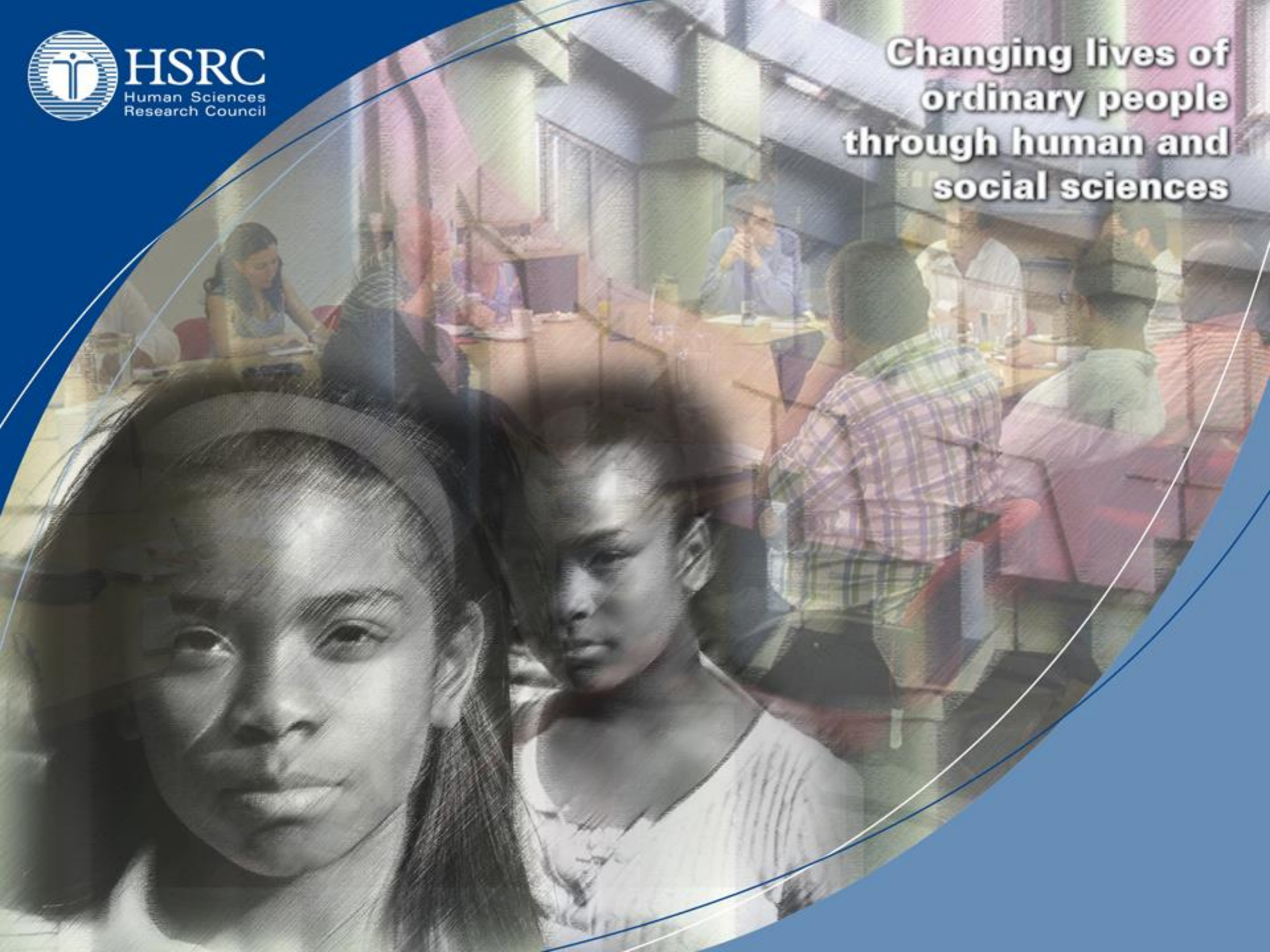




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HUMANITARIAN INTERVENTION IN LIBYA: FROM JUST INTERVENTION TO JUST PEACE?

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Introduction

- Libya has been plagued by conflict, instability and insecurity since the overthrow of Gaddafi in Oct 2011.
- Critics argue that the North Atlantic Treaty Organisation's (NATO) humanitarian intervention in Libya was a failure and therefore unjustified.
- These critics hinge on the post-intervention/post-Gaddafi chaos and instability to also denounce the practice of humanitarian intervention and dismiss (its enabling) Responsibility to Protect (R2P) doctrine as a neo-colonial or neo-imperial tool of the West.

Introduction cont.

- On the face of it, arguments against military intervention in Libya and the practice of humanitarian intervention are convincing but enjoy the benefit on hindsight.
- I argue, to the contrary, that:
 - a) the humanitarian intervention in Libya was justified
 - b) the current crisis cannot firmly be attributed to the intervention itself **but** the lack of post-intervention reconstruction.
- Applying the *Just War Theory* (JWT) (Walzer, 1977) and the *R2P* doctrine (ICISS, 2001) to the Libyan case, the paper reveals that the intervention was justified although it *did not* bring about a just peace.

Libyan Civil War

- Arab Spring uprisings led to the **overthrow of long-standing regimes** in the Middle East and North Africa (Prashad, 2012).
- In **Tunisia** and **Egypt**, old regimes were overthrown rapidly and with little bloodshed (Burnell *et al*, 2011).
- But in **Libya**, Muammar Gaddafi – Ben Ali and Hosni Mubarak – moved swiftly to quell the revolution that erupted on 15 February 2011.

Libyan Civil War cont.

- Protesters had taken control of **strategic cities, including Benghazi** (the epicentre of anti-Gaddafi revolution/rebel stronghold). Resolute to wrest back these cities, Gaddafi launched **an onslaught on protestors**.
- Contrary to the belief that protestors were spared, Gaddafi ordered his forces to attack them (Vilmer, 2016; Davidson et al, 2013).
- **Civilian casualties:**
 - 233 by 20 February 2011 (HRW, 2011).
 - 1000 by 25 February 2011 (Pattison, 2011; Vilmer, 2016).

Humanitarian Intervention in Libya

- These casualties compelled the UN Security Council to pass **Resolution 1970** which, *inter alia*, demanded an end to systematic human rights violations in Libya and imposed sanctions on regime leaders.
- In defiance of Resolution 1970, **Gaddafi mounted an onslaught** on protestors in Benghazi (Stahn *et al*, 2014). Moreover, he threatened to “**cleans Libya house by house**” (CFR, 2011) and labelled protestors “**rats and cockroaches**” (Lobban & Dalton, 2014).
- The actual and threatened violence, therefore, led to the passing of a subsequent **Resolution (1973)**, authorising the international community to take “**all necessary measures**” to protect civilians. This effectively sanctioned humanitarian intervention in Libya to prevent a Bosnia or Rwanda-like genocide .
- Humanitarian intervention was launched at the invocation of R2P.

Theoretical Framework

- R2P came into being in 2001 (as a report of ICISS) and was unanimously adopted (*albeit* in part) by the United Nations in 2005.
- JWT holds that war is **sometimes** justified. E.g., when it is waged for and fought in individual or collective self-defence.
- Drawing on this, R2P permits intervention in the face of **actual** and **potential** atrocities committed against civilians (Williams, 2011).
- JWT and R2P advance (**jus ad bellum** and **jus in bello**) principles that must be satisfied for humanitarian intervention to be considered just:

Just cause; right intention; last resort; right authority; proportional means; reasonable chance of success; proportional use of force; and non-combatant immunity (ICISS, 2001; Walzer, 1977; Orend, 2013).

Theoretical Framework

- JWT is rivalled by two dominant schools of thought: Pacifism and Realism.
- As highlighted above war is ***sometimes*** justified, according to JWT.
- Pacifism: war is ***always*** morally wrong because it inherently involves killing. Whether fought in self-defence or for humanitarian reasons elsewhere, war is not permissible.
- Realism: morality is ***irrelevant and inapplicable*** to war. States act out of *national interests*. They intervene where, when and if their interests are at stake (e.g., Iraq, 2003) but do not where, when and if their interests aren't (e.g., Rwanda, 1994).

Research Questions

JWT and R2P theoretical propositions were applied to the Libyan case using empirical qualitative data to address the following questions:

1. Was the 2011 humanitarian intervention in Libya justified?
2. Did it lead to a *just peace* (i.e., a better state of affairs than the pre-intervention situation)?

Findings: JWT/R2P

- **Just cause** condition was satisfied. There was a serious humanitarian need to *stop the onslaught* on civilians and *prevent a massacre*, particularly in Benghazi.
- **Right intention** was also satisfied; intervening forces prioritised the protection of civilians. The question of regime change remains debatable.
- Military action was a **last resort**; diplomatic and political solutions were tried but failed and there was a dire need for swift military action.
- A **right authority** in the form of the UN Security Council sanctioned the intervention.
- **Proportional means** were multilaterally employed and coordinated toward a successful campaign (Britain, France, the US, Qatar, UAE etc.).

Findings: Application of JWT/R2P

- There was a **reasonable chance of success** in stopping violence and preventing a massacre.
- **Proportional use of force** condition was met; e.g., no Weapons of Mass Destruction were used by both sides.
- **Non-combatant immunity** condition was also satisfied. Civilians were not deliberately targeted. Collateral damage was acceptable.
- **All these conditions were satisfied, rendering the intervention justified.**

Findings: Application of JWT/R2P

- Though justified, the humanitarian intervention did not lead to a *just peace*.

Factors that hindered the achievement of a just peace or clear strategy to that end include:

- The int'l community overlooked the Responsibility to Rebuild, integral to R2P, after Gaddafi was executed on 20 Oct 2011 and after NATO officially ended its operation on 31st of that month.

Findings: Application of JWT/R2P

- Post-Gaddafi government (GNC) in power after the 2012 elections had enacted **political isolation law** prohibiting leaders that had served under Gaddafi from holding office.
- Perpetrators of war crime, including Gaddafi indicted by the International Criminal Court, walked away scot-free.
- (Former) combatants and militia groups were not **Disarmed, Demobilised and Reintegrated (DDR)** and **Security Sector Reform (SSR)** has never taken shape. The inflow of arms and terrorism have risen.
- Oil production has dropped significantly since the outbreak of war in 2011; various groups are even competing for control of oil and revenues.

Conclusion

- It can be concluded that the intervention was justified. The current crisis (lack of *just peace*) owes to the lack of post-intervention reconstruction or strategy.
- Interrelated implications of the lack of just peace:
 - Failure of state-building (political instability; lack of central government)
 - Rise of terrorism (insecurity)
 - Prolonged conflict (ISIS, militia groups)
 - Drop in oil production (competition)
 - Poor standard of living (poverty)

Thank You: Questions/comments?