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France and the Responsibility to Protect:

A tale of two norms

Abstract

Even though France has been a key actor of human protection since the 1980s, the existing literature often adopts an Anglo-Saxon focus or concentrates on states which have been reluctant to see international norms of human protection develop. As a consequence, it overlooks France's central role in the development of the Responsibility to Protect (R2P), which can be seen as the leading norm of human protection today. In turn, the growing influence R2P has had on France's conception and practice of human protection – and on its foreign policy more generally – remains unexplored. This article is the first of its kind to correct these oversights by examining France's relationship to R2P from its emergence to today. It argues that to do so, we need to analyse the evolving relationship of two interconnected – yet distinct – norms: France's domestic norm of human protection on the one hand, and the international norm of R2P on the other. It builds on the constructivist literature to offer a theoretical framework that allows the study of this tale of two norms and draws upon elite interviews of key actors such as Gareth Evans and Bernard Kouchner to provide a unique understanding of France's relationship to R2P. Through this tale of two norms,

the article reshapes our understanding of both R2P and France's past and current foreign policy. Additionally, it contributes to the literature on norm diffusion, in particular by deepening our understanding of how domestic and international norms interplay.

Keywords

France, responsibility to protect, human protection, norms

Introduction

Put in simple terms, the Responsibility to Protect (R2P) means that states have a responsibility to protect their own population from genocide, war crimes, crimes against humanity, and ethnic cleansing, while the international community has a responsibility to assist them in this task and to react in a "timely and decisive manner" if they fail to do so.¹ It entails much more than just reacting to mass atrocity situations through military interventions: a strong emphasis is put on prevention and the use of force is seen as a last resort.

Considering that it has been used in 68 United Nations (UN) Security Council resolutions and has been the subject of nine annual reports from the various UN Secretary-Generals since it was unanimously endorsed at the 2005 World Summit, it

could be assumed that R2P's emergence and development have been extensively investigated. Yet, the literature often adopts an Anglo-Saxon focus or concentrates on states which have been reluctant to see it develop (in particular, Brazil, Russia, India, China, and South Africa – more commonly known as the BRICS).² For instance, even though France is a permanent member of the UN Security Council and considers itself as the 'homeland of human rights', the literature available on France's approach to R2P – including the French literature – is limited since it focuses on particular interventions, in specific geographical domains, and historical moments.

This gap is problematic for two main reasons. First, it prevents us from fully understanding the development of R2P by overlooking the role played by France over the years. Additionally, it precludes us from thoroughly analysing France's past and current foreign policy since it leads us to underestimate the role played both by France's commitment to human protection, and the growing influence of R2P on France's conception and practice of human protection. Consequently, this article aims to correct these shortfalls by being the first of its kind to investigate France's relationship to R2P over time.³

It conceptualises human protection – which, to borrow the words of UN Secretary-General Ban Ki-moon, can be defined as 'a subset of the more encompassing

concept of human security [...] [which] addresses more immediate threats to the survival of individuals and groups'⁴ – as a regime 'comprising principles, norms, rules, and decision-making procedures'.⁵ Within this regime, it argues that the best way to study France's relationship to R2P is to analyse 'a tale of two norms'. The first is the dominant international norm of human protection today – R2P – and the second is France's domestic norm of human protection, which emerged in the 1980s and has been influential on the various French executives ever since. Each norm has had its own trajectory, yet they have been interconnected and have influenced each other as they evolved. Analysing the complexity of this relationship reveals much more about the actual emergence of R2P than any other models that mistakenly reduce R2P's development to a simple linear story.

To study the multifaceted historical interplay of the two norms, the article builds on the constructivist literature – and more specifically, on the respective work of Finnemore and Sikkink, and Acharya⁶ – and offers a theoretical framework defined by four key stages: entrepreneurship, localisation, subsidiarity and internalisation. Considering that norms are not static, these stages are likely to recur as the international context evolves and/or new forms of contestation emerge, but the framework put forward can be used to analyse these developments.

This article is unique in bringing together human protection, France's foreign policy, and international relation theory and seeks to make key contributions to each field. It reshapes our understanding of R2P by showing how France has played a central role in its development and how the international norm is impacting states like France. Additionally, it corrects prevailing assumptions on France's past and current foreign policy by emphasising how both France's commitment to human protection and the international normative context have influenced the various French executives over the years. From a theoretical point of view, in contrast to the majority of the literature on norm, it analyses a case in which a state is not wary of an international norm but rather plays a central role in the debates and thus provides a different and valuable view of how norms develop and interact. Additionally, it shows it is essential to pay more attention to the interplay between domestic and international norms if we are to ever understand the emergence, development, and influence of key international norms such as R2P, along with the way they are being negotiated and internalised by important states like France. Finally, by putting forward a theoretical framework that is not only suitable for this tale of two norms, but can also be applied to other cases, it also makes a broader contribution to the literature on norms and IR theory.

The article begins by explaining the theoretical framework offered to study this tale of two norms. After defining France's domestic norm of human protection and its influence on the various French executives throughout the 1990s, it investigates France's relationship to R2P throughout the key phases of its development: its emergence as a concept between 2001 and 2004, its transition from international principle to international norm between the 2005 World Summit and the 2011 intervention in Libya, and its current state post-Libya.⁷

To do so, it draws on key elite interview material of key personalities such as Gareth Evans, Bernard Kouchner, Mario Bettati, and Roland Dumas, elite discourse analysis of the speeches in both French and English of the various French presidents, ministers of foreign affairs, and permanent representatives to the UN on France's foreign policy, human protection or specific interventions; the analysis of UN draft resolutions sponsored by France; and the study of thirteen case studies.⁸

It argues that despite being a norm entrepreneur in the 1990s, France played no part in the emergence of R2P. It investigates this surprising lack of role and argues that France was purposefully excluded from the negotiations. It then shows that despite this lack of entrepreneurship, France became a norm consolidator from 2006. However, influenced by France's domestic norm of human protection, Sarkozy and key

members of his various executives promoted a very unique understanding of R2P which, at times, led to its endangerment. As the international norm strengthened during Hollande's presidency, France became a more traditional supporter of R2P and its domestic norm of human protection began to align with R2P. This recent influence of R2P on France's conception of human protection shows that a new dynamic in France's relationship to R2P has begun to take place. Even though R2P started having restrictive effects on where and how France could respond to mass atrocities during Sarkozy's presidency, France's conception and practice of human protection was mainly influenced by France's domestic norm of human protection before Hollande's presidency.

Analysing the tale of two norms

In order to study the historical interplay between France's domestic norm of human protection and R2P, the article synthesises and builds on the respective work of IR theorists Finnemore and Sikkink, and Acharya to develop a framing capable of looking at the two-level process between domestic and international norms. Through their concept of 'norm life cycle', Finnemore and Sikkink explain that 'norm influence may be understood as a three-stage process. [...] [T]he first stage is "norm emergence"; the second stage involves broad norm acceptance, which we term, [...] a "norm cascade";

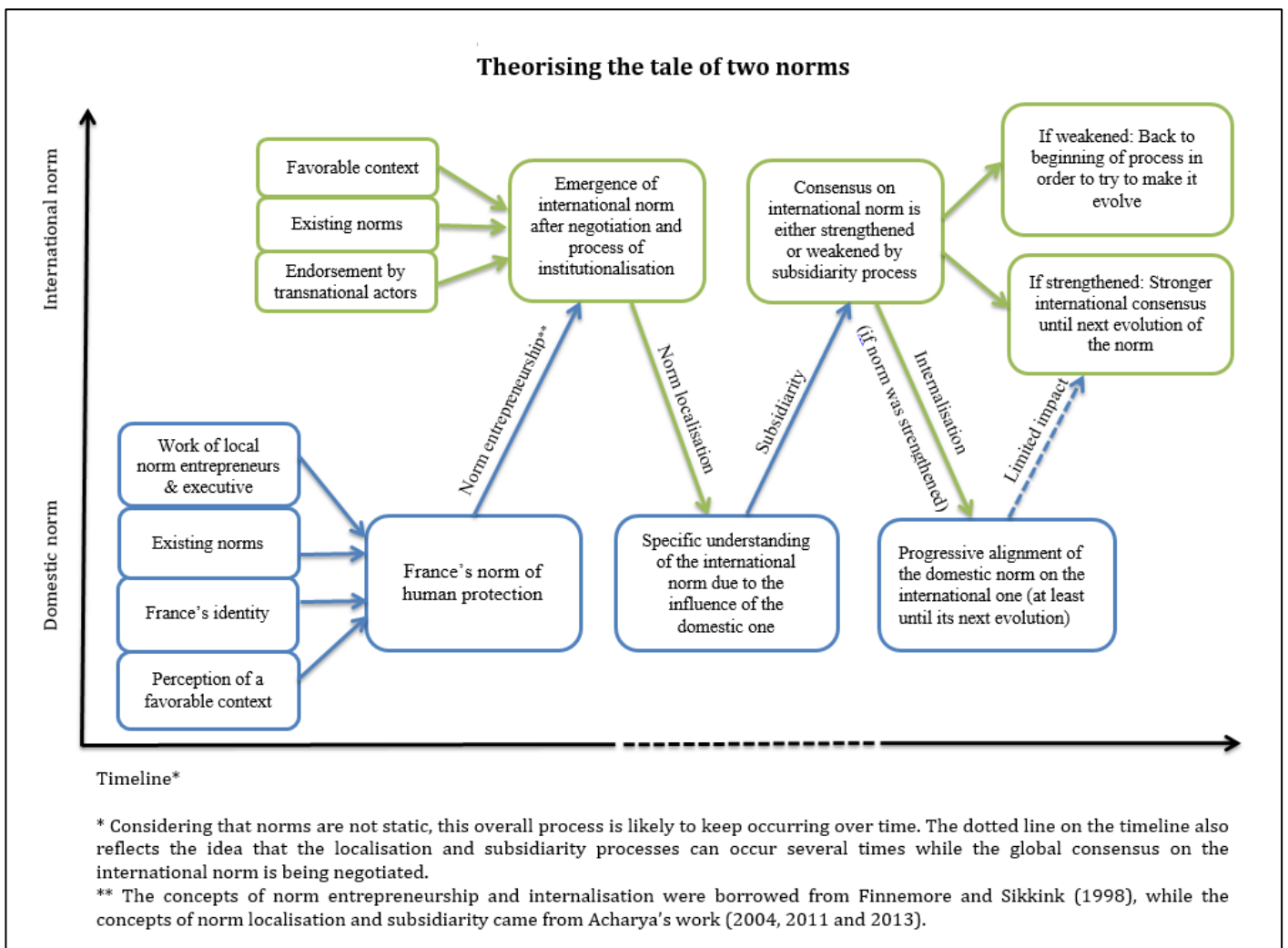
and the third stage involves internalisation'.⁹ With the concept of 'norm circulation', Acharya also investigates norm diffusion, but 'pays greater attention to agency and feedback in norm dynamics' by arguing that it is 'a two-way process'.¹⁰ More precisely, he explains that 'global norms offered by transnational moral actors are contested and localized to fit the cognitive priors of local actors (localization), while this local feedback is repatriated back to the wider global context along with other locally constructed norms and help to modify and possibly defend and strengthen the global norm in question (subsidiarity)'.¹¹

Both models are invaluable contributions to the literature on norms. However, they both have limitations when it comes to achieving the objectives of this article. While they acknowledge that "domestic norms [...] are deeply entwined with the workings of international norms [since] many international norms began as domestic norms and become international through the efforts of entrepreneurs of various kinds",¹² the role played by domestic norms – and in particular, by one single norm – is not explored enough in Finnemore and Sikkink's 'life cycle' framework and neither is the process of interconnectedness between domestic and international norms during the emergence and development of these international norms.

Acharya's 'norm circulation' model pays greater attention to agency but argues that 'norm circulation occurs when the less powerful actors feel marginalised in the norm creation process or feel betrayed by the abuse of the norm by the more powerful actors in the implementation stage' which, as this article shows, is not always the case and is not the case here. Additionally, even though it acknowledges the role domestic or even regional norms can have in the emergence and development of international norms,¹³ the model is not designed to analyse the role played by one specific domestic norm.¹⁴ Finally, while it is important to stress that norms are not static,¹⁵ – which is a claim shared by this article – the concept of 'norm circulation' does not reflect enough the extensive influence international norms can have once they are established (at least until their next evolution) on related domestic norms,¹⁶ and in turn, the reduced influence domestic norms can have on international ones once these international norms are strong.

Despite these limitations and even though these authors conceptualise the way norms emerge and develop in very different ways,¹⁷ the article argues that – combined together – the tools of analysis they put forward can be used to study the interplay between France's domestic norm and R2P over time. More specifically and as illustrated by the figure below, it explains that four key stages can be defined to study the relationship between the norms as they evolved: 1) entrepreneurship, 2)

localisation, 3) subsidiarity, and 4) internalisation. It borrows the concepts of entrepreneurship and internalisation from Finnemore and Sikkink's 'norm life cycle' model, and the concepts of localisation and subsidiarity from Acharya's 'norm circulation' model. Considering that norms are not static but are rather in constant evolution, these stages should not be seen as a unidirectional representation of the development of norms, but instead, as one segment or stage that will be repeated as the international context evolves and/or new forms of contestation emerge. The following sections explain how each tool is used in this specific framework but before doing so, it is important to emphasise that even though this article's empirical focus is on France and R2P, this framework can be used to study the tale of other interconnected yet distinct domestic and international norms.



(i) Norm entrepreneurship

The first step – norm entrepreneurship – allows the investigation of the specific role an actor like France can play in the early stages of the emergence of an international norm such as R2P. It would be mistaken to suggest that France could singularly lead to

the emergence of R2P since, to borrow Acharya's words, 'the creation of international norms is never a one-source, one-way, or a one-step process. Nor is it carried out by a single agent'.¹⁸ However, we need to be able to analyse the specific role played by key states like France to better understand the international norm. Finnemore and Sikkink's work helps us achieve this goal.

They define the concept of norm entrepreneurship as 'the purposive efforts of individuals and groups to change social understandings',¹⁹ in particular through the process of framing as norm entrepreneurs use 'language that names, interprets, and dramatizes' specific issues in order to gain public traction.²⁰ Considering that not all norms are equal and thus many will not be successfully internationalised, Sikkink argues that the support of powerful state actors eventually needs to be secured.²¹ Once this process takes place, states become norm entrepreneurs at the international level and then seek to gain the support of an organisational platform, which Finnemore and Sikkink refer to as the institutionalisation of the emergent norm²² and define as 'the way norms become embedded in international organisations and institutions'.²³

(ii) Norm localisation

The institutionalisation process generates discussions, contestations, and negotiations on what the emerging international norm actually entails, often leading to the appearance of differences between the norm entrepreneurs' original vision and the international consensus. This is facilitated by the fact that the emerging norm is often broadly defined in order to 'provide opportunities for localisation'²⁴ and maximise the chances it has to be globally adopted.

R2P is a good illustration of this process since even though the international community agreed on a definition in the 2005 World Summit Outcome Document, the section on R2P was very brief and open to interpretation. For instance, ten years on from the World Summit, the expression 'manifest failing' of Paragraph 139 stills generated 'a large amount of ambiguity and inconsistency'.²⁵ In light of these different interpretations, we need to be able to determine the properties of R2P that are being taken on or ignored by the various French executives over time. The fact that France already had a specific domestic norm of human protection leads us to suspect that key differences of understanding could have emerged early on.

Acharya's concept of norm 'localisation' – which he defines as 'a complex process and outcome by which norm-takers build congruence between transnational norms [...] and local beliefs and practices'²⁶ – helps us achieve this goal. By

encouraging us to look at states' 'preconstructed normative beliefs and practices',²⁷ the concept indeed helps us understand how key members of the executive and local actors 'perform acts of selection, borrowing, and modification in accordance with a pre-existing normative framework to build congruence between that and emerging global norms'.²⁸

(iii) Subsidiarity

Once a state like France has adjusted its understanding of the international norm to its domestic context, it will then attempt to promote this slightly different understanding to the international community. This is where Acharya's concept of 'subsidiarity' becomes helpful. He argues that it is 'a process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actor'.²⁹ Although the concept was mainly designed to analyse 'the normative behaviour of Third World countries',³⁰ it can be used to examine the relationship between a domestic and an international norm, no matter what the origin of the domestic norm is. For this purpose, this framework uses the more recent – and broader – definition put forward by Acharya, which consists in arguing that subsidiarity is the process through which the domestic feedback which emerged from the process

of localisation “is repatriated back to the wider global context [...] and help modify [...] the global norm in question’.³¹

Two outcomes can be expected from this subsidiarity process. First, it could lead to a weakening of the emerging international norm, especially since the consensus around the norm remains fragile during the early stages of its emergence. If this is the case, it can be predicted that the norm entrepreneurs, and the actors who had begun to internalise it, will attempt to propose changes to promote its survival. If they are successful, the emerging international norm will evolve and if they fail, it will disappear.

Nevertheless, a second scenario is that the fragile consensus around the emerging international norm will actually be strengthened by the subsidiarity process. This could first happen if the suggestions made are well-received by the international community.³² In contrast, the strengthening of the norm could take place if the changes suggested are contested by a majority of the international community and contribute to the emergence of common ground between sceptics and enthusiasts of the norm.

Before moving on to the last phase, it is important to emphasise that the localisation and subsidiarity processes can take place several times while the international norm emerges and develops, especially if the subsidiarity process has led to a weakening of the emerging international norm and the norm is being reshaped.

(iv) Norm internalisation

Once a norm gains sufficient international traction, it eventually becomes internalised, which, according to Finnemore and Sikkink, occurs when norms 'achieve a "taken-for-granted" quality that makes conformance with the norm almost automatic'.³³ Once enough states have gone through the internalisation process, the international community shares a strong, basic understanding of the international norm, and promotes and implements it most of the time. This process does not always happen as not all norms gain enough international traction. However, if it does, the impact a singular state like France can have on its development becomes limited,³⁴ and it can be expected that the related domestic norm will align to a certain extent with the international one, at least until the international context evolves and/or new forms of contestation emerge.

France's domestic norm of human protection and its influence throughout the 1990s

Before analysing the evolution of France's relationship to R2P in more depth, it is important to briefly define what is meant by France's domestic norm of human protection and why it should be understood as a specific norm rather than the domestic understanding of similar international norms. At the heart of France's domestic norm lies the concept of *devoir d'ingérence* (duty to intervene/interfere). Jean-François Revel coined the expression in June 1979, when he condemned the acts of two African despots, Jean-Bédél Bokassa in the Central African Republic and Idi Amin Dada in Uganda. He argued that 'the *non-ingérence* principle is [...] synonym of non-assistance to a person in danger'.³⁵ This principle of non-assistance, which consists of punishing any person who would not assist a person whose life is under immediate threat, is taken very seriously in France and has often been used to call for the recognition of a *devoir d'ingérence*.³⁶

Although Revel coined the expression, Bernard Kouchner (co-founder of *Médecins Sans Frontières* – Doctors Without Borders) and Professor Mario Bettati (distinguished international legal scholar and adviser of Kouchner) became its promoters and practitioners. In January 1987, they organised an 'International

Conference on Law and Humanitarian Morality' in Paris in order to debate and promote the concept. Kouchner opened the conference by asking 'can we let them die simply because a frontier separates us from their harm?'.³⁷ Bettati then argued that the victims of a humanitarian crisis had a '*droit à l'assistance humanitaire*' – a right to humanitarian assistance – which he defined as a 'new human right'.³⁸ To honour this right, he and Kouchner contended that a *devoir d'ingérence* – and a subsequent *droit d'ingérence* (a right to intervene/interfere) – needed to be acknowledged. In other words, the *droit d'ingérence* was only promoted in order to fulfil a *devoir* to assist endangered populations and to implement the victims' *droit à l'assistance humanitaire*.

The source of the emergency was broadly defined in order to promote an extensive understanding of human protection and thus included emergencies created by political, natural, industrial, and nuclear situations.³⁹ At the end of the conference, the participants voted a resolution that called for the recognition 'in a single international document signed by all the states members of the international community, of both the victims' *droit à l'assistance humanitaire* and the obligation of the states to contribute to this assistance'.⁴⁰

Some could argue that hundreds of conferences take place every year and that, unfortunately, their impact often remains limited beyond the realm of the participants or the wider academic community. Nevertheless, this was not the case here. Not only did the conference gather key speakers such as Nobel Peace Prize Lech Walesa and UN High Commissioner for refugees Jean-Pierre Hocke, but President Mitterrand and his Prime Minister Jacques Chirac accepted to respectively open and conclude the conference, allowing it to receive extensive public attention. Mitterrand declared ‘the first human right, you will agree, is the right to life, and the first duty, is the assistance to a person in danger, to population threatened by perils. Are bound by this duty, all of those who hold the means to action’.⁴¹ Chirac argued that such a conference could not have taken place anywhere else but France, and explained that he supported the concept ‘without any reservation’.⁴²

As argued in the previous section, their support was essential considering that, for a norm to develop, it has to be institutionalised by key actors. In this case, not only were the norm entrepreneurs supported by key members of the executive, they became part of it since Mitterrand and Chirac invited Kouchner and Bettati to be part of the executive.

The immediate endorsement of Kouchner and Bettati's proposal by Mitterrand and Chirac can appear surprising since they were from opposite ends of the political spectrum, but it can partly be explained by the influence of two key ideational factors.⁴³ The first is the idea that France is the 'homeland of human rights' and as such, has a duty to promote them (in particular the right to life). This aspect of France's identity has often been traced back to the French Revolution and has been promoted by French leaders such as Mitterrand, Chirac, Sarkozy, and Hollande,⁴⁴ regardless of their political affiliation. As Smouts explains, 'the image of a grand and generous France, daughter of the Revolution and homeland of human rights is part of the national heritage'.⁴⁵

The second factor is the obsession with France's *rang* (rank) which has influenced – or rather obsessed – French leaders such as Louis XIV, Napoleon III or de Gaulle for centuries. As Grosser argues, 'elsewhere, prestige is considered as a tool allowing to better reach political or economic ends. For [France], prestige constitutes an end in itself'.⁴⁶ The presidencies of Mitterrand, Chirac, Sarkozy, and Hollande were no exceptions.⁴⁷ They all argued that, although France's status in the world evolved considerably over time, it is more than a middle-size power and as such, it ought to be involved in human protection.

Consequently, France's domestic norm of human protection emerged in the late 1980s⁴⁸ and consists in arguing that France has a special role to play in human protection in light of its history, values, and rank. It is a norm rather than an influential idea or the domestic version of a related international norm because it is specific to France and drove – or at the very least, strongly influenced – the various executives' commitment to human protection over time: it provided an 'oughtness' to react to mass atrocity situations and often, an expectation to intervene to protect.

Considering that norms are rarely static, more or less attention was paid to France's history, values, and rank depending on the composition of the French executive at the time. Similarly, the way the norm was implemented evolved and so did the terminology used (in particular, from Chirac's presidency, the expression *devoir d'ingérence* was replaced by less controversial terminology such as responsibility to act). However, as this article shows, the claim that France has a special role to play in human protection in lights of its history, values, and rank remained influential.

As a consequence, at the end of the 1980s, well before the emergence of R2P, key members of the executive began working towards the international recognition of a *devoir* – and associated *droit – d'ingérence* to fulfil the victims' *droit à l'assistance humanitaire*. In particular, Kouchner and Bettati began drafting and promoting key

resolutions at the UN. Their efforts led to the adoption of Resolutions A/RES/43/131 and A/RES/45/100 on 'Humanitarian assistance to victims of natural disaster and similar emergency situations' by the General Assembly in 1988 and 1990, and S/RES/688 on Iraq by the UN Security Council in 1991.

These resolutions constituted the first steps in the recognition of the need of a right, if not a duty, to provide humanitarian assistance by helping the UN Security Council broaden and legitimise its competence in preventing and responding to humanitarian crises. In doing so, they contributed to the emergence of the international principle that was humanitarian intervention⁴⁹ since as Gareth Evans – Co-chair of the International Commission on Intervention and State Sovereignty – explains,

Bernard Kouchner [...] did not invent the concept of, or even the expression, 'humanitarian intervention'. [...] But what Kouchner did do was give it a new lease of life by inventing and popularising the expression '*droit d'ingérence*'. [...] In the recurring debates of the 1990s, the banner call from those demanding forceful action in the face of catastrophe was invariably, echoing Kouchner [...]. In making the response to mass atrocities the single most debated foreign policy issue of the decade, rather than one that could

comfortably be ignored by policymakers, his contribution was outstanding.⁵⁰

In addition to this normative contribution, France became heavily involved militarily for humanitarian purposes by participating in UN peacekeeping missions with strong humanitarian components (it deployed an average of 5,098 troops a year between 1991 and 1995).⁵¹ Despite what could have been expected, it did not limit its participation to Africa – France’s perceived zone of influence during the Cold War – but rather intervened worldwide with a particularly strong involvement in Iraq, Cambodia, Somalia, and former Yugoslavia.

By framing the idea of intervening as a duty rather than simply a right, and in moral rather than legal terms, the support of the French public opinion was strong. In particular, the French population became supportive of any intervention presented as humanitarian. This can be seen in a poll led by SIRPA:⁵² ‘when asked if they approved or disapproved of the use of French armed forces, [...] to bring assistance to populations in distress (famine and civil war)’, the French replied positively by ‘73 per cent in 1990, 79 per cent in 1991, 81 per cent in 1992 and 1993, and 83 per cent in 1994’.⁵³

France's domestic norm remained influential – and more specifically, action-binding – throughout President Chirac's first mandate (1995-2002). Chirac's support could be seen as surprising considering that by the time he became president, the interventions France took part in for humanitarian purposes were facing key challenges that threatened France's rank instead of promoting it. For instance, in former Yugoslavia, UNPROFOR (the UN Protection Force) – to which France was the highest troop contributor – was forced to 'stand aside while the worst war crimes in Europe since the Second World War were perpetrated' in Srebrenica.⁵⁴ Additionally, its troops were constantly targeted and humiliated by the Bosnian Serbs and instead of showcasing the fact that France was 'capable of assuming the political, military, financial, and human costs' of the UN interventions,⁵⁵ it began to suggest that it could not address key emergencies.

A normative rollback could thus have been expected but instead, Chirac and his various executives kept arguing that in light of its history, values, and rank, France had a special role to play in human protection⁵⁶ and simply shifted the way it practiced its perceived duty to protect. For instance, in Former Yugoslavia, France remained highly committed to the resolution of the conflict and Chirac's executives simply promoted a more robust approach in the field, in particular, by encouraging NATO's involvement and the creation of the Rapid Reaction Force.

The emergence of R2P or the exclusion of France

Despite the lack of normative rollback in France, by the end of the 1990s, the international community was divided about what to do in case of mass atrocity situations. In 2001, the ICISS attempted to overcome these divisions in its report *The Responsibility to Protect* and argued that ‘the principle of non-intervention yields to the international responsibility to protect’.⁵⁷

Considering its strong involvement in human protection since the 1980s, it would not seem farfetched to expect France to have been part of the Commission. After all, Gareth Evans – co-chair of the ICISS – had referred to Kouchner’s contribution in the 1990s as ‘outstanding’. Nevertheless, no French representative – not even Kouchner – was present at the negotiation table. A logical explanation could have been that the ICISS was mainly composed of representatives from the Global South in order to signal that their concerns had been heard and taken seriously. However, only five members of the Commission came from the Global South, while seven were from the Global North, including representatives from the United States, Russia, and Germany.

When asked about France's absence during interviews with the author, Kouchner and Bettati argued that it was not an oversight from the chairs of the Commission or a lack of interest from France, but rather a political move to attempt to exclude France from the human protection arena.⁵⁸ Gareth Evans – co-chair of the ICISS – confirmed that France was deliberately excluded from the Commission, but not for the reasons put forward by Kouchner and Bettati. In an interview with the author, he argued that 'the French were part of the problem'.⁵⁹

This claim can be explained by the fact that by the end of the 1990s, many members of the international community deemed France's position on human protection to be controversial and outdated since it was perceived as only promoting a right – rather than a duty and a right – to intervene. For instance, Evans argued that 'there was so much, so much antagonism towards the notion of a right. [...] No matter what [the new members of the Security Council and newly independent states] were willing to sign up to, they were not prepared to sign up to a generalised right, a *droit*'.⁶⁰ Similarly, Roberta Cohen and Francis Deng explained that the French contribution in the 1990s can be summarised in 'the idea of a right to humanitarian intervention ("*le droit d'ingérence*") [...]. The international community, it was argued, should have a right to intervene when governments obstructed access to populations in need or deliberately subjected them to starvation or other abuses. The directness

of the approach met with considerable opposition from those who feared that intervention to gain access to war-affected populations was too much of a challenge to the principle of non-interference in internal affairs'.⁶¹ Although these commentators associated France to a 'right to humanitarian intervention', they did not mention the idea of a *devoir* to protect despite the fact that it had influenced the various French executives since the 1980s.

This narrow understanding of France's conception of human protection can be explained by the fact that, even though key French personalities such as Mitterrand, Chirac, and Kouchner had clearly defined the distinctions – but also the links – between *droit* and *devoir d'ingérence* domestically during the 1987 'Conference on Moral and Humanitarian Right' in Paris, they failed to clearly do so internationally. Additionally, France was seen as being 'part of the problem' by actively intervening militarily for humanitarian purposes since 1991 and often using a coercive approach to do so.

Consequently, considering that it would be challenging to find a compromise between the states in favour of intervening to protect, and those concerned with the implications for their sovereignty, France was not included in the global conversation about a new framework for human protection. This allowed the Commission to send a

strong signal to the sceptics of humanitarian intervention and rally support behind its work. This exclusion meant that in contrast to the late 1980s-early 1990s when France played a role of norm entrepreneur in the emergence of humanitarian intervention, it was not involved in the emergence of R2P.

From the 2005 World Summit to Libya: France, a norm consolidator or a threat to R2P?

Considering France's lack of involvement in the ICISS, Chirac and his executive – like the majority of the international community – only began to support R2P at the 2005 World Summit.⁶² This support was not particularly surprising considering France's commitment to human protection since the 1980s, but it began to noticeably increase from August 2006 when key members of the executive started co-drafting the UN Security Council resolutions on R2P instead of simply supporting them.⁶³

When President Nicolas Sarkozy was elected in 2007, this support continued as all the UN Security Council resolutions on R2P were co-drafted by France⁶⁴ and key members of the executive kept emphasising the importance of the international principle in their statements. For instance, Gérard Araud, the French Representative to

the UN, argued that France would 'spare no effort to operationalise that concept'.⁶⁵ Therefore, even though France was not a norm entrepreneur of R2P as it played no direct role in its emergence, it became a norm consolidator from 2006 by making sure that the international principle was being debated and used by the Security Council.

However, as the first section explained, it is common for differences in understanding to emerge during the development of new international norms as they are often broadly defined in order to help states build congruence with their local beliefs and practices. R2P was no exception and, as a consequence, Sarkozy and his executives promoted a rather unique and broad understanding of the international principle.

First, even though the 2005 World Summit Outcome Document does not refer to R2P as containing three responsibilities – to prevent, to react, and to rebuild – as the original ICISS report did, Sarkozy and his various executives embraced this approach.⁶⁶ Additionally, while emphasising the importance of prevention, they argued that the use of force under what would become Pillar III should not be neglected when prevention failed,⁶⁷ therefore putting France amongst the minority of states that saw R2P as more than a 'consensual' tool to protect.

However, the real specificity in France's understanding of the international principle lies in the way it understood its historic roots. Key members of the executive rejected the idea that R2P was new and argued that it had French origins. For instance, Kouchner, who was once again Minister of foreign affairs at the time, associated the international principle with the way France's domestic norm of human protection was defined in the 1980s by arguing that 'France invented the *droit d'ingérence*. [...]. The Security Council talks about "the responsibility to protect". It is the same thing'.⁶⁸

This kind of claim could be seen as unsurprising coming from Kouchner as it could be a way to repossess the debate on human protection and protect his legacy. It was however reiterated by other key members of the executive. In particular, in 2011, Sarkozy associated R2P with France by arguing that, 'the Security Council, with these two crises [in Côte d'Ivoire and Libya], allowed us to materialise for the first time a principle of action, which France managed to make the UN adopt in 2005: the responsibility to protect'.⁶⁹

This association of R2P with France is quite surprising given that it was not part of the ICISS as it was deemed to be 'part of the problem'. Additionally, the claim is questionable since key distinctions between R2P and France's domestic norm of human protection can be emphasised. In particular, France's domestic norm relies on a

Westphalian conception of sovereignty, which necessarily counterpoises sovereignty and intervention. Yet, R2P is based on the principle of 'sovereignty as responsibility', which puts 'sovereignty and human rights [as] two sides of the same coin'.⁷⁰ Additionally, in contrast to France's broad conception of human protection, R2P covers exclusively four categories of crimes: genocide, ethnic cleansing, war crimes, and crimes against humanity.

It is difficult to explain why the majority of the executive at the time did not seem – or refused – to see these key distinctions, but at least three factors were influential. First, the role played by France's domestic norm of human protection cannot be underestimated since its influence on Sarkozy's executives was strong.⁷¹ Considering that the domestic norm had linked the notions of right and duty to intervene since the 1980s and that the key innovation of R2P was to explicitly promote a responsibility – and not simply a right – to protect to the international community, France's own understanding of human protection influenced key members of the executive such as Sarkozy in arguing that R2P and France's conception were similar. This is even less surprising since at the time, the international principle was still being negotiated by the international community and therefore, its meaning was opened to interpretation.

Additionally, like his predecessors, Sarkozy was determined to promote France's rank. Considering that France's image as the 'homeland of human rights' contributed to promoting the idea that France is 'more than a middle-size power', key members of the executive such as Sarkozy, Kouchner, and Juppé began to link R2P to France in order to counterpoise the dissociation between France and human protection that had been promoted by the ICISS.

Last but not least, the role played by Kouchner and Bettati has to be acknowledged. They both argued in interviews with the author that R2P was a political move to exclude the French from the human rights arena and, more particularly, an attempt to diminish their own legacy.⁷² Consequently, the linkage of R2P to their diplomatic efforts in the 1980s can be seen as an effort to re-instate France's place in the R2P story and maintain their legacy.

The implications of this association of the international principle with France's domestic norm were important since by refusing to – or at the very least, by failing to – understand the key distinctions between the two, Sarkozy and his various executives promoted a broad understanding of R2P, where the source of the humanitarian emergency should be broadly defined, and where military action should be undertaken

if prevention and diplomacy fail. This meant that at times, when trying to promote R2P, France ended up endangering it.

This can first be seen in 2008, when Cyclone Nargis hit Myanmar/Burma and Kouchner argued that the junta's refusal to accept humanitarian assistance was a crime against humanity. The idea that the consequences of a natural disaster could fall under R2P had originally been suggested in the ICISS report,⁷³ but it was disregarded at the 2005 World Summit. Even though the French proposal received some support,⁷⁴ it was flatly rejected by two veto powers – Russia and China – and by key international figures on R2P such as Ramesh Thakur and Edward Luck who were concerned that this broad understanding of the international principle would endanger it.⁷⁵

What is interesting here is that, as suggested in the section on the subsidiarity process, the emerging international norm actually ended up being strengthened by France's attempt to broadly define R2P: while France's proposal generated much controversy and debate, it eventually helped reinforce the international consensus around the international principle since the majority of the international community agreed the situation did not fall under R2P.

Things were however more complicated in Libya, which constituted another episode when, in light of France's unique understanding of R2P, Sarkozy's executive ended up endangering the emerging international norm while trying to promote it. After lobbying for the Security Council to take action, France actively took part in the NATO-led intervention that followed the adoption of Resolution 1973. This operation was initially well received in many Western states but rapidly faced strong critiques for undertaking regime change.

In contrast to Myanmar/Burma, the case of Libya provides a good example of when the subsidiarity process ends up endangering the emerging norm. By promoting a broad understanding of R2P and undertaking regime change, France and the coalition considerably damaged the international consensus it benefited from. This episode shows how much the subsidiarity process can impact an international norm like R2P, even at a stage when it benefited from a relatively strong international support.

While France impacted R2P by playing a role of norm consolidator – and at times, troublemaker – R2P also progressively began to influence France's conception and practice of human protection between 2005 and 2011. For instance, in 2008, the French executive had to pull back from intervening in Myanmar/Burma after the

contestation of the international community. As explained in the first section, this impact is not surprising as the influence of an emerging international norm is expected to grow with the international consensus around it.

However, in light of the influence of France's domestic norm of human protection since the 1980s and considering that the impact of an international norm is only proportional to its strength, the impact of R2P on France remained somewhat limited during Sarkozy's presidency. Even though it facilitated France's interventions by providing a favourable international normative context and at times, restricted where France could intervene, what mainly drove the various executives to intervene remained the influence of France's domestic norm of human protection. Sarkozy and key members of his executives kept promoting the idea that in light of its history, values, and rank, France had a special role to play in the promotion of human protection.⁷⁶

As a consequence, despite the fact that Kouchner's proposal to intervene in Myanmar/Burma was rejected in 2008, the various executives kept promoting a broad understanding of human protection.⁷⁷ Additionally, they did not limit France's military interventions to R2P cases, but intervened worldwide to protect. An average of 8,222 troops a year was deployed for humanitarian purposes between 2005 and 2012,⁷⁸ and

like *Opération Harmattan* in Libya, these interventions were not always consensual and often went beyond a narrow civilian protection mandate in order to meet France's own conception of human protection rather than R2P's.

France and R2P post Libya: The road to alignment

Like their predecessors, President Hollande (2012-2017) and his various executives were strong promoters of R2P. For instance, the 2013 *Livre Blanc* on Defence and National Security showcased its importance and France's commitment to its development.⁷⁹ Consequently, the various executives kept co-drafting the majority of the UN Security Council Resolutions referring to R2P⁸⁰ and actively advocated for the P5⁸¹ to restrain the use of their veto in mass atrocity situations.

Even though the idea had already been suggested by Védrine (Minister of foreign affairs between 1997 and 2002) and Kouchner in the early 2000s, this proposal became a central goal of Hollande and his executives. In September 2013, the French president personally defended the idea in front of the UN General Assembly.⁸² During the 70th session of the UN General Assembly held in September 2015, France and Mexico officially put forward a 'Political statement on the suspension of the veto in

case of mass atrocities' which as of 27 June 2017, was supported by 96 member states.⁸³

In addition to this active diplomatic support, Hollande and his executives played a key part in the deployment of military force to uphold R2P. For instance, after co-drafting Resolution 2085 in December 2012, Hollande announced in January 2013 an extensive French intervention in the African state. In December 2013, France also intervened in CAR in response to UN Security Council Resolution 2127. This rapid response was welcomed by Kofi Annan, former UN Secretary-General, who declared, 'I'm glad François Hollande and France have accepted the responsibility entrusted to them by the UN resolution. [...] We must acknowledge the work of France in Mali and Central African Republic. If everyone had the same moral impulse, the world would be very different'.⁸⁴

In August 2013, the French executive also actively prepared for an intervention in Syria. It had already recognised the national coalition as the legitimate representative of the Syrian nation in September 2012 and provided humanitarian and material support to the opposition, but the French president declared that he was thinking about a military intervention to respond to the use of chemical weapons by the Assad regime.⁸⁵ The French proposal to intervene militarily was rapidly taken off

the table by the Kerry-Lavrov disarmament accord, yet Hollande's executives remained committed to finding a diplomatic solution.

This ongoing commitment to human protection during Hollande's presidency can partly be explained by the influence of France's domestic norm of human protection since it remained strong during that period. For instance, Hollande justified France's intervention in CAR by arguing that it was 'its duty'.⁸⁶ However, it is interesting to note that Hollande and his executives were also increasingly influenced by R2P. This can be seen in the fact that they stopped promoting a broad understanding of the international norm. They only referred to a narrow definition of the four cases outlined in the 2005 World Summit Outcome Document and they also avoided commenting on the roots of R2P, therefore interrupting the claim that R2P's origins lied in France's diplomatic efforts in the 1980s.

At this stage, it is challenging to determine the exact causes of this shift. However, two factors can be put forward as having played an important role. In light of what was discussed in the first section, and considering the growing influence of R2P worldwide during Hollande's presidency, the actions of Hollande and his various executives suggest that the internalisation of R2P had begun to take place and

consequently, France's conception of human protection started aligning with the international consensus on the international norm.

A second factor also deserves to be taken into account: the executives' willingness to keep promoting France as a key actor of human protection. This became a necessity for Hollande since his central role in the field of human protection was one of the few policies that increased his low approval rates.⁸⁷ Additionally, France's key role in human protection had allowed the various executives to promote the idea that France is the 'homeland of human rights' and 'more than a middle-size power', which directly impacts its international status. During Hollande's presidency, showcasing this representation of France was more important than ever since France lost some of its leadership in Europe and the UN Security Council.⁸⁸ It could thus not afford to be stigmatised in the field of human protection by promoting a broad – and controversial – understanding of R2P.

No matter the reasons, it is interesting to note that France's conception of human protection progressively began to align with the international consensus on R2P, thus confirming that the influence of the international norm was growing, even on states like France which had a strong related – yet distinct – domestic norm of human protection.

Conclusion

Through this tale of two norms, the article begins to correct the overly dominant Anglo-Saxon focus that characterises the existing literature on human protection by bringing to light the central role played by France in its development, along with the growing influence R2P has had on France over the years. By doing so, it suggests that expanding the focus of the literature to other non Anglo-Saxons states that are supportive of human protection norms is a necessity if we are to ever gain a full understanding of key international norms such as R2P.

Additionally, by emphasising the strong impact of France's domestic norm of human protection on the various executives over time and the growing influence of R2P on France's conception of human protection, the article reshapes our understanding of France's foreign policy (especially since most of the interventions France undertakes abroad are to respond to potential and ongoing mass atrocity situations) and helps us better anticipate the future. For instance, it can be assumed that France will remain committed to human protection and is likely to do so in a way that will help promote France's rank – for example, via the use of strong mandates when it decides to intervene. This is to be particularly expected at a time when, due to

BREXIT, France will be the only permanent member of the EU on the Security Council and will be facing increased pressure to justify its seat. However, its commitment to human protection is likely to keep shifting in light of the growing influence of the R2P.

The first months of President Macron's presidency already seem to confirm these trends. During his victory speech in May, President Macron argued that France would be present everywhere 'the spirit of the Enlightenment is endangered'.⁸⁹ Even though it has only been a few months, he and his executive appear to be committed to fulfilling this promise. France is the penholder at the UN Security Council for the situations in Burundi, CAR, Cote d'Ivoire, the DRC, Lebanon, Mali and to a certain extent, Syria and Bosnia and Herzegovina. Additionally, although it is not the official penholder for the situations in Libya and Syria, it has played a central role diplomatically when it comes to the resolutions of these crises. In Syria, Macron has been pushing for a political solution and the prosecution by the International Criminal Court of those responsible of chemical attacks. Similarly, in Libya, he talks about 'France's particular responsibility' and after organising negotiations in La Celle Saint Cloud in July, he has expressed his commitment to help organise fair elections in 2018.⁹⁰ Last but not least, like their predecessors, Macron and his executive are also actively advocating for the P5 to restrain the use of their veto power in mass atrocity situations.

From a theoretical point of view, the article emphasises the importance of taking into account the interplay between related – yet distinct – domestic and international norms. The analysis of this interplay allows a better understanding of the emergence, development, and influence of key international norms such as R2P. It also brings to light the role key states like France can play in their development, and how they internalise and implement such norms. Additionally, building on the constructivist literature, the article puts forward a framework to study this interplay between domestic and international norms over time. Even though it was designed to study France's relationship to R2P, it can be used to study other cases and thus makes a broader contribution to the literature on norms and IR theory more generally.

The extent of the article's theoretical contribution also lies in the fact that it examines a case in which an international norm (R2P) interacts with a state (France) that is positively disposed to it, but still has its own interpretation of what it should entail and how it ought to be understood by the rest of the international community in light of the influence of its own related yet distinct domestic norm (France's domestic norm of human protection). By doing so, it contrasts from contributions made by Acharya and others who have tended to focus on cases in which states are resistant to – or wary of – the international norm, and thus provides a different and valuable view

of how norms develop and interact. Therefore, anyone interested in human protection, France's foreign policy, or norm diffusion should monitor France's current and future commitment to human protection, and more specifically, its relationship to R2P.

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Notes

¹ See Articles 138-139 in the UN General Assembly, "2005 World Summit Outcome." 2005, <http://daccess-ods.un.org/TMP/9539827.10838318.html>.

² See for example Charles Ziegler, "Critical perspectives on the Responsibility to Protect: BRICS and beyond" *International Relations* 30, no. 3 (2016) 262-277.

³ Rather than France in general, this article mainly concentrates on the various French executives – defined as the president at the time, his key advisors and ministerial office-holders. Because the executive is not a static and uniform entity throughout time, the article is as specific as possible and pays particular attention to the president, the minister of foreign affairs, and the permanent representative to the UN.

When the term 'executive' (or even France) is used, it is to refer to the official position put forward by these key members on behalf of France.

⁴ Ban, Ki-moon, "Human Protection and the 21st Century United Nations." February 2, 2011, <https://www.un.org/sg/en/content/sg/speeches/2011-02-02/cyril-foster-lecture-oxford-university-human-protection-and-21st>.

⁵ Alex Bellamy, "The Humanisation of Security? Towards an International Human Protection Regime," *European Journal of International Security* 1, no.1 (2016), 113.

⁶ In particular, Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization* 52, no.4 (1998), 887-917; Amitav Acharya, "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism," *International Organization* 58, no.2 (2004), 239-275; Acharya, "Norm Subsidiarity and Regional Orders: Sovereignty, Regionalism, and Rule-Making in the Third World," *Institutional Studies Quarterly*, 55, no.1 (2011), 95-123; and Acharya "The Responsibility to Protect and Norm Diffusion: Towards a Framework of Norm Circulation," *Global Responsibility to Protect* 5, no.4 (2013), 466-479.

⁷ In addition to providing a clear framework of analysis, this timeline allows comparisons to be made with the French presidential history: While Chirac (1995-2007) witnessed the emergence of R2P, Sarkozy's presidency (2007-2012) broadly corresponded to the period when R2P became an international norm while Hollande (2012-2017) was president when the international norm developed in the post-Libya era.

⁸ They cannot be all discussed here but are: Cambodia, Somalia, Bosnia and Herzegovina, Kosovo, Rwanda, the Democratic Republic of the Congo (DRC),

Myanmar/Burma, Iraq, Côte d'Ivoire, Libya, Syria, Mali, and the Central African Republic (CAR).

⁹ Finnemore and Sikkink, "International Norm Dynamics," 895.

¹⁰ Acharya, "The R2P and Norm Diffusion," 466; 469.

¹¹ Acharya, "The R2P and Norm Diffusion," 469.

¹² Finnemore and Sikkink, "International Norm Dynamics," 893.

¹³ Acharya, "The R2P and Norm Diffusion", 469-471.

¹⁴ See Acharya, "Norms Subsidiarity and Regional Orders," 99.

¹⁵ Acharya "The R2P and Norm Diffusion", 466.

¹⁶ Acharya does acknowledge that the localisation process can eventually lead to 'norm displacement' (in 'How Ideas Spread," 253-254). However, this idea is not reflected enough in the actual 'norm circulation' model.

¹⁷ Acharya emphasises the dynamism of norms while Finnemore and Sikkink's model has been criticised for promoting a static view of norms (see for instance, Antje Wiener, *A Theory of Contestation*, New York: Springer, 2014)).

¹⁸ Amitav Acharya, "The R2P and a Theory of Norm Circulation." In *Theorizing the Responsibility to Protect*, ed. Ramesh Thakur and William Maley, (Cambridge: Cambridge University Press, 2015), 77.

¹⁹ Martha Finnemore and Kathryn Sikkink, "Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics," *Annual Review of Political Science* 4 (2001):400.

²⁰ Finnemore and Sikkink, "International Norm Dynamics," 897.

²¹ Kathryn Sikkink, "Transnational Politics, International Relations Theory, and Human Rights," *Political Science and Politics* 31, no.3 (1998):519.

²² Finnemore and Sikkink, "International Norm Dynamics," 900.

²³ Martha Finnemore, "Constructing Norms of Humanitarian Intervention," in *The Culture of National Security: Norms and Identity in World Politics*, ed. P. J. Katzenstein (New York: Columbia University Press, 1996), 161.

²⁴ Acharya, "How Ideas Spread," 241.

²⁵ Adrian Gallagher, "What Constitutes a 'Manifest Failing'? Ambiguous and Inconsistent Terminology and the Responsibility to Protect," *International Relations* 28, no.4 (2014): 428.

²⁶ Acharya, "How Ideas Spread," 241.

²⁷ Acharya, "How Ideas Spread," 269.

²⁸ Acharya, "How Ideas Spread," 269.

²⁹ Acharya, "Norm Subsidiarity," 97.

³⁰ Acharya, "Norm Subsidiarity," 96.

³¹ Amitav Acharya, "The Responsibility to Protect and a Theory of Norm Circulation." In *Theorizing the Responsibility to Protect*, ed. Ramesh Thakur and William Maley, (Cambridge: Cambridge University Press, 2015), 73.

³² Acharya mentions this possibility when he discusses Brazil's proposal 'Responsibility While Protecting' in "The R2P and a Theory of Norm Circulation," 72-73.

³³ Finnemore and Sikkink, "International Norm Dynamics," 904.

³⁴ See Finnemore and Sikkink, "International Norm Dynamics," 893.

³⁵ Jean-François Revel, "Le Devoir D'ingérence," *L'Express*, June 16, 1979.

³⁶ See for instance, Bernard Kouchner, "La Responsabilité de Protéger." *Le Monde*, June 8, 2002; François Mitterrand, "Discours de M. François Mitterrand devant le Monument de la Révolution à Mexico." October 20, 1981, <http://discours.vie-publique.fr/notices/817144500.html>.

³⁷ Kouchner, "Le Devoir d'Ingérence," in *Le Devoir d'Ingérence : Peut-on les Laisser Mourir ?*, ed. Mario Bettati and Bernard Kouchner (Paris: Denoël, 1987), 11.

³⁸ Mario Bettati, "Un Droit d'Ingérence Humanitaire?," in *Le Devoir d'Ingérence*, 25.

³⁹ Bettati, "Un Droit d'Ingérence Humanitaire?," 26.

⁴⁰ Bettati and Kouchner, *Le Devoir d'Ingérence*, 292.

⁴¹ Mitterrand, "Il N'y Peut Y Avoir De Repos...." In *Le Devoir d'Ingérence*, 33.

⁴² Chirac, "Morale Humanitaire et Action Politique." In *Le Devoir d'Ingérence*, 279-280.

⁴³ It would be mistaken to argue that these ideational factors were the only elements influencing the executive's will to promote human protection but it is important to emphasise their central role.

⁴⁴ See for instance, Mitterrand, "Discours devant le Monument de la Révolution à Mexico"; Chirac, "Les Droits de l'Homme," 2001, in *Mon Combat pour la Paix* (Paris: Odile Jacob, 2007), 433; Sarkozy, "Le Discours d'Investiture," January 14, 2007, http://www.lemonde.fr/societe/article/2007/01/15/le-discours-d-investiture-de-nicolas-sarkozy_855369_3224.html; Hollande, "Allocution durant la Conférence des Ambassadeurs," August 27, 2013, <http://www.elysee.fr/declarations/article/allocution-du-president-de-la-republique-a-l-occasion-de-la-conference-des-ambassadeurs/>.

⁴⁵ Marie Claude Smouts, "Les Aspects Politiques des Opérations de Maintien de la Paix," in *La Vision Française des Opérations de Maintien de la Paix*, ed. Yves Daudet, Philippe Morillon, and Marie-Claude Smouts (Paris: Monchrestien, 1997), 24.

⁴⁶ Alfred Grosser, "Le Rôle et le Rang," in *La France et l'ONU depuis 1945*, ed. A. Lewin (Condé-sur-Noireau: Arléa-Corlet, 1995), 64.

⁴⁷ See for instance, Mitterrand, "Conférence de Presse sur la Politique Etrangère de la France", May 18, 1989, <http://discours.vie-publique.fr/notices/897010200.html>;

Chirac, "Interview au Time Magazine," November 1, 1995, <http://discours.vie-publique.fr/notices/957014300.html>; Sarkozy, "Mon Projet: Ensemble, Tout Devient Possible," 2007, https://archive.org/details/EL235_P_2007_121; Hollande, "Allocution Durant la Conférence des Ambassadeurs."

⁴⁸ Even though France had undertaken some *missions civilisatrices* (civilising missions) in the past, these interventions were strongly linked to its colonial endeavours. Similarly, France's *interventions d'humanité* (interventions of humanity) such as the ones in Lebanon and Syria in 1860 remained isolated events rather than a concrete strategy to protect endangered populations.

⁴⁹ Some progress in terms of human rights had already been achieved during the Cold War (See Tim Dunne and Eglantine Staunton, "The Genocide Convention & Cold War Humanitarian Intervention." In *The Oxford Handbook of the Responsibility to Protect*, ed. Alex Bellamy and Tim Dunne (Oxford: The Oxford University Press, 2016), 38-55), but it can be argue that humanitarian intervention as we know it emerged at the beginning of the 1990s when the UN Security Council became willing to authorise the use of force on humanitarian grounds (see Resolution 794 in particular).

⁵⁰ Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All* (Washington, D.C: Brookings Institution Press, 2008), 32.

⁵¹ The United Nations, "Summary of Contributions to Peacekeeping Operations by Countries," 1991-1995, http://www.un.org/en/peacekeeping/resources/statistics/contributors_archive.shtml.

⁵² Service d'Informations et de Relations Publiques des Armées – Service of Information and Public Relations of the Armies.

⁵³ In Smouts, "Les Aspects Politiques," 56.

⁵⁴ Shaun Gregory, "France and Missions de Paix." *The RUSI Journal* 145, no.4 (2000):60.

⁵⁵ Thierry Tardy, *La France et la Gestion des Conflits Yougoslaves (1991-1995): Enjeux et Leçons d'une Opération de Maintien de la Paix de l'ONU* (Paris: Bruylant, 1999), 80.

⁵⁶ See for instance, Chirac, "Vœux aux Français," December 31, 1995, http://www.jacqueschirac-asso.fr/archives-elysee.fr/elysee/elysee.fr/francais/interventions/interviews_articles_de_presse_et_interventions_televisees/1995/decembre/voeux_aux_francais_du_president_de_la_republique.261.html.

⁵⁷ ICISS, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Research Centre, 2001), XI.

⁵⁸ Bernard Kouchner, "Interview by Author," (11 February 2014); Mario Bettati, "Interview by Author," (27 January 2014).

⁵⁹ Gareth Evans, "Interview by Author," (06 November 2013).

⁶⁰ Repetition made by Evans.

⁶¹ Roberta Cohen and Francis M. Deng, "Sovereignty as Responsibility: Building Block for R2P " in *The Oxford Handbook on the Responsibility to Protect*, ed. Alex Bellamy and Tim Dunne (Oxford: Oxford University Press, 2016), 75.

⁶² See Dominique De Villepin, "Speech in Front of the UN General Assembly During the 2005 World Summit," September 14, 2005, <http://www.un.org/webcast/summit2005/statements14.html>.

⁶³ The first resolution co-drafted by France was Resolution 1706 on Darfur.

⁶⁴ France played a particularly important role when it came to drafting the resolutions on Libya and Côte d'Ivoire.

⁶⁵ Gérard Araud in The UN Security Council, "S/PV.6216: 6216th Meeting of the UN Security Council," November 11, 2009, <https://documents.un.org/>.

⁶⁶ See Alain Juppé and Louis Schweitzer, *La France et l'Europe dans le Monde: Livre Blanc sur la Politique Étrangère et Européenne de la France (2008 – 2020)*, (Paris: Ministère des Affaires Etrangères, 2008), 48.

⁶⁷ See for instance Jean-Claude Mallet and Ministère de la Défense, *Défense Et Sécurité Nationale: Le Livre Blanc*, (Paris: Ministère de la Défense, 2008), 130.

⁶⁸ Kouchner, "France's Statement at the Opening of the 65th Session of the UN General Assembly," September 27, 2010. https://gadebate.un.org/sites/default/files/gastatements/65/65%20FR_fr.pdf.

⁶⁹ Sarkozy, "Conférence des Ambassadeurs: Discours de M. Sarkozy," August 31, 2011, <http://www.rpfrance-otan.org/Conference-des-Ambassadeurs>. See also Juppé, "Remise du Prix des Droits de l'Homme de la République Française," December 12, 2011, <http://www.franceonugeneve.org/Remise-du-prix-des-droits-de-l>.

⁷⁰ Bellamy, *Responsibility to Protect*, 33.

⁷¹ See for instance Sarkozy, "Mes Objectifs en Matière de Politique Internationale," *Politique Africaine* 1, no.105 (2007): 150; "Le Discours de Politique Étrangère," August 27, 2007, http://www.lemonde.fr/societe/article/2007/08/27/le-discours-de-politique-etrangere-de-m-sarkozy-integralite_947776_3224.html.

⁷² Kouchner, "Interview by Author"; Bettati, "Interview by Author".

⁷³ ICISS, "The Responsibility to Protect," 33.

⁷⁴ Rebecca Barber, "The Responsibility to Protect the Survivors of Natural Disaster: Cyclone Nargis, a Case Study," *Journal of Conflict & Security Law* 14, no.1 (2009):33.

⁷⁵ Thakur in Barber, "The R2P the Survivors of Natural Disaster," 4; Luck in Natalie Nougayrède, Philippe Boloignon, and Thomas Ferenczi, "Birmanie: Vif Débat sur la 'Responsabilité de Protéger'," Mai 14, 2008, <http://www.lemonde.fr/asia->

pacifique/article/2008/05/14/birmanie-vif-debat-sur-la-responsabilite-de-proteger_1044751_3216.html.

⁷⁶ See for instance "Sarkozy: 'Notre détermination est totale'," March 19, 2011, <https://www.youtube.com/watch?v=OEp9wzvH8q0>.

⁷⁷ See for example Lacroix in The UN General Assembly, "A/63/PV.97", 9.

⁷⁸ IISS, *The Military Balance* (2005-2013). This data is useful but it only represents France's troop contribution at a specific period of the year (August for 2005; November for the remaining years) and does not take into account the Libya intervention since it was constituted of airstrikes.

⁷⁹ Jean-Claude Guéhenno and Ministère de la Défense, *Livre Blanc 2013: Défense et Sécurité Nationale* (Paris: Ministère de la Défense, 2008), 24.

⁸⁰ In light of its role of penholder, France played a particularly important role when it came to drafting the resolutions on Burundi, CAR, Côte d'Ivoire, DRC, Lebanon, Mali and Libya (and to a lesser extent, Syria). It also voted in favor of all of the other resolutions on R2P.

⁸¹ Permanent members of the Council.

⁸² Hollande, "Speech by François Hollande at the 68th UN General Assembly," September 24, 2013, <http://www.ambafrance-us.org/spip.php?article4925>.

⁸³ GCR2P, "UN Security Council Code of Conduct," March 17, 2017, http://www.globalr2p.org/our_work/un_security_council_code_of_conduct.

⁸⁴ Kofi Annan, "Kofi Annan: 'Seule La France Pouvait Agir Vite En Centrafrique'," *Le JDD*, December 15, 2013.

⁸⁵ Hollande, "Discours à la Conférence des Ambassadeurs," August 27, 2013, http://www.diplomatie.gouv.fr/fr/IMG/pdf/27-08_Conference_des_Ambassadeurs_cle8421e4.pdf.

⁸⁶ Hollande, "Discours annonçant le Déploiement de Troupes Françaises en Centrafrique," December 5, 2013, <http://www.defense.gouv.fr/operations/centrafrique/dossier-de-presentation-de-l-operation-sangaris/operation-sangaris>.

⁸⁷ Raphael Leclerc, "L'intervention au Mali Sera Positive pour la Popularité de Hollande," *L'Express*, January 13, 2013.

⁸⁸ For instance, Merkel led the discussions on the refugee crisis in Europe and the stalemate on the UN Security Council on Syria meant that the French executive had little room to act.