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From the White Man's Burden to the Responsible Saviour: Justifying Humanitarian Intervention in Libya

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ABSTRACT: *In recent years, there has been renewed interest in conceptualising the political nature of human rights as well as intense debate over the precise nature of Western biases in the whole project. Spurred by the fresh renewal of radical theory, a growing body of literature explores the role that racialized power hierarchies have played in the human rights project through the Responsibility to Protect Doctrine. Drawing from critical human rights scholarship, this article explores the way human rights have been employed as a legitimising discourse for justifying military intervention in Libya. In doing so, it illustrates the Eurocentric conceptualisation of power, power hierarchies and subjectivities.*

KEY WORDS: *Humanitarian intervention; Human rights; Libya; Obama; Qaddafi; R2P; United States*

During a BBC interview in 2016, US President Barack Obama stated that Libya's aftermath was the 'worst mistake' of his presidency.[1] Yet, in the same interview, he said he still was convinced that the March 2011 intervention in Libya had been 'the right thing to do'. This self-righteousness should be understood not only by contrasting it with the devastating effects of the intervention but within the context a long history of moral entitlement in Western political discourses. This article examines what is considered a 'rightful intervention' in line with the doctrine of 'Responsibility to Protect' (R2P). The 2011 intervention in Libya has attracted considerable scholarly attention and has been celebrated as the epitome of a successful case of applying R2P. This article, however, takes a more critical stance by showcasing how R2P and humanitarian intervention are engrained in imperialism, Western notions of what and who is human, and power dynamics. Framed as humanitarian intervention to protect human rights, R2P is cloaked with underlying and persisting notions of

[1] BBC (2016) President Obama: Libya aftermath 'worst mistake' of presidency, (11 April). Available at: https://www.bbc.co.uk/news/world-us-canada-36013703, accessed April 3, 2020.
[2] Makau Mutua (2001) Savages, Victims, and Saviors: The Metaphor of Human Rights, *Harvard International Law Journal*, 42(1), pp. 201–245.

savages, victims, and saviours[2] or barbarians and the civilized.[3] This article applies a critical discourse analysis to examine President Obama's public speeches about the Libyan regime, Libyan people, and the NATO 2011 intervention in Libya. It concludes with a critical assertion of *engrained imperialism* to justify military intervention on humanitarian grounds and as a responsibility to protect the vulnerable.

Barbarians and Civilized Intervention

To be or not to be, Shakespeare's Hamlet mused. In the light of human intervention, one might ask: To be human or not to be human. For Tim Ingold, human is not a noun but a verb.[4] The process of becoming human is open-ended. In Greco-Roman tradition the idea of being human was to be civilised. In particular, the so-called *Humanitas Romana* was essentially linked with the idea of civilisation.[5] Humans were not naturally born as human but rather nurtured into becoming human through education and sympathy. Hence, Greco-Roman society made a distinction between those who were civilized (full-pledged educated humans) and those who were uncivilized such as the barbarian or foreigner or slave. These ideas prevailed albeit defined in different ways regarding who belonged to the civilised. Lewis Henry Morgan, in the mid-19th century, combined Charles Darwin's recent work on evolution with *Humanitas Romana* to set out a theory of social evolution. Morgan compared Indigenous communities in North America with European civilization and divided human cultures into three categories: savagery; barbarism; civilization. He held that Western culture is the pinnacle of cultural development in his unilineal evolutionary scheme.[6] Consequently, human society was understood as progressing from primitive forms to the most advanced, passing through the stages of savagery, barbarism, and civilization.

Such notions of human society also would be incorporated into the conceptualisation of justified intervention. John Stuart Mill, in *Few Words on Non-Intervention*, laid out the main lines for justifying liberal interventionism.[7] Mill held that England is an exceptional nation that is characterised by altruism, in the service of others. Its selfless foreign policy is dedicated to peace. Mill made his case against intervention on moral grounds. However, there is one exception to that rule: 'One fundamental distinction'. He argued that the rule does not apply in the case of 'barbarians'.[8] Mill, a contemporary of Lewis Henry Morgan, explained that 'to suppose that the same international customs, and the same rules of international morality, can obtain between one civilised nation and another, and between civilised nations and barbarians, is a grave error'.[9]

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[2] Makau Mutua (2001) Savages, Victims, and Saviors: The Metaphor of Human Rights, *Harvard International Law Journal*, 42(1), pp. 201–245.

[3] Lewis H. Morgan (1877) *Ancient Society: Researches in the Lines of Human Progress from Savagery through Barbarism to Civilization* (Chicago: C. H. Kerr & Co).

[4] Tim Ingold (2015) *The Life of Lines* (London: Routledge).

[5] Costas Douzinas (2013) *The Paradoxes of Human Rights*, Constellations 20(1), pp. 51–67; Oscar E. Nybakken (1939) Humanitas Romana*, Transactions and Proceedings of the American Philological Association*, 70, pp. 396–413.

[6] Morgan, "Ancient Society."

[7] John Stuart Mill (2006) A Few Words on Non-Intervention, *New England Review*, 27(3), pp. 252-264 (Original Mill work published 1859).

[8] Ibid, p. 259.

[9] Ibid.

Mill's distinction between barbaric and civilised people was both exemplary of 19th century thinking and a remnant of the aforementioned *Humanitas Romana* to understand what it is to be human. For Mill, barbarians are not capable of comprehending any 'rules of ordinary international morality' let alone respecting them.[10] Thus, for Mill, barbarians needed to be protected by a civilised power, as 'nations which are still barbarous have not yet got beyond the period during which it is likely to be for their benefit that they should be conquered and held in subjection by foreigners'.[11] For barbarians, 'independence and nationality' are 'impediments' to their development.[12]

Entrenched in Mill's moral argumentations were justification of imperial expansion and the notion of *Just War* (*justum bellum*). Advocated by St. Augustine in the 5th century A.D., the Just War doctrine further was developed by St. Thomas Aquinas in the 13th century.[13] Francisco de Vitoria undertook a further articulation of *Just War* in the late 15th and early 16th centuries. De Vitoria invoked the just war doctrine to justify the suppression of the Indigenous population as the Spanish Empire invaded the 'New World'.[14] Yet, none were as influential as Hugo Grotius in the 17th Century. Grotius, the so-called father of international law, connected the legality of the use of force in International Relations with the justness of the cause of war. Grotius was hesitant to use military intervention as a means to secure peace but in certain cases it could be justified through proportional actions. In other words, just war was about checks and balances. One of these was the just intervention against tyranny. The *Vindiciae contra tyrannos* treatise stated that one could intervene against a prince who acted as a wicked tyrant without care for his subjects.[15] Here the intervention was not to conquer another nation but rather to change regime policy – that is, to oust the tyrant prince. For the anonymous Calvinist writers, who wrote the treatise, this meant Catholic nobles. Subsequently, Catholics used a modified version of the *Vindiciae contra tyrannos* to intervene in Protestant regimes. From the 16th century till the early 19th century, David Trim argues, intervening states mostly aimed at change in a regime's policy rather than a regime change.[16] Yet not until the 1850s, with Mill's *Few Words on Non-Intervention,* were these interventions termed as humanitarian intervention.[17] Traces of *Just War*, *Vindiciae contra tyrannos*, and Mill's notion of humanitarian intervention also can be found in the more recent R2P.[18]

During the 19th century several states used the discourse of 'humanitarian intervention'. Arguably, the first modern use of the notion can be traced back to the 1820s. Britain, France and Russia employed a morally-charged discourse of 'humanitarian

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[10] Ibid.

[11] Ibid.

[12] Ibid.

[13] Jon Gorry (2000) 'Just War' or Just War? The Future(s) of a Tradition, *Politics*, 20(3), pp. 177–183.

[14] Robin Dunford & Michael Neu (2019) *Just War and the Responsibility to Protect: A Critique* (London: Zed Books). Dam Kuwali (2011) *The Responsibility to Protect: Implementation of Article 4(h) Intervention* (Leiden: Martinus Nijhoff Publishers).

[15] David Trim (2013) Intervention in European History, c. 1520–1850, in Stefano Recchia & Jennifer M. Welsh (eds), *Just and Unjust Military Intervention: European Thinkers from Vitoria to Mill*, pp. 21–47, 34 (Cambridge: Cambridge University Press).

[16] David Trim (2011) Conclusion: Humanitarian Intervention in Historical Perspective, in Brendan Simms & David J. B. Trim (eds) *Humanitarian Intervention A History*, pp. 381–401 (Cambridge: Cambridge University Press).

[17] Trim, "Intervention in European History," p. 25.

[18] Dunford and Neu, "Just War."

intervention' against the Ottomans in order to justify their involvement siding with the revolting Greek Christian population that faced imminent danger from alleged massacres.[19] Throughout the 19th century, and up until World War I, European powers continued intervening in various revolts taking place in the territories of the Ottoman Empire to end suffering in the humanitarian plight. Subsequently, the discourse employed by the intervening powers arguably underscored the orientalist gaze of the Europeans.[20]

Apart from the numerous interventions in the Ottoman Empire, there are other cases where the humanitarian intervention discourse was employed. In 1856, the French and British intervened in the Kingdom of the two Sicilies 'following a series of politically motivated arrests and alleged cruel and arbitrary treatment of the political prisoners concerned'.[21] In 1876, when Belgium intervened in Congo, King Leopold of Belgium referred to Ferdinand de Lesseps' speech at the Geographical Conference in Brussels where the former declared the opening up of Central Africa to be 'the greatest humanitarian work of this time'.[22] In a similar vein, when the US intervened in the Cuban War of Independence in 1898, humanitarian concerns featured in the heated debate between imperialist and isolationist advocates on the 'splendid little war'.[23] The following year, when the US intervened in the Philippines, the justification debate was full-blown. In this context, Rudyard Kipling wrote his infamous 'The White Man's Burden' poem.[24] Kipling urged the US to pursue its racial responsibilities over its 'new-caught sullen peoples, –half devil and half child'. The poem was presented also to then governor of New York Theodore Roosevelt. A few years later, Roosevelt, as the 26th US president, in his noted 1904 corollary, argued on similar lines about the responsibility of the 'civilised nation […] however reluctantly' to intervene.[25]

There are also more controversial uses of similar argumentation in justifying an intervention. In 1939, when Germany annexed Bohemia and Moravia to Adolf Hitler's Third Reich, his government cited humanitarian concerns behind its actions, namely the suffering of German populations under policies of the Czech government in Prague. Hitler, addressing British PM Neville Chamberlain, wrote: 'For nearly two decades Germans as well as the other various nationalities in Czechoslovakia have been maltreated in the unworthiest manner, tortured, economically destroyed and, above all, prevented from realizing for themselves also the right of nations to self-determination'.[26] For Hitler, Germany's intervention on the side of 'the oppressed' was for ending 'in the shortest time […] the sufferings of the unhappy victims of Czech tyranny'.[27] For Hitler, the principle of self-determination was to be respected.

[19] Alexis Heraclides & Ada Dialla (2015) *Humanitarian Intervention in the Long Nineteenth Century: Setting the Precedent* (Manchester: Manchester University Press).
[20] Davide Rodogno (2012) *Against Massacre: Humanitarian Interventions in the Ottoman Empire, 1815-1914* (Princeton, NJ: Princeton University Press).
[21] Kuwali, "The Responsibility to Protect," p. 56.
[22] Ibid.
[23] Heraclides & Dialla, "Humanitarian Intervention."
[24] Rudyard Kipling (1899) The White Man's Burden, *McClure's Magazine*, February.
[25] Theodore Roosevelt (1904) Fourth Annual Message to Congress, 6 December. Available at: https://history.state.gov/historicaldocuments/frus1904/message-of-the-president, accessed October 27, 2021.
[26] Adolf Hitler (1938) Reich Chancellor Letter to Prime Minister in the Crisis in Czechoslovakia, April 24-October 13, *International Conciliation*, 19, pp. 401–489, at p. 433; and Thomas M. Franck (2010) Humanitarian Intervention, in Samantha Besson & John Tasioulas (eds) *The Philosophy of International Law*, pp. 531–548, at p. 537 (Oxford: Oxford University Press).
[27] Hitler, "Letter," p. 434.

For Germany, he claimed, 'it is a question of the primitive right of the security of more than 3,000,000 human beings and the national honor of a great people'.[28] His devious justification to intervene, of course, would have horrific consequences.

While the term can be traced back in history, as shown above, it was during the 1960s and 1970s that the movement of the so-called international humanitarianism emerged under the cold-war development agenda, and the current debate on humanitarian intervention has regenerated in the 1990s. Mark Duffield illustrates how in the 1990s the 'new humanitarianism' emerged embedded within the 'liberal interventionist?' discourse. Feminist approaches on humanitarianism have demonstrated how humanitarianism discourse reproduces power relations along gendered lines.[29] Many scholars have rushed to point out that the concepts of civilisation and barbarity are out-dated.[30] According to Brett Bowden, though the 'anthropological and legal distinction between civilized and uncivilized societies no longer abound', there are descriptive and normative ideas such as human rights that act as a benchmark that distinguishes between varied members of the international system.[31] The most explicit scholarly demonstration of this assertion comes from Jack Donnelly, who argues that, since the end of the Second World War, human rights have become the new international 'standard of civilization'.[32]

Humanitarian Intervention, Human Rights and the Right to Protect

At the dawn of the post-Cold War era a new and more assertive discourse on human rights and humanitarian intervention developed in the foreign policies of several Western states and, more importantly, at the United Nations. The Responsibility to Protect (R2P), signed in 2005, is a framework that the UN set up supposedly to replace the doctrine of 'humanitarian intervention'. The R2P principle consists of three pillars of shared responsibility: i) the responsibility of the state to protect its population; ii) the responsibility of the international community to assist the state to fulfil its primary responsibility to protect its population; and iii) If the state fails to protect its citizens from mass atrocities and peaceful measures have failed, the international community has the responsibility to intervene through coercive measures such as economic sanctions. Military intervention is considered as the last resort.[33] Since its introduction, the R2P principle has been controversial, but it has managed successfully to replace the term 'humanitarian intervention' in international discourse[34] with notions of

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[28] Ibid, p. 435.

[29] Anne Orford (1999) Muscular Humanitarianism: Reading the Narratives of the New Interventionism, *European Journal of International Law*, 10(4), pp. 679–711.

[30] Brett Bowden (2009) *The Empire of Civilization: The Evolution of an Imperial Idea*, p. 161 (Chicago: University of Chicago Press).

[31] Ibid, p. 162.

[32] Jack Donnelly (1998) Human Rights: A New Standard of Civilization?, *International Affairs*, 74(1), pp. 1–23.

[33] UNGA (2005) World Summit outcome document, *UN* (16 September). Available at: https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf, accessed October 27, 2021.

[34] Noele Crossley (2018) Is R2P Still Controversial? Continuity and Change in the Debate on "Humanitarian Intervention, *Cambridge Review of International Affairs*, 31(5) pp. 1–22.

responsibility and protection. This shift in discourse, however, does not replace the underlying historical conceptualisation as discussed above.

During the 1990s, both the failure to act in Rwanda and NATO's initiative in Kosovo underscored the need to rearticulate the notion of humanitarian intervention in the 21st century. The inaction in the Rwandan conflict took place in the aftermath of a disastrous involvement of US troops in the Somali conflict. However, NATO's intervention in Kosovo was considered illegal, as the UN Security Council had not authorised it. [35] For that reason the US was hesitant to commit to another intervention.

Methodology

This article explores the ways in which the language used in the justification for the 2011 intervention in Libya articulates global power hierarchies. In doing so, it uses the analytical tools offered by the 'Discourse Analysis' framework as developed by Ernesto Laclau and Chantal Mouffe. Building on insights developed by Antonio Gramsci and Carl Schmitt, Laclau and Mouffe advanced an analytical framework in which discourse constructs the social world in meaning. Yet, discourse constantly is being transformed through an eternal discursive struggle where different discourses compete to achieve hegemony. Power relations are reproduced not only through coercion but also through consent and ideology. When others accept the values and norms as propagated by the powerful as 'common sense', ideology provides legitimacy for those in power. In that way, it helps to maintain the status quo. Hence, a discourse is formed by the partial fixation of meaning around certain nodal points.[36]

The ontological premises of the work of Laclau and Mouffe have inspired the Essex School of Discourse Theory. A central tool in its framework is the *logics*.[37] Their analysis explores how discourse and subject positions are articulated with the two key mechanisms: the logic of equivalence and the logic of difference. Several studies have employed a discourse analysis exploring the intervention in Libya. Falk Ostermann examined the French political discourse on the legitimisation of intervention in Libya. By applying the Essex School discourse theory, he argued that going to war in Libya equated to a question of cultural appropriateness.[38] Sassan Gholiagha, following a positioning analysis, examines the discourse within the UN Security Council on Libya and Syria. He argued that the positioning of the Libyan protestors and the opposition to Qaddafi by individuals as 'peaceful and worthy of protection allowed for an intersubjective agreement on the politics of protection via R2P and military actions under Chapter VII of the UN Charter'.[39] Sarka Kolmasova and Katerina Krulisova, by adopting a critical feminist approach, explored discursive strategies referring to sexualised

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[35] The US and its allies were afraid of a Russian veto because of the long strategic alliance between the Russians and the Serbs.

[36] Ernesto Laclau & Chantal Mouffe (1985) *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*, p. 112 (London: Verso).

[37] Jason Glynos & David Howarth (2007) *Logics of Critical Explanation in Social and Political Theory* (London: Routledge).

[38] Falk Ostermann (2016) The Discursive Construction of Intervention: Selves, Democratic Legacies, and Responsibility to Protect in French Discourse on Libya, *European Security*, 25(1), pp. 72–91.

[39] Sassan Gholiagha (2015) 'To Prevent Future Kosovos and Future Rwandas': A Critical Constructivist View of the Responsibility to Protect, *The International Journal of Human Rights*, 19(8), pp. 1074–1097.

violence as put forward by media, NGOs and politicians in order to legitimise military intervention in Libya. They argued that there is a 'rhetorical pairing of the narrative on the imminent need for gendered protection being considered a measure of civilization', as opposed to 'sexual(ized) violence being used as a weapon of war by barbaric/savage "Other" masculinities'.[40] Similarly, Chidochashe Nyere asserted that the 2011 intervention was 'linked to the dynamics of coloniality of power' where people are classified through the 'historical process of colonial/racial domination'.[41] All these studies offer critical deconstructions of self and other within the intervention discourse. The analysis in this article explores the deeper practice and doctrine of humanitarian intervention in the 2011 Libyan case. In doing so, it attempts to locate the practice in a wider civilizational discourse on humanity and inhumanity, using the basic typology on the savage-victim-saviour characterisation that Mutua identified with respect to human rights discourse.

Although the Libyan case included international support through a Security Council (UNSC) resolution, including China and Russia, and support from the African Union, I selected to analyse the United States in this article as the key actor in modern international interventions. The US president plays an important role in articulating the American foreign policy discourse and subsequently global politics. Gearóid Ó Tuathail and John Agnew suggest that the US president is 'the chief bricoleur of American political life, a combination of storyteller and tribal shaman'.[42] The President has 'the power to describe, represent, interpret and appropriate'.[43] With respect to Libya, US President Barack Obama gave five speeches to outline the US contribution to and reasoning for intervening in Libya. The five most significant and elaborated speeches delivered by the 44th US President comprise a representative-purposive sample that covers the period from February 2011 to September 2011. The first speech, on 23 February 2011, came in the aftermath of Muammar Qaddafi's widely covered defiant speech.[44] Obama did not deliver a public speech on UNSC Resolution 1970. The second Obama speech, on 18 March 2011,[45] came in the aftermath of UNSC Resolution 1970, which imposed a 'no-fly zone' over Libya and called for 'all necessary measures' to be taken in order to protect civilians. The third speech, a day later on 19 March 2011, displayed the authorisation of NATO-led operation *Odyssey Dawn*.[46] The fourth speech, on 28 March 2011, addresses the nation of Libya to inform Libyan citizens on the progress of the operation and to affirm that they will have US support.[47] The last speech, at the UN High-Level

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[40] Sarka Kolmasova & Katerina Krulisova (2019) Legitimizing Military Action through "Rape-as-a-Weapon" Discourse in Libya: Critical Feminist Analysis, *Politics & Gender*, 15(1), pp. 130–150.

[41] Chidochashe Nyere (2020) NATO's 2011 Invasion of Libya: Colonialism Repackaged?, in Everisto Benyera (ed) *Reimagining Justice, Human Rights and Leadership in Africa. Advances in African Economic, Social and Political Development*, pp. 123–156 (Cham: Springer).

[42] Gearóid Ó Tuathail & John Agnew (1992), Geopolitics and Discourse: Practical Geopolitical Reasoning in American Foreign Policy, *Political Geography*, 11(2), p. 195.

[43] Ibid, pp. 195–196.

[44] Barack Obama (2011d) 23 February address on Libya: The violence must stop. Available at: https://www.americanrhetoric.com/speeches/barackobama/barackobamalibya.htm, accessed February 18, 2020.

[45] Barack Obama (2011a) 18 March statement on Libya. Available at: https://www.americanrhetoric.com/speeches/barackobama/barackobamalibyawarning.htm, accessed February 18, 2020.

[46] Barack Obama (2011b) 19 March on authorization of Odyssey Dawn, Ltd Military Action in Libya. Available at: https://www.americanrhetoric.com/speeches/barackobama/barackobamalibyaltdmilitaryaction.htm, accessed February 18, 2020.

[47] Barack Obama (2011e) 28 March address to the Nation on Libya. Available at: https://www.americanrhetoric.com/speeches/barackobama/barackobamalibyanationspeech.htm, accessed February 18, 2020.

meeting on Libya was delivered on September 20, 2011.[48] The UN Security Council voted unanimously to end military operations in Libya on 27 October 2011. The most frequent words used by Obama in these speeches are: a) people; b) Libya; c) united. These are indicative of where exactly he puts his emphasis: on the one hand, the people of Libya and on the other hand, the united international coalition. This article explores the discourse by posing three questions to these texts: (a) How are Americans, Libyans, and Qaddafi represented across the texts?; (b) How is the intervention articulated across the texts; and (c) What power relations does the discourse present in the texts?

Libya

Since December 2010, many countries across the Middle East and Africa have been undergoing a historical process of rapid and deep change in their political and social structures. Since 2011, Libya has been experiencing a fast-paced and deep-rooted breakdown of its political system. In early 2011, protests were sparked by outrage at the arrest of Fathi Tirbil, a legal advocate for the families of victims of the 1996 Abu Slim prison massacre. In 2011, Libya became host to the first civil war brought on by the uprisings. The NATO-led military intervention led to a regime change but a short-lived international illusionary euphoria was evident by 2012. The intervention was characterised as successful and international observers optimistically foresaw a democratic transition commencing. However, the subsequent turn of events demonstrated the failure of the emergence of a state of peace and stability.[49]

There is voluminous scholarly literature on the 2011 intervention in Libya that revolves around the following on-going debates: a) the legitimacy of the intervention (on moral or legal grounds); b) the application of the Responsibility to Protect (R2P) doctrine, assessing whether it was successful[50] or both not successful and not lawful[51]; c) The role of the International Criminal Court and notions of justice[52]; d) the unintended consequences of the intervention (collateral damage, regime change); e) the evolving notion of intervention in the 21st century[53]; f) the role of certain states in the

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[48] Barack Obama (2011c) 20 September speech at United Nations High-Level Meeting on Libya. Available at: https://www.americanrhetoric.com/speeches/barackobama/barackobamaunlibya.htm, accessed February 18, 2020.

[49] Ilia Xypolia (2016b) The Rocky Road Ahead to Peace: The Arab Uprisings and the Conflict in Libya, *Journal of Global Faultlines*, 3(1), pp. 50–55.

[50] Tim Dunne & Jess Gifkins (2011) Libya and the State of Intervention, *Australian Journal of International Affairs*, 65(5), pp. 515–529.

[51] Patrick C. R. Terry (2015) The Libya Intervention (2011): Neither Lawful, nor Successful, *The Comparative and International Law Journal of Southern Africa*, 48(2), pp. 162–182.

[52] Mark Kersten (2016) *Justice in Conflict: The Effects of the International Criminal Court's Interventions on Ending Wars and Building Peace* (Oxford: Oxford University Press). Jason Ralph & Adrian Gallagher (2015) Legitimacy Faultlines in International Society: The Responsibility to Protect and Prosecute after Libya, *Review of International Studies*, 41(3), pp. 553–573.

[53] Sarah Brockmeier, Oliver Stuenkel & Marcos Tourinho (2015) The Impact of the Libya Intervention Debates on Norms of Protection, *Global Society*, 30(1), pp. 113–133. Christopher Hobson (2016) Responding to Failure: The Responsibility to Protect after Libya, *Millennium - Journal of International Studies*, 44(3), pp. 433–454; and Simon Chesterman (2011) "Leading from Behind": The Responsibility to Protect, the Obama Doctrine, and Humanitarian Intervention after Libya, *Ethics & International Affairs*, 25(3), pp. 279–285.

intervention, either focusing on the leading actors (US;[54] France; UK and Italy[55]) and their agendas or the rising powers and their failure to act collectively with a unified voice (BRICS). In doing so, scholars also have discussed the success of the application of the R2P in the UN process as both UNSC Resolution 1970[56] and 1973[57] were passed without any of the five permanent members resorting to a veto. The case has been considered as an epitome of an effective application of the R2P after NATO's General Secretary Anders Fogh Rasmussen proudly highlighted that, from a military point of view, it was a success as it had minimum collateral damage.[58] Indeed, Rasmussen considered it not only successful but also a 'model intervention'.[59]

Scholars have debated which of the three pillars of the R2P actually was activated.[60] The 1973 UNSC resolution refers only to the first pillar, holding that 'Reiterating the responsibility of the Libyan authorities to protect the Libyan population and reaffirming that parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians'.[61] Both resolutions referred to R2P into the preamble of the resolution rather than in the operative paragraphs.[62] A critical strand of scholarship on intervention in Libya offers a political and moral critique of the intervention and seeks to restore condemnation on imperialism.[63] The notion of humanitarian imperialism[64] attempts to delineate the wider process employed by powerful states as a strategy to maintain and extend their political and economic influence.

US Foreign Policy and Human Rights

Overall, the use of a Human Rights agenda in US foreign policy has long been contradictory. Every US President since Jimmy Carter rhetorically has supported the concept of universal human rights but at the same time, and for domestic political reasons, American national law is elevated over the international. This neglect of

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[54] Jocelyn Vaughn & Tim Dunne (2015) Leading from the Front: America, Libya and the Localisation of R2P, *Cooperation and Conflict*, 50(1), pp. 29–49.

[55] David Silander (2013) R2P–Principle and Practice? The UNSC on Libya, *Journal of Applied Security Research*, 8(2), pp. 262–284.

[56] United Nations Security Council (2011a) Resolution 1970. Available at: http://unscr.com/en/resolutions/doc/1970, accessed January 15, 2020.

[57] United Nations Security Council (2011b) Resolution 1973. Available at: http://unscr.com/en/resolutions/1973, accessed January 15, 2020.

[58] NATO (2011) NATO Secretary General makes historic Libya trip (31 October). Available at: https://www.nato.int/cps/en/natohq/news_80100.htm, accessed January 14, 2020.

[59] *AlJazeera* (2016) Ex-NATO boss: Libya still a 'model intervention'. Available at: https://www.aljazeera.com/programmes/upfront/2016/10/nato-boss-libya-model-intervention-161022075802390.html, accessed January 14, 2020.

[60] Charles E. Ziegler (2016) Contesting the Responsibility to Protect, *International Studies Perspectives*, 17(1), pp. 75–97.

[61] UNSC (2011b).

[62] UNSC (2011a).

[63] Lucia Pradella & Sahar Taghdisi Rad (2017) Libya and Europe: Imperialism, Crisis and Migration, *Third World Quarterly*, 38(11), pp. 2411–2427; Matteo Capasso (2014) The Libyan Drawers: 'Stateless Society,' 'Humanitarian Intervention,' 'Logic of Exception' and 'Traversing the Phantasy', *Middle East Critique*, 23(4), pp. 387–404; and Maximilian Forte (2012) *Slouching Towards Sirte: NATO's War on Libya and Africa* (Montreal: Baraka Books).

[64] Ray Bush, Giuliano Martiniello & Claire Mercer (2011) Humanitarian Imperialism, *Review of African Political Economy*, 38(129), pp. 357–365.

socioeconomic rights, the so-called second-generation rights, is dominant in the Annual Country Reports. Nevertheless, the US has signed, *but not ratified*, the International Covenant on Economic, Social, and Cultural Rights. This has been criticised either as an outright hypocrisy or as a 'manifestation of cultural relativism'.

There is a widely accepted typology that classifies the US President's foreign policy concerns regarding human rights as following either a liberalist or realist approach. Yet, this binary obstructs, rather than reveals, the similarities and continuities among US administrations. David Forsythe, a prolific scholar on US foreign policy, criticizes this overly simplistic dichotomy but then proposes a rather similar typology.[65] In Forsythe's approach there is a third type that stands between the two ends, the enlightenment cosmopolitanism and the providential nationalism, and he labels that 'muddling through'. Yet, Forsythe, and other scholars who adopt this approach, tend to ignore the persistence of American nationalism and exceptionalism throughout the spectrum.

Forsythe argues that the Obama foreign policy concerns regarding human rights was inconsistent and it was only slightly different compared with that of his predecessor George W. Bush.[66] Despite his fierce rhetoric regarding counter-terrorism policies, Obama did not achieve a radical reform. In the field there was a noticeable break from the Bush-administration's policy, and the US stance on the UN. Under Obama's administration, the US joined the newly established UN Human Rights Council. This move was indicative of the newly proclaimed principle of multilateralism in US foreign policy.

American Exceptionalism Discourse

Exceptionalism can be traced back to Alexis de Tocqueville, who wrote in *Democracy in America* that 'the situation of the Americans is therefore entirely exceptional, and it is to be believed that no other democratic people will ever be placed in it'.[67] It is a mission that is religiously inspired to promote liberty abroad.[68] It has been evident in various forms from the doctrine of 'Manifest Destiny' and Wilsonian idealism to Reagan's anticommunism and Bush' unilateralism, and ultimately to American imperialism.[69] William Appleman Williams[70] examined the US world view, the American *Weltanschauung,* and highlighted several key elements.[71] Among others, it is the insistence that American values are universal values, the reflexive predilection for demonizing adversaries, and the unshakable confidence in American exceptionalism and American beneficence.

The idea that America is fundamentally distinct from and morally superior to other nations builds upon the tripartite Eurocentric global hierarchy. Exceptionalist discourse

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[65] David P. Forsythe ([2011](#)) US Foreign Policy and Human Rights: Situating Obama, *Human Rights Quarterly*, 33(3), pp. 767–789.
[66] Ibid.
[67] Alexis de Tocqueville ([2003](#)) *Democracy in America: and Two Essays on America* (London: Penguin).
[68] James W. Ceaser ([2012](#)) The Origins and Character of American Exceptionalism, *American Political Thought*, 1(1), pp. 3–28, page 13.
[69] Ibid.
[70] William Appleman Willams ([1991](#)) *The Tragedy of American Diplomacy* (New York: W. W. Norton & Company).
[71] Andrew J. Bacevich ([2009](#)) The Tragedy Renewed: William Appleman Williams, *World Affairs*, 171(3), p. 67.

can be traced back to the ideals of the European Enlightenment.[72] Reginald Horsman argues that the idea of American superiority articulated racial terms in the first half of the 19th century.[73] Horsman explains that it was built upon the Anglo-Saxon claims of white supremacy. Domestic and foreign policy should be understood within this underlying racial Anglo-Saxonism. After all, American foreign policy has long been shaped by 'a distinctive cultural logic or set of presuppositions and orientations, what Gramsci called "Americanismo"'.[74] More specifically, the emphasis on economic and political freedoms has been a key element in American culture.[75]

US strategy on the intervention in Libya famously was labelled as 'leading from behind'. The supposedly limited and supporting role[76] of the US in Libya allowed the European powers to take the lead in the military aspect of the operation. This strategy has been explained as a necessity mainly on grounds of legitimacy. Georg Löfflmann,[77] exploring Obama's discourse, illustrates that US foreign policy under Obama is shaped by a conflicted and paradoxical vision of post-American hegemony. Löfflmann argues that Obama's policy in Libya was a 'contradictory fusion of realist restraint and liberal engagement' that managed to disappoint equally the 'humanitarian interventionists, neoconservative hawks and long-term critics of American primacy'.[78] Contrarily, Vaughn and Dunne argued that the US actually led from the front and from behind and the initiatives taken by Barack Obama were critical.[79]

Barack Obama's Intervention

Scholars assessing Obama's policy in Libya, hold that there is continuity with his predecessor's Freedom Agenda.[80] Apart from the ghost of Iraq, the Obama administration had numerous veterans of the Clinton administrations that likely informed the US approach with lessons learned from the 1990s interventions.[81] Arguably, Obama's personal rhetoric was influenced by Reinhold Niebuhr's articulation of Christian Realism, which was characterised as 'religious', not for the explicit references but for the invocation of 'religious experience'.[82]

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[72] Henry Steel Commager (1978) *The Empire of Reason: How Europe imagined and America Realized the Enlightenment* (New York: Anchor Books).

[73] Reginald Horsman (1981) *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge, MA: Harvard University Press).

[74] De Grazia (1984–85) cited in Ó Tuathail and Agnew, "Geopolitics and discourse," p. 196.

[75] Ó Tuathail & Agnew, "Geopolitics and Discourse," p. 196.

[76] The "leading from behind" label has been misleading. Although the UK and France took an active role in the military operation, it was again the American military that took the lion's share of the military burden.

[77] Georg Löfflmann (2015) Leading from behind – American Exceptionalism and President Obama's post-American Vision of Hegemony, *Geopolitics*, 20(2), pp. 308–332.

[78] Ibid, pp. 322–323.

[79] J. Vaughn & T. Dunne (2015) 'Leading from the Front: America, Libya and the Localisation of R2P', Cooperation and Conflict, 50(1), pp. 29–49.

[80] Gerson cited in Jacob Shively (2016) *Hope, Change, Pragmatism: Analyzing Obama's Grand Strategy*, p. 8 (New York: Palgrave Macmillan).

[81] David Fitzgerald & David Ryan (2014) *Obama, US Foreign Policy and the Dilemmas of Intervention*, p. 92 (New York: Palgrave Macmillan).

[82] Joseph Rhodes & Mark Hlavacik (2015) 'Imagining Moral Presidential Speech: Barack Obama's Niebuhrian Nobel,' *Rhetoric & Public Affairs*, 18(3), pp. 471–503.

We need to consider two key factors when analysing Obama's discourse. First, the apparent ghost of the 'Iraq debacle'. The over-emphasis on multilateralism (Arab and coalition) and legality is not accidental but was a direct response to the severe criticism and shortcomings of the last US invasion in the region. The second key contextual element is the relative new concept of R2P. The reluctant and benevolent saviour is aware of the costs and promises to the American public that there will be no American casualties in this conflict. Thus, 'no boots on the ground'.

Savages: Violence Begets Violence

The savage in this case is Qaddafi and his 'regime'. Orientalist accounts of Libya have long emphasized that there has been a unique social order under Qaddafi: A stateless one.[83] The use of the word 'regime' is frequent and not accidental. It denotes a delegitimised government that has no popular support. It is used in sharp opposition to the US and its allies for which the term government is used. Obama described the Qaddafi regime as having maintained its power through violent military oppression, 'four decades of darkness'.[84] Indeed, for four decades Western public discourse about Qaddafi has been replete with such offensive labels as 'mad dog of the Middle East', 'polecat', and 'maniac'. According to the US President, Qaddafi's regime cannot be trusted. It needs constant monitoring and supervision because if it is 'left unchecked', then we 'have every reason to believe that Qaddafi would commit atrocities against his people'.[85] The reference to the attack on hospitals was meant to illustrate the non-civilised level at which the regime operates. Obama consistently portrayed Qaddafi as a terrorist and merciless commander, stating that he 'has demonstrated a willingness to use brute force through his sponsorship of terrorism against the American people as well as others, and through the killings that he has carried out within his own borders'.[86] Qaddafi's regime is based only upon military force, and the army's oppression lacks popular support. In effect, Qaddafi's government is illegitimate, a non-democratic regime, ruled by a 'tyrant' who 'denied people's freedom' and 'exploited their wealth'.[87]

One of the most important elements in the human rights discourse, as Carl Schmitt has noted, is the division between humans and non-humans. Following the ancient Western tradition that holds to be human means to be civilised, Obama attempts to construct an evil depiction of the Libyan leader. He portrays Qaddafi as a merciless, aggressive, brutal tyrant who is capable of mass murdering 'innocent civilians'. He presented the situation in Libya as urgent in the speeches before and during the early stages of the NATO-led intervention. 'At this particular moment, we were faced with the prospect of violence on a horrific scale', Obama had explained in March.[88] Obama used powerful terms such 'brutal repression' and 'looming humanitarian crisis' in order to emphasise the scale of the alleged imminent threat posed for the Libyans. In a speech he delivered to the UN in September, Obama avoided mentioning Qaddafi's

[83] Capasso, "The Libyan Drawers."
[84] Obama, "20 September Speech."
[85] Obama, "18 March Statement."
[86] Ibid.
[87] Obama, "28 March Address."
[88] Ibid.

name, wanting further to dehumanise him.[89] The US President continued to illustrate how the savage regime was overthrown by the very people it had been oppressing. 'And on that August day – after all that sacrifice, after 42 long years – it was Libyans who pushed their dictator from power'.[90] He presented Qaddafi's time in office as 'decades of iron rule by one man'.[91]

Victims: Oppressed Freedom Fighters

Obama presented the Libyan people as victims in his UN speeches. He portrayed them as innocent and suffering in their campaign for their human rights. They are seeking their first-generation political rights that could be fulfilled with an introduction of a Western-type democracy. The human depiction of Libyans as having families and loved ones[92] are in sharp contrast with the dehumanised portrayal of their savage regime. They call for help protesting the tyrannical regime. The Libyan opposition is also pleading for human rights. The opposition is also sensible, as it did not ask for a foreign intervention seeking regime change 'but only to protect the Libyan people from immediate danger'.[93]

   His portrayal of what Libyan people wanted is clear. They ask for human rights, freedom of press, assembly, expression and elections. 'They are making their voices heard – in new newspapers, and on radio and television, in public squares and on personal blogs. They're launching political parties and civil groups to shape their own destiny and secure their universal rights. And here at the United Nations, the new flag of a free Libya now flies among the community of nations'.[94] The Libyan people are asking only for civil and political rights, the first generation of human rights. Obama claimed: 'The United States also strongly supports the universal rights of the Libyan people. That includes the rights of peaceful assembly, free speech, and the ability of the Libyan people to determine their own destiny. These are human rights'.[95] In March, Obama argued that 'our support [is] for a set of universal rights, including the freedom for people to express themselves and choose their leaders'.[96] In September, Obama referred to women's rights as threshold for economic development: 'And as Libyans forge a society that is truly just, let it enshrine the rights and role of women at all levels of society. For we know that the nations that uphold the human rights of all people, especially their women, are ultimately more successful and more prosperous'.[97]

   Obama declared that the US stands with the people who share the same democratic claims: 'We must stand alongside those who believe in the same core principles that have guided us through many storms: Our opposition to violence directed at one's own people; our support for a set of universal rights, including the freedom for people

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[89] Obama, "20 September Speech."
[90] Ibid.
[91] Ibid.
[92] Obama, "23 February Address."
[93] Obama, "28 March Address."
[94] Obama, "20 September Speech."
[95] Obama, "23 February Address."
[96] Obama, "28 March Address."
[97] Obama, "20 September Speech."

to express themselves and choose their leaders; our support for governments that are ultimately responsive to the aspirations of the people'.[98] In portraying the Libyan people, Obama made frequent references to the other events that were taking place at the same time in the so-called Arab spring. He repeatedly emphasised that people were the drivers of change not foreign power's intervention. Obama wanted to highlight that 'the change in the region will not and cannot be imposed by the United States or any foreign power; ultimately, it will be driven by the people of the Arab World. It is their right and their responsibility to determine their own destiny'.[99]

Obama congratulated Libyans because it was their achievement that overthrow Qaddafi's government: 'In the days after Tripoli fell, people rejoiced in the streets and pondered the role ahead, and one of those Libyans said, 'We have this chance now to do something good for our country, a chance we have dreamed of for so long'. So, to the Libyan people, this is your chance. And today the world is saying, with one unmistakable voice, we will stand with you as you seize this moment of promise, as you reach for the freedom, the dignity, and the opportunity that you deserve. So, congratulations'.[100]

Obama depicted Libyans as having formed a united front against Qaddafi. In the speeches there is no room for division among the protesters regarding foreign intervention. The Libyans are portrayed as appreciative for the American support. Obama depicted the Libyan people as embracing the intervention and the US troops. He even shared a story of 'one young Libyan who came to his aide and said, "we are your friends. We are so grateful to those men who are protecting the skies"'.[101] Kipling's poem held that the classic colonial powers would receive blame and hate from the ones they saved. Obama, however, holds that in the case of Libya, the people are grateful for American altruistic assistance.

Saviour: Reluctant, Leadership to Coalition

The saviours in this case are the people of USA. They 'saved that city and the people within it'.[102] For the saviours, their only target was the savage regime. That was in sharp contrast with Qaddafi's forces, which made no distinction between combats and civilians. 'We targeted tanks and military assets that had been choking off towns and cities, and we cut off much of their source of supply'.[103] Obama's rhetoric is underpinned with the mission of American exceptionalism. American foreign policy is portrayed as morally superior: 'There will be times, though, when our safety is not directly threatened, but our interests and our values are. Sometimes, the course of history poses challenges that threaten our common humanity and our common security – responding to natural disasters, for example; or preventing genocide and keeping the peace; ensuring regional security and maintaining the flow of commerce. These may not be America's problems alone, but they are important to us. They're problems worth solving. And in these circumstances, we know that the United States, as the

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[98] Obama, "28 March Address."
[99] Obama, "18 March Statement."
[100] Obama, "20 September Speech."
[101] Obama, "28 March Address."
[102] Ibid.
[103] Ibid.

world's most powerful nation, will often be called upon to help'.[104] Americans are responsible, even though they know that there is a cost for them. The self-sacrifice is justified for principled foreign policy.

Obama stresses that the intervention was not pre-planned. The US was unwilling to intervene, we just responded to the humanitarian disaster. 'The United States did not seek this outcome'.[105] The US strategy of 'leading from behind' meant sharing the military burden mainly with the UK and France, both of which were involved in the combat operations, but also sharing the diplomatic burden with the Arab League which supported the action against Qaddafi.

Obama as the Commander-in-Chief emphasised that he had been working on a bipartisan consensus. 'I've acted after consulting with my national security team, and Republican and Democratic leaders of Congress'.[106] Also, he consulted 'the bipartisan leadership of Congress', before authorizing military action.[107] Obama, as the Commander-in-Chief, employed his doctrine to work with alliances. Obama stressed that in this case the international community has been working together, emphasising the multilateralism: The USA acting together with the international community. Nevertheless, the Obama doctrine's emphasis on multilateralism can be seen here as a direct response to the former Bush administration (2001–2009)'s unilateralism (the ghost of Iraq). 'In this effort, the United States is prepared to act as part of an international coalition. American leadership is essential, but that does not mean acting alone – it means shaping the conditions for the international community to act together'.[108]

While authorising Operation Odyssey Dawn, Obama stated: 'But make no mistake: Today we are part of a broad coalition. We are answering the calls of a threatened people. And we are acting in the interests of the United States and the world'.[109] The multilateral approach takes places throughout: Before, during and after the intervention. The emphasis is also put on coalitions, with Arab and European support and American leadership. In other words, American exceptionalism was combined with multilateral approval that made the intervention legitimate on both legal and moral grounds.

Obama depicted US citizens as concerned with developments in Libya and full of empathy for the innocent victims. Yet, the US President knew that domestic public opinion would tolerate neither civilian nor combat US casualties. That's why Obama reassures the American public that the US army operates with a 'no boots on the ground' principle. The Vietnam syndrome, together with the experience in Somalia and Iraq, had made it imperative to avoid US combat casualties in all foreign US operations.

R2P between Cost and Principle

Obama repeatedly emphasised that responsibility comes with a cost for the saviours. Assistance was given before issuing an ultimatum to the Qaddafi regime. Obama

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[104] Ibid.
[105] Obama, "18 March Statement."
[106] Obama, "19 March on Authorization."
[107] Obama, "28 March Address."
[108] Obama, "18 March Statement."
[109] Obama, "19 March on Authorization."

portrayed violence as the last resort. The 'international community should work, as more nations bear both the responsibility and the cost of enforcing international law'.[110] Obama also responded to two criticisms: (a) Why should the US intervene?; and (b) Should the US aim for regime change? For the first criticism, Obama held that: '[G]iven the costs and risks of intervention, we must always measure our interests against the need for action'.[111] He continued arguing that in case of Libya, the US did what was 'right'. He emphasized that it was the particular moment and the particular country that made it possible. At that 'particular moment, we were faced with the prospect of violence on a horrific scale'. He continued to stress that the US could stop that violence on four legitimising grounds: 'an international mandate for action; a broad coalition prepared to join us; the support of Arab countries; and a plea for help from the Libyan people themselves'. Then he added a reminder to Americans that no American lives were put in danger in this military intervention as it took place 'without putting American troops on the ground'.[112] After all, Obama referred to the exceptionalism of the American nation. 'Some nations may be able to turn a blind eye to atrocities in other countries. The United States of America is different'.[113] Also, while the Arab Spring was unfolding, the important US strategic interest is not to give the wrong signal to the dictators in the region where people demand democracies.

To the second criticism that called for a regime change, Obama was clear that 'broadening our military mission to include regime change would be a mistake'. Obama went on to stress that the intervention was designed especially only to protect the Libyan people and not to change the Qaddafi regime. If they had to go down that road, that would lead to a division within the international coalition (implying there were allies against that) and more direct participation of the US army with 'U.S. troops on the ground'.[114]

Conclusion

When John Stuart Mill wrote his *Few Words on Non-interventions* in the 1850s, he made a clear case against intervention. Yet, he also made a clear distinction between civilised and non-civilised nations. He explained that one can not apply the same moral principles to non-civilised nations While the doctrine of liberal internationalism was advocated mainly by the European powers in the 1800s, US foreign policy discourse is the one featuring that line of argumentation since the early 20th century. Surprisingly, there is not any discourse analysis on the justification for the intervention of the key actor, namely the US. The argument put forward here is that there is a re-articulation of the classic Eurocentric tripartite in the discourse. In particular, the language used in the speeches and statements of US President Barack Obama in relation to the 2011 situation in Libya propagated the hierarchical power division with cultural connotations. Arguably the doctrine of Responsibility to Protect (R2P) is inherently tripartite. It was conceived in the late 1990s in order to change the terms of the debate. Instead of discussing the 'right to intervene' the newly emerged debate since has been

[110] Obama, "18 March Statement."
[111] Obama (2011e) "October Speech to UN."
[112] Obama, "28 March Address."
[113] Ibid.
[114] Ibid.

framed within the notion of responsibility. This idea not only has heavy moral connotations but also imperial ones. It builds upon John Stuart Mill's exception to the rule of non-intervention for non-civilised states. Obama's speech reveals that these assumptions continue to be persistent in the 21ˢᵗ century. By combining America's presumed unique mission in the world, American exceptionalism, with the renewed debate on Responsibility to Protect, Obama's rhetoric is re-producing a tripartite hierarchical discourse of the world, the civilised that has a mission, the barbarian that aspires to progress to the more advance stages of civilisation, and the savage who is at the bottom of the pyramid of human development. In this understanding, Qaddafi and his government was depicted as tyrannical and illegitimate, a regime that cannot be trusted to adhere to common human decency. Libyan people are portrayed as oppressed victims of a terrorist regime. The fight for their civil and political rights reflects their aspiration for democratic reforms. In doing so, they call for the assistance of the benevolent international community of civilised states. Americans, and their elected Government, could not stand by idly as crimes were taking place against them but had the moral responsibility to assist the innocent victims. This discourse needs to be recognized as a successor to a much longer contentious genealogy of imperial Eurocentric discourses about non-Western societies.

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