

# The Role of the West and Military Intervention in Libya

by Anthony T. Eniayejuni

## ABSTRACT

The uprisings and sudden break in the continuity of established autocratic regimes and political institutions of states in the Middle-East and North Africa took their respective regimes by surprise, particularly in Libya. By 20<sup>th</sup> February 2011, the unrest in Libya had spread from Benghazi to the capital of Tripoli. The protesters took the law into their own hands and turned rebellious; destroying; looting; burning down several government buildings, banks, and police stations; and calling on Libyan leader Muammar Gaddafi to step down and democratize. In response to the unrest, the Libyan leader began a violent crackdown on mass anti-regime rebels, which resulted in strong condemnation by the international community. This study will examine the role of the West, international organizations, and their military intervention.

## 1. INTRODUCTION

Human activities around the world are increasingly linked together through flows of communications, ideas, and production. Keohane explains this inter-connectivity as globalism, which he define “as a state of the world involving networks of interdependence of multi-continental distances linked through flows of capital and goods, information, technologies and ideas, people and force, as well as environmentally and biologically relevant substance.”<sup>1</sup> Advances in technology and the rapidly growing popularity in the use of the Internet have brought awareness to people of the Middle East and North Africa, as they previously had little or no knowledge beyond their borders. With the use of social media networks such as Facebook, Twitter, Dailymotion, and YouTube, these people could communicate more with the outside world, which gave them insight into how things are done outside their region.

The internet and social media networks played a crucial role in the upheaval in the Middle East and North Africa. The uprisings experienced in the Middle-East, and North Africa has resulted in partial or complete overthrows of established autocratic regimes by those who were previously subjected to it. After the uprisings that overturned the rulers of Tunisia and Egypt, their immediate neighbor Libya experienced a full-scale revolt beginning on 15<sup>th</sup> February 2011.

The popular unrest began as a series of protests and confrontations against the Government of Libya and its leader Muammar Gaddafi. The unrest was centered on Libya’s two largest cities, Tripoli in the west and Benghazi in the east. The rebels destroyed and looted enormous stockpiles of weapons after burning several security and government buildings.<sup>2</sup> By 18<sup>th</sup> February 2011, with some support from police and defecting military units, the rebels were able to take over Benghazi, the

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<sup>1</sup> R. O. Keohane, 2002: *Power and Governance in a partially Globalized World*, New York, US: Routledge, p. 273

<sup>2</sup> R. Norton-Taylor and N. Hopkins, Libya warned smugglers are looting Gaddafi’s guns, retrieved on (6/02/2012) from <http://www.guardian.co.uk/world/2011/sep/02/west-warns-smugglers-looting-libya-arms>

country's second-largest city. The government reacted by sending elite troops, which were resisted by the rebels and insurrectionary members of the military.<sup>3</sup>

The use of violence against the Libyan rebels and civilians by Gaddafi's regime drew international condemnation. The rest of this study is divided into three sections: definition of terms is given in section 2. A conceptual framework is given in section 3, followed by the role of the West and the international community, including the involvement of the United Nations and the North Atlantic Treaty Organization (NATO), in section 4.

## 2. DEFINITION OF TERMS

Kenneth Roth has argued that military intervention should never be taken lightly, even for humanitarian purposes, because death, destruction, and disorder are the predictable consequences of most wars. However, the imperative of stopping or preventing another systematic slaughter can sometimes justify the use of military force.<sup>4</sup>

Meanwhile, intervention according to Bhikhu Parekh "is an act of intervening in the internal affairs of another country with a view to end the physical suffering caused by the disintegrations or gross misuse of authority of the state, and helping to create conditions in which a viable structure of civil authority can emerge."<sup>5</sup> On this basis, the prevention of widespread physical suffering or death, taking place as a result of gross misuse of authority of a state, can constitute a just cause for intervention.

For Adam Roberts, it means "intervening in a state militarily, without the approval of its authorities, and with the purpose of preventing widespread suffering or death among the inhabitants."<sup>6</sup> That is, military action can thus justify humanitarian intervention, in a situation when all necessary measures have been taken to avert suffering caused by repressive government or internal conflicts which civil and political rights of the citizens are grossly violated.

According to Martha Finnemore, intervention means deploying military forces across borders for protecting foreign nationals from man-made violence, and that such intervention must be multilateral in order to be acceptable and legitimate.<sup>7</sup> Thus, external intervention can be legitimate, provided it is conducted according to generally accepted international norms and is based on humanitarian concerns or the desires to prevent killings, sufferings, and massive cross-border flows.<sup>8</sup>

So, for this study, military intervention is defined as the use of force across state borders by group of states and regional organizations with degrees of justification and reasons for their action, ostensibly in order to restore peace and security, as well as to end widespread of physical suffering and gross violations of human rights, with multilateral support but without the approval of the state in which the intervention takes place.

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<sup>3</sup> The Libyan protests, retrieved on (03/12/2011) from <http://totallycoolpix.com/2011/02/the-libyan-protests/>

<sup>4</sup> K. Roth. "Was the Iraq War a Humanitarian Intervention?" *Journal of Military Ethics*, vol. 5, Is. 2, pp.84-92, 2006

<sup>5</sup> C. Chang, 2011: *Ethical foreign policy?: US humanitarian interventions*, Burlington, US: Ashgate Publishing, p.11

<sup>6</sup> C. Reed and D. Ryall, 2007: *The price of peace: just war in the twenty-first century*, Cambridge, UK: Cambridge University Press, p.110

<sup>7</sup> M. Finnemore, 2004: *The purpose of intervention: changing beliefs about the use of force*, Ithaca NY, US: Cornell University Press, p.53

<sup>8</sup> J. Trent and M. Rahman, 2007: *Modernizing the United Nations system: civil society's role in moving from international relations to global governance*, Leverkusen, Germany: Barbara Budrich, p.144

### 3. CONCEPTUAL FRAMEWORK

After the end of the Cold War, a liberal intervention referred to as ‘humanitarian intervention’ gained popularity, and the principle of state sovereignty was redefined, implying that sovereignty could no longer be used as a shield by any government or state leader to violate the fundamental rights of their citizens with impunity.

According to Fernando Teson, “the ultimate justification for the existence of states is the protection and enforcement of individual rights, a government that abuses these rights betrays the very purpose for which it exists and thereby should not be protected by international law and does not have the right to be free from intervention aimed at reforming its institutions.”<sup>9</sup>

Similarly, Thomas Weiss argues that “the notion that human beings matter more than sovereignty radiated brightly, albeit briefly, across the international political horizon of the 1990s.”<sup>10</sup> The significant shift during this period led the way in redefining state sovereignty, and pressing new humanitarian claims within the international system.

### 4. ROLE OF THE WEST AND INTERNATIONAL ORGANIZATION

#### 4.1 United Nations

The armed uprising against the four-decade rule of Gaddafi and increased violence by his government to suppress the rebels led to civil war, international condemnation, and military intervention backed by the UN Security Council. On 26<sup>th</sup> February 2011, the UN Security Council adopted resolution 1970, imposing economic sanctions, travel bans, and an arms embargo; freezing Gaddafi’s assets, and those of certain other government officials; and referring the acts of violence by Gaddafi’s regime to the International Criminal Court (ICC).<sup>11</sup> The Council obligated all UN member states to freeze without delay all funds, financial assets, and economic resources, which are on their territories and which are owned or controlled, directly or indirectly, by the individuals or entities listed in the resolution.<sup>12</sup>

On 28<sup>th</sup> February 2011, the US Treasury Department announced that it had frozen at least \$30 billion of Libyan government assets.<sup>13</sup> The European Union (EU) and other UN member states also imposed sanctions.<sup>14</sup>

On 17<sup>th</sup> March 2011, the UN Security Council passed resolution 1973 with 10-0 vote and five abstentions. The Resolution sanctioned the establishment of a no-fly zone, and authorized Member States, acting either alone or through regional organizations or arrangements, “to take all necessary

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<sup>9</sup> Eric Heinze, 2009: *Waging humanitarian war: the ethics, law and politics of humanitarian intervention*, Albany, US: SUNY Press, p.26

<sup>10</sup> L. Brock, H. Holm, G. Sorenson and M. Stohl, 2012: *Fragile States*, Malden MA, US: Polity, p.117

<sup>11</sup> Security Council 6491 Meeting, retrieved on (10/01/2012) from <http://www.un.org/News/Press/docs/2011/sc10187.doc.htm>

<sup>12</sup> Libya: Security Council Imposes Sanctions on Authorities in Bid to stem Violent Repression, retrieved on (10/01/2012), from <http://allafrica.com/stories/201102270008.html>

<sup>13</sup> US freezes \$30 billion of Libyan assets, retrieved on (10/01/2012) from [http://money.cnn.com/2011/02/28/news/international/gadhafi\\_libya\\_assets\\_frozen/index.htm](http://money.cnn.com/2011/02/28/news/international/gadhafi_libya_assets_frozen/index.htm)

<sup>14</sup> Developments in Libya: an overview of the EU’s response, retrieved on (10/01/2012) from [http://www.eeas.europa.eu/top\\_stories/2011/040311\\_en.htm](http://www.eeas.europa.eu/top_stories/2011/040311_en.htm)

measures to protect civilians under threat of attack in the country, including Benghazi.”<sup>15</sup> The resolution was in response to the claims of killings and mistreatment of civilians in parts of Libya by the Libyan government following the armed uprising. Meanwhile, Chapter VII of the UN Charter through Articles 39, 41 and 42 enables the Security Council to authorize military enforcement action to maintain or restore peace and security, only in cases where it finds a threat to *international* peace and security.<sup>16</sup>

Following the passage of the Resolution, the Western coalition spearheaded by the United States of America (US), France, the United Kingdom (UK), and NATO launched attacks targeting Libya’s air defense systems and commanding centers in order to enforce the no-fly zone.

On 27<sup>th</sup> June 2011, The ICC issued an arrest warrant for Gaddafi, his son Saif al-Islam Gaddafi, and Libya’s intelligence chief, Abdullah Senussi, for war crimes and crimes against humanity. The ICC ordered them to stand trial on charges of torturing, imprisonment, and killing of civilians, and rebels; and using cluster bombs, mortars and other heavy weapons in crowded urban areas.<sup>17</sup>

Meanwhile, there are reports and video footages showing Libyan rebels indiscriminately engaged in racist abuse, torture, and mass killings of black Africans, as well as black Libyans, accusing them of fighting for Gaddafi; and the ICC did not issue an arrest warrant to any member of the Rebels Transitional Council for atrocities committed.

#### **4.2 North Atlantic Treaty Organization**

The adoption of Resolution 1973 by UN Security Council, which imposed a ban on all flights in the airspace of Libya in order to help protect civilians, excluded flights evacuating foreign nationals, and any other flights not authorized to enforce the no-fly zone. Reference to all necessary means, and acting either alone or through regional organizations or arrangements, are the standard phrases used by UN Security Council to authorize military action by any member states; while NATO involvement in Libya stands as a regional organization.

On 27<sup>th</sup> March 2011, NATO officially took command of the military operations previously directed by the US, UK, and France. The NATO member governments claimed the support of the international community and an appeal from League of Arab States on the back of the UN resolutions. In a 2002 Prague summit communiqué, NATO agreed that allies must be able to field forces that move quickly to wherever they are needed, sustain operations over distance and time, and achieve their objectives. The communiqué marks the moment that NATO decided to assume responsibilities around the globe. “The allies made a commitment to build capabilities necessary to go out of area. They agreed to establish a NATO Response Force of 20,000 troops for rapid insertion into theater of operations.”<sup>18</sup>

NATO’s intervention in Libya was ostensibly to enforce UN resolutions, but a few days into the campaign, their actions showed the real objectives of their intervention. Firstly, the recognition of

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<sup>15</sup> Security Council 6498 Meeting, retrieved on (09/01/2012) from <http://www.un.org/News/Press/docs/2011/sc10200.doc.htm>

<sup>16</sup> Charter of United Nations, retrieved on (09/01/2012) from <http://www.un.org/en/documents/charter/chapter7.shtml>

<sup>17</sup> UN News Centre, retrieved on (10/01/2012) from <http://www.un.org/apps/news/story.asp?NewsID=38855>

<sup>18</sup> M. I. Clausson, 2006: *NATO: status, relations and decision-making*, New York, US: Nova Publishers, p.5

Libyan Rebels' Transitional Council by the West as the legitimate representatives of Libyan people; and secondly, NATO's bombing of Gaddafi's residence made it crystal clear that West and NATO's intervention would settle for nothing less than regime change; while regime change, and provision of military logistics to the rebels were not part of UN resolutions on Libya.

According to Egon Ramms, NATO's involvement in Libya and its support to the rebels has played a decisive role in the rebel's campaign to topple Gaddafi's regime, and in the killing of Gaddafi on 20<sup>th</sup> October 2011.<sup>19</sup>

On 21<sup>st</sup> October 2011, NATO agreed that its operation was very close to completion and made a preliminary decision to end its operation in Libya on October 2011.<sup>20</sup>

## CONCLUSION

Military intervention across state borders by group of states or regional organizations with the approval of the UN Security Council has many complexities. The UN Security Council is made up of five permanent members who have veto power; they are neither a neutral body nor are democratically elected. This actually makes the UN Security Council highly politicized, because they can be motivated by their national interest or by economic reasons, instead of taking decisions on humanitarian grounds.

For instance, a similar uprising has been going on for more than 10 months now in Syria, where thousands of people were killed by government forces; and the UN Security Council as well as the international community and NATO are yet to intervene. The plights of the civilian population in Yemen and Bahrain, where various lethal weapons are used to quell anti-government protests have failed to attract international attention and intervention.

Another interesting thing in this double standard approach is; how can we say an arms embargo was imposed on Libya when weapons of different kinds were being supplied to the Libyan rebels by UN member states? Thus, NATO's military intervention that ought to have protected civilians and civilian populated areas did more harm than good; their bombardment resulted in killing large number of unarmed civilians, as well as Gaddafi's son and his three grandchildren.

Judging NATO by their actions, it is obvious that NATO involvement in Libya was actually in support of the Libyan rebels. Therefore, when states are motivated by their national interest rather than a pure humanitarian motive, there will be selectivity in terms of intervention.

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<sup>19</sup> NATO has 'played a decisive role' in Libya, retrieved on (1/02/2012) from <http://www.dw-world.de/dw/article/0,,15346089,00.html>

<sup>20</sup> NATO and Libya- Operation Unified Protector, retrieved on (13/01/2012) from [http://www.nato.int/cps/en/natolive/topics\\_71652.htm](http://www.nato.int/cps/en/natolive/topics_71652.htm)