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## ***Force or Core Principles of Peacekeeping? A Normative Dilemma for Contemporary UN Peace Operations***

**Wilbert Augustin Ibuge**

University of Dodoma

**Abstract.** The core principles of United Nations peacekeeping operations (UNPKOs), namely, consent of the parties to the conflict, impartiality, and non-use of force except in self-defence or in the defence of the mandate, have traditionally helped to underpin the deployment and employment in United Nations Peace Operations (UNPOs), particularly when missions were deployed under Chapter VI of the UN Charter, which relates to peaceful settlement of disputes. However, although most UNPOs today are deployed under Chapter VII of the UN Charter, which concerns the use of force or “peace enforcement”, the requirement to adhere to the core trinity of UNPKOs principles remains in place. This is also the case for the Force Intervention Brigade (FIB) deployed in the DRC since 2013 to date. Mandated to use offensive force against armed groups (AGs) deemed as “negative forces” even proactively, the FIB’s offensive authority, both unprecedented and exceptional, has clearly challenged the utility of the trinity of peacekeeping principles, particularly when their usage is invoked in environments such as the DRC, where there is no peace to keep. This raises critical questions regarding the alignment of offensive military action with the UN’s traditional peacekeeping norms (Karlsruh, 2015; de Coning et al., 2016). This article examines the dilemma between the FIB’s targeted use of offensive force and the expectations to adhere to the core peacekeeping principles. The article interrogates the changing nature and patterns of UNPOs and the ongoing normative and doctrinal tensions emerging from their applications in complex conflict environments (de Coning, 2020; Karlsruh, 2021), with a view to propose measures to help address those tensions.

**Keywords.** UN peacekeeping, UN peace operations, Force Intervention Brigade, DRC, peacekeeping principles, operational challenges

### **Introduction**

The deployment and employment of United Nations (UN) peacekeeping operations have historically been grounded in three foundational principles: consent of the parties to the conflict, impartiality, and non-use of force except in self-defence or in the defence of the mandate (United Nations, 2008; Bellamy & Williams, 2010). Originally generated at the dawn of “traditional” UN peacekeeping operations (UNPKOs) in the 1960s, the potentiality and adequacy of this trinity of principles has become challenged, in the context of the persistent recurrence of instability in the Democratic Republic of the Congo (DRC), marked by the proliferation of armed groups and repeated threats to civilian safety (Stearns & Vogel, 2015; Autesserre, 2010).

In response to these challenges, in 2013, the UN Security Council (UNSC), through Resolution 2098, established and deployed the Force Intervention Brigade (FIB) and authorised

the use of targeted offensive operations against “negative forces” such as the rebels of the so-called Movement of 23<sup>rd</sup> March [1999] (M23) (UNSC, 2013; Tull, 2018). The authorisation to use force in such grave manner was a significant shift in operational strategy, as the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO), deployed in the country since 1999, was already authorised to use force for peace enforcement purposes under Chapter VII of the Charter of the United Nations (hereinafter simply, the UN Charter).

In addition, authorising the FIB on an exceptional basis to use targeted and even proactive offensive force, is unilaterally or jointly with the Armed Forces of the DRC (FARDC), while unprecedented, raises critical questions regarding the alignment of offensive actions with the established UN peacekeeping norms (Karlsrud, 2015; de Coning et al., 2016). Consequently, the longer-term achievements of the FIB remain a matter of continuing discussions among academics and practitioners.

Furthermore, the FIB’s use of targeted offensive force against the M23 at that time was a tactical and operational success that allowed for a brief respite, notwithstanding subsequent re-emergence of both the M23 and other armed groups over the years from 2013 to date. Suffice to say, the FIB’s and, by broader extension, the UN’s robust use of force has continued to reignite debates over the boundaries of UN peacekeeping and peace enforcement, the constant negotiations and re-negotiations of host-state consent, and the attendant risks to impartiality and legitimacy (Williams, 2013; Durch & England, 2010).

This article examines the dilemma between the targeted use of offensive force on the one hand and adherence to the core principles of UN peacekeeping operations (UNPKOs) on the other. The article also seeks to interrogate the changing nature and patterns of UN peace operations (UNPOs) and the ongoing normative and doctrinal tensions emerging from their applications in complex conflict environments (de Coning, 2020; Karlsrud, 2021).

### **UN peacekeeping: *Original Normative Position***

#### **a) *Genesis***

The core principles of UN peacekeeping (consent of the parties, impartiality, and non-use of force except in self-defence or in the defence of the mandate) possess significant potential but also face substantial challenges in modern complex conflicts like that of the Democratic Republic of the Congo (DRC). The FIB’s mandate marks a significant departure from the foundational principles of traditional UN peacekeeping (United Nations, 2008; Bellamy & Williams, 2010). Historically, the UN usually sent peacekeepers only after conflicting parties had reached agreements. This allowed the UN to deploy a neutral force, accepted by all sides, to keep them apart while mechanisms for implementing the agreements got underway. This approach also allowed the UN peacekeeping force to remain neutral and restricted in their potential and ability to use force, unless such force was deemed necessary, usually for self-defence.

However, the persistent violence in the DRC and the failures of earlier UN mission deployments in the DRC, first under the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) deployed from 1999 to 2010, and its subsequent transformation into the *Mission de l’Organisation des Nations Unies pour la stabilisation en République démocratique du Congo* (MONUSCO) from 2010 to date, prompted the UNSC to deploy forces that would be adequately equipped operationally to conduct robust and even targeted offensive operations, potentially geared towards neutralising or deterring recalcitrant

armed groups, among others, to ensure the protection of civilians (Tull, 2018; Karlsrud, 2015) and to enable the realisation of peace and stability.

Scholars argue that this shift reflects broader changes in the international community's approach to peace operations, particularly in the wake of high-profile failures to prevent atrocities in Rwanda and Srebrenica (Durch & England, 2010). The rise of the protection of civilians (PoC) as a central objective for deployment of peace missions post the genocide in Rwanda and the massacres in Srebrenica, has legitimated more initiative-taking and, at times, mandating and conducting forceful interventions (Williams, 2013).

Nevertheless, as de Coning et al. (2016) note, such mandates complicate the application of UN peacekeeping principles. Consent becomes more fluid, often necessitating re-negotiations with host national authorities, while impartiality becomes tested particularly when one or more parties to the conflict become explicitly designated and targeted for "neutralization" as "negative forces." Thus the FIB's mandate being required to adhere to the trinity principles of UNPKOs sits uneasily between the ethos of traditional peacekeeping, ideally authorised under Chapter VI of the UN Charter; and pragmatic, offensive use of force in the context of peace enforcement, whose locus for authorization is under Chapter VII of the UN Charter, thereby blurring the demarcation lines between the two conceptual extremes.

Operationalizing the FIB's mandate in eastern DRC has revealed several challenges. Among them include realities that the region's complex conflict dynamics, characterized by the proliferation of armed groups, shifting alliances, and weak state authority, present formidable obstacles to mission coherence and effectiveness (Stearns & Vogel, 2015). As Autesserre (2010) noted, peacekeepers in the DRC must navigate not only armed violence but also intricate local power struggles, often requiring a high degree of flexibility and local engagement.

In addition, literature on UNPOs in the DRC also highlights the difficulties inherent in conducting joint operations with national forces, particularly the *Forces Armées de la République Démocratique du Congo* (FARDC), whose human rights record has been mixed (Human Rights Watch, 2014). These include coordination lapses, divergent operational priorities between MONUSCO and the FARDC, and trust deficits. All these setbacks many a time have the potential to undermine mission objectives and to increase the risks to the protection of civilians and UN personnel (Loi, 2021). Ultimately, although the establishment of joint operations centers and liaison teams between the UN and the FARDC has been identified as a partial remedy, progress has often been hampered mostly by institutional inertia within the government machinery as well as political sensitivities (MONUSCO, 2021).

As regards perceptions on the use of force, the FIB's offensive operations have also led to some accusations of partiality and concerns about the long-term impact on the legitimacy of UN peacekeeping (Karlsrud, 2015; Tull, 2018). The use of force, while at times necessary to protect civilians, also risks alienating local communities and complicating post-conflict reconciliation among the different ethnic groups, some deemed as pro-government while others may have been classified as either part of or harbouring elements of negative force (de Coning et al., 2016). For this reason, some scholars caution that the militarization of peacekeeping may generate short-term security gains at the expense of sustainable peace (Williams, 2013).

Ethical challenges are also central to the FIB's experience. The risks of collateral damage, civilian harm, and complicity in abuses by partner forces get heightened in conducting offensive operations (Karlsrud, 2015). Partly for this reason and the fact that human rights abuses, including from government forces, have been proven to escalate because of conflict dynamics, thereby resulting in impunity and lack of accountability despite the suffering borne

by civilians, in 2021, the United Nations General Assembly (UNGA) unanimously adopted the Human Rights Due Diligence Policy (HRDDP).

The aim of adopting the HRDDP was to enhance the accountability of national actors on human rights abuse and to mitigate these risks of threats to civilians within the mission's area of operational responsibility. Essentially, the HRDDP requires UN missions and personnel to assess and, where necessary, withhold support from national actors who may have been implicated in human rights violations (United Nations, 2013). However, as Van der Lijn (2015) observes, rigid application of such policies can paralyze operations, while overly flexible approaches risk undermining accountability.

Training and capacity-building are essential for ensuring compliance with international humanitarian law (IHL) and human rights standards (MONUSCO, 2021). Yet, the diversity of troop contributors and varying levels of preparedness complicate standardization (Bellamy & Williams, 2010). Although efforts to improve investigative tools for handling alleged violations have increased, how well these mechanisms work is mainly influenced by the commitment of leaders and the culture within the relevant organisations (Durch & England, 2010).

The "exceptional basis" and "no precedent" caveats in UNSC Resolution 2098(2013) were intended to reassure member states that the FIB would not set a precedent for future peacekeeping missions (UNSC, 2013). Nonetheless, the literature suggests that such caveats create legal and operational ambiguities (Karlsrud, 2015). Commanders may be uncertain about the limits of their mandate, leading to risk aversion or inconsistent action (Tull, 2018).

Scenario-based training and clear rules of engagement are advocated as means to address this uncertainty, but ambiguity remains an inherent feature of such complex operations (Williams, 2013). The FIB's experience in the DRC highlights the evolving and contested nature of UN peacekeeping in the 21st century. Its robust mandate has generated important debates about the interpretation of foundational principles, the operationalization of force, ethical management of risks arising from offensive military operations, and the need to attain a balance between the mission's effectiveness and legitimacy.

*b)* Doctrine and Concept  
FBI Operationalization

Consent, a pillar of UN peacekeeping, is described in the FIB's context as an inherently political and often precarious process. Both respondents characterized the maintenance of consent with national and local authorities as a dynamic, ongoing negotiation, rather than a one-time event. Respondent #1 explained that "Consent is not a one-time event. Renegotiation becomes necessary, particularly as operations escalate or when force must be used in regions where local authorities have interests of their own.

While coordination mechanisms like joint planning sessions, the deployment of liaison officers, and integrated command structures are crucial for fostering consent and cooperation, their implementation has often been inconsistent. In the course of undertaking research for this paper, one of the key respondents for the study, identified as Respondent #2, acknowledged the challenges inconsistent coordination posed, citing instances where the FARDC had initiated operations without informing the FIB, thereby not only limiting the brigade's ability and potential to provide support, and increasing risks to other UN personnel and civilians alike.

A particularly illustrative example in this regard was provided by Respondent #1, who recounted a situation whereby the FARDC had launched a major offensive in North Kivu Province, without prior notification of the FIB leadership. The result of this FARDC unilateral planning and execution of offensive operations resulted in a reactive operational posture by the

FIB, thereby complicating logistics, civilian protection, and overall mission coherence for the entire MONUSCO force. In response to such challenges, the FIB has advocated for the deployment of additional liaison teams and the establishment of joint headquarters, though both respondents conceded that progress in institutionalizing these mechanisms has been slow, particularly when trust between partners has been eroded by past incidents of miscommunication or unilateral action.

Risk management, according to Respondent #2, increasingly relies on high-level political dialogue and, where necessary, mediation to sustain alignment among all parties. The use of joint communication strategies has also been highlighted to counteract misinformation and reinforce trust with both local authorities and the broader population.

### **Normative Change and Compliance**

Compliance with International Humanitarian Law (IHL) and human rights obligations is regarded as non-negotiable by both respondents; persistent operational challenges remain. The diversity of troops from different countries, backgrounds and attitude regarding the essence of their deployment to the conflict, as well as the varying levels of military and professional training among the FIB troops on the one hand and the FARDC troops on the other hand, necessitate the imperative for ensuring sustained efforts in capacity building, monitoring, and enforcement.

Respondent #1 explained that ensuring consistent standards across all contingents requires “constant training and oversight,” and pointed to the introduction of specialized training such as the Jungle Warfare Mobile Training Team (JWMTT) as a positive step. However, both respondents noted that pre-deployment training remains inconsistent and that not all contingents are equally prepared for the operational complexities of eastern DRC environment.

To address these gaps, Respondent #2 advocated for mandatory, collective pre-deployment training for all incoming headquarters and battalion rotations. This training is seen as essential not only for building technical skills but also for fostering a shared understanding of IHL and human rights standards.

The investigative process for potential violations is managed internally by MONUSCO, with referrals to external bodies when warranted. Respondent #1 described the process as rigorous but acknowledged that the framework’s effectiveness is contingent on leadership’s willingness to enforce standards in real time. The establishment of joint operations centers is credited with clarifying roles and responsibilities, improving the speed of response to incidents, and creating a documented record for subsequent review.

Despite these advances, both respondents reported that “clear lines of accountability are still being developed,” and that the integration of lessons learned into future operational planning remains a work in progress.

### **Exceptional Basis**

Both respondents #1 and #2 interviewed for this study, due to their in-depth knowledge of the deployment of the FIB in particular and UNPOs in general, agreed that the inclusion of the phrases “exceptional basis” and “without precedent” in the process of the UNSC’s negotiating and drafting of Resolution 2098 was crucial for securing the support from both the Security Council and UN troop contributing countries (TCCs). At the same time however, these two phrases became caveats that would generate significant operational and legal ambiguity.

Accordingly, as Respondent #1 argued, while the caveats are critical enablers for political approval, they automatically also “create operational uncertainty”, thereby generating strategic and operational hesitancy among both the TCCs and their commanders deployed in the mission area. Respondent #2 noted that the legal cover provided by these caveats is double-edged: it offers protection against precedent-setting liability but also discourages initiative and may slow response times in critical situations. This problem is made worse by unclear guidance at the tactical level, which can cause subordinates to have difficulty understanding complex rules of engagement during intense operations.

To mitigate these challenges, the FIB leadership relies on formal briefings, written directives, and clear rules of engagement to communicate operational constraints. Respondent #2 stressed the importance of regular scenario-based training and ongoing briefings, stating that, “We recommend frequent, scenario-based training and regular briefings to ensure everyone understands not just the letter, but the spirit of the mandate.” Despite these efforts, both respondents acknowledged that ambiguity is an unavoidable feature of the FIB’s operating environment, and that leadership at all levels must remain vigilant and proactive in guiding personnel through complex decision-making scenarios.

### **Doctrinal Shift or Accidental Operational Change?**

The FIB in the DRC represents a transformative case in the evolution of UNPKOs, as highlighted by both the in-depth qualitative interviews conducted and the broader literature review undertaken. The findings from senior-level UN and FIB insiders underscore the strategic, operational, and ethical complexities that arise from the FIB’s robust offensive mandate. When situated within the academic discourse, several key themes emerge regarding the use of offensive force in UNPOs: the need to recalibrate the peacekeeping principles, the arising operational dilemmas during the conduct of enforcement action in volatile environments, persistent ethical and legal ambiguities, and the challenge of sustaining legitimacy while ensuring effectiveness.

Both the findings and consultation of academic sources (Karlsrud, 2015; Tull, 2018; United Nations, 2008) underscore that the FIB’s offensive mandate marks more of a significant doctrinal shift from traditional peacekeeping principles than an accidental operational change or adaptability to actual threats obtained in the UN mission area. Consequently, interviews reveal and literature confirms, that consent in the FIB context is not a one-off commitment but a dynamic, continuously renegotiated process. The principle of impartiality is similarly challenged when the mandate explicitly targets armed groups for neutralization, blurring the line between peacekeeping and peace enforcement (de Coning et al., 2016). This duality is evident in operational planning, where robust military action is justified as necessary for civilian protection but risks undermining neutrality.

Furthermore, the findings indicate that operational planning within the FIB is a process of balancing proactive force with the imperative to protect civilians. This is echoed in the literature, where the presence of numerous, fragmented armed groups and shifting power dynamics in eastern DRC (Stearns & Vogel, 2015; Autesserre, 2010) complicate mission coherence. Both sources highlight challenges in coordination with the Congolese army (FARDC), whose mixed human rights record demands heightened vigilance and careful application of the UN Human Rights Due Diligence Policy (HRDDP) (Human Rights Watch, 2014). The establishment of joint operations centers is noted as a partial remedy to enhance accountability and alignment, though institutional culture and trust remain limiting factors.

**Regarding ethical and human rights dilemmas**, both interviewees and scholars (Karlsrud, 2015; Williams, 2013) emphasize the heightened ethical risks inherent in offensive operations, particularly the risk of collateral damage and the difficulty of distinguishing combatants from civilians. The findings detail how rigid HRDDP application can paralyze operations, while excessive flexibility may undermine accountability—an observation supported by Van der Lijn (2015). Ensuring compliance with International Humanitarian Law (IHL) and human rights standards requires continuous training and robust oversight, as troops from diverse backgrounds bring varied levels of preparedness (Bellamy & Williams, 2010; MONUSCO, 2021).

However, **legal and political ambiguity indicated that** the “exceptional basis” and “no precedent” language in UNSCR 2098(2013), while crucial for political support, have introduced uncertainty at the operational and tactical levels (Karlsrud, 2015; Tull, 2018). Both findings and literature report that this ambiguity can lead to risk aversion or hesitant command decisions, thereby affecting mission effectiveness and personnel security. The need for clear, scenario-based training, critical lessons learnt, and regular briefings is identified as essential for maintaining understanding and compliance with complex rules of engagement.

#### *Future Implications*

The FIB’s experience in the DRC demonstrates that the goals of effectiveness and legitimacy in peace operations are continuously in tension. The FIB’s proactive use of force has achieved tactical gains but at the risk of undermining core UN principles and the perceived impartiality of peacekeepers. The evidence suggests that while novel approaches are needed to address modern conflict dynamics, especially where the protection of civilians is paramount, such approaches require to be imbued with robust safeguards, nuanced risk management, and strong institutional trust.

#### *Recommendations*

Based on the integrated evidence from findings and literature, the following recommendations are proposed to enhance the effectiveness, legitimacy, and ethical standing of the FIB and similar robust UN peace operations:

- Develop and formalize adaptive consent protocols, including regular political dialogue with both national and local authorities, to ensure ongoing legitimacy and operational flexibility. The dynamic nature of consent in offensive mandates requires structured but flexible processes for negotiation and renegotiation, reducing the risk of operational setbacks and political friction.
- Expand and institutionalize joint operations centers and liaison teams, with clear lines of authority and robust communication protocols. Enhanced coordination with host state forces (e.g., FARDC) and among international partners is critical for mission coherence, civilian protection, and the mitigation of operational risks. Mandate collective, scenario-based pre-deployment, and in-mission training for all contingents, tailored to the specific operational and ethical challenges of eastern DRC. Consistent training ensures a shared understanding of IHL, human rights, and rules of engagement, bridging gaps in preparedness among diverse troop contributors.
- Implement a more nuanced, context-sensitive application of the HRDDP, balancing the imperative of human rights with operational realities. Preventing both operational paralysis and impunity requires flexible but principled approaches, supported by rigorous monitoring and real-time leadership oversight.

- Regularly review and update rules of engagement, provide frequent legal briefings, and employ scenario-based exercises to clarify the operational implications of “exceptional basis” and “no precedent” caveats. Reducing ambiguity at all command levels will foster more decisive action and reduce hesitancy that could endanger personnel or civilians.
- Establish systematic mechanisms for integrating lessons learned from field operations into future planning and policy development. Continuous improvement based on practical experience will enhance the adaptability and effectiveness of peacekeeping missions over time.

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