shaming • Aid and the provision of humanitarian relief

Source: Author's compilation

Two cases are described below, drawing on available secondary literature and with reference to primary sources, to illustrate the role of states as protection agents. The cases illustrate how, when faced with individual crises, states' must reconcile private interests with protection norms. Governments must reconcile competing demands, such as the provision of national security, delivering on economic objectives, or the demands of constituents for the provision of development or humanitarian aid. Domestic politics, principles, strategic interests, as well as case-specific circumstances are all bound to play a role in determining intent and shaping responses.

Individual state motives and collective responses: Two illustrative cases

A comparative analysis of state positions in two cases, the post-electoral violence in Kenya, 2007/08, and the crisis in Libya, 2011, illustrates these conjectures.[40] These cases illustrate the way in which understanding motives can shed light on the nature of the responses and the reasons for variability of collective responses. The two cases constituted the first major crises following the endorsement of the 'responsibility to protect' principle at the World Summit in 2005.[41] They differed in that one constituted a case of unrest and harsh government responses in the aftermath of disputed elections (Kenya), whereas the other was a case of state repression and threatened violence against civilians in the context of the Arab Spring (Libya). Each of the cases escalated rapidly and in the absence of a decisive, concerted third-party response threatened to result in large-scale loss of life, state collapse, and humanitarian emergency. While the cases both shared this risk, the crises were different and while both demanded a robust, decisive response to avert humanitarian catastrophe, the repertoire of available measures differed. Given the close result of elections in Kenya, military measures, although contemplated, were not seriously discussed, and ultimately, concerted efforts in support of a mediation process resulted in a power sharing deal.[42] Collective intent coalesced around a power-sharing deal, although motives for doing so varied and non-humanitarian interests played a significant role. In the case of Libya, by contrast, a NATO-led coalition intervened militarily despite a range of political and diplomatic options available to third parties.[43] Here, intentions of individual states failed to coalesce in a way that allowed for a coordinated and unified international response to the crisis.

The comparative analysis surveys the collective response in both cases. A review of the secondary literature and a survey of primary sources from newspaper and magazine articles are utilised to illustrate protection agents' motives and collective responses. States' justifications, as well as their actions, permit inference about motives. The case studies illustrate the role of three states in particular: Nigeria, a regional power supportive of the responsibility to protect principle;[44] Sudan, which opposed the principle, and whose government was itself implicated in crimes committed in the context of violent repression of internal conflict; and Rwanda, a state that has also supported the responsibility to protect principle, and that had recently experienced genocide. States' responses are contextualised with a description of actions by regional and civil society actors including the AU's

Peace and Security Council (PSC), Médecins Sans Frontières (MSF), and Human Rights Watch (HRW). The latter two organisations played a salient role in providing humanitarian relief and human rights reporting, respectively, in both cases. MSF typically is more willing to depart from traditional principles of neutrality and impartiality and for that reason its response may differ from the responses of other non-governmental organisations; generally the responses of such organisations operating under the 'do no harm' principle will display more variability owing to the wider range of criteria guiding decisions about means and scope of the relief that is provided in complex humanitarian emergencies.[45]. HRW is perhaps the most well-known human rights organisation and has a comprehensive network of offices with global reach, suggesting it can, in principle, respond reliably across cases, providing impartial reporting of rights abuses.

The post-electoral crisis in Kenya, 2007-2008

The Kenyan crisis unfolded in the aftermath of contested presidential elections in a fragile multi-party state.[46] The incumbent party, the Party of National Unity (PNU), headed by Mwai Kibaki, achieved marginally more votes than the opposition party, the Orange Democratic Movement (ODM), headed by Raila Odinga. Although the international responses to the post-election crisis were criticised for favouring short term protection imperatives over longer term peacebuilding objectives, they were remarkable for the extent to which they were coordinated and unified.[47] Following a period of contest over mediation tracks, with several potential mediators involved, a power-sharing agreement was reached in a period of just over forty days, putting an end to the immediate crisis.[48] From an early stage in the crisis, intent of relevant states coalesced around a preference for a power-sharing agreement, and it was clear from the outset that this should be realised through a process of mediated negotiation. The international response to the crisis was unusually coordinated and decisive and succeeded, within a little over a month, though an African Union (AU)-led mediation team headed by Kofi Annan, in brokering a power sharing arrangement and bringing about a peaceful resolution of the conflict.

Immediate Responses to the Crisis

Following announcement of the election results on 30 December 2007, ODM supporters perceived they had been deprived of an election victory and the presidency. While the US formally congratulated Kibaki, international observers refused to declare the elections as free and fair.[49] As the crisis unfolded, the violence was worst in Nairobi's slums, as well as in areas within the Rift Valley and western Kenya, and affected one out of three Kenyans through personal injury, displacement, destruction of property, loss of income, or indirectly through the loss of a family member or friend.[50] While groups supportive of the ODM launched violent attacks against ethnic groups traditionally supportive of the incumbent PNU, the government responded to the unrest with harsh repressive measures, including shoot-to-kill orders for dispersing protest.

The crisis resulted in severe humanitarian consequences for urban populations in slums in the capital, Nairobi, as well as those displaced in the western parts of the country. In the slums, the civil unrest and looting caused food shortages and affected small businesses. Injuries caused by the post-election violence included gunshot wounds, cuts from machetes, fractures from blunt force, wounds from arrows as well as burns from arson attacks. While states were focused on a negotiated settlement, MSF, which already had a presence on the ground, and the International Committee of the Red Cross supported local hospitals in providing medical treatment to victims of the election violence.[51] HRW condemned human rights violations on both sides and called on the AU to launch an investigation into human rights abuses, criticising the government's heavy-handed response to the crisis as well as restrictions on the media and peaceful assembly.[52] HRW also called for an independent inquiry into the elections,[53] reporting attacks against Kikuyu and Kisii ethnic group members by ODM supporters in the Rift Valley and accusing the ODM leadership of actively fomenting the violence.[54]

African states' responses to the crisis were motivated by a range of concerns, including humanitarian concerns and the potential for conflict spillover. As Kenya is a regional economic power-house, the prospect of collapse into conflict was a daunting one for all of the states surveyed here. Rwanda's position on the Kenyan crisis was determined by two factors that complemented each other, producing a strong interest in seeing a swift resolution of the crisis. For the general public in Rwanda, the crisis

unfolding at such speed and the character of the violence was reminiscent of the violence the country had experienced just over a decade earlier.[55] The government's central concern was for regional stability. Early in January, the Rwandan government rationed fuel in anticipation of shortages owing to the election crisis.[56] As a state that depended on essential imports from Kenya, the implications of a deepening of the political crisis in Kenya were significant. For Rwanda, therefore, a mixture of humanitarian and economic motives converged to produce a strong interest in a swift and peaceful resolution of the crisis. Sudan's interest, similarly, and especially given its regional proximity, was a swift and peaceful resolution of the conflict.[57] For the Nigerian government, an immediate concern at the outbreak of the crisis at the end of December was for the safety of its citizens in Kenya, and as the crisis unfolded, the Nigerian government began drawing up plans for the evacuation of its citizens from Kenya, if the crisis worsened.[58]

Diplomacy and successful mediation

There was soon a strong preference for a negotiated settlement among relevant states. The mediation team reported directly to the AU, whose Peace and Security Council had called in late January for an investigation to bring those responsible for the violence to justice.[59] Furthermore, the AU Executive Council abstained from electing Kenya to represent East Africa on the PSC,[60] which constituted a heavy blow to Nairobi given Kenya's status as regional powerhouse. The AU's decision demonstrated the collective resolve of regional states and the unity of the AU on the matter. However, while the regional response appeared well-coordinated, the motives of individual states for supporting the mediation and a power-sharing deal varied. A closer look at the policies of Nigeria, Sudan, and Rwanda illustrates this.

Nigeria remained neutral throughout the crisis and held back from direct involvement, choosing to support the mediation through the AU, despite efforts for bilateral support from partisan groups in Kenya. At the end of February Raila Odinga, leader of the ODM, travelled to Nigeria as negotiations reached a critical juncture, to meet with Olusegun Obasanjo, former Nigerian president and predecessor to President Umaru Yar'Adua, to seek Nigeria's support.[61] It was suggested that

Obasanjo would have been the ideal lead mediator, as emissary for President Yar'Adua, given Obasanjo's influence over opposition leader Raila Odinga.[62] However, Umaru Yar'Adua refused to allow Nigeria to become involved in the mediation, and in acting through the AU, avoided interfering with Annan's mediation process.

While Odinga sought support from Obasanjo, President Kibaki sent a delegation to Khartoum to meet with President Omar Al-Bashir early in January and reports suggest Kibaki requested Sudan play a role in the mediation process.[63] South Sudan had not yet become an independent state and Sudan still shared a border with Kenya, making it directly susceptible to the economic repercussions of any political volatility in the country. Indeed, Al-Bashir attended a ceremony promulgating Kenya's new constitution in Nairobi in 2010 several years later, despite an existing indictment and arrest warrant having been issued by the International Criminal Court for alleged crimes committed in Darfur.[64] However, at the time the bilateral relations between heads of state did not interfere with Annan's mediation process.

Rwanda was one of a handful of states to recognise Kibaki's victory over the ODM, although Rwanda's president, Paul Kagame, did not make a public statement on the crisis until the end of January. In an interview, Kagame backed the mediation effort, but indicated his supported for military involvement of the Kenyan army.[65] Rwanda's foreign policy, like that of many other developing states, is shaped to a large degree by the interests of key donors.[66] Rwanda's foreign policy has been described as 'strategic humanitarianism' designed to appease international donors.[67] Through this prism, Rwanda's troop contribution to Darfur through the African Union Mission in Sudan (AMIS), and later the UN-AU Mission in Darfur (UNAMID), can be interpreted as an effort to deflect attention from human rights violations at home and rebel support in the DRC; a humanitarian foreign policy agenda allowed the government to maintain and exercise its large army, while adding to Rwanda's international standing and appeasing donors. On the other hand, in the aftermath of the genocide the state implemented concerted reconciliation efforts through commemoration, civic education, socioeconomic development, and transitional justice,[68] all of which may also influence foreign policy preferences. Aid-dependent states may act as 'strategic humanitarians'; on the other hand, limited

agency also means that there are fewer opportunities to exhibit normative leadership. While Rwanda's identity as a post-conflict state may have shaped its foreign policy, if not its overall preference for a negotiated settlement, it is likely that donor interests also influenced Rwanda's response.

State responses in the case of Kenya

The case illustrates the relationship between motives, intentions, and outcomes. The states surveyed – Nigeria, Sudan, and Rwanda – were intent on seeing the crisis resolved swiftly, although their motives for pursuing a rapid and peaceful resolution of the conflict varied. While the central motive driving Nigeria's policy was its concern for the safety of Nigerian nationals in Kenya and its credibility as a regional leader with the legitimacy to act as an impartial arbiter in crises situations, Rwanda's motive, as a state still traumatised from genocide a decade earlier, was grounded in the desire to help prevent an escalation of ethnic conflict as well as to mitigate the negative impact on regional trade. Sudan's motive, similarly, was driven by a desire to prevent the negative economic consequences that regional conflict would inevitably bring about. The PSC's decision not to elect Kenya to represent the East African region was the strongest indicator of states' positions. The collective response to the crisis can be explained by the alignment of collective intent to produce a concerted response.

NATO's military in intervention in Libya, 2011

The case of Libya contrasts to the case of Kenya with regard to the extent to which state intentions differed, and the nature of the response that ensued. In response to the Libyan regime's threats against civilian populations, UN Security Council resolution 1973 authorised an intervention, acting under Chapter VII of the UN Charter.[69] A NATO-led coalition of states subsequently launched an intervention that ultimately led to regime change. While a range of actors strongly agreed that a robust response to the crisis was necessary to protect civilian populations, there was significant disagreement along two broad lines: first, whether an appropriate means of responding to the crisis was one that prioritised the departure of Libya's incumbent regime, and, second, whether response measures

should entail the use of force. While there was sufficient consensus among relevant actors by March 2011 that a military intervention was admissible in this case, the question of regime change continued to linger in the background throughout the crisis, with protection actors divided on the issue throughout the crisis. Security Council resolution 1973 was passed on 17 March; by August, Gaddafi was forced from Tripoli and in October, shortly after his capture and killing, the National Transitional Council (NTC) declared Libya's liberation, signalling the demise of the regime.[70]

Immediate responses to the crisis

In contrast to the crisis in Kenya, the AU PSC's position on Libya was ambiguous and shaped by a range of interests represented on the council. Internally, the AU was divided on the question of regime change in Libya. While most states preferred regime change, Chad and Niger favoured a political settlement in which Gaddafi would retain power, for fear of a spill over; Algeria opposed regime change on the grounds of non-intervention.[71] Initially ambiguous positions can be explained by Libya's significant contribution to the AU's budget and President Muammar Gaddafi's support for regional integration.

Despite these differences, the AU was unified in terms of preferred means of effecting conflict resolution and civilian protection, preferring diplomacy over coercive measures; the AU called for a mediation process, followed by a cease-fire and the deployment of peacekeepers.[72] The PSC heads of state met on 10 March 2011, creating an ad-hoc high-level committee tasked with bringing about a ceasefire.[73] While the PSC expressed concern, it did not seek to suspend Libya's membership. A representative of the AU Commission suggested the PSC had noted 'the readiness of the government of Libya to engage in the path of political reforms'.[74] The PSC condemned the government's indiscriminate use of force but explicitly rejected armed intervention by third parties.[75]

Nigeria's position towards the regime and throughout the conflict was one that deviated from the PSC's initial position and was in line with the British, the American and the French positions, and supported regime change. Given regional proximity, the government in Abuja had a strong interest in

a swift resolution of the conflict. Nigeria is among a small group of African states that funds 75% of the AU's budget (along with Algeria, Egypt, Libya, and South Africa).[76] While South Africa opposed regime change, Abuja advocated the formation of an inclusive government. Finally, and again in line with the British, French and American positions, the Nigerian government supported UN Security Council Resolution 1973, authorising the use of force to protect civilians.[77] Nigeria was also the first state in the region to recognise the NTC as the legitimate government of Libya.[78]

Khartoum's position on the Libyan conflict was shaped by conflicting interests. On the one hand, Khartoum, like Nigeria, was concerned for the security of its large diaspora in Libya. Towards the end of February 2011, the Sudanese government began drawing up plans for evacuating 500,000 Sudanese citizens from Libya.[79] Consequently, Sudan shared an interest in seeing the conflict resolved swiftly. On Gaddafi's departure from power , however, Sudan was conflicted. On the one hand, Libya had supported Darfurian rebels in their uprising against Khartoum. On the other hand, Khartoum had previously forged an alliance against the anti-impunity norm together with the Gaddafi regime, which in 2009 lobbied the AU to adopt a resolution barring any AU member state from apprehending Al-Bashir, even if their membership of the International Criminal Court (ICC) required them to do so.[80] Nevertheless, towards the end of February, Khartoum's position steered towards support for a power transition in Libya. Sudan made a statement calling for government restraint in responding to the crisis, and the Sudanese deputy ambassador to the UN called on the ICC to investigate the situation in Libya[81] – even though the ICC had issued two arrest warrants for Sudan's Al-Bashir, in 2009 and 2010, respectively.

Rwanda's position was stable and in favour of protection intervention throughout. Early on in the conflict, on 16 March, one day prior to the adoption of Security Council Resolution 1973, Rwanda stated that it would cede its position on a high level committee established for mediation on behalf of the AU, without giving a specific justification for doing so.[82] Towards the end of February, shortly before the beginning of NATO's intervention, President Kagame had been among the first African heads of state to be openly in support of such an intervention in Libya.[83] In an article in the New African in May 2011, Kagame avoided the question of regime change, but expressed strong support

for the intervention, as well as concerns that the intervention could be compromised by 'ambivalence and wavering arguments', while also criticising the failure to involve the AU more directly.[84] It may be that Kagame sought to avoid, at that point, explicit endorsement of regime change as a policy objective, given the salience of the non-intervention norm, particularly in a postcolonial context.

NATO's intervention and regime change

The twin questions – whether to intervene militarily or pursue mediation, and the role of Gaddafi and other close allies in a new government – continued to occupy regional actors throughout the crisis. With regard to the first question, following international condemnation of human rights abuses in Libya and the regime's threats to persecute political opponents, the UN Security Council authorised 'all necessary measures' to protect civilians under a Chapter VII mandate in March 2011.[85] All of the African states on the UN Security Council – Gabon, Nigeria and South Africa – voted for Resolution 1973. The intervention interrupted the AU's pursuit of a mediated resolution of the conflict. However, in April, after the March vote on Security Council 1973, an AU delegation led by South African president Jacob Zuma began negotiations between Gaddafi and the rebels, but a proposed deal, while welcomed by Gaddafi and his allies, was rejected by the rebels.[86] The AU had been divided on the matter of whether Gaddafi could remain in power.[87] NATO and Libya's NTC refused to consider an agreement that allowed Gaddafi to remain in power. In April, Rwanda, like Nigeria, was an early advocate of the NTC's accession to the PSC. 'The Peace and Security Council should catch up with the reality on the ground and recognize the NTC', Rwandan Prime Minister Bernard Makuza suggested in an address to the PSC on 26 August 2011.[88] Towards the end of NATO's intervention, the PSC reached a unified position, expelling Libya and imposing sanctions.[89]

Coordinating humanitarian responses

The response of humanitarian organisations was again predictably consistent. MSF's response was constrained by two factors alone: the government's withholding of consent for MSF to access affected

areas, and second, insecurity on the ground. MSF was on the ground immediately following the onset of violence on 17 February, attempting to access affected populations by land and air.[90] By 20 February, HRW reported that the death toll from the government crackdown on protesters had surpassed 100.[91] By early March, MSF teams were positioned on the Tunisian side of the border with Libya and in eastern Libya, but the Libyan government continued to deny access to affected populations, and hospitals in Libya were running low on medical supplies.[92] In mid-March, MSF was forced to withdraw from Benghazi, and continued to face serious difficulty in accessing populations most in need of medical relief. Throughout the conflict, HRW condemned atrocities committed on both sides, and in September reported that a mass grave had been discovered in western Libya.[93] However, early in March HRW faced criticism that it had failed consistently to report on human rights violations in Libya, and that a senior member of HRW had praised the charitable foundation of Qaddafi's son, Saif Al-Islam.[94]

Collective response in the case of Libya

The Libyan crisis differed significantly to the Kenyan crisis in that the motives of individual actors produced intent that diverged significantly – in this case, over the question of whether a post-conflict resolution of the Libyan crisis necessitated a power transition. African Union member states were split on the question and this ambiguity was reflected in the PSC's position. While Nigeria supported the position taken by Western states – that power transition was imperative – and Rwanda supported protection intervention, Sudan's intent in relation to the crisis was shaped by its desire to protect its diaspora in Libya, on the one hand, and strategic considerations on the other. Khartoum had previously forged an anti-ICC alliance with Gaddafi and its initial position on the conflict was therefore ambiguous. The PSC's position ultimately reflected the ambiguity of positions among AU member states. While Libya had been a major donor to the AU budget, and Gaddafi had been an advocate of regional integration and supporter of pan-Africanism – ideas that resonated strongly among post-colonial states – numerous states strongly favoured an agreement premised on Gaddafi's departure on human rights grounds. As the crisis proceeded, and it became increasingly evident that

the regime would collapse, collective intent gradually coalesced around support for a post-conflict agreement that excluded the incumbent regime, and even Khartoum, despite its aversion to the ICC and concerns about interventionism, called for government restraint and an independent investigation by the ICC of alleged crimes in Libya.

This response took place in the context of an active role by humanitarian organisations, whose actions were more straightforward in that politics played a more muted role. The humanitarian response revolved principally around relieving humanitarian suffering and publicising human rights violations. However, in the circumstances, civil society actors were not resistant to politicisation, as the critique levelled at HRW showed. Similarly, the fact that states' intent did not coalesce in straightforward ways meant that MSF's response was severely affected, because the Libyan government, buoyed by continuing political support of some states, failed to grant access to affected populations. International actors were insufficiently coordinated to produce a coherent, common stance. The absence of political agreement among influential states bolstered the regime, permitting it to continue to deny humanitarian access to affected populations.

The role of identity, interests, and prudential concerns in shaping protection responses

The cases described above illustrate the way in which identities determine interests, and these in turn shape motives of protective agents in the context of humanitarian crises. Actors whose predetermined interests are such that they must consistently prioritise protection needs will respond more reliably, and with less variability, than actors whose intentions are shaped by motives that follow from interests that may sometimes pull in different directions or flatly contradict each other. While humanitarian and human rights organisations consistently respond based primarily on need, or need alone, states' responses are the result of a complex configuration of interests, both humanitarian and non-humanitarian. The comparison of international responses in the two cases showed that interests are shaped by history and that norms serve to channel the interests of states and other responders in significant, although not uniform, ways.

However, other factors, including practical constraints such as budgetary limitations and restricted access to affected populations – as the discussion of responses by humanitarian and human rights organisations showed – also play a role. To some extent collective responses are predictable: where the absence of powerful private reasons for intervening fails to compel a decisive collective response in line with norms of protection, the need for a robust response from relief and human rights organisations will be greater and more resources are likely to flow to addressing the symptoms of conflict, rather than the problem itself. In effect, relief and human rights organisations fill protection gaps where governments' responses are inconsistent with the protection imperative.

The cases also showed how interests of individual actors interact to produce particular collective responses. The case of Kenya constituted a unique confluence of interests among governments given the regional importance of Kenya, both economically and politically, and therefore a less sustained effort was required on the part of relief and human rights organisations, although these became active as soon as the first violent incidents occurred. In the case of Libya, international actors disagreed on whether intervention or mediation was the best means of responding to the conflict, as well as over whether a post-conflict settlement could include the incumbent regime. This slowed the protection response and the rift continues to undermine the longer term peacebuilding efforts.

Several observations can be drawn from the case studies surveyed here. First, motives are grounded in an actor's role – its responsibilities and duties – as well the actor's identity, which is particular to every actor and shaped by history. Second, state intentions are typically shaped by mixed motives that seek to reconcile private interests and social norms. Third, case-specific intent of states is shaped not only by what can be done, but also by prudential considerations, and intent is malleable and not fixed throughout a crisis. Without reliable third party arbitration among international actors (such as provided for by the UN), the absence of a decisive response does not necessarily indicate a lack of humanitarian concern by a protection agent. Nevertheless, outcomes are likely to be better where involved third parties share a similar vision for conflict settlement. Where the intent of a range of actors closely aligns, concerted third party responses are more likely.

Conclusion

This article has outlined the way in which an actor-centric approach focusing on motives and intent of protection agents can help explain why international practice remains inconsistent despite the explicit commitment by international actors to the norms calling for the protection of vulnerable populations. A comparative case study of international responses to the post-electoral crisis in Kenya, 2007-2008, and NATO's intervention in Libya, 2011, illustrated these dynamics. Understanding the causes of inconsistent protection practice is a useful starting point for further research on the role of actors as protection agents. Future research could devise ways of assigning responsibilities in line with actors' individual priorities, improving the prospects of more consistent protection practice, which in turn might increase the likelihood of positive outcomes for civilians. Understanding international responses through this prism also provides the conceptual groundwork for further research seeking to map structural changes over time. Recent literature has begun to contemplate processes of change, and to integrate dynamic, as well as relational perspectives.[95] By focusing on individual actors, it may be possible to build on this work. Mapping consistency of practice could serve as a useful indicator for the extent to which human protection norms are gaining traction, as well as the extent to which these norms influence the behaviour of protection agents when responding to conflict and humanitarian emergency.

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[1] United Nations, '2005 World Summit Outcome', *United Nations*, 16 September 2005.

[2] 'Western Military Strikes in Libya Arouse Mixed Feelings among Rwandans', *Xinhua*, 15 July 2011.

[3] Noele Crossley, 'Conceptualising Consistency: Coherence, Principles, and the Practice of Human Protection', *Global Responsibility to Protect*, forthcoming.

[4] Séverine Autesserre, *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding*, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 2010), https://doi.org/10.1017/CBO9780511761034.

[5] Martha Finnemore and Kathryn Sikkink, 'International Norm Dynamics and Political Change', *International Organization* 52, no. 4 (1998): 887–917; Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998).

[6] Alex J. Bellamy, 'Motives, Outcomes, Intent and the Legitimacy of Humanitarian Intervention', *Journal of Military Ethics* 3, no. 3 (1 November 2004): 216–32.

[7] Nicholas J. Wheeler, '"I Had Gone to Lahore With a Message of Goodwill But in Return We Got Kargil": The Promise and Perils of "Leaps of Trust" in India-Pakistan Relations', *India Review* 9, no. 3 (30 August 2010): 319–44.

[8] Adrian Gallagher and Sassan Gholiagha, 'Norms Clusters' (2019).

[9] Antje Wiener, 'Contested Meanings of Norms: A Research Framework', *Comparative European Politics* 5, no. 1 (1 April 2007): 1–17, https://doi.org/10.1057/palgrave.cep.6110107.

[10] Nicole Deitelhoff and Lisbeth Zimmermann, 'Things We Lost in the Fire: How Different Types of Contestation Affect the Robustness of International Norms', *International Studies Review* 22, no. 1 (1 March 2020): 51–76, https://doi.org/10.1093/isr/viy080.

[11] Stephen D. Krasner, 'Structural Causes and Regime Consequences: Regimes as Intervening Variables', *International Organization* 36, no. 2 (1982): 185.

[12] Noele Crossley, *Evaluating the Responsibility to Protect: Mass Atrocity Prevention as a Consolidating Norm in International Society*, 1 edition (Milton Park, Abingdon, Oxon ; New York, NY: Routledge, 2016).

[13] Alex J. Bellamy, 'The Humanisation of Security? Towards an International Human Protection Regime', *European Journal of International Security* 1, no. 1 (February 2016): 112–33, https://doi.org/10.1017/eis.2015.5.

[14] Paul D. Williams, 'From Non-Intervention to Non-Indifference: The Origins and Development of the African Union's Security Culture', *African Affairs* 106, no. 423 (1 April 2007): 253–79.

[15] Francis M. Deng, 'From Sovereignty as Responsibility to the Responsibility to Protect', *Global Responsibility to Protect* 2 (2010): 353.

[16] Robert M. Hayden, 'Humanitarian Hypocrisy', *East European Constitutional Review* 8 (1999): 91.

[17] Mohammed Ayoob, 'Humanitarian Intervention and International Society', *Global Governance* 7, no. 3 (2001): 225–30.

[18] Michael Lipson, 'Peacekeeping: Organized Hypocrisy?', *European Journal of International Relations* 13, no. 1 (1 March 2007): 5–34.

[19] Natalie Zähringer and Malte Brosig, 'Organised Hypocrisy in the African Union: The Responsibility to Protect as a Contested Norm', *South African Journal of International Affairs* 27, no. 1 (2 January 2020): 1–23.

[20] Melissa T. Labonte, 'Whose Responsibility to Protect? The Implications of Double Manifest Failure for Civilian Protection', *The International Journal of Human Rights* 16, no. 7 (1 October 2012): 982–1002.

[21] Martin Binder, 'Paths to Intervention: What Explains the UN's Selective Response to Humanitarian Crises? - Martin Binder, 2015', *Journal of Peace Research*, 16 July 2015.

[22] Michael Gilligan and Stephen John Stedman, 'Where Do the Peacekeepers Go?', *International Studies Review* 5, no. 4 (1 December 2003): 37–54.

[23] Andrea L. Everett, *Humanitarian Hypocrisy: Civilian Protection and the Design of Peace Operations* (Cornell University Press, 2018).

[24] Carlo Focarelli, 'The Responsibility to Protect Doctrine and Humanitarian Intervention: Too Many Ambiguities for a Working Doctrine', *Journal of Conflict and Security Law* 13, no. 2 (1 July 2008): 191–213, https://doi.org/10.1093/jcsl/krn014; Adrian Gallagher, 'What Constitutes a "Manifest Failing"? Ambiguous and

Inconsistent Terminology and the Responsibility to Protect', *International Relations* 28, no. 4 (1 December 2014): 428–44, https://doi.org/10.1177/0047117814552144.

[25] United Nations, 'Implementing the Responsibility to Protect', 2009; United Nations Secretary-General, 'Responsibility to Protect: State Responsibility and Prevention', 2013, http://responsibilitytoprotect.org/SG%20report%202013%281%29.pdf.

[26] United Nations Secretary-General, 'Responsibility to Protect: Lessons Learned for Prevention', 2019.

[27] Quantitative studies surveying response consistency of states and choice of instrument have yet to be conducted. However, Melissa Labonte provides a useful framework upon which further quantitative study can build. This research suggests variability in states' responses when acting through the Security Council. See Melissa T. Labonte, 'Whose Responsibility to Protect? The Implications of Double Manifest Failure for Civilian Protection', *The International Journal of Human Rights* 16, no. 7 (1 October 2012): 982–1002.

[28] Vaughn P. Shannon, 'Norms Are What States Make of Them: The Political Psychology of Norm Violation', *International Studies Quarterly* 44, no. 2 (2000): 293–316, https://doi.org/10.1111/0020-8833.00159.

[29] Friedrich Kratochwil and John Gerard Ruggie, 'International Organization: A State of the Art on an Art of the State', *International Organization*, 1986, 767.

[30] Jack P. Gibbs, 'Norms: The Problem of Definition and Classification', *American Journal of Sociology* 70, no. 5 (1965): 586–94.

[31] Kenneth N. Waltz, 'Structural Realism after the Cold War', *International Security* 25, no. 1 (1 July 2000): 5–41.

[32] Alexander Cooley and James Ron, 'The NGO Scramble: Organizational Insecurity and the Political Economy of Transnational Action', *International Security* 27, no. 1 (1 July 2002): 5–39; Sarah S. Stroup and Wendy H. Wong, 'Leading Authority as Hierarchy Among INGOs', in *Hierarchies in World Politics*, ed. Ayşe Zarakol (Cambridge University Press, 2017), 175–97.

[33] Martha Finnemore, 'Rules of War and Wars of Rules: The International Red Cross and the Restraint of State Violence', in *Constructing World Culture: International Nongovernmental Organizations Since 1875*, ed. John Boli and George M. Thomas (Stanford, California: Stanford University Press, 1999).

[34] Finnemore and Sikkink, 'International Norm Dynamics and Political Change'; Margaret E. Keck and Kathryn Sikkink, 'Transnational Advocacy Networks in International and Regional Politics', *International Social Sciences Journal* 51, no. 159 (1999): 89–101; Keck and Sikkink, *Activists beyond Borders*.

[35] Frank Schimmelfennig, 'The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union', *International Organization* 55, no. 1 (ed 2001): 47–80.

[36] James Johnson, 'Is Talk Really Cheap? Prompting Conversation between Critical Theory and Rational Choice', *American Political Science Review* 87, no. 1 (March 1993): 74–86.

[37] Roberto Belloni, 'Civil Society and the Responsibility to Protect', *Global Society* 28, no. 2 (3 April 2014): 158–79.

[38] Patrick Quinton-Brown, 'Mapping Dissent: The Responsibility to Protect and Its State Critics *', *Global Responsibility to Protect* 5, no. 3 (1 January 2013): 260–82.

[39] Miriam Bradley, *Protecting Civilians in War* (Oxford: Oxford University Press, 2016).

[40] Alexander George and Andrew Bennett, 'The Method of Structured, Focused Comparison', in *Case Studies and Theory Development in the Social Sciences* (Belfer Center Studies in International Security, 2005).

[41] United Nations, '2005 World Summit Outcome'.

[42] Monica Kathina Juma, 'African Mediation of the Kenyan Post-2007 Election Crisis', *Journal of Contemporary African Studies* 27, no. 3 (1 July 2009): 407–30.

[43] Arif Saba and Shahram Akbarzadeh, 'The Responsibility to Protect and the Use of Force: An Assessment of the Just Cause and Last Resort Criteria in the Case of Libya', *International Peacekeeping* 25, no. 2 (15 March 2018): 242–65.

[44] Jonas Claes, 'Protecting Civilians from Mass Atrocities: Meeting the Challenge of R2P Rejectionism', *Global Responsibility to Protect* 4, no. 1 (1 January 2012): 67–97.

[45] Mary B. Anderson, *Do No Harm: How Aid Can Support Peace--or War* (Lynne Rienner Publishers, 1999).

[46] Nic Cheeseman, 'The Kenyan Elections of 2007: An Introduction', *Journal of Eastern African Studies* 2, no. 2 (1 July 2008): 166–84.

[47] Stephen Brown, 'Donor Responses to the 2008 Kenyan Crisis: Finally Getting It Right?', *Journal of Contemporary African Studies* 27, no. 3 (1 July 2009): 389–406; Stephen Brown and Rosalind

Raddatz, 'Dire Consequences or Empty Threats? Western Pressure for Peace, Justice and Democracy in Kenya', *Journal of Eastern African Studies* 8, no. 1 (2 January 2014): 43–62, https://doi.org/10.1080/17531055.2013.869008.

[48] Gilbert M. Khadiagala, 'Forty Days and Nights of Peacemaking in Kenya', *Journal of African Elections* 7, no. 2 (1 October 2008): 4–32; Elisabeth Lindenmayer and Josie Lianna Kaye, 'A Choice for Peace? The Story of Forty-One Days of Mediation in Kenya', 21 August 2009, https://www.ipinst.org/2009/08/a-choice-for-peace-the-story-of-forty-one-days-of-mediation-in-kenya.

[49] Brown, 'Donor Responses to the 2008 Kenyan Crisis'.

[50] Stefan Dercon and Roxana Gutiérrez-Romero, 'Triggers and Characteristics of the 2007 Kenyan Electoral Violence', *World Development* 40, no. 4 (1 April 2012): 731–44.

[51] 'Kenya; Hospitals Treating Hundreds in Post-Poll Violence', *Africa News*, 9 January 2008.

[52] HRW's funds are allocated thematically and geographically, and its independence from state funding means that the organisation can allocate funds where they are needed most, responding consistently across cases. 'Annual Report 2017' (Human Rights Watch, 2017), https://www.hrw.org.

[53] 'Kenya; Review of Elections Needed to End Violence', *Africa News*, 4 January 2008.

[54] 'Kenya; Opposition Officials Helped Plan Violence, Says Rights Group', *Africa News*, 23 January 2008.

[55] 'Kenya's Violence Revives Painful Memories in Rwanda', *Ottawa Citizen*, 8 January 2008.

[56] 'Rwanda Issues Strict Fuel Rationing Regulations over Kenyan Crisis', *BBC*, 4 January 2008.

[57] 'Sudanese Leader Says Committed to Helping Kenya Overcome "Post Election Crisis"', *BBC*, 15 January 2008.

[58] 'Nigeria; Govt Ready to Evacuate Citizens From Kenya', *Africa News*, 18 January 2008.

[59] 'African Union Condemns Rights Violations in Kenya', *Agence France Presse*, 22 January 2008.

[60] 'Kenya; Country Excluded From AU Council', *Africa News*, 1 February 2008.

[61] 'Kenya Peace Talks Hit Snags on Critical Day', *Associated Press*, 22 February 2008; 'Nigeria; Odinga Presses Obasanjo to Act on Kenya', *The Nation*, 24 February 2008.

[62] 'Kenya; "Obasanjo Would've Been Ideal Mediator"', *Africa News*, 24 January 2008.

[63] 'Kenya: Kibaki Reportedly Asks Sudan's Al-Bashir to Mediate with Odinga', *BBC*, 7 January 2008; 'Sudanese Leader Receives Message from Kenya's President over Election Crisis', *BBC*, 8 January 2008.

[64] The Office of the AU Panel of Eminent African Personalities, *Back from the Brink: The 2008 Mediation Process and Reforms in Kenya* (African Union, 2014), 161.

[65] Barney Jopson and William Wallis, 'Kagame Urges Kenyan Army to Act', *Financial Times*, 31 January 2008.

[66] Danielle Beswick, 'Peacekeeping, Regime Security and "African Solutions to African Problems": Exploring Motivations for Rwanda's Involvement in Darfur', *Third World Quarterly* 31, no. 5 (1 July 2010): 739–54, https://doi.org/10.1080/01436597.2010.503566; Danielle Beswick, 'From Weak State to Savvy International Player? Rwanda's Multi-Level Strategy for Maximising Agency', in *African Agency in International Politics* (Abingdon, Oxon: Routledge, 2014), 158–74.

[67] Erin Kimball Damman, 'Rwanda's Strategic Humanitarianism: Lessons From a Janus-Faced State', *African Security* 8, no. 1 (2 January 2015): 30–55, https://doi.org/10.1080/19392206.2015.998542.

[68] Phil Clark, 'Rwanda's Recovery', *Foreign Affairs*, 15 August 2019, https://www.foreignaffairs.com/articles/rwanda/2017-12-12/rwandas-recovery.

[69] Luke Glanville, 'Intervention in Libya: From Sovereign Consent to Regional Consent', *International Studies Perspectives* 14, no. 3 (2013): 325–42.

[70] A detailed history of the intervention and interveners' considerations is provided in Christopher S. Chivvis, *Toppling Qaddafi: Libya and the Limits of Liberal Intervention* (Cambridge: Cambridge University Press, 2013), https://doi.org/10.1017/CBO9781139649704.

[71] Alex De Waal, 'African Roles in the Libyan Conflict of 2011', *International Affairs* 89, no. 2 (2013): 365–79.

[72] Natalie Zähringer, 'Norm Evolution within and across the African Union and the United Nations: The Responsibility to Protect (R2P) as a Contested Norm', *South African Journal of International Affairs* 20, no. 2 (1 August 2013): 187–205.

[73] African Union Peace and Security Council, 'Communiqué of the 265th Meeting of the Peace and Security Council PSC/PR/COMM.2(CCLXV)', 10 March 2011.

[74] 'Libya; African Union Rejects "Foreign Military Intervention"', *Africa News*, 10 March 2011.

[75] Security Council Report, 'Libya: Update Report', 14 March 2011, https://www.securitycouncilreport.org.

[76] Chinedu Thomas Ekwealor and Ufo Okeke Uzodike, 'The African Union Interventions in African Conflicts: Unity and Leadership Conundrum on Libya', *Journal of African Union Studies* 5, no. 1 (n.d.): 73.

[77] 'Nigeria "Formally" Declares Support for Libyan Rebels 23 August', *BBC*, 24 August 2011.

[78] 'Nation Absent As UN Votes to Recognise Libyan Rebels', *Africa News*, 19 September 2011.

[79] 'Sudan Joins African Union in Breaking Silence on Gaddafi', *Africa News*, 23 February 2011.

[80] 'Sudan Joins African Union in Breaking Silence on Gaddafi'.

[81] 'Sudan Joins African Union in Breaking Silence on Gaddafi'.

[82] 'Rwanda; Nation Stands With AU But Opts Out of Libya Mediation', *Africa News*, 16 March 2011.

[83] 'Kagame's Stand on Libya Likely to Enrage African Peers but Boldly Spot on', The New Times | Rwanda, 23 March 2011, https://www.newtimes.co.rw/section/read/29558.

[84] Paul Kagame, 'Intervening in Libya Was the Right Thing to Do', *New African*, 2011.

[85] United Nations Security Council, 'S/RES/1973', 17 March 2011.

[86] 'Libya: Benghazi Rebels Reject African Union Truce Plan', *BBC News*, 11 April 2011, sec. Africa, https://www.bbc.co.uk/news/world-africa-13035501.

[87] Kasaija Phillip Apuuli, 'The African Union's Mediation Mandate and the Libyan Conflict (2011)', *African Security* 10, no. 3–4 (2 October 2017): 192–204.

[88] 'Rwanda Urges African Union to Back Transitional Council', *Africa News*, 27 August 2011.

[89] 'AU Lifts Sanctions On Libya', *Africa News*, 21 October 2011.

[90] 'Urgent Priority Must Be Given to Doctors and Medical Materials', *States News Service*, 25 February 2011.

[91] 'Human Rights Watch: Libya Toll Tops 100', *Mail & Guardian*, 20 February 2011.

[92] 'Libya: "We Can't Get in and the Wounded Can't Get Out"', *UK Government News*, 4 March 2011.

[93] 'Mass Grave Found in Western Libya, Human Rights Watch Says', *Trend Daily News*, 15 September 2011.

[94] 'Human Rights Watch Should Have Been Keeping Tabs on Situation in Libya', *Jerusalem Post*, 2 March 2011.

[95] Daniel Nexon, 'Relationalism and New Systems Theory', in *New Systems Theories of World Politics* (Houndmills, Basingstoke: Palgrave, 2010); Kate Seaman, 'Networking Responsibility: Regional Agents and Changing International Norms', *Global Governance: A Review of Multilateralism and International Organizations* 25, no. 1 (1 March 2019): 47–76.