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# Adoption, adaptation or chance? Inter-organisational diffusion of the protection of civilians norm from the UN to the African Union

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## ABSTRACT

Norms can be adopted without modifications or adapted to regional contexts for strategic or principled reasons. Norm adoption and adaptation can also happen by chance. When adoption takes place without consideration of the norm's effectiveness or appropriateness, we speak about imitation. When adaptation takes place in such a manner, we lack conceptual tools to analyse it. We propose a novel concept of incidental adaptation – divergence between promoted and adopted norms due to fortuitous events. This completes the typology of scenarios leading to norm adoption and adaptation. We apply the typology to the transmission of the protection of civilians norm in peace operations from the United Nations (UN) to the African Union (AU). The AU adopted the UN's approaches in pursuit of interoperability and resources, and out of recognition of the UN's normative authority. It also happened incidentally when the AU temporarily followed the UN's approaches. The AU engaged in adaptation to reflect the nature of its operations and normative orientations of AU member states. Incidental adaptation accounted for the presence of the rights-based tier in the AU's protection of civilians concept. These findings nuance our understanding of norm diffusion, inter-organisational relations and the role of chance in international affairs.

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## Introduction

Actors sometimes adopt international norms without modifications and adapt them in other cases. Strategic or normative motivations can drive both adoption and adaptation: the notions of 'the logic of consequences' and 'the logic of appropriateness' (March and Olsen 1989) have been widely applied in the norms literature (Finnemore and Sikkink 1998). Another possibility is adoption of a norm without (or before) an assessment of its practical utility or ethical desirability – essentially, incidental adoption, often described as imitation (Johnston 2008). We argue that adaptation can happen incidentally, too, and this scenario has so far been overlooked. Incidental adaptation is a divergence between promoted and

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adopted norms that comes about as a result of a fortuitous sequence of events. We construct a typology of scenarios that lead to norm adoption or adaptation. This typology has the following six cells: strategic adoption, principled adoption, incidental adoption, strategic adaptation, principled adaptation and incidental adaptation. Incidental of adaptation is a new scenario that we theorise. To demonstrate the utility of the typology, we apply it to the analysis of the transmission of the protection of civilians (PoC) norm from the United Nations (UN) to the African Union (AU).

The article's theoretical contribution is the development of the typology of norm adoption and adaptation scenarios as well as of the concept of incidental adaptation. This concept encourages a deeper appreciation of the role of chance in international affairs. The article additionally contributes to the scholarship on inter-organisational relations by demonstrating that international organisations (IOs) influence other IOs not only through competition (Biermann 2008; Gehring and Faude 2014; Clark 2021; Downie 2022), one-off interventions (Margulis 2021), resource exchanges (Brosig 2010; Biermann and Harsch 2017; Petrov et al. 2019) or serving as blueprints or models (Jetschke and Murray 2012; Lenz 2012; Haastrup 2013), but also through the transmission of norms. The empirical contribution is the analysis of how the AU's PoC approaches in peace operations have been shaped by the AU's engagement with the UN.

The concept of incidental adaptation helps explain the following puzzle. While the UN's PoC concept has three tiers (protection through political process, protection from physical violence and a protective environment), the AU has an additional, fourth tier: rights-based protection. Since the UN and the AU cooperate closely on peace and security matters, one would expect a high degree of alignment between the two IOs in terms of their approaches to PoC. There is agreement between the two on the importance of the right to life and the prohibition of ill treatment, which is the language the UN uses (Willmot and Sheeran 2013), or 'non-indifference' to the plight of civilians affected by conflict, which is the framework the AU has developed (Williams 2007). Why has the AU adapted the UN's PoC concept by including the rights-based tier? In general, what motivations have guided the AU in seeking to adopt or adapt the UN's PoC norms? We argue that the AU has been guided by a diversity of motivations, while incidental adaptation is responsible for the rights-based tier in the AU's PoC concept.

The article has four parts. First, we identify the types of norm adoption and adaptation that have been examined already, outline how incidental adaptation has been the missing element, and develop a comprehensive typology of scenarios leading to adoption or adaptation. In the second part, we discuss our methodological and empirical strategy. In the third part, we demonstrate the typology's application by analysing how the AU has adopted or adapted the UN's PoC approaches in peace operations. In the fourth, concluding part, we highlight the implications of our findings for the scholarship on international norms, inter-organisational relations and peace operations, and suggest directions for future research.

## **Norm adoption and adaptation: strategic, principled and incidental**

Norms are defined as 'standards of appropriate behaviour for actors with a given identity', while norm diffusion is a process through which the number of actors following the norm gradually grows (Finnemore and Sikkink 1998, 891). In its early stages, the scholarship on norm diffusion (e.g. Finnemore and Sikkink 1998; Risse, Ropp and Sikkink 1999) focussed on

norm transmission rather than modification (for an overview and critique, see Niemann and Schillinger 2017). Subsequently, researchers acknowledged that ‘as policies, norms, and organizational models diffuse, they are transformed, leading to less than full convergence’ (Klingler-Vidra and Schleifer 2014, 267). Engagement with norms is not confined to the binary choice between full acceptance or complete rejection (Zimmermann 2016).

The concept of norms as ‘meaning-in-use’ (Wiener 2008) has become central to the critical constructivist research programme on norms. It follows from this concept that isolating a norm at a particular point in time – as conventional constructivists do – and assessing its content, strength and breadth of acceptance is difficult considering norms’ inherent fluidity (Krook and True 2012). In other words, every time actors debate, apply and even misuse a norm, its meaning is altered, whether slightly or considerably (Wiener 2008; Sandholtz 2008; Badescu and Weiss 2010). Hopf (1998, 183) cautions that norms, by virtue of being social constructs, cannot be ‘easily immobilized for either analysis or prediction’. Given our focus on the changing meaning of norms and the role of chance in international affairs, we share the view of norms’ inherent fluidity and malleability. At the same time, for the purposes of our analysis, we select an identifiable manifestation of the PoC norm that has originated at a particular time in a specific venue: studying such manifestations offers a means of understanding the dynamics of norm transmission while remaining cognisant that the overarching norm remains subject to multiple interpretations.<sup>1</sup>

Actors adopt or adapt norms (or their specific manifestations) for a variety of reasons. Three scenarios of norm adoption without modifications and two scenarios of adaptation have been theorised so far. The first scenario is strategic adoption without modifications. In this case, actors adopt a norm for strategic reasons to acquire benefits or avoid costs. Such benefits (or sanctions) are often offered by norm promoters (Schimmelfennig and Sedelmeier 2004), who encourage norm adoption ‘by manipulating the opportunities and constraints’ faced by targets of their influence (Simmons, Dobbin and Garrett 2006, 790). Rewards and sanctions can be social, such as status, or material, such as financial assistance and trade opportunities (Checkel 2005). The second scenario is principled adoption without modifications. Here, a norm is adopted because it is seen as appropriate by the target. It happens when an actor develops a conviction that following a norm – or emulating those who have already adopted it – is the right thing to do. This conviction can be based on the norm’s content or the legitimacy of its source (Ulbert and Risse 2005). The third scenario is incidental adoption without modifications. It occurs without (or before) the target conducts a cost–benefit analysis of the consequences of norm-following or an evaluation of the norm’s appropriateness – in other words, incidentally. This is also known as imitation or mimicking, defined as ‘copying what most other actors in a social environment do in the absence of a conscious, calculated search for any one exemplar utility maximizer’ (Johnston 2008, xxv). It is often a temporary behaviour of an actor new to a particular field: according to DiMaggio and Powell (1983, 150), mimetic adoption is a ‘standard response[] to uncertainty’. It usually precedes a strategic consideration of the costs and benefits of norm-following or an ethical evaluation of the norm.

Two scenarios that lead to norm adaptation have been theorised. The first scenario is strategic adaptation. In this case, an actor finds adjustments necessary to unlock the full range of advantages associated with norm-following or avoid the costs that a wholesale adoption would entail while still reaping the benefits of compliance with some aspects of the norm. The second scenario is principled adaptation. It happens when an actor genuinely

disagrees with some aspects of the norm while finding it appropriate overall. In this case, adaptation can help negotiate cultural, ethical or ideational differences while still allowing the actor to follow some aspects of the norm, as the literature on localisation argues (Acharya 2004).

Having arranged these scenarios along two axes in the so-called ‘property space’ (Elman 2005), where axes represent variation in outcomes (adoption or adaptation) and types of engagement (strategic, principled and incidental), we conclude that one combination of attributes (or cells in the typology) has not yet been theorised: incidental adaptation. Its absence is surprising, considering the attention that its conceptual cousin – incidental adoption or imitation – has received, as well as in light of the growing appreciation of the role of chance in international affairs that complexity theory calls for (for an overview, see Hunt 2020). Incidental adaptation occurs when an actor sets out to adopt the norm without modifications, but an unanticipated factor or event leads to differences between the promoted and adopted versions of the norm. Incidental adaptation can also happen when the norm evolves in the original context but its previous version is retained by others who have adopted it. The six scenarios, including incidental adaptation, are described in the typology below (Table 1).

We demonstrate the typology’s value by showing how it helps systematise the motivations of experts involved in the development of PoC policies for AU peace operations, who have engaged with the UN’s operationalisation of the PoC norm. By doing so, we answer the call for ‘a stronger application of the norms literature’ in research on inter-organisational relations (Biermann and Koops 2017, 682), considering that ‘[d]iffusion between IOs has almost been completely neglected’ in the literature until recently (Lenz 2021, 198–199). The focus has predominantly remained on interregionalism (Staeger 2016; Lenz and Burilkov 2017; Lopez Lucia and Mattheis 2021) or the diffusion of institutional models (Grigorescu 2010; Alter 2012). While recent large-N studies show that norms spread across IOs (Sommerer and Tallberg 2019; Tallberg et al. 2020), we know little about the processes leading to inter-organisational norm adoption or adaptation. This is a gap we believe needs filling, especially since cooperation in producing policies is among the most widespread forms of inter-organisational practices (Bahr, Holzscheiter and Pantzerhielm 2021).

Typological theorising entails a trade-off between detail and parsimony. The cells in our typology could potentially be disaggregated further. For instance, strategic motivations, as alluded to above, include responding to either material or social incentives. Strategic adoption or adaptation could therefore be divided into material and social subtypes: the literatures on conditionality, on the one hand (Kelley 2004; Schimmelfennig and Sedelmeier 2004), and on shaming, on the other hand (Epstein and Barclay 2013; Friman 2015), do precisely that. However, they are based on a cost-benefit calculation, regardless of the nature of costs

**Table 1.** Scenarios of norm adoption and adaptation.

Type of outcome	Strategic	Principled	Incidental
Adoption	Adoption to secure benefits or avoid costs	Adoption due to a perception of the norm’s appropriateness	Norm-following without consideration of the norm’s effectiveness or appropriateness
Adaptation	Adaptation to increase efficiency	Adaptation due to ideational disagreements	Divergence between the promoted and adopted norm without consideration of the norm’s effectiveness or appropriateness

and benefits, which is the reason why we do not disaggregate strategic adoption or adaptation into further subtypes. It is also possible to distinguish degrees of adaptation: for instance, Zimmermann (2017) describes 'modest' and 'substantial' norm modifications. However, we are interested in whether adaptation takes place at all and therefore do not differentiate between its degrees. Finally, it is possible to make a distinction between norm promoters' active and passive influence (Lenz 2021), or direct and indirect diffusion mechanisms (Börzel and Risse 2012). Yet in this article, we seek to shift the focus from norm promoters, who often feature prominently in diffusion research, to the targets of their influence.

Before we continue, it is necessary to acknowledge that the separation between the 'global' level, as represented by the UN, and the regional level, as represented by the AU – or, in Wiener's (2018) terminology, the macro and the meso scales of the global order – is merely an analytical device. The UN includes African states as members and has many African officials among its personnel. Norms, policies and practices can travel from the AU to the UN (Coleman and Tiekou 2018), and the AU has been the leader in institutionalising some norms, such as the anti-coup norm (Tansey 2018). Overall, there are many examples of African agency (Kornprobst 2020; Wilén and Fisher 2022). In the field of peace operations, some innovations, such as firewood patrols (peacekeepers accompanying women who leave displacement settlements to collect firewood in order to protect them from violence) were pioneered by the AU Mission in Sudan (Wills 2009), continued in the joint UN–AU mission and subsequently became a 'best practice' that the UN recommends for all missions with a PoC mandate (UN 2012). Africa as a region has been 'a norm maker, shaper and taker' (Hunt 2016, 202). However, in our specific case, concepts and guidelines on PoC in peace operations emerged at the UN before the AU adopted or adapted them. The UN has been 'highly influential' in terms of PoC approaches and remained 'at the forefront' of conceptual development (Kjeksrud et al. 2016, 98), while regional organisations 'learn from the successes and challenges faced by the UN, which has had more experience dealing with protection of civilians in multidimensional peace operations' (Kioko and Wambugu 2016, 291). For this reason, we focus on the AU's engagement with the UN's PoC norms without making any assumptions about the direction of ideational flows in other spheres or at future stages of inter-organisational cooperation.

## Methodology and data

We started the research process with an empirical puzzle: overall similarity, yet also small differences, between the AU's and the UN's PoC concepts in peace operations. This led to an investigation of whether and how the AU has modified the UN's approaches to PoC. After discovering a significant diversity of motivations behind AU officials' interest in adopting but also adapting UN's norms, we realised the need for a conceptual device to make sense of the complexity. We therefore developed an explanatory typology (Elman 2005) that systematised the scenarios leading to adoption and adaptation.

We conducted semi-structured elite interviews with key actors involved in the development of normative frameworks for AU peace operations. 'Elites' are individuals with significant social capital and strategic positions within social structures (McDowell 1998; Harvey 2011). We followed the best practices of elite interviewing: transparency about our objectives, extensive background research prior to the interview and questions that enable interviewees to articulate their views freely, yet within a structured approach (Harvey 2011). We used a

semi-structured questionnaire with similar, but personalised questions concerning the development of policies on PoC in AU peace operations, the role of the UN in this process and the reasons for adopting or adapting the UN's approaches.

We recruited interviewees from the AU, the UN and partner organisations that facilitate their exchanges. The circle of potential interviewees was limited, considering the small number of officials and experts working on the issue. The Policy Development Unit in the AU Commission's Peace Support Operations Division (PSOD) has only a handful of officials and is characterised by considerable turnover. Some officials are on time-limited secondments. Ten interviewees were identified through snowball sampling and approached by email (Hibberts, Johnson, and Hudson 2012). We conducted eight interviews via videoconferencing, lasting approximately one hour, and two email exchanges. All interviewees were non-vulnerable adults who gave informed consent.

Information revealed to interviewers can be subject to 'justifications, embellishments, lies or selective memories' (King, Keohane, and Verba 1994, 112).<sup>2</sup> We implemented a three-pronged strategy to address this. First, we offered full or partial anonymity to interviewees to allow for a more candid conversation (unless they waived it to allow us to refer to their role and affiliation). Second, at the outset of each interview, we made clear that we were independent researchers not affiliated with the UN or the AU. Third, we sought to triangulate information from interviews using official UN and AU policies and statements, including the following UN documents: *Operational Concept on the Protection of Civilians* (2010), *Framework for Drafting Comprehensive Protection of Civilians Strategies* (2011), *Pre-deployment Training Standards on Protection of Civilians* (2011), *Resource and Capability Matrix for Implementation of UN Peacekeeping Operations with POC Mandates* (2012), *Protection of Civilians Coordination Mechanisms in UN Peacekeeping Missions: Comparative Study and Toolkit* (2012), *Policy on Accountability for Conduct and Discipline in Field Missions* (2015) and *Protection of Civilians in United Nations Peacekeeping Handbook* (2020). We also analysed the following AU documents: *Draft Guidelines for the Protection of Civilians in African Union Peace Support Operations* (2012), *African Union Policy on Conduct and Discipline for Peace Support Operations* (2018) and *AU Policy on the Prevention and Response to Sexual Exploitation and Abuse for Peace Support Operations* (2018). We also consulted the *Joint United Nations–African Union Framework for Enhanced Partnership in Peace and Security* (2017).

In terms of case selection, the focus on AU's PoC approaches in peace operations allowed us to investigate the transmission of what Wiener (2008) calls Type 3 norms, or what Park and Vetterlein (2010) call policy norms. PoC is intrinsically linked to a fundamental, Type 1 norm: civilian inviolability (Wiener 2014, 66). In terms of type 2 norms, or organising principles PoC is linked with the responsibility to further the safety of civilians through various tools at IOs' disposal, such as peace operations. Type 3 norms, or standardised procedures, are the practical manifestations of the PoC norm in IO policies, frameworks, approaches and training procedures. Type 3 norms are unlikely to attract reactive contestation, or outright opposition, yet they generate proactive contestation, or critical engagement (Wiener 2018, 9; see also Wiener 2014, 36–37). Both adoption without modification and adaptation can be the result of such critical engagement. We stress in particular that adoption without modification can be the outcome of critical assessment of a norm on strategic or principled grounds, which should be differentiated from incidental adoption (also known as imitation).

The focus on norm adoption and adaptation left an important element outside the article's scope: implementation. Exploring it might require different theoretical and methodological

tools, such as practice theory, which has already been applied to the study of inter-organisational relations (Græger 2016; Bahr, Holzscheiter and Pantzerhielm 2021) and PoC implementation by the AU (Gelot 2017). In the field of peacekeeping and peacebuilding, norm implementation during mission planning, training and actual operations is a vibrant and growing body of research (Paddon Rhoads 2016, 2019; Jowell 2018; Bode and Karlsrud 2019; Holmes 2019; Laurence 2019). In this article, however, we focus on norm adoption and adaptation during the development of concepts, frameworks and guidance documents for AU peace operations.

## The Protection of Civilians in UN and AU peace operations

The UN Security Council has mentioned PoC in almost all peacekeeping mandates since 1999 (Mamiya 2016). PoC includes protection *by* peacekeepers as well as protection *from* peacekeepers (Holt and Taylor 2009). The first understanding is called proactive protection, or active efforts to shield civilians from violence. The second understanding is known as preventive protection, or various safeguards against peacekeepers' harming civilians intentionally (for example, through sexual exploitation and abuse) or unintentionally (for example, through collateral damage or operations that attract reprisal attacks).

In terms of proactive protection, the UN has developed several concepts, policies, guidelines, frameworks and handbooks (cited in the section above where we describe the sources we have consulted). In terms of preventive protection, pocket cards reminding UN peacekeepers not to commit 'immoral acts of sexual, physical or psychological abuse' have been issued to Blue Helmets since 1998 (Hirschmann 2017). In 2015, the UN adopted a comprehensive *Policy on Accountability for Conduct and Discipline in Field Missions*.

The AU began work on the *Draft Guidelines for the Protection of Civilians in African Union Peace Support Operations* at a 2009 workshop organised by the Australian Civil–Military Centre that brought together officials from the UN Department of Peace Operations (DPO, previously the Department of Peacekeeping Operations, DPKO), the UN Office for the Coordination of Humanitarian Affairs (OCHA), other UN agencies and think tanks (AU 2010). The UN had just developed its draft PoC concept, which was formalised the following year. The AU *Guidelines* were made public in 2012 but remained in draft form as of mid-2022. The AU has made more progress in formalising policies on preventive protection: the *AU Policy on Conduct and Discipline for Peace Support Operations* and the *AU Policy on the Prevention and Response to Sexual Exploitation and Abuse for Peace Support Operations* were approved in late 2018.

The AU operates under contradictory pressures that on the one hand pull it towards adopting the UN's PoC approaches and on the other hand necessitate adaptation of these approaches. Below we analyse how these pressures have affected the AU's motivations for strategic, principled and incidental adoption and adaptation of the PoC norm in peace operations.

### Strategic adoption

Strategic adoption entails following a norm without modifying it to access benefits or avoid costs. The AU and the UN cooperate closely on peace and security (Williams and Boutellis 2014), and the UN has taken over several AU peace operations in a process called 're-hatting'

(Coleman 2011), whereby AU troops change 'hats' and become UN peacekeepers. Complementarity of the PoC approaches is thus attractive for both IOs from a pragmatic perspective. The *Joint United Nations–African Union Framework for Enhanced Partnership in Peace and Security* explicitly states that 'maximum convergence ... will always be the goal' (UN and AU 2017, 3).

Interviewees mentioned this as an important reason why the AU sought to adopt the UN's PoC approaches without modifications, arguing that 'for something as basic as the protection of civilians, you want that to be second nature as opposed to having soldiers on the ground trying to remember what the UN guidelines are versus the AU guidelines ... The more coherence there is between the AU and the UN, the better.'<sup>3</sup> Indeed,

[t]he UN and the AU never operate in isolation in Africa ... There is re-hatting from the AU to the UN and both organisations rely on the same pool of troops. In order for people not to get confused, more or less the same type of training is provided.<sup>4</sup>

While the AU ended up adapting the UN's PoC concept incidentally, as we discuss in the last subsection, the strategic quest for complementarity provided a strong pull towards adoption without modifications.

The AU's adoption of the UN's approaches to preventive protection was driven by a different kind of strategic logic: the desire to access the benefits offered for improving discipline among AU troops. The AU relies on financing from donors like the EU and the UN, especially in the field of peace operations (Gelot 2012; Coleman 2017; Glas 2018; Stapel and Söderbaum 2020). The Peace Fund is a source of financing for AU peace operations, mediation initiatives and institutional development, and its replenishment relies on partners to such an extent that the UN and the EU sit on its Board of Trustees alongside five African states. After developing its 2015 conduct and discipline policy, the UN encouraged the AU to adopt a similar instrument. According to AU policy development specialists, the work on conduct and discipline issues saw 'lots of involvement by the UN'.<sup>5</sup> The AU's approach closely followed the UN's model as both organisations focus on three main elements in dealing with misconduct: prevention, enforcement and remedial action (UN 2015; AU 2018). The adoption of broadly similar approaches to peacekeepers' misconduct prevention was 'linked to the Peace Fund and the conditions put in place by the UN'.<sup>6</sup>

AU officials sought to begin the work on conduct and discipline policies already in the mid-2010s, yet it was only 'suddenly in the last few months [of 2018] that you see this push to try to do these things because that is the key to unlocking the UN funding'.<sup>7</sup> While some AU officials hoped to address proactive and preventive protection together – they wanted to work on 'the protection of civilians, international humanitarian and human rights law, and conduct and discipline under a kind of integrated framework'<sup>8</sup> – the UN has separate policies on proactive and preventive protection, which the AU ended up mirroring. The financial benefits associated with the adoption of the UN's approaches to preventive protection discouraged modifications.

The quest for complementarity with the UN due to the operational imperatives and the desire to obtain funding illustrate strategic motivations behind the AU's adoption of the UN's approaches to PoC without modifications. While in the case of the PoC concept, this pull faced an obstacle in the form of an unanticipated event (as explored in the subsection on incidental adaptation), the link to donor funding was a sufficiently strong incentive for adopting the UN's approach to preventive protection.

### Principled adoption

Principled adoption takes place when an actor believes that following a norm is the right thing to do. AU officials expressed a recognition that adopting the UN's PoC approaches was in general appropriate for their organisation. Global membership and the primary responsibility for the maintenance of international peace and security have 'made the UN a unique normative leader in peacekeeping', allowing it to set 'standards to be emulated by others' (Dembinski and Schott 2013, 277). The *Joint UN–AU Framework* (UN and AU 2017, 2) affirms the 'primary role of the United Nations Security Council in the maintenance of international peace and security'. AU policy development specialists therefore 'look at the UN as a reference.'<sup>9</sup> Behind the belief that 'the UN has to be the point of reference' is the perception that 'the UN is the ultimate authority on peace and security issues.'<sup>10</sup>

The recognition of the UN's legitimacy and authority as a source of norms in the field of peace operations contributed to the normative pull towards adoption of the UN's approaches to PoC without modifications. As argued above, this pull can be exerted by the content of norms or by the legitimacy of their source, and it is the latter that we observe in the case of the AU's willingness to adopt the UN's PoC approaches without modifications.

### Incidental adoption

Incidental adoption happens when an actor follows a norm without explicitly pursuing benefits associated with its adoption or recognising the norm's appropriateness. It is often a temporary strategy by those who lack the time or resources to reflect upon their own needs or principles. The AU Commission acknowledges that 'they are understaffed and that their full-time officials do not have the capacity to write doctrine.'<sup>11</sup> Yet the demands for operationalising PoC are pressing, resulting in 'the lack of formal process and the "short-termist" and reactive decision-making that characterises PSOD.'<sup>12</sup> In general, peace operations involve 'time pressure, and potentially fatal risks' (Hardt 2016, 166), which might have contributed to the mode of decision-making described above. In this situation, the AU sometimes borrows the UN's PoC approaches: 'where there is no specific policy, the UN policy would apply.'<sup>13</sup> AU officials argued that 'the UN is there and there is no need to reinvent the wheel',<sup>14</sup> lending support to the observation that regional organisations sometimes do not engage in adaptation because of the 'expediency ... [of] ready-made solutions' (Duina and Lenz 2016, 784). Even the choice of the UN as the model might have been incidental in some cases: partners assisting the AU in developing its peace operations framework admitted that they had occasionally 'followed the UN's experience because it was the only comparable experience to fall back on.'<sup>15</sup>

However, as the literature expects, incidental adoption might be a temporary strategy. While

in the past, the AU would just copy and paste what existed at the UN level, with some time and experience, they realised that this does not necessarily work for AU peace operations that have more offensive posture and engage in higher-intensity combat, [so] the AU started to look at what the UN has, but adapting it to the realities of AU peace support operations.<sup>16</sup>

Over time, the AU 'evolved from ... borrowing templates from UN peacekeeping' to developing policies that reflect 'the doctrinal and operational specificities' of its peace operations (Okeke and Williams 2017, 86). Recently, the AU engaged in norm adaptation, as explored in the following subsections.

### *Strategic adaptation*

Actors who adapt norms for strategic reasons do so to maximise the benefits stemming from norm adoption and reduce the costs associated with non-compliance. Despite adopting the UN's approaches in some circumstances, the AU's 'general position' is to take UN's norms but adjust them to the 'specific context' of the AU.<sup>17</sup> When the AU considers a norm that has emerged at the UN, 'there is a whole process of making it fit into the AU context, so there is definitely a matching, an adaption process that happens'.<sup>18</sup> AU officials stressed that they do not 'just copy and paste UN policies but acquaint themselves with a specific policy' and that 'all policy work begins with an in-house discussion on defining AU's own priorities as an institution'.<sup>19</sup> There is an understanding that 'if the AU is too influenced by others, then it does not know what it wants, and it does not respond to the reality on the ground and its real needs'.<sup>20</sup> This seems to be the AU's approach to other IOs as well: for example, with regard to the EU, 'the AU often adopts only best practices, in the context of its own integration needs, rather than a wholesale absorption of the EU regional processes' (Haastrup 2013, 796).

With PoC, the AU prioritised a specific aspect of preventive protection: the protection of civilians from harm during military operations. The organisation's largest peace operation, the AU Mission in Somalia (AMISOM), essentially engaged in 'war-fighting efforts' to protect the central government (Williams 2018, 277), which resulted in civilian casualties. AMISOM established a civilian casualty tracking and response cell (Gelot 2012) and developed a policy on indirect fire to prevent accidental death and injury among civilians during its operations (Williams 2018, 271). While the implementation of the indirect fire policy faced challenges (Williams 2018, 272–275), its existence signals a will to focus on preventive protection. The AU's emphasis on preventive protection interpreted as the minimisation of collateral damage is an example of strategic adaptation of the broader PoC norm in response to the organisation's needs, considering that AMISOM 'was long criticized for causing collateral damage' (Kjeksrud et al. 2016, 98).

### *Principled adaptation*

Principled adaptation takes place when an actor agrees with a norm overall but finds some elements incompatible with its ideational framework, which necessitates modifications. When AU policy development specialists adapt the UN's approaches, they may do so in an attempt to reach alignment with an emerging normative consensus among AU member states, considering that international bureaucrats seek to anticipate member states' preferences (Oksamytna and Lundgren 2021; Clark and Dolan 2021).

AU member states all agree, in general, that peacekeepers should seek to help civilians under threat when the host government is unable to provide protection as well as avoid harming civilians during their operations. While there are important differences between PoC and the responsibility to protect (R2P), both belong to 'a broader "normative complex" for protection' (Paddon Rhoads and Welsh 2019, 603), which has led to PoC's politicisation.

This is especially the case at the AU where many member states are uneasy about ‘interventions where concerns about civilian protection might override state sovereignty’ (Wilén and Williams 2018, 673), and more so in the aftermath of the 2011 Libya operation (Gelot and Welz 2018), which may have ‘reinforced many African rulers’ worries that the PoC norm is no less risky than R2P’ (Dembinski 2017, 825).

As mentioned before, the AU PoC *Guidelines* remained in draft form as of mid-2022, in part due to the member states’ wariness about possible PoC–R2P links. To reflect the lack of normative consensus on R2P, AU staff sought to embed policy development on PoC in the broader discourse on compliance with the international law: ‘the AU’s approach has been “Let’s not just deal with protection of civilians, let’s look at the broader framework”’.<sup>21</sup> Embedding the issue in

a broader framework may address some of the concerns that some member states had ... about the use of PoC and the understanding of PoC, particularly as it is somehow linked in some minds with responsibility to protect and what happened in Libya.<sup>22</sup>

Again, this is typical of the AU’s approach to norms originating in other IOs: for example, ‘EU templates have regularly been adapted to fit with [AU] policymakers’ normative convictions’ (Lenz 2012, 156). The modification of the PoC norm by AU policy development specialists, with the emphasis on its broader meaning as part of the overall agenda on international law compliance, is an example of principled adaptation that reflects the AU’s normative leanings towards sovereignty-preserving interpretations of PoC.

### **Incidental adaptation**

Incidental adaptation, which we suggest is the missing element in the typology of scenarios of norm adoption with or without modifications, is a result of unanticipated factors or events. While the UN’s PoC concept has three tiers (protection through political process, protection from physical violence and a protective environment), the AU draft concept has an additional fourth tier: rights-based protection. It appears that the AU planned to adopt the UN’s concept fully but an unintended event got in the way:

This discrepancy exists because when the UN first developed its guidance, they had the same four-tier approach. It was copied and pasted by the AU to say that they were pretty much on the same page as the UN, but then the discussions went separate ways ... [At] the UN, the decision was taken by DPKO to drop the rights-based approach because the entire concept is rights-based and all three tiers are rights-based. The rights-based approach was mainstreamed. The AU tried to do the same thing, but member states wondered: ‘Hang on, why do you want to take human rights out of the equation now?’ And the AU did not succeed in selling the narrative that the rights-based approach is mainstreamed.<sup>23</sup>

At the UN, human rights were ‘mainstreamed’ because they were the ‘turf’ of UN agencies rather than peacekeeping missions:

For a long time, there has been this delicate dance between the protection of civilians and human rights: human rights is something owned by OHCHR [Office of the United Nations High Commissioner for Human Rights], while the protection of civilians began with something that OCHA did and then became associated with peacekeeping, so there are unwritten lines that officials try to avoid crossing in order to avoid bureaucratic arguments.<sup>24</sup>

The AU did not face similar institutional constraints that would have prevented it from keeping the rights-based tier in the PoC concept: 'The AU does not have the corresponding structures, such as OHCHR and other specialised agencies, to have that kind of division of labour'.<sup>25</sup>

This fortuitous combination of circumstances resulted in slight differences between the UN's and the AU's PoC concepts. What may appear like purposeful adaptation could be the result of evolution of a norm in the original context, while its previous version has diffused to, and is retained by, other actors. Recognising this possibility is important if we take Wiener's (2008) concept of norms as 'meaning-in-use' seriously: norms can change in the process of operationalisation and implementation both by the actor who transfers them and the actor who engages with them. Neglecting the possibility of evolution of norms in the original context may lead to erroneous identification of purposeful adaptation when it is in fact incidental.

## Conclusion

The question of why actors sometimes adopt norms without modifications and sometimes adapt them has been extensively debated. We propose six scenarios of norm adoption and adaptation: strategic adoption, principled adoption, incidental adoption, strategic adaptation, principled adaptation and incidental adaptation. Incidental adaptation, which results from a fortuitous sequence of events, has been the missing element in this typology. This novel concept encourages a deeper appreciation of the role of chance in international affairs.

In our analysis of the AU's engagement with the UN's PoC approaches in peace operations, we identify a diversity of motivations for adopting norms without modifications as well as for adapting them. These motivations represent all six scenarios in our typology. Adopting the UN's approaches was attractive to the AU for strategic reasons, such as enhancing interoperability and unlocking donor funding. The UN's authority as the leader in the field of peace operations provided the normative pull towards principled adoption. Furthermore, in the early stages of the AU's policy development, the UN's approaches were sometimes applied provisionally because no other models were available, which was an example of incidental adoption or imitation.

The AU also sought to modify the UN's approaches. It made strategic sense for the AU to interpret the PoC norm in a way that fit its organisational needs, which differed from the UN's requirements and constraints: the AU emphasised a particular aspect of preventive protection – the avoidance of harm to civilians during military operations – since casualties inflicted by its peacekeepers in Somalia endangered its legitimacy. The AU also engaged in principled adaptation by embedding protection in the broader agenda on international law compliance to highlight the ideational distance between the PoC and the R2P. Finally, the rights-based tier in the AU's draft PoC concept was the result of incidental adaptation. The UN's concept initially included a rights-based tier, but it was subsequently mainstreamed, while the AU retained the original four-tier concept.

We suggest three directions for future research that could deepen the understanding of norm adoption and adaptation. First, we need a better picture of the prevalence of different adoption and adaptation scenarios and of their scope conditions. Second, the typology's applicability to other inter-organisational settings and the broader universe of norm transfer cases should be assessed. Finally, the implementation of the PoC norm, which opens

possibilities for adaptation beyond the policy development stage, deserves attention. Like this article, such research would contribute to the literatures on norm diffusion, inter-organisational relations and peace operations.

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No potential conflict of interest was reported by the authors.

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## Notes

1. We are grateful to a reviewer for suggesting the term 'manifestation'.
2. We are grateful to an anonymous reviewer for pushing us to outline how we have dealt with this challenge.
3. Interview with an anonymous source, October 2018.
4. Interview with an anonymous source, December 2018.
5. Interview with former Senior Policy Officer at AU PSOD, December 2018.
6. Interview with former Senior Policy Officer at AU PSOD, December 2018.
7. Interview with a former AU staff member, January 2019.
8. Interview with former Senior Policy Officer at AU PSOD, December 2018.
9. Interview with an AU official, October 2018.
10. Interview with an expert advising on AU peace and security matters, April 2019.
11. Interview with an anonymous source, December 2018.

12. Interview with an expert advising on AU peace and security matters, April 2019.
13. Interview with an anonymous source, December 2018.
14. Interview with former Senior Policy Officer at AU PSOD, December 2018.
15. Interview with an anonymous source, December 2018.
16. Interview with an anonymous source, December 2018.
17. Interview with an anonymous source, December 2018.
18. Interview with an anonymous source, December 2018.
19. Interview with former Senior Policy Officer at AU PSOD, December 2018.
20. Interview with former Senior Policy Officer at AU PSOD, December 2018.
21. Interview with an AU official, October 2018.
22. Interview with an AU official, October 2018.
23. Interview with an anonymous source, January 2019.
24. Interview with an anonymous source, October 2018.
25. Interview with an AU official, October 2018.

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