

**“Libya, 2011:  
Reconstruction of a Failed R2P Intervention”<sup>1</sup>**

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## Introduction

A series of largely nonviolent revolts in authoritarian-ruled countries in North Africa and the Middle East, known collectively as the “Arab Spring,” began in Tunisia in mid-December 2010 and spread quickly to Egypt. In less than two months, long-standing leaders of these two countries had stepped down, by which time a similar revolt was challenging Muammar Gaddafi’s 42 year rule over Libya. However, unlike the quick and relatively peaceful exits of Tunisia’s Zine El Abidine Ben Ali and Egypt’s Hosni Mubarak, Col. Gaddafi had no intention of relinquishing power in the face of civilian protests; he responded instead with force.<sup>2</sup> It was the real, and more importantly it appears, the anticipated reality of deadly reprisals against Libya’s civilian population that prompted the UN Security Council on March 17, 2011 to authorize in Resolution 1973, the first use of a Chapter VII “all necessary measures” R2P mission to protect Libyans from violence directed against them by their own government.<sup>3</sup> Within a week, a two-phased military operation was initiated. The first, to neutralize Libya’s air defenses, was *Operation Odyssey Dawn*, led by the United States; the second, to protect Libya’s civilian population, was *Operation Unified Protector*, led by NATO. The latter was terminated at the end of October 2011 by the Security Council following Gaddafi’s capture and assassination at the hands of victorious rebels.

## The Dependent Variable

**The relative “Success” or “Failure” of the R2P military intervention- *Initially successful; rapidly turning into a failure.*** Initially the intervention was hailed as a success (Weiss, 2011; Daadler and Stavridis, 2012; Zifcak, 2012). In the years following, however, that assessment had changed; in retrospect, the Libyan intervention was widely viewed as having been a disaster (see Kuperman, 2013; Kuperman 2015; Nuruzzaman, 2013; Nuruzzaman, 2015; see also Goldberg, 2016).

- “Security Council Resolution 1973 authorized prompt, robust, and effective international action to protect Libya’s people from the kind of murderous harm that Muammar el-Qaddafi inflicted on unarmed civilians early in March 2011 and that he has continued to use against the ‘cockroaches’ who oppose him” (Weiss, 2011: 287).
- “By any measure, NATO succeeded in Libya. It saved tens of thousands of lives from almost certain destruction. It conducted an air campaign of unparalleled precision, although not perfect, greatly minimized collateral damage. It enabled the Libyan opposition to overthrow one of the world’s longest-ruling dictators” (Daalder and Stavridis, 2012: 3).
- “The fact of military victory on the ground is in itself sufficient to justify the conclusion that the Libyan R2P operation succeeded” (Zifcak, 2012: 10).

- “In retrospect, Obama’s intervention in Libya was an abject failure, judged even by its own standards. Libya has not only failed to evolve into a democracy; it has developed into a failed state. Violent deaths and other human rights abuses have increased severalfold. … Rather than helping the United States combat terrorism … Libya now serves as a safe haven for militias affiliated with both al-Qaeda and… [ISIS]” (Kuperman, 2015: 67).
- “It was the Libyan conflict that tipped the north … [of Mali] … into war. The fall of the Libyan regime … led to the return of several hundred heavily armed Tuareg fighters formerly in the employ of President Muammar Gaddafi” (Haysom, 2014: 2)

#### **Level of Societal Violence (2014-2016) - *Worse***

- “As bad as Libya’s human rights situation was under Qaddafi, it has gotten worse since NATO ousted him. … Rebels perpetrated scores of reprisal killings, in addition to torturing, beating and arbitrarily detaining thousands of Qaddafi supporters. … [They also] expelled 30,000 mostly black residents from the town of Tawergha and burned or looted their homes and shops, on the grounds that some of them supposedly had been mercenaries. Six months after the war, Human Rights Watch declared that the abuses ‘appear to be so widespread and systemic that they may amount to crimes against humanity’ … As a consequence of such pervasive violence, the UN estimates that roughly 400,000 Libyans have fled their homes, a quarter of whom have left the country altogether” (Kuperman, 2015: 68-69).

#### **Degree of Political Stability-(2014-2016) - *Chaotic***

- “In October 2013, secessionists in eastern Libya, where most of the country’s oil is located, declared their own government. That same month, Ali Zeidan, then the country’s prime minister, was kidnapped and held hostage” (Kuperman, 2015: 67-68).
- “In October [2014], the newly elected parliament, led by the secular Operation Dignity coalition, fled to the eastern city of Tobruk, where it established a competing interim government. … Libya thus finds itself with two warring governments, each controlling only a fraction of the country’s territory and militias” (Kuperman, 2015: 68).
- In 2016, “following years of conflict, a new UN-backed ‘unity’ government is installed in a naval base in Tripoli. It faces opposition from two rival governments and a host of militias” (BBC News, 2016, Dec. 5).

#### **Level of Economic Performance- (2014-2016) - *Worse***

- “Libya’s quality of life has been sharply degraded by an economic free fall. ... Prior to the revolution, Libya produced 1.65 million barrels of oil per day, a figure that dropped to zero during NATO’s intervention. ... In August 2013, output averaged only 30 percent of the prewar level” (Kuperman, 2015: 69).

## Independent Variables (4)

1. **Milieu Variables** (CIA, 2016; UN Statistics, unless otherwise indicated).

### ***Location- North Africa***

### ***Date of Independence- 1951***

- “The United Nations in 1951 created a Libyan state without a strong Libyan nationhood” (St John, 2011: 46).
- “The United Kingdom of Libya in 1951 presented ... little more than a geographical expression. ... Citizens of Tripolitania, Cyrenaica, and Fezzan reluctantly agreed to the creation of the Sanusi monarchy out of fear of the impositions of United Nations’ trusteeships that would have meant further foreign tutelage” (Vandewalle, 2012: 4).

### ***Colonial Power- Italy***

- “The construction of what the Italians referred to as their ‘Fourth Shore’ left a heavy legacy of political exclusion and brutal subjugation of the local population that, until today, continues to provide a focus for the country’s collective memories. ... Libya’s first exposure to modern statehood under the Italians had been uniformly deleterious, and left few of its future leaders with a taste for a unified strong state” (Vandewalle, 2012: 3).

### ***Size of territory- 1,759,540 sq. km.***

### ***Size of population- 6,411,766* (2015, estimated)**

**Population Homogeneity- Low-** Libya has very significant regional and tribal divisions.

### ***Religion- Sunni Muslim- (96.6%)***

**Ethnic Groups- Multiple-** although 97% are Berber-Arab, there are multiple tribal and family sub-groups.

- President Obama indicated that U.S. intelligence had underestimated “the degree of tribal division in Libya” (as quoted in Goldberg, 2016: 81).

**Languages- Arabic-** (official) - Italian and English are widely understood.

**Regional Splits- Highly significant-** Prior to independence in 1951, there was little in Libyan history that would lead one to conclude that nation-building would be an easy task. The country was divided into three well-defined regions – Tripolitania (to the west), Cyrenaica (to the east), and Fezzan (to the south). More often than not these regions did not share a common history of rule (see St John, 2011: 1-47).

- “Tripolitania and Cyrenaica are separated by almost 500 kilometers ... of desert, known as the Sirte Plain, which divided the country into east and west, fostering regionalism as an important influence on the country” (St John, 2011: 2).
- “For most of the century, the inhabitants of the three provinces that became incorporated into the United Kingdom of Libya in 1951 – Tripolitania, Cyrenaica, and Fezzan – stood on the sidelines as a succession of foreign and local rulers and interests shaped their country. ...Indeed, in Libya even today, it remains problematic to consider its people truly as citizens.... Libya’s rulers chose to pursue ... [policies of] ... statelessness – the avoidance of creating a modern state” (Vandewalle, 2012: 1).

**Level of Poverty- Relatively low-** due to oil revenues.

**Life expectancy- 76.26 years**

**Literacy- 91%**

**GDP per capita- \$14,600**

**Infant mortality- 11.1 per 1,000 live births- Libya**

**Human Development Index- 0.7245-** Libya ranked 94 out of 188 countries; rated as “high” (UN, 2015).

- “The UN’s Human Development Index traditionally had ranked ... [Libya] ... as having the highest standard of living in all of Africa” (Kuperman, 2015: 69).

**Basis of economy- Oil and gas-** Exports of petroleum products accounted for 95% of foreign export earnings (Dwomoh, 2015: 16).

- “Following the discovery of oil, Libya developed into a classic example of a *rentier* state, one in which the economic rent from the sale of a single resource ...

enables the state to act as the distributor of this rent in the form of education, housing and other social services" (St John, 2011: 82).

## **Government**

### **Type- *Dictatorship***

- “The most notable failure of the Qaddafi regime has been its inability to build an active, engaged, and participant citizenry” (St John, 2011: 80).
- “After 1969 . . . [the Qadhafi regime] . . . enunciated a vision of statelessness that was carefully wrapped in a cloak of nostalgia for earlier times when the family and tribe provided solidarity, equity, and equalitarianism” (Vandewalle, 2012: 3).

### **In power for- 42 years**

- “In one sense, Qaddafi after 40 years of tinkering, has simply returned to the political system to where it was when he ousted the monarchy in 1969. Contemporary Libya remains a largely tribal society operating along informal, cliental lines. Primary allegiances are to the family, clan, and tribe, and the path to advancement is more often than not through nepotism, favoritism, and patronage as opposed to merit, skill, or performance” (St John, 2011: 149).

**Position on “Failed States Index” 2011- 111th-** In 2011, Libya was tied with Malaysia (Fund for Peace, 2011). Along with the Arab Spring of which it was a part, the political upheaval in Libya was unanticipated.

**Position on “Fragile States Index” 2016– 27<sup>th</sup>-** Over a five year period, Libya increased its “fragility” by 84 positions (Fund for Peace, 2016).

## **2. Pre-intervention (“Responsibility to Prevent”) Variables**

### **Circumstances Leading to the Intervention- *Contested***

The dominant narrative of the Libyan chapter of the Arab Spring identifies it as beginning in mid-January 2011 in the form of a series of Arab Spring-inspired protests against the Gaddafi regime. These were focused largely in the eastern region of the country, especially the city of Benghazi, to which the Libyan ruler responded with deadly force. Over the next month these protests turned violent and by mid-February Gaddafi faced an open rebellion during which rebel groups had managed to seize and control a number of cities and “proclaimed the Libyan Transitional Council as their common representative body” (Francioni and Bakkar, 2013). In a televised address to the nation on February 22, Gaddafi promised uncompromising repression on the citizens of Benghazi and death to anyone who supported the rebels: “In words that bore direct echoes of the 1994 Rwandan genocide, Qaddafi told the world that ‘officers have

been deployed in all tribes and regions so that they can purify all decisions from these cockroaches ...[and] ... any Libyan who takes arms against Libya will be executed”” (Bellamy and Williams, 2011: 838; see also Dwomoh, 2015: 19-21; Nuruzzaman, 2015: 535-538).

There is, however, a counter-narrative that claims that the violence occurring in the cities of Benghazi, Al Bayda, Tripoli and Misurata “was actually initiated by the protesters ... [and] ... that Qaddafi avoided targeting civilians.” Alan Kuperman also claims that by the time NATO intervened in mid- to late March 2011, “Qaddafi already had regained control of most of Libya, while rebels were retreating rapidly toward Egypt” (Kuperman, 2013: 2): “simply put, the militants were about to lose the war, and their overseas agents raised the specter of genocide to attract NATO intervention—which worked like a charm” (Kuperman, 2015: 71).

What is agreed upon in both narratives is that in short order the African Union dispatched South African President Jacob Zuma to Libya to attempt to find a resolution to the conflict; neither side, however, cooperated.<sup>4</sup> The League of Arab States (Arab League) was also concerned with developments and took action in the form of suspending Libya’s membership. On February 26 the UN Security Council began formal efforts to “protect” the Libyan population by passing Resolution 1970, which demanded “an immediate end to the violence ... [and called for] ... steps to fulfill the legitimate demands of the population,” as well it referred the conflict to the International Criminal Court to investigate possible “crimes against humanity.” These measures failed to stop the violence and on March 12, the Arab League requested the UN Security Council to authorize a “no-fly zone” for Libya, which the Security Council did on March 17 with the passage of Resolution 1973, the first Chapter VII intervention to respond to an intra-state conflict since its adoption of R2P by the Security Council in 2006 (ICISS, 2001; UN, 2011, Feb. 23; UN, 2011, Mar. 17; see also Bellamy and Williams, 2011: 839-845; Dwomoh, 2015: 21-27; Daalder and Stavridis, 2012: 3).

#### **Type of violence- *A rapid progression from protests- to repression- to civil war***

**Duration of Violence- *Very short-*** Roughly two months elapsed from the start of the protests to the authorization of a Chapter VII, R2P military intervention.

#### **Major Issues Fueling Internal Violence**

**Primary- *Politics-*** An anti-dictatorial contagion based on the Arab Spring phenomenon.

**Additional- *Regionalism and tribalism-*** (see page 5 above).

**Trigger- *Col. Gaddafi’s February 2011 threat to exterminate the civilian population of Benghazi.***

**Capacity of the government in power to protect its citizens- *Not relevant-***

Government forces were identified as the main perpetrators of the violence against civilians.

- “Senior UN officials framed the problem as one of human protection, warning of the imminent threat to civilians in Libya” (Bellamy and Williams, 2011: 838).

- “In the face of Qaddafi’s record and his public utterances … states could not plausibly argue that the threat to mass atrocities was not real. And in the face of Benghazi’s imminent collapse, they could not plausibly argue that the threat was not imminent” (Bellamy, 2011: 3).

### **Sense of Urgency- *Mixed***

**Intensity of Violence- *Low*-** However, “there was the extra-ordinary clarity of the threat of mass atrocities” (Bellamy, 2011: 3).

- “[Gaddafi’s] … use of the word … ‘cockroaches’ … was eerily reminiscent of the same word used in the same context by Hutu radio in Rwanda prior to the massacre of Tutsi opponents in 1994” (Zifcak, 2012: 2).

**Number killed prior to the intervention- *Relatively few*-** (Somewhere between 1,000 and 2,000 appears to be a reasonable estimate).

- “Provisional casualty estimates (civilian *and* military) for the first month of the Libyan civil war range from 1,000 to 6,500 deaths” (Douthat, 2011, Mar. 24).
- “The death toll in Libya when NATO intervened was perhaps around 1,000- 2,000 (judging by UN estimates)” (Milne, 2011, Oct. 26).
- A reported 100 had been killed prior to the rebels taking up arms (Nuruzzaman, 2013: 64).
- “From mid-February 2011 … to March 2011, when NATO intervened, only about 1,000 Libyans died, including soldiers and rebels” (Kuperman, 2015: 70).

**Fear of Escalation or “Spillover”- *High*-** This was especially the case for members of the Arab League and the African Union.

**Number of shared borders- *Six*-** Chad, Niger, Egypt, Algeria, Tunisia and Sudan.

**History of involvement in and by bordering states- *Extensive*-** Gaddafi had a long history of interference in the region, including Sudan, Uganda, Chad, Zaire, Mali, Sierra Leone and Algeria.

- “Although Qadhafi’s regime was an important donor to the AU and a variety of African states, it was widely distrusted across Africa and the Middle East, not least for its role in fuelling

conflicts in Liberia, Sierra Leone and Chad" (Bellamy and Williams, 2011: 842).

- "Muammar al-Qaddafi ... called for a new Fatimid state in North Africa as a part of his ongoing efforts to project Libyan influence south into the Sahara and Sahel regions" (St John, 2011: 6).
- "Throughout the 1970s and 1980s, Libya had ... maintained a steady presence in sub-Saharan Africa, combining the country's financial resources with a rhetorical anti-imperialism that supported a number of local coups and insurgencies throughout the region. ... [Concerned with Qadhafi's] ... meddling – including an open call to Zaire's Muslims to engage in a *jihad* against the Mobutu regime in 1985 – the OAU slowly but effectively put a halt to the Libyan leader's sub-Saharan ambitions" (Vandewalle, 2012: 194-195).
- "Gaddafi lacked real allies and the continuation of his regime threatened regional stability" (Everett, 2013: 27).

### **Extent and Adequacy of "Responsibility to Prevent" Measures- *Insufficient***

#### **Were there Security Council Resolutions prior to the Intervention- Yes-**

Sec. Council Res. 1970 was passed on February 26, 2011. In addition, the African Union and the Arab League had attempted to reconcile the combatants.

S.C. Resolution 1970 condemned "the violence and use of force against civilians, ... [noted that] ... the widespread and systematic attacks currently taking place ... against the civilian population may amount to crimes against humanity, ... [and stressed] ... the Libyan authorities **responsibility to protect** its population." Acting under Chapter VII, Article 42, it demanded "an immediate end to the violence and call[ed] for steps to fulfill the legitimate demands of the population."

Specifically, it demanded that the Libyan government "act with utmost restraint, respect human rights and international law, and allow immediate access for international human rights monitors;" established a Committee of the whole "to monitor and implement" various measures mandated in the Resolution, as well as "alleged violations or non-compliance;" referred the Libyan situation to the International Criminal Court; imposed an embargo on the shipment of arms to Libya; encouraged a ban on travel to Libya and imposed a "freeze" on Libyan assets" (UN, 2011, Feb. 16, bold added).

#### **Was it effective- No- S.C. Resolution 1970, along with efforts of the AU and Arab League, were disregarded by Gaddafi.**

- The Qadhafi regime rejected the demands set out in Resolution 1970 and refused to permit humanitarian aid convoys into the besieged towns such as Misrata and Ajdabiya (Bellamy and Williams, 2011: 840).

**Extent of pre-intervention “National Interest Involvement” of the part of major intervening powers- *Mixed*-** However, Gaddafi’s erratic behaviour over 40 years appears to have left him friendless at a critical moment.

- “Indeed, Gaddafi had few allies in the world by the time the Arab Spring had begun” (Everett, 2013: 16).

**For the region- *Very high***

- “Qaddafi’s regime had few friends in the region and it was the call for a no-fly zone by … [regional organizations] … that proved to be a diplomatic game-changer” (Bellamy, 2011: 4).
- “Qadhafi’s unpopularity in the region made an activist stance relatively easy to adopt” (Bellamy and Williams, 2011: 842).
- “Gaddafi was so unpopular even among Arabs that the U.N. could rely, in its call for the use of force in Resolution 1973, on support from the Arab League and African Union, which increases the intervention’s legitimacy” (Everett, 2013: 16).

**For Western Europe- *Relatively high*** -There were security concerns based largely on proximity to Libya.

- “Libya’s proximity to Europe made European powers more willing to become involved” (Everett, 2013: 16).
- “From the outset, the UK and France supported a tough line while the US administration was more reticent, especially with regard to potential military operations” (Bellamy and Williams, 2011: 839).

**For the U.S. - *Modest***

- “In the United States, the Obama administration had initially proven highly reluctant to enter the fray arguing that the United States had no real national interests in Libya. … [Ultimately] … the U.S. administration agreed to assume a leading initial role in enforcing the no-fly zone over Libya once the UN Security Council adopted Resolution 1973 on 17 March 2011” (Vandewalle, 2012: 204).
- “From the outset, the United States did not want to take on the lead role during the crisis in Libya. … Secretary of Defense Robert Gates …

insisted that the conflict in Libya was not a vital interest to the United States" (Greenleaf, 2013: 30).

### **3. Intervention (“Responsibility to React”) Variables**

**Predominance of “Humanitarian Protection” vs. “Threat to International Peace and Security” issues- *Humanitarian Protection issues predominated. Soon into the intervention the issue became whether humanitarian protection could be provided with Gaddafi remaining in power.***

**Motives of Intervening Powers- Contested-** In part civilian protection, in part a desire to see Gaddafi removed as leader. While the initial motivation was humanitarian protection, the removable of Gaddafi appears to have become the Western objective within a month of the beginning of *Operation Unified Protector*.

- “Almost from the outset of the crisis, senior UN officials warned of the imminent threat of mass atrocities and framed their response in RtoP terms” (Bellamy, 2011: 2).
- “NATO’s operation in Libya has rightly been hailed as a model intervention. The alliance responded rapidly to a deteriorating situation that threatened hundreds of thousands of civilians rebelling against an oppressive regime” (Daalder and Stavridis, 2012: 2).
- The Libyan “intervention was meant to prevent the country’s then-dictator, Muammar Qaddafi, from slaughtering the people of Benghazi, as he was threatening to do” (Goldberg, 2016: 80).
- “NATO’s direct military intervention in Libya had a declared humanitarian dimension. It was primarily meant to save Libyan people from Gaddafi’s abuses and atrocities” (Nuruzzaman, 2015: 542).
- President Obama’s explanation as to why he intervened: ““The social order in Libya had broken down. ... You have massive protests against Qaddafi. You’ve got internal divisions inside of Libya. Benghazi is a focal point for the opposition regime. And Qaddafi is marching his army toward Benghazi, and he said, ‘We will kill them like rats. ... The way I looked at it was that it would be our problem if, in fact, complete chaos and civil war broke out in Libya’” (Obama, as quoted in Goldberg, 2016: 81).
- “The conventional wisdom is also wrong in asserting that NATO’s main goal in Libya was to protect civilians. Evidence reveals that NATO’s primary aim was to overthrow Qaddafi’s regime, even at the expense of increasing harm to Libyans” (Kuperman, 2013: 2).

- In April 2011, David Cameron, Barack Obama and Nicolas Sarkosy issued “a joint statement … that it would be an ‘unconscionable betrayal’ if Gaddafi were allowed to remain in power” (Traynor and Norton-Taylor, 2011, Apr. 19).
- “Any process of employing ‘all necessary measures’ should begin with peaceful attempts [to resolve the crisis]. … Turkey, a NATO member, had already begun to mediate between the two sides in Libya. … But the West and the rebels insist that Gaddafi must go first” (Tripathi, 2011, Apr. 24).
- France, Britain and the U.S. rejected the possibility of Gaddafi “playing a part of any future arrangement in Libya. … [While claiming they did not want to]… unseat Gaddafi by force. … *the ultimate objective was, indeed, a change of regime in Libya*” (Nuruzzaman, 2013, 64, italics added).
- “Unfortunately, Britain and France have preferred military intervention all along. Cameron and Sarkosy are weak and unpopular men struggling with strong currents of domestic opposition … Every beleaguered leader knows that a crisis abroad helps to shore up support at home” (Tripathi, 2011, Apr. 24).

**Timing of the intervention with respect to the start of conflict- *Very early*-** About two months following start of protests.

- “Force was used against the Gaddafi government with astonishing speed” (Nuruzzaman, 2013: 63).

**Type of Intervention- *Enforcement of an arms embargo, establishment of a “no-fly zone” and air strikes.*** Importantly, no ground forces were committed.

**Appropriateness and Clarity of the Intervention Mandate-** (S.C. Resolution 1973, passed Mar. 17, 2011) - *Unsatisfactory on both dimensions.*

S.C. Resolution 1973 noted previous Resolution 1970 and “*express[ed] its determination to ensure the protection of civilians and civilian populated areas … [while at the same time reaffirming Libya’s] … “sovereignty, independence, territorial integrity and national unity,”* as well as its responsibility to protect its citizens. Under provisions of Chapter VII, it “*demand[ed]* the immediate establishment of a cease-fire and a complete end to violence and all attacks against, and abuses of, civilians. To this end it “*authorize[ed]* Member States to take **all necessary measures … to protect civilians and civilian populated areas … [while] … excluding a foreign occupation force of any form on any part of Libyan territory.**” Further, it authorized a No Fly Zone, described as “a ban on all flights in the airspace of the Libya Jamahiriya to help protect civilians,” established an arms embargo and provisions to enforce it, and imposed an additional freeze on Libyan assets. It also sought to “prevent the provision of armed mercenary personnel to the Libyan Arab Jamahiriya” (UN, 2011, Mar. 17, italics in the original, bold added). Significantly, there was no mention of “regime change” in Resolution 1973.

- “Russia and China did not utilize their veto power in consideration of support for the Resolution from the Arab League and African Union, but expressed unease about the absence of limits on the intervention” (Everett, 2013: 15).
- There were “procedural and pragmatic questions which were left unanswered in the resolution. How would the no-fly zone be enforced? What assets would be used? What would be the coalition’s rules of engagement be? And what would the political end-game entail?” (Bellamy and Williams, 2011: 243).
- The mission to protect civilians was described as “nebulous … [because] … it did not clarify how far the alliance should go offensively against pro-Gadhafi forces” (Greenleaf, 2013: 45).
- “It has been suggested that NATO’s operational planning was made more difficult due to an overarching lack of clarity about what the strategic goals of the military operations actually were” (Dwomoh, 2015: 30).
- “From the beginning … [Resolution 1973] … proved problematic. It had authorized not only a no-fly zone, but also additional measures to protect civilian lives – a somewhat vague clause that would leave room to expand NATO’s mission if judged necessary. Although particularly the United States had made it clear that it did not want to commit ground forces to the conflict, the rhetoric of many of the Western leaders suggested as well from the beginning that anything less than the removal of the regime was unacceptable. The confusion worsened when NATO’s help became a sine qua non for the rebels just to be able to maintain their positions, and when it became clear that greater and more decisive NATO intervention would be needed to defeat the loyalist side” (Vandewalle, 2012: 205).

**Lead Nation or Organization- *The U.S. initially, followed immediately by NATO.***

**U.S. - *Operation Odyssey Dawn*-** commenced on Mar. 19, 2011 and ended on Mar. 31, 2011.

- Less than two weeks of actual combat operations were involved in the U.S. mission to control Libyan air space (Greenleaf, 2013: 30).

**NATO- *Operation Unified Protector*-** commenced between Mar. 23 and Mar. 31, 2011 and ended Oct. 31, 2011. However, Gaddafi’s forces had been effectively defeated by the end of August.

- *Operation Unified Protector* was tasked with three responsibilities: to enforce an arms embargo, to establish a “no-fly-zone, and to take “actions to protect citizens from attack or threat of attack” (NATO, 2011, Nov. 2).

- “Lieutenant-General … Charles Bouchard of Canada received command of JTF Unified Protector on 31 March 2011” (Domansky et al., 2012: 3).

**Number of Nations Participating in Military Operations- *Nineteen*-** Fifteen NATO nations, plus Sweden, Jordan, Qatar and the United Arab Emirates) (ICRtoP, 2014.).

- 8 NATO nations actually conducted air strikes: Belgium, Canada, Denmark, France, Italy, Norway, the United Kingdom and the United States (Human Rights Watch, 2012, May 14).
- “France and the United Kingdom flew 40 percent of the sorties, together destroying more than a third of the targets. … Although 14 [NATO] member states contributed directly to Operation Unified Protector, an equal number did not” (Daalder and Stavridis, 2012: 4).
- “By the end of the mission in Libya, the Canadian contribution came to rank fourth among contributing nations, behind only the United States, (US), the United Kingdom (UK), and France” (Domansky et al., 2012: 4).

**Extent of “mission creep”- *Extensive and controversial* -** Within a month, the focus of the mission changed from “protection of civilians” to “regime change.” In that “all means necessary” was not defined in the authorizing resolution, NATO became the rebels’ de facto tactical air force. The extent to which the removal of Gaddafi was the explicit goal of the intervention at its outset is contested; that NATO’s actions brought about his downfall is not.

- “Almost as soon as [Resolution 1973] was passed, differences emerged as to how it should be interpreted. NATO and several key allies … interpreted the mandate as providing the basis for a wide range of military activities including the suppression of Libya’s air defences, air force and other aviation capacities, as well as the use of force against Libya’s fielded forces, its capacity to sustain fielded forces, and its command and control capacities, *on the basis that Libya’s armed forces constituted a threat to civilians*” (Bellamy and Williams, 2011: 845, italics added).
- “It soon became clear … that despite their enormous political energy, the rebels had little chance of succeeding in the long term against the onslaught of the regime that could bring loyal brigades, its air force, as well as bands of foreign soldiers to bear on the rebel-held territory”(Vandewalle, 2012: 204).
- Less than a month into the mission “the [British] foreign secretary said a number of ‘experienced military officers’ would be sent to Benghazi to advise the rebels on intelligence-gathering, logistics and communications. About 10 British and 10

French officers will make up a combined team run by a joint headquarters” (Trynor and Norton Taylor, 2011, Apr. 19).

- “On the ground, NATO generals faced the dilemma of whether it was possible to sustain the campaign to protect civilians while Qaddafi remained in power. Increasingly, Qaddafi’s ouster became an inevitable aim of the NATO intervention” (Dwomoh, 2015: 30-31).
- “NATO’s military leadership became increasingly more convinced that … [the objective of protecting civilians] … could not be achieved unless the Libyan leadership was destroyed. … In the end, the NATO strategy morphed progressively into one that embraced regime change” (Zifcak, 2012: 8).
- “Even the most ardent international advocates of R2P have acknowledged that the mandate was stretched to breaking point and maybe beyond it” (Zifcak, 2012: 12).
- “NATO attacked Libyan forces indiscriminately, including some in retreat and others in Qaddafi’s hometown of Sirte, where they posed no threat to civilians” (Kuperman, 2013: 2).
- “NATO continued to aid the rebels even when they repeatedly rejected government cease-fire offers that could have ended the violence and spared civilians. Such military assistance included weapons, training, and covert deployment of hundreds of troops from Qatar, eventually enabling the rebels to capture and summarily execute Qaddafi and seize power in October 2011” (Kuperman, 2013: 2).

### **Strength of Intervening forces- *Significant***

- Assets: in the region of 8,000 personnel, over 260 “air assets … [that flew] … 26,500 sorties, including 9,700 strike sorties,” as well as 21 ships (NATO, 2011, Nov. 2).
- “The operation in Libya was relatively small—about one-fifth the size of Kosovo in terms of the number of military assets involved” (Daalder and Stavridis, 2012: 7).
- Targets: Over 5,900 military targets were destroyed, “including over 400 artillery or rocket launchers and over 600 tanks or armored vehicles” (NATO, 2011, Nov. 2).
- 7,700 precision-guided bombs were dropped in NATO’s 9,700 strike sorties (Human Rights Watch, 2012, May 14).

**Strength of Libyan Government forces- *Modest*-** especially when compared to those of NATO.

- In 2011 the strength of Libyan armed forces was estimated at 76,000, and they were viewed as “lack[ing] competence and efficiency and … incapable of being effectively mobilized” (Haddad, 2011:2)
- “The dismal [1987] performance of the Libyan army at Maaten al-Sarra, its main base in southern Libya – a humiliating defeat by ragtag Chadian forces who overran the local airfield with a few machine-guns mounted on Toyota pickup trucks – starkly revealed its professional incompetence” (Vandenwalle, 2011: 145)

**Extent of foreign support for Gaddafi- *Informal recruitment of mercenaries***

- In addition, “up to 10,000 Africans were recruited [by Gaddafi] from countries including Sudan, Chad, Mali and Niger” (Plaut, 2011, Aug. 27).

**Duration of the intervention- *Seven months*-** While relatively short, the intervention was, nevertheless, considerably longer (by three months) than had been anticipated.

- “Initially, NATO expected a short-term Libyan action, forecasting operations only until July” (Greenleaf, 2013: 38).

**Degree of resistance encountered by intervening forces- *Minimal- However, resistance against Libyan rebel forces was significant.***

**Total NATO casualties- *Zero*** – No NATO military personnel were killed- (Dork, 2011).

**Total Libyan Casualties- *8,000 to 14,000* (estimated)**

- “The conflict was about to end barely six weeks after it started, at a toll of about 1,000 dead, including soldiers, rebels and civilians caught in the crossfire. By intervening, NATO enabled the rebels to resume their attack, which prolonged the war for another seven months and caused at least 7,000 more deaths” (Kuperman, 2013: 2).

**Rebel Militia Casualties- *Under 7,000***

- According to Libyan government officials, “4,700 rebel supporters died and 2,100 are missing down from 2011’s estimate of 25,000” (Black, 2013, Jan. 8).

**Libyan Military Casualties- *Under 7,000***

- Unconfirmed totals for Gaddafi forces were similar to those reported for the rebel side—i.e., 4,700 dead and 2,100 missing (Black, 2013, Jan. 8).

#### **Civilian casualties- *Relatively few***

- There were “at least 72 dead in [NATO] air attacks on unclear targets” (Human Rights Watch, 2012, May 14).

**Extent of Media Coverage of the intervention in major intervening powers- “Agenda Setting.”- (January through December, 2011).**<sup>5</sup> The Libyan intervention was a major story in all four countries.

**U.S. - *The New York Times*- 1,128 total items** (3.1 per day)

**UK- *The Guardian*- 1,851 total items** (5.0 per day)

**France- *Le Monde*- 1,482 total items** (4.1 per day)

**Canada- *The Globe and Mail*- 757 total items** (2.4 per day)\*

\**The Globe and Mail* publishes 6 days a week

**Extent of Public Support for the intervention in major intervening powers- (2011)**

**U.S.- 47% in favour vs. 37% against** (Jones, 2011, Mar. 22).<sup>6</sup>

**32% in favour vs. 37% against** (Dinmore, 2011, May 4).

**UK- 45% in favour vs. 36% against** (yougov.co, 2011, Mar. 22).

**37% in favour vs. 36% against** (Dinmore, 2011, May 4).

**France- 40% in favour vs. 31% against** (Dinmore, 2011, May 4).

**Canada- 41 % in favour vs. 33% against** (Coletto, 2011, June).

#### **4. Post-Intervention (“Responsibility to Rebuild”) Variables**

**Extent and Adequacy of “Responsibility to Rebuild” Measures- *Unsatisfactory***- Libya quickly sank into to chaos.

**Were there follow-up UN Security Council Resolutions Measures – Yes-**

S.C. Resolution 2009 (creating UNSMIL) (UN, 2016, Nov.10); S.C. Resolution 2016 (terminating *Operation Unified Protector*) (UN, 2011, Oct. 27);

S.C. Resolution 2017 (dealing with the spread of “man-portable surface-to-air missiles” in the Sahel region (UN, 2011, Oct. 31); and S.C. Resolution 2022 (UN, 2011, Dec. 2) and S.C. Resolution 2040 (UN, 2012, Mar. 12) both extending the term of UNSMIL. As of January 2013 UNSMIL had a complement of “205 national and international staff members” (UN 2016, Nov. 10).

**Were they effective- No-** The political situation in Libya was chaotic, societal violence was high and economic performance was poor (see pages 2 and 3 above). In addition, Libya had become an outpost for al-Qaeda and ISIS affiliates in the region. As well, mercenaries returning to Mali contributed to the the subsequent political and humanitarian crisis in Mali to which the UN and France were forced to respond in late 2012 and early 2013.

- “Another unintended consequence of the Libyan intervention has been to amplify the threat of terrorism from the country. ... Since NATO’s intervention in 2011 ... Libya and its neighbor Mali have turned into terrorist havens” (Kuperman, 2015: 72-73).
- “The Libyan war of liberation ... ended with ... the transfer of much of Qadhafi’s militia into neighbouring Mali where another security and humanitarian crisis has since been festering” (Francioni and Bakkar, 2013).

**Was a UN PK force deployed following the intervention- No-** UNSMIL served in an advisory role to ineffective Libyan governments.

## Conclusion

Reflecting on the above set of data, what appears significant about the Libyan intervention that may account for its ultimate failure? As with the R2P doctrine itself, there are three foci to consider: (1) whether the decision to launch a military intervention was either fundamentally unwise or at least premature; (2) problems associated with the mandate authorizing the intervention and the methods used in implementing it; and (3) problems associated with the type of intervention aftercare provided.

On the wisdom of the decision to intervene, our first observation is that there was a failure to draw appropriate conclusions from a reading of Libyan history and to appreciate the fragile nature of national unity in the Libyan state that had been created by the United Nations in 1951. A shaky monarchial period, followed by over forty years of dictatorial rule, failed to provide an adequate foundation for a peaceful transition to a unified and democratic Libya. In short, there were sufficient grounds to believe that a military intervention might in fact make the situation worse. Further, based on events in Tunisia and Egypt, in the first months of 2011 there was a misplaced optimism that the Arab Spring movement would turn out well. Despite the disaster in Iraq following the 2003 invasion, this optimism appears to have contributed to a misplaced sense of complacency regarding the need for planning for a challenging post-Gaddafi period for Libya (see Friedman, 2011, Mar. 30).

Second, whether or not Gaddafi’s forces were or were not deliberately targeting civilians, the death toll in Libya (estimated at about 1,000 to 2000 including fighters at the time of the

intervention), was nowhere near the catastrophic level most would consider necessary to invoke the “military reaction” provision of R2P. On this point, while “reaction” under R2P certainly includes the use of military force, we must emphasize that “reaction” does not mean that military force *must* be used.<sup>7</sup> In that the intervention was based largely on *anticipated* bad behaviour on the part of Gaddafi, in retrospect more time should have been given to work out a negotiated solution (leaving open the possibility of retaining Gaddafi in power), that did not involve the use of military force.

In addition to the above, the unique problem confronting the international community in Libya was that the government of the state experiencing internal violence was neither *unwilling* nor *unable* to stop the violence; it was instead the *chief perpetrator* of that violence. As argued by Louise Arbour, to ensure protection of civilians in such circumstances meant that “mission creep” to include “regime change” was all but guaranteed (Arbour, 2012, June 27). We need to consider as well, that states do have the right to defend themselves from extra-legal attempts to seize power and that not all rebel groups are necessarily more worthy of ruling than the governments they seek to replace; moreover, that at least some of them actively seek out international intervention on their behalf (see Kuperman, 2006; Kuperman, 2015).

With respect to S.C. Resolution 1973 and how it was implemented, there was an inherent contradiction between a stated desire to protect civilians and a directive that failed to indicate how this was to be accomplished, especially while respecting Libyan sovereignty. Specifically, the intervention mandate did not explain how it would be possible to “protect” civilians using air power alone (see Greenleaf, 2013). Further, while the language in the intervention mandate appeared to call for a passive, post-Gulf War type “no-fly zone, it was the more aggressive, Kosovo type no-fly zone that was implemented (see MacKenzie, 2013, June 25). This meant (either by design or default), that NATO served as the rebel’s tactical air force, without which Gaddafi most likely would have prevailed. In addition, the authorizing mandate specifically prohibited the use of any “boots on the ground” tactics that conceivably might have been more effective in achieving the objective of civilian protection (e.g., by creating international-monitored “safe zones”). An intervention mandate that prohibited any type of foreign “occupation” also meant that the eventual outcome of regime change was left to an uncertain assortment of armed militia groups which proved to be beyond the control of the Libyan government or the international community.

On the issue of the “Responsibility to Rebuild,” there was an inadequate reaction to early indicators that the post-Gaddafi situation in Libya was deteriorating. On this, the lessons from Iraq with respect to the tragic consequences of power vacuums following regime change were clearly not appreciated. A series of post-intervention S.C. Resolutions, while seeming to recognize that things were not going well, never recast the situation as requiring more than providing more and increasingly long-term “advice” to Libyan authorities trying to deal with a situation that was spiraling out of control on many fronts.

Various commentators have voiced opinions as to which of these factors was paramount in undermining the stated intent of protecting Libyan civilians. Alan Kuperman argues strongly that the intervention never should have been authorized:

The error in Libya was not an inadequate post-intervention effort; it was the decision to intervene in the first place. In cases such as Libya, where a government is quashing a rebellion, military intervention is very likely to backfire by fostering violence, state

failure and terrorism. The prospect of intervention also creates perverse incentives for militants to provoke government retaliation and then cry genocide to attract foreign assistance -- the moral hazard of humanitarian intervention (Kuperman, 2015: 77).

U.S. Air Force Major Jason Greenleaf's critique focused on the limitations of air power to protect civilians from threats emanating from a variety of sources, not limited to attacks from the air. On the one hand, he points to the obvious advantages of an air-only strategy: "Airpower offers a responsive, relatively inexpensive, scalable, and low-risk option for political leaders." Yet, on the other, he acknowledges that there were difficulties stemming from the air-only strategy: "'the world's premier military alliance and the three most formidable militaries in the world' barely prevailed 'over a third-rate despot'" (Greenleaf, 2013: 48).

In an interview with Jeffrey Goldberg, President Barack Obama offered his own opinion regarding what went wrong in Libya:

[Libya] ...became a "shit show", Obama believes, for reasons that had less to do with American incompetence than with the passivity of America's allies and with the obdurate power of tribalism. "When I go back and I ask myself what went wrong, ... there's room for criticism, because I had more faith in Europeans, given Libya's proximity, being invested in the follow-up" (Goldberg, 2016: 81).

Our own conclusion regarding key factors leading to failure of the Libyan intervention is "all of the above." Evidence points strongly to serious problems with all phases of the initial attempt to operationalize the R2P doctrine: (1) it should not have been launched as quickly as it was (if ever), as conditions on the ground were far from catastrophic, while chances of a military intervention making a bad situation worse were significant; (2) its authorizing mandate was unclear as to how air power alone would protect civilians from anticipated horrific abuses by their own government, while at the same time respecting the sovereignty of the very government seen as responsible for inflicting those abuses; (3) the prohibition of the use of "foreign" troops resulted in the empowerment of armed militias, some with highly anti-democratic ambitions; and (4) there was an inadequate response to the aftermath of regime change, when problems (which in our opinion should have been anticipated) quickly became apparent. Whatever the case, the Libyan intervention can be characterized as an initial military success that, predictably turned into a political disaster.

## Notes

1. This paper is not intended to be revised for a journal article. Rather it is a draft chapter in a longer work employing Alexander George's inventive method of "structured, focused comparison" to examine correlates of success and failure among four UN-authorized international military interventions in the era of R2P – in addition to Libya, these are Côte d'Ivoire, Mali and the Central African Republic.
2. Alan Kuperman for one disputes this account claiming that "violence was actually initiated by the protesters ... [and that while] ... the government responded to the rebellion militarily ... [it] ... never intentionally targeted civilians or resorted to

‘indiscriminate’ force as Western media claimed” (Kuperman, 2013: 1; see also Kuperman, 2015: 70-71).

3. The triggering language in the ICISS report for an R2P use of force “reaction” mission was the “inability” or “unwillingness” on the part of the government in power to protect its population from serious violence. Not mentioned was a situation where the government itself was the major perpetrator of that violence. This issue of course was critical to the Libyan intervention and was addressed by distinguished jurist Louise Arbour who argued that in such circumstances “regime change” would indeed be necessary to protect the innocent from slaughter (Arbour, 2012, June 27).
4. Mohammed Nuruzzaman claims that “France, Britain and the US did everything to effectively sabotage the [African Union-initiated] reconciliation process” (2013: 64).
5. Our thanks are extended to Sarah Cipkar and Marianne Brooks for collecting the data on newspaper coverage. Different search engines were used to access various papers and we are still in the process of cross-checking story numbers for consistency and relevancy. In spite of this, the numbers indicate that Libya was a major press story in all four of the countries at the forefront of the intervention.
6. The analysis of the March 22, 2011 Gallup Poll noted that “approval of the current actions against Libya is lower than that for other U.S. military efforts; ... [also that] ... the level of disapproval is lower than Gallup measured for the Haiti and Kosovo/ Balkan situations, and similar to that for Grenada” (Jones, 2011, Mar. 22).
7. This point is stressed in our arguments regarding the supposed “failure” to apply R2P to Syria (Briggs, Soderlund and Najem, in press).

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