

# The West's Failed Foreign Policy Towards Libya

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October 19, 2022

## Abstract

From 1969-2011, Libya was ruled by Muammar Al-Gaddafi and after the Arab Spring of 2011, what started as peaceful protests soon turned into a widespread civil war. In response to this, the UN decided that NATO must intervene to prevent a humanitarian catastrophe. While most scholars agree that NATO acted within the legal guidelines set forth in UN Resolution 1973, which gave NATO the Responsibility to Protect (R2P) civilians with the use of military force, others conclude there was a blurred line between the responsibility to protect civilians and activities that go well beyond that, such as regime change. This paper will argue that it was short-sighted for the US and its allies to intervene so quickly in Libya's civil war. Not only was the intervention a misinterpretation of international law, but it also had several resulting effects; it resulted in unnecessary civilian casualties, it brought more instability in Libya, and it introduced war crimes committed by the coalition-backed rebels. Ultimately, Gaddafi's demise laid the roots for the Second Libyan Civil War and even more civilian deaths throughout Libya.

## 1 Introduction

Many consider NATO's 2011 operation "Unified Protector" in Libya a success because the end of the operation was the death of Muammar Al-Gaddafi, a man whom the Department of State noted as using terrorism as "one of the primary interests of his foreign policy" [Dep86]. From 1969-2011, Libya was ruled by Muammar Al-Gaddafi and after the Arab Spring of 2011, what started as peaceful protests soon turned into a widespread civil war. In response to this, the UN decided that NATO must intervene to prevent a humanitarian catastrophe. When it came to NATO achieving its goals, Operation Unified Protector was a stated success. While most scholars agree that NATO acted within the legal guidelines set forth in UN Resolution 1973, which gave NATO the Responsibility to Protect (R2P) civilians with the use of military force, others conclude "the interpretation of a mandate based on responsibility to protect

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has a very high potential of blurring the dividing lines between protecting civilians and activities that go beyond that, such as regime change” [HF14]. This paper will argue that skipping a ceasefire and moving so quickly to military intervention did not align with the UN’s goals nor Libya’s best interests. The initial research question was, “Was it a right choice for America and its allies to have invaded Libya?” but as the arguments for and against military intervention were analyzed, the question becomes less about right or wrong but more about the timing of intervention and the outcomes this timing had on the country.

NATO was well-intentioned to have enforced the no-fly zone until the civilians in Benghazi were safe, as mandated by UN Resolution 1973, however, its intervention should have then allowed more time for a true ceasefire to take place instead of aggressively bombing Gaddafi’s government. If Gaddafi didn’t agree to any sort of ceasefire within 30 days of allowing local and international actors to try, NATO’s bombing campaign should have continued as it did in operation Unified Protector with additional efforts to aid Libya in nation building once Gaddafi was gone. In summary, it was short-sighted for the US and its allies to intervene so quickly in Libya’s civil war. Not only was the intervention a misinterpretation of international law, but it also had several resulting effects; it resulted in unnecessary civilian casualties, it brought more instability in Libya, and it introduced war crimes committed by the coalition-backed rebels. Ultimately, Gaddafi’s demise laid the roots for the Second Libyan Civil War and even more civilian deaths throughout Libya.

## **2 Argument against NATO’s Misuse of UN Resolution 1973**

The first reason why the US and NATO intervention in Libya was misguided was because it deviated from the stated policy of the established law according to United Nations Resolution 1973. When protests erupted across Eastern Libya in Benghazi and other cities, Gaddafi’s police force cracked down violently against the protestors, considering them rebels trying to overthrow the government. Countries all over the world condemned Libya’s lack of respect for human rights [Dav13]. UN Resolution 1973 was passed to protect civilians in Benghazi from Gaddafi’s forces, and it, “Demands the immediate establishment of a cease-fire and a complete end to violence and all attacks against, and abuses of, civilians” [Cam12]. The UN believed a ceasefire between the rebels and Gaddafi’s government could make room for a long-lasting solution in Libya. The UN resolution drafters didn’t want violence to happen unless it was a last resort. NATO, however, moved forward with air and drone strikes. A summary of the UN and NATO’s aggressive timeline of intervention can be seen in Figure 1.

NATO’s shortsighted solution to the problem was to outright dismiss any possibility of a ceasefire and this was not what the UN Resolution drafters wanted to happen. To make their actions technically legal under international

<b>Pre-Intervention</b>	<b>United Nations Actions</b>	<b>NATO/Western Intervention</b>
<b>March 3, 2011</b> Obama issues statement that Gaddafi must step down  <b>March 10, 2011</b> Africa Union meeting and recommendation of cease-fire	<b>March 17, 2011</b> UN passes Resolution 1973	<b>March 19, 2011</b> French planes begin air-strikes in Libya, which later becomes NATO Operation Unified Protector

Figure 1: Timelines of Western Intervention in Libya, [AIJ11], [BBC11]

law, NATO used the Right to Protect civilians promise (R2P) to advocate for military intervention and a regime change. However, Valerie Amos, the UN Emergency Relief Coordinator questioned NATO’s actions with “concerns in terms of the potential undermining of the protection of civilians agenda” [BST15]. Many of the original UN Resolution drafters and R2P proponents, such as Gareth Evans and Ramesh Thakur “found that NATO had overstepped its mandate and... argued that regime change should not be part of a military intervention in the framework of R2P” [BST15].

Some make the argument that Gaddafi would not have negotiated for a ceasefire showing his “deepening resolve... to remain in power” [WG18], however, this is untrue because organizations outside of the UN such as the African Union could have mediated a ceasefire. According to the AU’s advice from a meeting on March 10, 2011, about one week before the UN Resolution was passed, “a ceasefire is to be coupled with negotiations among the parties to reach an agreement on an all-inclusive transitional period during which the necessary reforms, including the elaboration of a Constitution, will be carried out to meet the legitimate aspirations of the Libyan people to democracy, respect for human rights, freedom and good governance” [PC11]. Though Gaddafi did state that he would not agree to a ceasefire proposed by the UN, he may have been open to a negotiation with other organizations. Gaddafi had successfully negotiated with both regional and Western leaders before. He ended the Chadian-Libyan War that happened for almost ten years in the 1980s by negotiating with Chad and recognizing its territorial integrity. In addition, Libya also cooperated with the United States in the early 2000s by voluntarily giving up its weapons of

mass destruction and allowing inspectors to make sure Libya was not secretly building new weapons.

Scholars like Sekhri, who is known for the Role Approach analysis of third-world countries' foreign policy [Sek09], might argue that NATO was justified in using violence to protect the civilians in Libya. After all, the policy of Libya was ultimately synonymous with the policy of Gaddafi himself as a dictator. Gaddafi's approach is described by Sekhri as an "Anti-Imperialist Agent", "Liberation Supporter", and "Citadel of Revolution" [Sek09]. Viewing NATO's actions in Libya alongside the West's fears about Gaddafi the dictator and terrorist help one understand the criteria that may have played a part in the decision to abandon the ceasefire and take more aggressive military measures.

When evaluating the rhetoric used by leaders like President Barack Obama to condone military intervention at the time, we can also reflect again about Holst and Fink's comment that the responsibility to protect causes a blurry line between protecting civilians and more aggressive actions like regime change [HF14]. NATO's intentions to overthrow the Gaddafi government became transparent when Obama said that "Gaddafi's belligerence posed an ongoing threat to citizens throughout the rest of Libya and the long term stability of Libya required his removal" [Khu17]. Obama made public statements as early as March 3, 2011 requesting that Gaddafi step down and went far beyond the UN's stated goal which was "to take all necessary measures to protect civilians under threat of attack in the country, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory" [CsatM11]. Similar demands were also made by France and the UK for Gaddafi to step down [Dav13]. Obama's premature statement along with the rest of the West's immediate demands prove that NATO never had any intention of allowing a ceasefire to happen; they wanted to overthrow Gaddafi from the start. A ceasefire would have achieved long term stability in Libya instead of the instability Libya experienced under the chosen actions.

In conclusion, NATO's actions in Libya were too aggressive, went beyond the stated policy of the UN, and did not give enough time for a cease-fire to take place. NATO took the helm to protect the civilians and then "instead of using a gradual approach—i.e., halting the intervention after the immediate threat to civilians in Benghazi no longer existed and refocusing on negotiations—the intervening coalition continued its air operations and provided direct military support to the rebels" [BST15]. NATO's policy towards solving the humanitarian crisis in Libya is what prevented many international bodies such as the African Union and the United Nations to mediate a ceasefire. Ultimately, "the countries leading NATO's intervention dismissed outright efforts by the African Union to negotiate a ceasefire between the Gaddafi government and the rebel forces at several stages during the intervention" [BST15]. While NATO correctly used force to protect civilians in initial stages of bombings, it is clear that NATO ultimately used R2P to justify a regime change in Libya which directly violated the intentions of UN Resolution 1973.

### 3 Argument Against NATO's Support for the Rebels

NATO should not have intervened in Libya because their backing contributed to the rebels' success and therefore aided indirectly in war crimes. Although most protestors initially were peaceful, Gaddafi's police force violently cracked down on the opposition and the protests turned violent. "Moreover, the rebels received secret airdrops of weapons and ammunition, admitted both by France and Qatar" [UC13]. This supports the fact that the NATO coalition was actively supplying weapons to the rebels whose aim was to overthrow Gaddafi. The seemingly infinite supply of weapons, fuel, ammunition, and intelligence was what allowed the rebels to fight Gaddafi's massive army. Not to mention, starting on March 19, 2011, "French, British and American forces began military operations in Libya, imposing a no-fly zone and bombing Gaddafi tanks from the air" [BST15]. Not only was the NATO coalition supplying the rebels on the ground, their offensives were being supported by NATO's air force, naval fleet, and drones. All things considered, it would be difficult to imagine a reality where the rebels succeeded in pushing the war from Benghazi to Tripoli without NATO's military support.

One can analyze a similar intervention scenario that occurred in Syria. Like Libya, Syria also had protests that were shuttered and eventually, the country also began a civil war. However, unlike Libya's rebels, which grew in strength overtime, Syria's Free Syrian Army (FSA) rebel forces declined in both supplies and manpower due to the lack of supplies from the West. Commanders on the ground said that "entire units have gone over to al-Nusra while others have lost a quarter or more of their strength to them recently" [Gua13]. According to one FSA fighter, "The west left Assad's gangs to slaughter us" [Gua13]. The West's intervention in Libya and Syria were slightly different; the US was hesitant to fund the FSA because of the fear of spreading Islamic extremism in Syria. However, the lack of Western funds allowed Assad's army to reclaim all major cities held by the rebels and ultimately, keep power in Syria. Without NATO funding, the rebels would not have been able to commit war crimes in Libya.

Some scholars such as Ramesh Thakur argue that NATO should have supported the rebels despite violating the UN Resolution because it helped end the war swiftly [Tha12]. Although NATO's support did help to end the Libyan civil war quickly, the rebels that were supported by the NATO coalition committed atrocities, leading to a death toll of 21,000 [ACL22]. After the rebels had taken power in Libya, a UN report came out about the human rights abuses. The report "concluded that not only had the Gaddafi regime committed crimes against humanity and war crimes, but the rebel forces supported by NATO had also committed war crimes and "breaches of international human rights law" [BST15]. In addition, reports from commanders on the ground said, "Colonel Qaddafi's soldiers have also been beaten at the point of capture, and some have been shot, including several prisoners in the besieged city of Misurata who were shot through the feet" [Chi11]. Although Gaddafi's forces commit-

ted atrocities on the battlefield, many of the human rights abuses could have been stopped if the West had allowed time for a ceasefire to take place. By not allowing time for a ceasefire, NATO caused the war to be prolonged, putting more Libyan lives at risk. The West should not have intervened so aggressively, especially in their use of air drops of weapons, because their support of the rebels is what enabled numerous war crimes throughout Libya.

## 4 Argument that NATO Intervention Worsened Conditions in Second Libyan Civil War

The final reason why NATO’s intervention in Libya was premature was because the intervention contributed to the Second Libyan Civil War that happened three years later in 2014. After NATO’s 2011 operation in Libya finished on October 31st with the death of Gaddafi, a new government was set up. The National Transitional Council (NTC) was put in place and was supported by the West. Eventually, the NTC was replaced by the General National Congress (GNC), which was the first democratically founded government in Libya’s history. Although the new permanent government was praised by the West, the GNC was “in a situation of a complete breakdown of security arrangements” [Eri16] and “power vacuums across the country allowed various militias to claim interests in the new Libya” [Eri16]. Many of these militias were formed from rebels fighting Gaddafi’s forces in 2011 with the support of NATO. The rebels were strongly armed from the leftover equipment from NATO and couldn’t be stopped by the new Libyan government. The GNC was ruled by general Khalifa Haftar, a dictator who controlled much of Western Libya including Tripoli. Haftar took control through a coup which overthrew the democratically elected government in Libya. Haftar was having problems within Libya; an Islamist coalition based in Tobruk controlled much of Eastern Libya and did not support Haftar’s government. As a result, “General Haftar launched a large-scale air and ground offensive codenamed Operation Dignity (also known as Operation Karama) against the Islamist coalition in Tripoli” [Eri16]. This was the start of the long Libyan Civil War that would go on to kill over twenty-thousand Libyans [ACL22]. This civil war would not have happened if Gaddafi was not overthrown by the NATO allied rebels or if there was a serious attempt at rebuilding Libya by NATO. Although Gaddafi was a dictator and exported terrorism throughout the world, he brought Libya a sense of stability when in power; there were no civil wars and overall, Libya was not at risk of a power vacuum. However, since Gaddafi was overthrown in a rash way, the civil war seemed inevitable between multiple governments claiming to rule Libya.

In addition to NATO-assisted rebel forces succeeding in Libya, terrorist groups such as Al-Qaeda and the Islamic State also grew more powerful in the Second Libyan Civil War. In specific, Al-Qaeda took large pockets of territory around Libya, directing the Abu Slim Martyrs Brigade, “an independent armed Islamic movement backed by al-Qaeda” [Eri16], to terrorize many people

throughout Libya and operate in the port city of Derna. What started as a two-dimensional civil war being fought between two rival governments turned into a civil war with terrorist organizations, rival governments, and small militias. The reason why al-Qaeda was able to gain such a large foothold in Libya was because “al-Qaeda forces were an integral part of the anti-Qaddafi rebellion (that was indirectly supported by Western states intervening under a UN mandate)” [Eri16]. In summary, NATO’s intervention in Libya was irresponsible since it allowed terrorist groups such as al-Qaeda to gain power in Libya which prolonged the conflict. In addition, NATO’s failure to properly rebuild Libya is what allowed two rival governments, both being supported by different countries, to fight a five-year long civil war. NATO should have allowed a ceasefire to take place in 2011 because a ceasefire mandated by NATO, the African Union, or any other organization would help Libya rebuild itself and lessen the impact of the Second Libyan Civil War of later years.

## 5 Conclusion

NATO should not have intervened in Libya’s civil war as aggressively as it did because NATO’s intervention overstepped the UN’s mandate, the rebels supported by NATO committed numerous war crimes, and Gaddafi’s demise and the later power vacuum contributed to the Second Libyan Civil War. When NATO intervened in Libya, it successfully imposed a no-fly zone over Libyan airspace to protect the civilians in Benghazi. This part of the intervention was justified, however, NATO never allowed time for a ceasefire to take place and instead helped the rebels push forward into Gaddafi-held territory. This paper recommends that NATO should have imposed the no-fly zone for the sole purpose of protecting the Libyan civilians in Benghazi to prevent a humanitarian catastrophe. After that, NATO should not have advanced further into Libya and instead, allowed time for a ceasefire to be agreed upon between Libya and the rebels. If no ceasefire was agreed upon within 30 days, NATO’s ambitions of overthrowing Gaddafi should have been put into action. Furthermore, and probably most important to what we now know of Libya’s tumultuous Second Civil War, if NATO decided to intervene on its current timeline, they should have also helped to rebuild Libya’s political system.

Post-Gaddafi, the US has been criticized for not laying the groundwork to establish effective nation-building. As professor Etzioni from George Washington University said in 2012 as he looked ahead to the post-Gaddafi Libya, “wrecking a tyranny does not automatically make for a democratic government; it is far from clear what will be the nature of the new regime in Libya, for which NATO has opened the door by destroying the old leadership structure.” [Etz16] He went on to state that nation-building is not as easy as one thinks, especially in tribal societies like Libya where he had hoped in 2012, “If these tribes hold together to support a new government and solve their differences through negotiations, the 2011 NATO regime-change add-on mission will be deemed a great success.” Looking back in 2022, we now see that negotiations were not realized.

It is important for the international community to learn that intervening in another country’s internal affairs too aggressively can lead to destabilization within that particular country. Learning from Middle Eastern countries such as Iraq, Afghanistan, and now Libya show us that power vacuums are extremely likely, even when nation-building has the best intentions. Though the UN published a report on the rebel-led war crimes, it is hard to gather information coming from the battlefields in Libya and much of the information is exaggerated. There are many present and future countries that are in civil wars and that are at risk of humanitarian disaster that the US will feel obligated to intervene in. The disaster that happened in Libya should be a lesson to the international community that while intervention is good, when it comes to protecting human lives, too much intervention can destabilize a country and lead to many civilian casualties. Future research should evaluate the effects of allowing a more locally-led ceasefire to be brokered, as well as exactly what war crimes the Western-supported rebels committed, so the true impact of future NATO “responsibility to protect” interventions can be better understood.

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