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- March 15, 2012
- Investigations Around Libya

NATO'S Craven Coverup of Its Libyan Bombing

by VIJAY PRASHAD

- Ten days into the uprising in Benghazi, Libya, the United Nations' Human Rights Council established the International Commission of Inquiry on Libya. The purpose of the Commission was to "investigate all alleged violations of international human rights law in Libya." The broad agenda was to establish the facts of the violations and crimes and to take such actions as to hold the identified perpetrators accountable. On June 15, the Commission presented its first report to the Council. This report was provisional, since the conflict was still ongoing and access to the country was minimal. The June report was no more conclusive than the work of the human rights non-governmental organizations (such as Amnesty International and Human Rights Watch). In some instances, the work of investigators for these NGOs (such as Donatella Rovera of Amnesty) was of higher quality than that of the Commission.

Due to the uncompleted war and then the unsettled security state in the country in its aftermath, the Commission did not return to the field till October 2011, and did not begin any real investigation before December 2011. On March 2, 2012, the Commission finally produced a two hundred-page document that was presented to the Human Rights Council in Geneva. Little fanfare greeted this report's publication, and the HRC's deliberation on it was equally restrained.

- Nonetheless, the report is fairly revelatory, making two important points: first, that all sides on the ground committed war crimes with no mention at all of a potential genocide conducted by the Qaddafi forces; second, that there remains a distinct lack of clarity regarding potential NATO war crimes. Not enough can be made of these two points. They strongly infer that the rush to a NATO "humanitarian intervention" might have been made on exaggerated evidence, and that NATO's own military intervention might have been less than "humanitarian" in its effects.

It is precisely because of a lack of accountability by NATO that there is hesitancy in the United Nations Security Council for a strong resolution on Syria. "Because of the Libyan experience," the Indian Ambassador to the UN Hardeep Singh Puri told me in February, "other members of the Security Council, such as China and Russia, will not hesitate in exercising a veto if a resolution – and this is a big if – contains actions under Chapter 7 of the UN Charter, which permits the use of force and punitive and coercive measures."

- *Crimes Against Humanity.*

The Libyan uprising began on February 15, 2011. By February 22, the UN Human Rights Chief Navi Pillay claimed that two hundred and fifty people had been killed in Libya, "although the actual numbers are difficult to verify." Nonetheless, Pillay pointed to "widespread and systematic attacks against the civilian population" which "may amount to crimes against humanity." Pillay channeled the Deputy Permanent Representative to the UN from Libya, Ibrahim Dabbashi, who had defected to the rebellion and claimed, "Qaddafi had started the genocide against the Libyan people." Very soon world leaders used the

two concepts interchangeably, "genocide" and "crimes against humanity." These concepts created a mood that Qaddafi's forces were either already indiscriminately killing vast numbers of people, or that they were poised for a massacre of Rwanda proportions.

Courageous work by Amnesty International and Human Rights Watch last year, then much later the 2012 report from the UN belies this judgment, (as does my forthcoming book [Arab Spring, Libyan Winter](#), AK Press), which goes through the day-by-day record and show two things: that both sides used excessive violence and that the rebels seemed to have the upper hand for much of the conflict, with Qaddafi's forces able to recapture cities, but unable to hold them.

The UN report is much more focused on the question of crimes committed on the ground. This is the kind of forensic evidence in the report:

- (1) In the military base and detention camp of Al Qalaa. "Witnesses, together with the local prosecutor, uncovered the bodies of 43 men and boys, blindfolded and with their



hands tied behind their backs." Qaddafi forces had shot them.

Going over many of these kinds of incidents, and of indiscriminate firing of heavy artillery into cities, the UN Report notes that these amount to a war crime or a crime against humanity.

- (2) "Over a dozen Qadhafi soldiers were reportedly shot in the back of the head by *thumar* [rebel fighters] around 22-23 February 2011 in a village between Al Bayda and Darnah. This is corroborated by mobile phone footage." After an exhaustive listing of the many such incidents, and of the use of heavy artillery against cities notably Sirte, the UN report suggests the preponderance of evidence of the war crime of murder or crimes against humanity.
- There is *no* mention of genocide in the Report, and none of any organized civilian massacre. This is significant because UN Resolution 1973, which authorized the NATO war, was premised on the "the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population" which "may amount to crimes against humanity." There was no mention in Resolution 1973 of the disproportionate violence of the *thumar* against the pro-Qaddafi population (already reported by *al-jazeera* by February 19), a fact that might have given pause to the UN as it allowed NATO to enter the conflict on the rebels' behalf. NATO's partisan bombardment allowed the rebels to seize the country faster than they might have had in a more protracted war, but it also allowed them *carte blanche* to continue with their own crimes against humanity.
- With NATO backing, it was clear that no one was going to either properly investigate the rebel behavior, and no-one was going to allow for a criminal prosecution of those crimes against humanity. Violence of this kind by one's allies is never to be investigated as the Allies found out after World War 2 when there was no assessment of the criminal firebombing of, for example, Dresden. No wonder that the UN Report notes that the Commissioners are "deeply concerned that no independent investigation or prosecution appear to have been instigated into killings committed by *thumar*." None is likely. There are now over eight thousand pro-Qaddafi fighters in Libyan prisons. They have no charges

framed against them. Many have been tortured, and several have died (including Halah al-Misrati, the Qaddafi era newscaster).

- The section of the UN report on the town of Tawergha is most startling. The thirty thousand residents of the town were removed by the Misratan *thuwar*. The general sentiment among the Misratan *thuwar* was that the Tawerghans were given preferential treatment by the Qaddafi regime, a claim disputed by the Tawerghans. The road between Misrata and Tawergha was lined with slogans such as "the brigade for purging slaves, black skin," indicating the racist cleansing of the town. The section on Tawergha takes up twenty pages of the report. It is chilling reading. Tawerghans told the Commission "that during 'interrogations' they were beaten, had hot wax poured in their ears and were told to confess to committing rape in Misrata. The Commission was told that one man had diesel poured on to his back which was then set alight; the same man was held in shackles for 12 days." This goes on and on. The death count is unclear. The refugees are badly treated as they go to Benghazi and Tripoli.
- To the Commission, the attacks against Tawerghans during the war "constitute a war crime" and those that have taken place since "violate international human rights law" and a "crime against humanity." Because of the "current difficulties faced by the Libyan Government," the Commission concludes, it is unlikely that the government will be able to bring justice for the Tawerghans and to undermine the "culture of impunity that characterizes the attacks."
- *NATO's Crimes.*

For the past several months, the Russians have asked for a proper investigation through the UN Security Council of the NATO bombardment of Libya. "There is great reluctance to undertake it," the Indian Ambassador to the UN told me. When the NATO states in the Security Council wanted to clamor for war in February-March 2011, they held discussions about Libya in an open session. After Resolution 1973 and since the war ended, the NATO states have only allowed discussion about Libya in a closed session. When Navi Pillay came to talk about the UN Report, her remarks were not for the public.

- Indeed, when it became clear to NATO that the UN Commission wished to investigate NATO's role in the Libyan war, Brussels balked. On February 15, 2012, NATO's Legal Adviser Peter Olson wrote a strong letter to the Chair of the Commission. NATO accepted that the Qaddafi regime "committed serious violations of international law," which led to the Security Council Resolution 1973. What was not acceptable was any mention of NATO's "violations" during the conflict,

"We would be concerned, however, if 'NATO incidents' were included in the Commission's report as on a par with those which the Commission may ultimately conclude did violate law or constitute crimes. We note in this regard that the Commission's mandate is to discuss 'the facts and circumstance of...violations [of law] and...crimes perpetrated.' We would accordingly request that, in the event the Commission elects to include a discussion of NATO actions in Libya, its report clearly state that NATO did not deliberately target civilians and did not commit war crimes in Libya."

- To its credit, the Commission *did* discuss the NATO "incidents." However, there were some factual problems. The Commission claimed that NATO flew 17,939 armed sorties in Libya. NATO says that it flew "24,200 sorties, including over 9,000 strike sorties." What the gap between the two numbers might tell us is not explored in the report or in the press discussion subsequently. The Commission points out that NATO did strike several civilian areas (such as Majer, Bani Walid, Sirte, Surman, Souq al-Juma) as well as areas that NATO claims were "command and control nodes." The Commission found no "evidence of such activity" in these "nodes." NATO contested both the civilian deaths and the Commission's doubts about these "nodes." Because NATO would not fully cooperate with the Commission, the investigation was "unable to determine, for lack of sufficient information, whether these strikes were based on incorrect or outdated intelligence and, therefore, whether they were consistent with NATO's objective to take all necessary precautions to avoid civilian casualties entirely."
- Three days after the report was released in the Human Rights Council, NATO's chief Anders Fogh Rasmussen denied its anodyne conclusions regarding NATO. And then, for added effect, Rasmussen said that he was pleased with the report's finding that NATO "had conducted a highly precise campaign with a demonstrable determination to avoid

civilian casualties." There is no such clear finding. The report is far more circumspect, worrying about the lack of information to make any clear statement about NATO's bombing runs. NATO had conducted its own inquiry, but did not turn over its report or raw data to the UN Commission.

- On March 12, UN Secretary General Ban Ki-moon went to the UN Security Council and stated that he was "deeply concerned" about human rights abuses in Libya, including the more than eight thousand prisoners held in jails with no judicial process (including Saif al-Islam Qaddafi, who should have been transferred to the Hague by NATO's logic). Few dispute this part of the report. The tension in the Security Council is over the section on NATO. On March 9, Maria Khodyskaya-Golenishcheva of the Russian Mission to the UN in Geneva noted that the UN report omitted to explore the civilian deaths caused by NATO. "In our view," she said, "during the NATO campaign many violations of the standard of international law and human rights were committed, including the most important right, the right to life." On March 12, Russia's Foreign Minister Sergei Lavrov accused NATO of "massive bombings" in Libya. It was in response to Lavrov's comment that Ban's spokesperson Martin Nesirky pointed out that Ban accepts "the report's overall finding that NATO did not deliberately target civilians in Libya."

NATO is loath to permit a full investigation. It believes that it has the upper hand, with Libya showing how the UN will now use NATO as its military arm (or else how the NATO states will be able to use the UN for its exercise of power). In the Security Council, NATO's Rasmussen notes, "Brazil, China, India and Russia consciously stepped aside to allow the UN Security Council to act" and they "did not put their military might at the disposal of the coalition that emerged." NATO has no challenger. This is why the Russians and the Chinese are unwilling to allow any UN resolution that hints at military intervention. They fear the Pandora's box opened by Resolution 1973.

- **Vijay Prashad's** new book, [Arab Spring, Libyan Winter](#) (AK Press) will be out in late March. On March 25, he will be speaking at the plenary panel of the United National Anti-War Coalition National Conference in Stamford, CT, alongside Bill McKibben, Richard Wolff and Nada Khader on "Global Economic Meltdown, Warming and War."

[Syria, Libya and Security Council](#)

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- **WORLD AFFAIRS**

Syria, Libya and Security Council

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Interview with Hardeep Singh Puri, Permanent Representative of India to the United Nations.

- **Hardeep Singh Puri: " I am one of those who believe that if you didn't have the United Nations, you would have to invent the United Nations."**

THE United Nations Security Council sits in a solemn "emergency room" in the heart of the U.N. complex in New York City. The 15 members of the Council, including the five permanent members, sit around a horseshoe table, under a mural done by the Norwegian

artist Per Krogh. The panels of the mural showcase everyday life in northern Europe. At its bottom centre there is a phoenix, emergent from the flames, around which stand people who seem stereotypically "Eastern" (the women here have their faces covered, and the men wear turbans). A field artillery gun points at these people. It is their fate. Under an imagination that trusts in the good faith of the West and the perfidy of the East, the Council deliberates.

- After the U.N. was formed in the 1940s, serious-minded people in its orbit wondered if the organisation needed its own military force. When conflicts break out, the U.N. would only have the power of moral suasion, and perhaps the authority to call for trade embargos. Nothing more was possible. Article 47 of the U.N. Charter called for the creation of a "Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security". As the Cold War heated up, neither the Atlantic powers nor the Soviet bloc would permit the U.N. to create its own military force. The idea went into permanent hibernation.

Both the Atlantic powers and the Soviets built up their own military capacity, and the U.N. became the preserve of the Third World, which took refuge there to try and build an alternative to the dangers of a nuclear showdown and the proxy wars on their lands. The United States and Western Europe created the North Atlantic Treaty Organisation (NATO), a robust military alliance that has now outlived the context in which it emerged. That context was the contest with the Soviet Union, which ran out of steam in the 1980s and ended finally in 1991. NATO remained, and thrived. It has since expanded out of its original base and absorbed most of Europe, including Eastern Europe, and has created networks with countries outside its region (through the NATO-Russia Council and the Mediterranean Dialogue). The singular aim of protecting Europe is now gone. Remarkably, in NATO's 1991 Strategic Concept paper, a new mission appeared, "Allies could further be called upon to contribute to global stability and peace by providing forces for United Nations mission."

- The Atlantic powers had ignored or tried deliberately to undermine the U.N. through the Cold War, and this tendency remained in the musty corners of the Far Right in the U.S. (represented by President George W. Bush's Ambassador to the U.N., John Bolton). NATO's 1999 Strategic Concept paper went a long way in establishing the centrality of NATO for "preserving peace, preventing war and enhancing security and stability" outside the lands of the member-states. But NATO would no longer act without seeking U.N. authorisation. The communiqué that was prepared by NATO's Defence Planning Committee meeting on December 7, 1990, pointed explicitly to U.N. Security Council Resolution 678, which "authorised the use of all necessary means if Iraq does not comply" with its withdrawal from Kuwait. NATO members would, the committee noted, "continue to respond positively to United Nations request", namely to go to war against Iraq. From 1991 onwards, NATO began to be the de facto military arm of the U.N. No other member had the capacity to bring "all necessary means" to bear on countries that did not follow through on U.N. resolutions.
- Since NATO is not the U.N.'s official military force, it is only the U.N. resolutions that NATO finds most in line with the national interests of its member-states that feel the full brunt of its military power: NATO did not act to protect Palestinian civilians in 2006, nor Congolese civilians during the long war from 1998 to 2007 that cost the region eight million lives. NATO members entered the Iraq war under a U.N. resolution; NATO went to war against Yugoslavia without U.N. authorisation but sought it afterwards; NATO threw itself into the War on Terror slowly in the 1990s and then forcefully after 9/11 (when it invoked Article 5 of its treaty, to defend one of its member-states that had been attacked and to go "out of area" to do so). There has been a substantial increase in the expansion of NATO's geographic domain, from the narrow confines of the North Atlantic to Afghanistan. It likes U.N. authorisation, but its troops do not put on the blue hats of the U.N. command.
- The Yugoslavian war allowed NATO to extend its own sense of itself. No longer was NATO simply a defensive pact. It was now to be the defender of human rights, and it permitted itself to abrogate national sovereignty if this meant that it would prevent atrocities from taking place outside its domain. The shadow of the 1994 Rwandan genocide hung heavy over this shift, as did the 1995 killings in Srebrenica (Bosnia). It was because of these grotesque events that the NATO member-states pushed the U.N. to consider what must be done to protect populations from harm. The Canadian government created the International Commission on Intervention and State Sovereignty in 2000, and its report (The Responsibility to Protect) was produced the next year. The idea of "responsibility to

protect" (R2P) won out among the committee over the ideas of "right to intervene" and "obligation to intervene". The notion of intervention was to be kept out of the concept, although R2P is often seen as synonymous with Humanitarian Interventionism. In 2006, the U.N. adopted R2P as a mandate. NATO was to be its enforcer, and the International Criminal Court (which came into being in 2002) was to be its juridical arm.

- The entire ensemble of the U.N. Security Council, R2P, the ICC and NATO was tested in the 2011 Libyan war. No prior war had seen all of these elements on display in one conflict. At an informal meeting on R2P at the U.N. on February 21, 2012, India's Permanent Representative to the United Nations, Hardeep Singh Puri, said, "The Libyan case has already given R2P a bad name." Why was this so? "As soon as the [U.N. Security Council] resolution was adopted, the overenthusiastic members of the international community stopped talking of the [African Union]. Its efforts to bring about a ceasefire were completely ignored. Only aspect of the resolution [that was] of interest to them was 'use of all necessary means' to bomb the hell out of Libya. In clear violation of the resolution, arms were supplied to civilians without any consideration of its consequences. No-fly zone was selectively implemented, only for flights in and out of Tripoli. Targeted measures were implemented insofar as they suited the objective of regime change. All kinds of mechanisms were created to support one party to the conflict and attempts were made to bypass the sanctions committee by proposing resolutions to the Council. It goes without saying that the pro-interventionist powers did not ever try to bring about a peaceful end to the crisis in Libya." In other words, the "international community", namely the NATO member-states, used the U.N. Security Council resolution for their own ends, disregarding the protocols in the resolution itself.
- "The principle of R2P is being selectively used to promote national interest rather than protect civilians," noted Ambassador Puri. In August 2010, Puri reminded the General Assembly that "even the cautious go-ahead for developing R2P in 2005 emphasised the use of appropriate diplomatic, humanitarian and other peaceful means to help protect populations. The responsibility to protect should in no way be seen as providing a pretext for humanitarian intervention or unilateral action." Puri's rear-guard defence of the principles of R2P and the U.N. Charter runs up against the determination of the West to exercise its authority through the fog of "human rights".

When the February resolution on Syria failed to pass the U.N. Security Council, U.S. Ambassador Susan Rice called the Russian and Chinese veto "disgusting". Germany's Ambassador Peter Witting told reporters that it was a "disgrace". For the U.S. and its NATO allies, the protocols of their new system (UN-R2P-NATO-ICC) had to be put into motion. Smarting from the experience of Libya, the Russians and the Chinese decided to use their power to put a stop to it. India voted for the resolution, even though Ambassador Puri is one of the main figures who have offered an intellectual criticism of the way in which R2P has operated. In this interview in New York on February 18, Puri explains why India abstained from the vote on the Libyan resolution (1973) and why India voted for the Syrian resolution now.

- **India has been on the U.N. Security Council for a year now. You have been India's representative for the duration. What is the mood in the Security Council during this year? What has been India's role?**

The Security Council is primarily entrusted with the task of dealing with situations that constitute a threat to international peace and security. That has not changed over the years. What has changed and what is clearly demonstrable is that countries that wield political and economic power want to use the Security Council much more vigorously to deal with issues whose relationship with the maintenance of international peace and security is at best remote. This new approach started a few years ago. It is conditioned by the fact that in the major Western capitals there is a reinforced desire to seek legitimacy for their policy choices through the Security Council. Contrast this with the Bush administration, when they had a permanent representative here, John Bolton, whom my predecessor had the distinction of interacting with. Bolton said that if you knock 10 floors off the U.N. building the world would not be any worse off.

- In our small limited world of people who join the foreign services of their respective countries, our tribe is broadly divided into two categories – the bilateralists and those who have some kind of fascination for pluri-lateral or multilateral work. I have no hesitation in saying that, yes, bilateral work is extremely important. But for a country like India, which

has both the civilisational past and the recent history as a young modern secular nation, and with aspirations to play a role, I don't think those objectives can be achieved without a multilateral arena. So I am one of those who believe that if you didn't have the United Nations, you would have to invent the United Nations.

The mood in the Security Council is determined by the overall global situation, the number of hot spots and so on. But the mood is also determined by those who have the capacity to influence and the capacity to mould the Council. There is a fundamental difference in the Council between those years of the Bush administration and [those of] the Obama administration. When we were first elected to the Council in October 2010, before we took our seat, we were invited to Washington for a discussion. President Barack Obama dropped in and engaged in a discussion of the major issues in which the Council was engaged. That shows the extent to which the U.S. under the Obama administration wants to utilise the Council and wants to pursue matters in the Security Council.

- This has to be nuanced. The interest in engagement by Washington doesn't mean that they want to bring all issues to the Security Council. In fact, the cynic would tell you that Western governments only bring those issues to the Security Council which they do not want to handle entirely by themselves, through coalitions of the willing, Afghanistan being a case in point. They went in alone first, and subsequently U.N. missions came in.

The mood is also determined by the fact that global hot spots have suddenly proliferated. I mean when we were elected, Côte d'Ivoire was simmering. Côte d'Ivoire was relatively a simple situation. This was a question on an election in which the U.N. had a certification role. When the election results came out, the incumbent, Laurent Gbagbo, refused to step down. The U.N. had a role to play. The talk at this time was, if Gbagbo does not step down, then let us get an interventionary force involved. The politics between ECOWAS [Economic Community of West African States] and the African Union interrupted this talk. You suddenly discover that talk about interventionary force is easier said than done. I think that in some capitals, the excitement of action gets the better of hard decision-making.

- **This excitement leaks into the Arab Spring, no doubt?**

The fact of the matter is that most of the governments affected by the Arab Spring had the support of the West. I think the relationship between Egyptian President Hosni Mubarak and the West is well documented. The situation of Egypt in the context of the Israeli security calculus is well known. The fact that there was a sense of ferment on the Arab Street was well known. You could witness that in places like Tunisia where all it required was an inspector and an act of oppression against a helpless fruit vendor. It's palpable everywhere. But then there was this expectation that the Arab Spring is going to result in an outcome, which would have a democratic ending. Democracy being defined in Western liberal terms, not in terms of whatever majority comes up, as is the case in the West Bank [when Hamas won the elections in 2006]. Everyone welcomes the fact that the people of a country must express themselves; they must articulate their aspirations. Up to there, everyone is in agreement.

But the minute the result is such that the composition of the Egyptian legislature is 60 per cent Islamic Brotherhood and 25 per cent Salafists, then people start saying, "you know, this is not what we bargained for". And the prospect of change as a part of the Arab Spring ushering in radicalised Islam is something which, I think, gives cause for concern to those who were operating on a Western liberal democratic template.

- **What about the role of the mood created by the non-permanent members?**

The mood in the Security Council during 2011 was, I think, determined by the fact that the Council had five aspiring members: Brazil, Nigeria, India, South Africa and Germany. So, at the very least, that makes for richness of debate. Therefore, the traditional, you know, somewhat apathetic approach to the Security Council was not on display. The permanent members, by virtue of their continued presence, tend to call the shots. But the non-

permanent members do have views. However, the Council's outcomes are not always determined by those views.

- **Give me an example of when the five aspiring members were able to change the tone...**

In fact, I am going to make a different point. So the world is perceived as being divided between the five permanent members and the other 10. So the first baby steps that we took in the Council is that we formed a group called the E10: the Elected 10 or the Elegant 10! As with any organisation which is looking at real life issues that affect people, you invariably end up – as my experience in trade negotiations in Geneva showed – introducing what are called Coalitions of the Interested. Now it would not be correct for me to say that all five aspiring members invariably took positions and were on the same page. In terms of broad policy, yes. In terms of the nature of the statement that they made, yes. But there were aberrations. For instance, we repeatedly found one of the African members, a declared aspirant for permanent membership of the Security Council, adopting a very low-key approach and voting invariably with the West.

- **Including in Resolution 1973 on Libya.**

Including in Resolution 1973, if you are referring to a particular African state. You had another member from Africa which supported the resolution. Surprisingly, one of the European members did, too. Germany abstained. Well, one needs to understand why this took place. It is only when you get that clarity that you know what happened between U.N. Resolution 1970 (on Libya), 1973 (on Libya again) and then the Syria resolution, which was vetoed, and in between, the unanimous articulation of the Security Council's position on Syria in the Presidential Statement (PRST) on August 3, 2011, when I was chairing the Council. That will remain for a long time to come as the only such unanimous PRST. We got a lot of kudos for it then, but I think in retrospect not many people who focus on the Council's work realised the value of the August 3 statement, both its content and the manner in which we got it through. But we will come to that in a minute. In order to understand what happened in Resolution 1973, you have to understand what happened prior to that, in Resolution 1970, which was the resolution of the Security Council on Libya that was unanimously voted.

- The only disagreement that I recall on 1970 was the formulation contained therein, referring Colonel Muammar Qaddafi and some others to the International Criminal Court. There was a lively discussion within the Council, and some of us said, "Look, the threat of a referral would be more appropriate, because once you've referred somebody to the ICC then the clock is ticking, and you don't have the leverage which is required." The Americans agreed with our view, but some of the European members were in a terrible rush. They said, "No, no, we have to [refer it to the ICC]. This is the minimum." So I said, "Alright, in which case, what will happen when you come back because the situation is not going to change." I mean the manner in which the situation in Libya was spiralling out of control in February. So the short point is that that we got a unanimous resolution (1970), even though there was unease in the Council on that resolution.

By the time we came to 1973, there were major disagreements. Why? That is entirely due to what was being proposed. It was very clear that many Western capitals were openly espousing regime change to begin with. Secondly, the language of 1973 contains explicit provisions for punitive and coercive action. It contains an explicit formulation, "all means necessary", which is a euphemism or code word for military action. Now you don't need knowledge of rocket science to realise what these provisions mean. We were going in for a Western-NATO military operation.

- In the negotiations for Resolution 1973, all people of goodwill tried to insert some formulations in there, such as the call for a ceasefire, an arms embargo, and so on and so forth. The final outcome of 1973: I knew that this was going to be a stepping stone to disaster. Why? Not because any of us wanted to hold a brief for Colonel Qaddafi. Let's be clear. India, in any case, did not have the kind of relationship with Qaddafi that some Western leaders had. You remember two visits by [British Prime Minister Tony] Blair to Qaddafi's tent in the desert, in 2008 and in June 2009. If you look at the nature of the

relationship many Western capitals had with Qaddafi, it is well documented that many sold arms to him. And there are allegations that Qaddafi's money was not only subverting academic principles (at the London School of Economics), but also financing elections in Western Europe. India didn't have this kind of relationship. In fact, the only known interaction at head of government level that I can recall was when Indira Gandhi visited Tripoli in 1984.

Yes, there were Indian workers in Libya, about 18,000 of them. But they were not working as part of large commercial contracts that India had. These were poor people who were hired by Western economic entities. They were in a difficult situation. After the last Western citizens were pulled out, the West declared war on Libya. And China and India had to start, you know, locating their citizens, making arrangements for them being taken to safety.

- It's interesting that there were news reports that suggested that the reason India abstained from voting on Resolution 1973 was that it was preoccupied with the problem of its nationals.

I know a little bit about that because I was the person here negotiating, and I was the person in charge of the Mission in New York. No. We abstained because we understood what was happening. Nobody wanted to hold a brief for Colonel Qaddafi. But we realised that this is a society that is characterised by tribal animosities and that the use of force is going to exacerbate the situation. But the interesting thing here is we were not alone in that assessment. There were several others, including people who voted for the resolution. The South Africans have told me on a number of occasions that their vote for the resolution was a mistake. But they said that their decision was not influenced, but conditioned, by the expectation that Resolution 1973 would help bring peace to Libya. Our assessment was different. Our assessment was that this was going to result in an Iraq kind of situation, with a Security Council rubber stamp. And I think in retrospect we were absolutely right. Interestingly, Russia and China also abstained. But you talk to the Russians and the Chinese now; they say, "We made a mistake. We should have cast the veto."

- **What is their assessment? If they had vetoed Resolution 1973, how would events have played out?**

That is very difficult to say because that involves a hypothetical scenario. The military operations commenced on March 14, 2011. In the run-up to the commencement of the military operations, the question was, "where would the assets come from?" And it was very clear that it would have to be a NATO operation, and within NATO also there wasn't much of an appetite from the U.S. But they were talked into the situation, or they decided to get involved, and then they pulled back. All of us realised immediately that this talk about countries in the region participating was without a solid basis. I don't know how many Arab countries in the region could participate. But it was essentially a NATO military operation.

When military operations ostensibly concluded, it was clear that the post-conflict Libya would require a lot of attention. But during the military operation justified by Resolution 1973, the Council faced the spectacle of not being able to enforce a ceasefire, which was in the resolution. When we all asked for a ceasefire, we were told that, no, they were not in the mood until the entire Qaddafi establishment, the entrenched establishment, was overthrown. So even though Resolution 1973 does not talk about regime change, that was certainly the standard.

- **What about the arms embargo, which was also in 1973?**

You know the only reason the Council agreed to the arms embargo was that there was a desperate plea from the Arab League. And they said, if the Council does not intervene

there will be rivers of blood, and they went on to say that the Council owed it to the poor people in Libya who were being slaughtered. Saif al-Islam [Qaddafi's son] had made a statement on the previous day that they would hunt down all the Benghazi rebels like rats. I remember the statement that I made in the Council. This was all in a closed session. I said, first of all, the phrase "rivers of blood" is the intellectual property of Enoch Powell, the Member of the British Parliament from Wolverhampton. Powell said that in the context of immigration of coloured immigrants from the Commonwealth. And you know, that turned out to be baloney. So we don't know what will happen.

In that atmosphere nobody wanted to be seen to be doing nothing, and the intentions of those who were asking for the resolution were not suspect till then. The arms embargo means that you will not be arming the Benghazi rebels while you are conducting military operations against Qaddafi. We kept asking this. I remember asking, "Do you know who these guys [the rebels] are? These chaps that you are arming, etc?" Now we know the facts of who these people are, such as Belhadj [Abdelhakim Belhadj, the emir of the Libyan Islamic Fighting Group] who had been handed over in a terrorism rendition case. They kept saying that this is a grand alliance between the people of Libya and the West in order to get rid of a tyrant. We kept telling them to listen, just think this one through. And now we are told by a senior human rights officer that about 8,000 people in detention centres are being held without trial in today's Libya... about the rampant abuse of human rights and extrajudicial killings: that's exactly what we were saying.

- **Is there a mechanism in the Security Council to go back and revisit the Libyan war, Resolution 1973, and exactly how you are laying it out? Is there a way for the U.N. to do this in order to understand the precedent set for the Council?**

Russia has asked for the Security Council to undertake an evaluation of protection of civilians, because Resolution 1973 is about protecting civilians. So what kind of damage was there, collateral damage to civilians, etc? There is great reluctance to undertake that. That is the issue. So I hope you are very clear as to why India abstained on Resolution 1973. You know, as students of history, one does not know how it's going to work, but with the benefit of hindsight, you should have voted against it. That is the predominant view on the Council. Those who clamoured for military action wanted it with enthusiasm. Now they don't want to have a discussion about what is going on in Libya. That is why they don't want any open sessions.

- **What about Syria, then?**

Look clearly, given a situation in which the Alawites constitute 12 per cent of the population, with the total minority at about 26 per cent. Any society where there is a minority of 26 per cent and a majority of 74 per cent, there is going to have to be a social compact. That compact worked because different communities were co-opted. But one thing is very clear about Syria. As we proceeded in the Council, it became clear (and this also comes out in the [al-Dabi] report to the League of Arab States) that there is an armed component to the opposition. Those who want a strong condemnation of Damascus will tell you that helpless civilians turned to the opposition, and they armed themselves only when they were being slaughtered. Be that as it may. It is very difficult to calibrate as to when one became the other, when the peaceful became the armed, when a qualitative change took place. My sense is that you cannot get peace in Syria unless both sides walk back. Therefore, you need complete cessation of violence. You need an inclusive Syrian-led dialogue without preconditions, and you need the engagement of all sections of civilian society on issues related to constitutional reform.

- **Do you think the Libyan experience has made it impossible for both sides in Syria to take a step back?**

Well, there is some suggestion that President Bashar al-Assad might be willing to talk, but those who are financing and arming the opposition think that they will be able to succeed, drawing on the Libyan experience. I must say frankly: whether we vote for or against or abstain on the Syrian resolution is not the issue. Because of the Libyan experience other

members of the Security Council, such as China and Russia, will not hesitate in exercising a veto if a resolution – and this is the big if – contains actions under Chapter 7 of the U.N. Charter, which permits the use of force and punitive and coercive measures. So your question is absolutely pertinent. And, you know, the Libyan experience means different things to different people. The unsettled state of Libya means that there are mercenaries who are operating in Libya, who are going back to Niger and Mali, bringing chaos.

Nothing that I've said should lead to any inference being drawn that we are unhappy with the transitional government. We want to see the people of Libya being able to vote, and we hope for a positive outcome. What we are doing here is understanding Resolution 1970 and Resolution 1973.

- We were able to get unanimity in the Council, under the Indian presidency, on the presidential statement in the Council on Syria on August 3, 2011. We stopped short of incorporating Chapter 7. We condemned the violence. We called on both parties to step back and we asked for a dialogue abjuring violence. That was the message we had given bilaterally through IBSA [India-Brazil-South Africa]. That is a message we have given collectively.

We were told we – that is, the PRST [U.N. Security Council President's Statement] – need unanimity. So our contribution, apart from making sure that we got the text that we wanted, was to get unanimity. We have seen statements by former U.S. diplomats who said, "Oh, this was not an Indian thing, this was negotiated between Brazil and France." I mean, I can tell you, you can talk to the Secretariat, the Indian presidency was the first time in the history of the Security Council when the President did the negotiating. I mean full marks to all the delegations because they came on board, but we were doing the negotiating. We were not only chairing. Then we knew that this would fall apart because Lebanon would not be able to join the PRST. So we looked for a precedent to allow them to disassociate from the statement. We found one in 1974. So we got a unanimous Presidential Statement in August 2011.

- Then two months later, on October 4, Britain and France brought a resolution before the Council which was essentially the same as the PRST, except it had a reference to Article 41. This would mean we would consider further measures, including from Article 41. Not that they will take these measures, but if this does not work, then they would. Two permanent members of the Security Council co-sponsored the resolution. Two permanent members [Russia and China] vetoed it, and the fifth, the U.S., under provocation from the Syrian ambassador, walked out.

So this is it. There is a complete difference between August and October. We abstained in October. So why did we vote in favour of the February resolution on Syria? Because the February resolution [which Russia and China vetoed] was explicitly clear that it was not under Chapter 7 [use of force]. So Resolution 1973 and this one are fundamentally different. So that's the reason why we supported one and didn't support the other.

So you think now the sense is that people are going to be extremely concerned about Chapter 7?

Yes.

[The Libya Mission One Year Later: The rules of engagement](http://www.ottawacitizen.com/news/Libya+Mission+Year+Later+rules+engagement/6176389/story.html)

<http://www.ottawacitizen.com/news/Libya+Mission+Year+Later+rules+engagement/6176389/story.html>

• The Libya Mission One Year Later: The rules of engagement

By David Pugliese, The Ottawa Citizen February 18, 2012

- The radio on board HMCS Charlottetown crackled with the news. The Canadian warship's boarding party had struck pay dirt — a vessel in international waters loaded with weapons and ammunition trying to sneak into Libya.

It was May 2011, three months into Libya's civil war, and NATO had set up a ring of 20 warships to enforce a United Nations arms embargo. No weapons, military supplies or ammunition were to reach Libya, either for troops loyal to the country's leader, Moammar Gadhafi, or for rebels now fighting to overthrow him.

- "There are loads of weapons and munitions, more than I thought," the boarding officer radioed back to Charlottetown's commander, Craig Skjerpen. "From small ammunition to 105 howitzer rounds and lots of explosives."

The Libyan rebels operating the ship openly acknowledged they were delivering the weapons to their forces in Misrata.

Skjerpen radioed to NATO headquarters for instructions. The response was swift: let the ship sail on so the crew could deliver their deadly cargo.

A NATO senior officer, Italian Vice Admiral Rinaldo Veri had boasted just weeks earlier that the alliance's blockade closed the door on the flow of arms into Libya.

- Not quite. While the UN embargo was clearly aimed at preventing the delivery of weapons both to Gadhafi and those fighting him, NATO looked the other way when it came to the rebels. Hundreds of tonnes of ammunition and arms breezed through the blockade, exposing what critics say was Canada and NATO's real motive during the Libyan war — regime change under the guise of protecting civilians.

Qatar, one of two Arab nations to take part in the NATO-led mission, supplied rebels French-made Milan anti-tank missiles, with deliveries made by sea. The country also gave them a variety of trucks and communications gear, while Qatari advisers slipped into Libya to provide training.

Egypt shipped assault rifles and ammunition, with U.S. support.

Poland supplied anti-tank missiles and military vehicles.

- Canada also didn't sit on the sidelines when it came to supplying hardware to the rebels.

Five months into the war, Canadian government officials set in motion a plan to provide surveillance drones to rebels so they could better attack Libyan troops, day or night.

The Aeryon Scout Micro-Unmanned Aerial Vehicle, designed and built in Waterloo, was a small spy drone that fit inside a suitcase.

The Canadian government put Aeryon in contact with the rebel's National Transitional Council, while Zariba Security Corp., a private security firm in Ottawa, was to make the delivery. In July, the \$100,000 drone was delivered to the rebels by Charles Barlow, president of Zariba and a former Canadian Forces officer. He took an 18-hour boat ride from Malta to the NTC training facility in Misrata, sailing without problems through NATO's blockade.

- Barlow showed the rebels how to fly the drone, using it to identify a Libyan military position, and left shortly after.

About a month before Barlow's trip, French aircraft, unchallenged by NATO fighters enforcing a no-fly zone, had dropped an estimated 40 tonnes of ammunition and weapons, including anti-tank missiles, to rebels fighting southwest of Tripoli.

The French, like the other nations pumping weapons into the hands of opposition forces, justified their actions in a response that seemed straight from George Orwell's novel *Nineteen Eighty-Four*. There was indeed an arms embargo in place, they acknowledged,

but there was also another UN resolution allowing for all necessary measures to protect civilians under threat of attack.

- So the assault rifles and anti-tank missiles being dropped to rebel troops weren't for war. They were, French Foreign Minister Alain Juppé claimed, "weapons of self-defence" and because of that they didn't violate the UN resolution.

In the case of the order to HMCS Charlottetown to allow the rebel arms ship to proceed, NATO would later justify that action in a similarly convoluted fashion. Technically the rebel ship the Canadian frigate stopped was violating the arms embargo since it was in international waters and was sailing into Libya. But NATO claimed that since the ship was travelling from one location in Libya to another in the country, there was no violation. The weapons had come from Libya and were just being moved through international waters.

To this day, the official line from the Canadian government and military officers is that neither NATO nor Canada took sides in the war, although some occasionally let down their guard to outline what actually took place.

- After the war ended with Gadhafi's death in October, Vice Admiral Paul Maddison, the head of Canada's navy, would tell a meeting of Ottawa defence contractors that HMCS Charlottetown "played a key role in keeping the Port of Misrata open as a critical enabler of the anti-Gadhafi forces."

As with the arms embargo, NATO's public relations strategy on the ongoing airstrikes also claimed such attacks were not done in support of the rebels' war aims. But like the HMCS Charlottetown, NATO's aircraft were, in reality, "critical enablers" for the anti-Gadhafi forces.

Opposition forces freely admitted to journalists that from the beginning they were in contact with the coalition to identify targets, which would then be destroyed by NATO aircraft. "We work on letting them know what areas need to be bombarded," spokesman Ahmed Khalifa acknowledged in March.

- Another rebel by the name of Jurbran detailed for reporters how the system worked: "I called in the strike on this tank just after 4 a.m., relaying word of its position to our headquarters in Benina airfield, who passed on its location to the French," he explained. "They dealt with it quickly."

The NATO strikes were highly effective and almost every time Gadhafi armoured forces moved, even in retreat, they were destroyed. The rebels readily acknowledged the coordinated NATO attacks on Gadhafi's tanks and other armoured vehicles paved the way for them to capture a number of cities and towns.

But NATO's stated goal to protect Libyan civilians was seen by critics as a one-way street, with the focus being on protecting only those allied with the rebels. It would later emerge that rebel forces hunted down black Libyans they believed supported Gadhafi, as well as African guest workers.

- The BBC interviewed one Turkish construction contractor who told the news service he witnessed the massacre of 70 Chadians who had been working for his company.

There were also reports the rebels ethically cleansed the town of Tawergha, south of Benghazi, as well as other locations. Tawergha originally had more than 30,000 people, most the descendants of black slaves brought to Libya in the 18th and 19th centuries, but the town, which supported Gadhafi and provided soldiers for his cause, had been emptied. Some of its inhabitants had been killed, others fled.

People from Tawergha who sought safety in refugee camps have been chased down by rebel groups, taken away and disappeared, warned Amnesty International. Women from the town have been raped. "Others have simply vanished after being arrested at checkpoints or taken from hospitals by armed revolutionaries," Amnesty reported.

Canadian Lt.-Gen. Charles Bouchard, who directed the coalition's war effort, did not respond to a Citizen request for an interview.

- But he recently told a Senate defence committee he warned rebel forces about violence against civilians, informing them they too could be subject to NATO airstrikes. Bouchard also told the senators he was aware that the "fate of the individuals of Tawergha continues" to this day.

But he added: "Many of these individuals are still remnants of mercenaries who need to move out of the country and need to go home because there is no value in keeping them."

Exactly where these Libyans should go, Bouchard did not say.

Asked by the Citizen whether airstrikes were launched against rebel positions to protect civilians, Brig.-Gen. Derek Joyce, who oversaw Canada's air task force fighting in Libya, replied: "Not that I'm aware of."

- An equally controversial aspect of NATO's Libyan war centred on allegations it was trying to assassinate Gadhafi by killing him in an airstrike.

At first, U.S. and British politicians and generals claimed they didn't have a mandate to remove the Libyan leader from power. British Prime Minister David Cameron told his MPs the UN resolution did not provide any legal authority for such action.

But that soon changed.

U.S. President Barack Obama announced on March 25 that, "It is U.S. policy that Gadhafi has to go." Defence Minister Peter Mackay also reiterated the point, adding that the war's aims will "either include the departure or imminent demise of Gadhafi."

The U.S. and later NATO worked diligently to bring about that imminent demise. The first attacks on March 19 levelled one of Gadhafi's homes but he escaped the bombing.

- Bouchard, who took over command of the war after the initial attacks led by the U.S., claims no attempt was ever made to kill the Libyan leader. NATO bombs were only dropped on "command and control centres" that helped direct Libyan forces, he added.

But such reasoning allowed for much flexibility, military officers privately acknowledge. Gadhafi, his sons, and key government ministers could themselves be considered key parts of the command and control apparatus. If they were in a particular building, then that structure could be claimed to be a command and control centre and open to attack.

On April 30, a NATO airstrike killed Gadhafi's 29-year-old son Saif Al-Arab and three of Gadhafi's grandchildren. Gadhafi reportedly had left the residence just a few hours before missiles hit the structure. NATO said the building it attacked was a command and control bunker.

- Two weeks later, NATO jets bombed a building reserved for hosting VIP guests. Again, it was deemed to be a command and control centre.

"We're picking up attacks on these command-and-control facilities," one officer told a British newspaper. "If he (Gadhafi) happens to be in one of those buildings, all the better."

In June, NATO jets bombed the compound belonging to Khoweildi al-Hamidi, a close Gadhafi confidant. Hamidi, whose daughter was married to one of the Libyan leader's sons, escaped unharmed. His two grandchildren weren't as lucky. They were among the 15 people killed.

A few days after that airstrike, U.S. House Armed Services Committee member Mike Turner acknowledged that U.S. Admiral Samuel Locklear, commander of the NATO Joint Operations Command, told him the alliance was actively targeting and trying to kill the Libyan leader.

- Because of NATO's relentless airstrikes, the days were indeed numbered for Gadhafi. Tripoli fell in August and NATO increased its bombing of Bani Walid and Sirte, Gadhafi's hometown.

NATO aircraft hammered the once prosperous Sirte into the ground. Rebel forces also bombarded the city with artillery and rockets, sparking criticism about indiscriminate shelling. But those among the rebel forces had little sympathy; they saw the civilians in Sirte as Gadhafi supporters.

Sirte soon took on an appearance similar to the bombed cities of the Second World War.

Brig.-Gen. Joyce told the Citizen the air attacks on Bani Walid and Sirte were necessary since pro-Gadhafi snipers were hiding in the rubble, targeting civilians.

By early October, the 69-year-old Gadhafi was trapped in Sirte, moving house to house with a force of about 150 men.

- He hadn't come to grips with the fact he had lost power. Gadhafi still believed Libyans would rise up against the rebels and NATO forces.

On Oct. 18, U.S. Secretary of State Hillary Clinton acknowledged the Libyan leader's whereabouts were unknown. But American and other NATO surveillance aircraft were conducting missions throughout the country, trying to pick up snippets of satellite or cellphone conversations that might indicate where Gadhafi was hiding.

Clinton was strangely predictive when in Tripoli, she told university students "we hope he can be captured or killed soon." Two days later, her wish came true.

On the morning of Oct. 20 a NATO aircraft spotted a convoy of vehicles travelling at high speed and attempting to break through the rebel gauntlet around Sirte.

- A NATO aircraft opened fire on a number of vehicles, while a U.S. Predator drone unleashed a Hellfire missile. Dozens of Gadhafi supporters in the convoy died instantly.

According to NATO spokesman Canadian Col. Roland Lavoie, the fleeing convoy was attacked because it was "conducting military operations and presented a clear threat to civilians."

Bouchard would later claim the alliance had no idea Gadhafi was in one of the vehicles.

But British reports indicate coalition forces did indeed know the Libyan leader was in the convoy after a surveillance aircraft intercepted a satellite phone call he made.

- Gadhafi survived the attacks and was soon a captive of rebel forces. Those fighters would later say he appeared dazed and had asked, "What's going on? What did I do?"

Videos taken of his capture show the Libyan leader's face covered in blood as rebels jostle him. Another video appears to show one of the men sodomizing him with a bayonet.

Shortly after, the colonel would be dead.

Libya's new prime minister, Mahmoud Jibril said Gadhafi had been "caught in the crossfire" as he was being taken to hospital. He had been shot in the head and chest.

Some, however, believed the killing was nothing more than an execution. William Hague, Britain's foreign secretary, acknowledged the videos and photos suggested Gadhafi had been murdered.

- Still, western leaders and military officers rejoiced.

Foreign Affairs Minister John Baird brushed aside concerns Gadhafi had been executed.

Britain's defence chief, Gen. Sir David Richards, said the Libyan strongman's death brought to a close "one of the most successful operations NATO has conducted in its 62-year history." Gadhafi, Richards warned, had been a "latent threat to the U.K. and our citizens," noting he was responsible for arming the IRA and killing hundreds in terrorist attacks.

Richards, however, didn't explain why, if Gadhafi had been such a threat, the British military sent its special forces to train his commandos in 2009.

- Prime Minister Stephen Harper noted the apparent execution was not surprising considering Libya was "emerging from 42 years of psychotic dictatorship with killing and imprisonment on a massive scale."

But Harper didn't delve into why his government had, in 2009, sought closer economic times with the same man he now branded a psychotic dictator.

NATO and the rebels had succeeded in killing Gadhafi and two of his sons. Another son, Saif al-Islam was in custody and is to be tried by the new Libyan government. The rest of Gadhafi's family has escaped into exile.

NATO's job was done. "Let there be no doubt that the intervention in Libya was just and warranted," Bouchard would later say.

TOMORROW: A victory, but at what price? While the Canadian government celebrated Gadhafi's overthrow, the countries in the region were feeling the effects.

[How Obama turned on a dime toward war | The Cable](http://thecable.foreignpolicy.com/posts/2011/03/18/how_obama_turned_on_a_dime_toward_war)

http://thecable.foreignpolicy.com/posts/2011/03/18/how_obama_turned_on_a_dime_toward_war

• [How Obama turned on a dime toward war](#)

Posted By [Josh Rogin](#) ▪ Friday, March 18, 2011

- At the start of this week, the consensus around Washington was that military action against Libya was not in the cards. However, in the last several days, the White House completely altered its stance and successfully pushed for the authorization for military intervention against Libyan leader Col. **Muammar al-Qaddafi**. What changed?

The key decision was made by President **Barack Obama** himself at a Tuesday evening senior-level meeting at the White House, which was described by two administration officials as "extremely contentious." Inside that meeting, officials presented arguments both for and against attacking Libya. Obama ultimately sided with the interventionists. His overall thinking was described to a group of experts who had been called to the White House to discuss the crisis in Libya only days earlier.

"This is the greatest opportunity to realign our interests and our values," a senior administration official said at the meeting, telling the experts this sentence came from Obama himself. The president was referring to the broader change going on in the Middle East and the need to rebalance U.S. foreign policy toward a greater focus on democracy and human rights.

- But Obama's stance in Libya differs significantly from his strategy regarding the other Arab revolutions. In Egypt and Tunisia, Obama chose to rebalance the American stance gradually backing away from support for President **Hosni Mubarak** and **Zine el-Abidine Ben Ali** and allowing the popular movements to run their course. In Yemen and Bahrain, where the uprisings have turned violent, Obama has not even uttered a word in support of armed intervention - instead pressing those regimes to embrace reform on their own. But in deciding to attack Libya, Obama has charted an entirely new strategy, relying on U.S. hard power and the use of force to influence the outcome of Arab events.
- "In the case of Libya, they just threw out their playbook," said **Steve Clemons**, the foreign policy chief at the New America Foundation. "The fact that Obama pivoted on a dime shows that the White House is flying without a strategy and that we have a reactive presidency right now and not a strategic one."
- Inside the administration, senior officials were lined up on both sides. Pushing for military intervention was a group of NSC staffers including **Samantha Power**, NSC senior director for multilateral engagement; **Gayle Smith**, NSC senior director for global development; and **Mike McFaul**, NSC senior director for Russia. .
- On the other side of the ledger were some Obama administration officials who were reportedly wary of the second- and third-degree effects of committing to a lengthy military mission in Libya. These officials included National Security Advisor **Tom Donilon** and Deputy National Security Advisor **Denis McDonough**. Defense Secretary **Robert Gates** was also opposed to attacking Libya and [had said as much](#) in several public statements.

Not all of these officials were in Tuesday night's meeting.

- Secretary of State **Hillary Clinton** called into the meeting over the phone, a

State Department official confirmed. She was traveling in the region to get a first-hand look at how the new U.S. Middle East strategy is being received across the Arab world. [Denied a visit](#) with Egyptian youth leaders on the same day she strolled through Tahir Square, Clinton may have been concerned that the United States was losing the battle for the hearts and minds of the Arab youth at the heart of the revolution.

When Clinton [met with the G8 foreign ministers](#) on Monday, she didn't lay out whether the United States had a favored response to the unfolding crisis in Libya, leaving her European counterparts [completely puzzled](#). She met Libyan opposition leader **Mahmoud Jibril** in Paris but declined to respond positively to his request for assistance. This all gave the impression that Clinton was resisting intervention. In fact, she supported intervention, State Department official said, but had to wait until the Tuesday night meeting so that she didn't get out ahead of U.S. policy.

- At the end of the Tuesday night meeting, Obama gave U.S. Ambassador to the United Nations **Susan Rice** instructions to go the U.N. Security Council and push for a resolution that would give the international community authority to use force. Her instructions were to get a resolution that would give the international community broad authority to achieve Qaddafi's removal, including the use of force beyond the imposition of a no-fly zone.

Speaking before the U.N. Security Council following Thursday's 10-0 vote, Rice made the humanitarian argument that force was needed in Libya to prevent civilian suffering.

"Colonel Qaddafi and those who still stand by him continue to grossly and systematically abuse the most fundamental human rights of Libya's people," Rice said. "On March 12, the League of Arab States called on the Security Council to establish a no-fly zone and take other measures to protect civilians. Today's resolution is a powerful response to that call and to the urgent needs on the ground."

- U.N. Secretary General **Ban Ki-Moon** also said on Thursday that the justification for the use of force was based on humanitarian grounds, and referred to the principle known as [Responsibility to Protect](#) (R2P), "a new international security and human rights norm to address the international community's failure to prevent and stop genocides, war crimes, ethnic cleansing and crimes against humanity."

"Resolution 1973 affirms, clearly and unequivocally, the international community's determination to fulfill its responsibility to protect civilians from violence perpetrated upon them by their own government," he said.

- Inside the NSC, Power, Smith, and McFaul have been trying to figure out how the administration could implement R2P and what doing so would require of the White House going forward. Donilon and McDonough are charged with keeping America's core national interests more in mind. Obama ultimately sided with Clinton and those pushing R2P -- over the objections of Donilon and Gates.

Congress [was not broadly consulted](#) on the decision to intervene in Libya, except in a Thursday afternoon [classified briefing](#) where administration officials explained the diplomatic and military plan. Rice was already deep in negotiations in New York.

- Obama's Tuesday night decision to push for armed intervention was not only a defining moment in his ever-evolving foreign policy, but also may have marked the end of the alliance between Clinton and Gates -- an alliance that has successfully influenced administration foreign policy decisions [dating back](#) to the 2009 Afghanistan strategy review.

"Gates is clearly not on board with what's going on and now the Defense Department

may have an entirely another war on its hands that he's not into," said Clemons. "Clinton won the bureaucratic battle to use DOD resources to achieve what's essentially the State Department's objective... and Obama let it happen."

UPDATE: A previous version of this story stated that Vice President **Joseph Biden** pushed for the imposition of a no fly zone in Libya. Friday afternoon, a senior White House official told *The Cable* that, in fact, Biden shared the same concerns of Gates, Donilon and McDonough and that those concerns have been addressed by the policy announced by the president.

[The 'Responsibility To Protect' In Syria And Beyond : NPR](http://www.npr.org/2012/02/06/146474734/the-worlds-responsibility-to-protect)

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- The 'Responsibility To Protect' In Syria And Beyond
- February 6, 2012
- After the 1994 genocide in Rwanda, world leaders vowed that such mass atrocities could never be allowed to happen again. In 2005, the U.N. adopted the Responsibility to Protect, a set of principles to guide the response of the international community if a government fails to protect its population.
- **Nancy Soderberg**, former U.S. Ambassador to the United Nations
David Bosco, assistant professor of international politics, American University
- NEAL CONAN, HOST:

This is TALK OF THE NATION. I'm Neal Conan, in Washington. Last spring, as Libyan government forces threatened the rebel city of Benghazi, the Arab League, the United States and its NATO allies argued for a Security Council resolution to protect the lives of civilians.

Now, some want to apply that same principle to Syria, while others wonder why not Congo or Sudan or North Korea. The failure to stop genocide in Rwanda prompted the United Nations to adopt the Responsibility to Protect Act in 2005. It's known informally as R2P. It declares that governments are responsible for the protection of their populations and that the international community has a responsibility to intervene when they don't. Critics call it a fig leaf for regime change or neocolonialism.

When do we have a responsibility to protect? Where do you draw the line? Our phone number: 800-989-8255. Email talk@npr.org. You can also join the conversation at our website. That's at npr.org. Click on TALK OF THE NATION.

Later in the program, the pink ribbon on The Opinion Page this week, the Susan G. Komen Foundation's decision to cut off funds angered supporters of Planned Parenthood. The reversal of that decision angered opponents.

But first, responsibility to protect. Ambassador Nancy Soderberg joins us now from member station WJCT in Jacksonville. She served as deputy assistant to President Clinton for national security affairs from 1993 to 1997 on the National Security Council. She's currently president of the Connect U.S. Fund, and nice to have you back on the program.

- NANCY SODERBERG: Thank you very much.

CONAN: If the responsibility to protect applied in Libya, does that not apply now in Syria?

SODERBERG: It absolutely does apply. In principle, the world has accepted it; in practice, it's very divided, as we saw with the Russian and Chinese vetoes over the weekend.

CONAN: They said this is simply - any resolution that called for the president to step aside and called for his vice president to take over, this was regime change, this was forcing Western priorities on an Arab country.

SODERBERG: Well, it's really a gross abdication of their responsibilities in the Security Council to block that resolution which could have stopped the violence unleashed, the onslaught that we're seeing going on day to day there, and the world simply cannot sit by while Assad slaughters his people. Over 5,000 people are already dead.

We need to act, and we cannot let Russia and China prevent the responsibility to protect

those people dying today in Syria.

CONAN: And others would say look at the case in Libya. Sure, Benghazi was threatened, responsibility to protect. The threat to Benghazi was gone after a few days. The NATO aircraft then effectively became the air force of the rebels in Libya, and the object was to drive Gadhafi from power.

- SODERBERG: Well, there's a couple of things going on here. First of all, the responsibility to protect is a direct infringement on the sovereignty of states. It has been respected in international law since it was invented in the year 1648, a long time ago. So old habits die hard.

After the crises in Rwanda, Srebrenica, the world said to itself: Don't we have a responsibility to intervene? I was at the White House during the Rwanda genocide, and anyone who lived through that asks themselves every day what more could I have done. So I feel very strongly about making sure that we do stand up the next time.

It's very different between Syria and Libya. In one respect, Libya was much, much easier. It was an isolated, very small Arab country that if it had imploded would have been contained within Libya. The U.S. and the NATO allies certainly drove a Mack truck through the protection of civilians. That was authorized by the United Nations, and we're seeing that blowback today with Russia and China, fearful that someday their own sovereignty will be infringed upon.

- But frankly, Syria is complicated. If Syria implodes, Iran, Lebanon, Jordan, potentially Israel and Iraq would be infected. So you have a very cautious approach. We're not volunteering to put our troops on the ground nor do a no-fly zone there. And it's much, much, much more complicated.

That said, that doesn't give us a pass to sit by while these individuals are slaughtered. I think what you'll see in the coming days are coalitions of the willings moving forward, talking about arming the opposition, trying to isolate further Russia and China and working with some of the Arab countries - Tunisia, Egypt and others - at a much more peaceful realm, but we can't stop here just because it's tough.

So I think you'll see some others playing a role, particularly Turkey, maybe Qatar, others, to say this has to stop.

CONAN: Let's bring another voice into the conversation. Joining us here in Studio 3A is David Bosco, an assistant professor of international politics at American University, a contributing editor at Foreign Policy magazine, where he writes the Multilateralist blog, and nice to have you with us today.

DAVID BOSCO: Good to be with you, thanks.

CONAN: And remind us: Responsibility to protect, this is a guideline, a set of principles. It's not exactly law.

- BOSCO: That's right. It's not a legal doctrine. It's really a norm. It's an idea that people have been advancing, activists and some government actors have been advancing quite spectacularly, actually, in the last decade, decade and a half. And it's made a lot of progress. It's been accepted in a variety of different U.N. documents. The Security Council itself has even referred to it.

But ultimately, when it comes to what international law is, kind of the rules of the road are that you can't intervene in a country, you can't use military force except either in self-defense or when the Security Council authorizes you, and as we've seen here, Russia and China have not been willing to do that.

The other thing that's important to note about responsibility to protect, I think it's an enormously powerful idea, but it also asks that people kind of de-politicize what are inherently political situations. It asks people to say there are atrocities going on and we just have to deal with the atrocities, when every situation is, of course, as the ambassador said, politically freighted, and all sorts of different situations have different political implications.

And it's going to be very hard for any kind of doctrine, you know, that's going to be reliably, consistently enforced to emerge because of those political considerations.

- CONAN: Everything is political...

BOSCO: Everything is political. For - and the United States is not immune to that. Remember that, you know, a lot of people look at actions that the United States has taken - look at, you know, actions by the United States in terms of protecting some states - and say, you know, where's your commitment to the responsibility to protect?

- The other element is that we have to understand that in many parts of the world there is a deep reluctance to embrace Western interventionism. You know, it's easy to sit in the United States or in Britain or France and say, well, we're about humanitarianism. But to the rest of the world that's been accustomed to kind of self-interested intervention by the West, it doesn't look that way.

You know, they see that as a fig leaf. Now, I'm not saying that's right, but it's a political reality that has to be grappled with.

CONAN: And Ambassador Soderberg, the responsibility to protect civilians in Iraq was one of the reasons cited by the Bush administration. There are reasons to suspect Western opportunism, no?

SODERBERG: Absolutely, and I think the primary reason for going into Iraq at the time was a trumped-up charge of al-Qaeda's presence there and weapons of mass destruction. So the humanitarian piece of it came a bit later. But that has set into the skepticism of much of the world.

- But it's frankly hard to fathom Russia's veto in this particular instance. China's in its own category with its own human rights abuses. Russia has some, most primarily in Chechnya. But there is no question that the international community has to intervene in there.

The Arab countries were in there. They had a peace plan. We need to be supporting that. I would add one more category that the U.N. authorizes here. It's not just self-defense. It's also a threat to international peace and security. And I think you are going to see that move forward as this implodes. You're going to see refugees. You're going to Syria imploding.

Assad, as President Obama has said, will leave. It's not a question of if but rather when and how many people are going to die in the meantime. The U.N. did - General Assembly has endorsed the concept of responsibility to protect in 2005 in the General Assembly. But that doesn't mean it agreed on how to do it or when to do it.

And in international affairs, unfortunately, life is not fair. The people of Libya got outside help very directly; the people of Syria have yet to have that occur. I think it will occur probably in much less dramatic fashion and much less overt fashion, action, than you saw in Libya, but I do not see the international community standing by while Assad slaughters his own people with impunity.

CONAN: We're talking with Ambassador Nancy Soderberg and David Bosco. We're discussing the responsibility to protect. Where do you draw the line? How do you decide when to apply these principles? 800-989-8255. Email talk@npr.org. Nancy's on the line, calling us from Fayetteville in Arkansas.

- NANCY: Hi, thank you so much for taking my call.

CONAN: Sure.

NANCY: I just think that when a government is purposely attacking its people, whether they are arresting them unduly, unnecessarily, and holding them without letting anybody know what has happened to them, or attacking groups of people who are trying to make a difference in their own country, it's time to draw the line.

I think that we're starting to see some of that here in the United States with the Occupy movement, and I think that if we can't help other countries, we should at least be helping ourselves keep that in check.

CONAN: Well perhaps more to the point, those principles could be applied easily to, for example, North Korea or perhaps China.

NANCY: Exactly. I don't know why we are willing to let those things slide when supposedly we are such supporters of human rights and people being free and safe.

CONAN: Ambassador Soderberg - thanks, Nancy, for the phone call - we have people immolating themselves in Tibet. Is this not a reason to suspect that there is a cause for responsibility to protect?

- SODERBERG: Well, there is, although the responsibility to protect itself is fairly narrowly defined to sort of the mass atrocities level. And it essentially says, look, the international community recognizes the sovereignty of other states, and with that sovereignty comes the responsibility to protect your own population.

Where that government fails to do so, either because it's unwilling to or unable, it doesn't matter, the responsibility to protect those people falls to the international community.

There's general agreement on that in principle, but where and when to intervene and how - do we want to protect the people of North Korea from famine, do we want to keep the monks from immolating themselves - all of those pose very difficult questions.

CONAN: We're talking about the responsibility to protect and where you draw the line. If you'd like to join us: 800-989-8255. Email us: talk@npr.org. More with Ambassador Nancy Soderberg and David Bosco of the Foreign Policy magazine when we come back after a short break. Stay with us. I'm Neal Conan. It's the TALK OF THE NATION, from NPR News.

(SOUNDBITE OF MUSIC)

- CONAN: This is TALK OF THE NATION, from NPR News. I'm Neal Conan. Secretary of State Hillary Clinton described it as a travesty after Russia and China vetoed a U.N. Security Council over the weekend aimed to end violence in Syria. Human rights groups reported dozens more people died outside Damascus yesterday as Syria's military continued what's now an 11-month-long crackdown on anti-government demonstrators.

As we saw in Libya, some argue the violence calls for outside intervention under the U.N.'s principle of responsibility to protect. Others insist the case for military intervention is far from clear.

When do we have a responsibility to protect? Where do we draw the line? 800-989-8255. Email talk@npr.org. You can also join the conversation on our website. That's at npr.org. Click on TALK OF THE NATION.

Our guests, Nancy Soderberg, who served as U.S. Ambassador to the U.N. from 1997 to 2001 and as deputy assistant to President Clinton for national security affairs on the National Security Council. She's currently president of the Connect U.S. Fund. And David Bosco, a professor of international politics at American University, author of "Five to Rule Them All: The U.N. Security Council and the Making of the Modern World."

- And David Bosco, there have been other incidents where the responsibility to protect has been invoked, and, well, we don't think of it, but Russia used it to support their intervention in Georgia.

BOSCO: Yeah, and this is - I mean, this points to the difficulty of the concept is that it can be employed by all sorts of people, all sorts of regimes that want to justify their intervention. And as you say, Russia did highlight it, and that just - you know, that signals again, not that this is not a powerful idea, but that in practice it's always going to struggle, it's always going to be political, and it's... You know, one of the reasons I think it's going to be a doctrine that's going to have a hard time, really, establishing itself is that when it does succeed, it's not always going to be clear that it succeeded.

So for example in Libya, you know - Benghazi - there was fear that there was going to be massacre of rebel forces and civilians in Benghazi. The intervention happened. Do we know that there would have been a massacre in Benghazi? We don't, and that's actually a point of significant controversy.

CONAN: Do we know if in fact we might have saved more life with a quick victory by Colonel Gadhafi?

- BOSCO: Right, right. I mean, in humanitarian terms, what we produced in Libya was a protracted civil war. Now, I think you can make a compelling case that the number, the raw number of people killed might have been less had Gadhafi won outright.

Now, I think that's a bad outcome for a lot of reasons, but it does point to the difficulty of breaking things down to a simple humanitarian calculus.

CONAN: And it's not the only determination, Ambassador Soderberg. That's democracy. There's self-determination, too.

SODERBERG: Yeah, I just have to come back on the Libya issue and just disagree a little bit with David. There is no question that Gadhafi would have gone house to house and slaughtered people in Benghazi. He had the capacity to do it, the history of doing so and was a brutal dictator. So I absolutely think that there was a fair amount of certainty that he was going to do that.

I also think Libya tends to be in a unique situation because you had an unpopular, really, madman ruler who was slightly crazy and had a horrible human rights record. And when he's announcing on CNN that he's going to do it, that is a call to action that I think will be rare. Usually it's much more complicated and much more subtle.

- It's important also to remember that the responsibility to protect does not start with military action. That's a last resort. First you try negotiations. Then you try sanctions. Then you try more negotiations. And if all else has failed, then responsibility to protect kicks in.

The Georgia case was really an abuse of power by Russia under an abuse of the responsibility to protect doctrine, and it was not authorized by the U.N. and was resoundingly condemned by the international community. But they were clearly abusing it.

Kenya is perhaps the best example of the responsibility to protect. When Kenya was about to implode, you had a delegation of senior African former heads of state and the Secretary-General Kofi Annan going there, and they really resolved the crisis. It could have been a massive bloodbath, and yet the international community intervened, solved it.

- It might blow up again, but it actually was one of the beauties of international intervention is it was quickly galvanized. One of the problems of intervention is you never quite can prove that you prevented a conflict. But I think in the case of Libya, we certainly did. In the case of Kenya, we certainly did. And in the case of Syria, we're blatantly failing to do exactly that.

CONAN: Here's an email from Christie(ph) in Ann Arbor: In spite of the fact we stood by during the horrors of Rwanda and did nothing and once more said never again, we did nothing for Darfur, and we continue to do nothing for Darfur in spite of the horrors still going on there.

Darfur a much more difficult case.

BOSCO: Yeah, and, I mean, that's a case where it's not that we haven't done anything, I mean, there have been things that have been done, there's been a U.N. peacekeeping force that went there, not terribly effective, but there have been steps. And I think it's important to recognize, just as Ambassador Soderberg said, that there's a lot between doing nothing and outright military intervention.

- And it's often, you know, difficult to identify, and it's hard to follow in great detail because it's often complicated diplomacy, but there is an awful lot of space between those two possibilities, and I think ambassador Soderberg is exactly right that that's where the great successes are going to happen.

CONAN: Ambassador Soderberg, in a case like Darfur, where people called for a no-fly zone, for example, there is a question of capability, as well: Where would you base the aircraft? Even the United States or NATO would have had a very difficult time doing that.

SODERBERG: Well, we certainly have the capacity to do that. We did it in Iraq, both in the northern part of Iraq and in the southern part of Iraq for almost a decade. It's expensive, but it does work. In the case of Darfur, the proposal was to have NATO do it and also to try to have a much more robust peacekeeping operation there.

The problem with Darfur is that the Russians, once again, as well as the Chinese, were blocking tougher sanctions. They, again, were not willing to take any step that the Sudanese government that was perpetrating the very genocide that we're trying to prevent, said OK.

- So the Sudanese government played the international community like a fiddle, talking about trying to approve every peacekeeper that went in there. They wouldn't let certain ones come in, particularly because they were effective. And the, you know, Chinese were blatantly trying to protect their oil interests there, and Russia went along with it.

But there's a bigger picture in Sudan that is a good story. President Bush got very little credit for it, but he actually was determined to end the two-decade-long civil war which had killed millions of people between the north and the south, got an agreement in 2005 and ended what could have gone on for quite a decade and led to the creation, last year, of a new Southern Sudan.

Now it's a very precarious situation that may blow up again, people are very concerned about it, but there is also good news in Sudan, as well as the genocide in Darfur, however, has been allowed to go on unconscionably long, and nobody can say we didn't know it.

Enormous amount of time and energy went through organizations like Save Darfur, Enough, lots of international celebrities went there, and yet no one was willing to really stand up to the Sudanese regime, whose president, by the way, is an indicted war criminal, and some African states still let him travel there without arresting him.

- He needs to be in the Hague, and the genocide there needs to end.

CONAN: Let's go next to Barbara(ph), Barbara who is from Houston.

BARBARA: Hi. I just think this is so - reminds me so much of - in the state of Texas, it's called outcry witness, but nationally we ask people, any adult who is aware of someone being abused, a child under the age of 18 being abused, is required to do something, that you report so that something can be done.

I do not mean to say that we take away self-determination or that we be paternalistic about this, but when people who are not in a position of authority are being abused, who are self-immolating, who are truly crying out to the world in the only way they can, for us to turn our back or to get involved in some lengthy process that doesn't result in anything is heartbreaking.

It seems immoral to me, and yet I'm listening to the conversation, and I'm listening to Ambassador Soderberg, I understand it's extremely complex. I think that one of the things that makes us a great nation is, or at least was, our ability to genuinely care and to do something when we care.

- SODERBERG: I couldn't agree more with you, Barbara, and I congratulate you on your work for the outcry witness and protection of children at risk. And I would encourage you to speak out about the situation in Tibet. There's a very active community here in the United States and worldwide, led by the Dalai Lama, that is actively pushing the Chinese government to stop its abuses.

The U.S. government actually does quite a bit on this issue. I'd like to see them do more, but that's the beauty of a democracy is lead a campaign to push your government to do more. I wonder if you have - what would you like our government to do to protect the people of Tibet?

BARBARA: You know, I think that's an excellent question, and I have to say I don't have the answer, and maybe that's part of my discomfort, is that I look at myself in the mirror and think: What have I done? What am I (technical difficulties)? I was a classroom teacher. I had eight students who was(ph) murdered. Could I have done something? So I think it's something that we all have to face, though. I think this conversation is good because we cannot choose - or we should not choose to look away.

I think we can't. I think we can watch fake reality TV, and we can do as much as we desire to not confront what truly is going in the world. But I think it's incumbent upon us as human beings to make ourselves look, and then, as you say, what is it that I can do? And I appreciate that question, because that is something I need to ask myself again, then.

- CONAN: David Bosco?

BOSCO: Yeah. I was going to - I think Barbara and Nancy, you know, brought up - Barbara in particular - an interesting point about, you know, advocacy groups and what people can do. But I think one of the really interesting questions is going to be: Do you get advocacy movements like you have now in the U.S. in some of the emerging countries, you know, the emerging powers, in an India, in a Brazil, in a Turkey? These are democracies. These are big states that are economically growing fast.

Are you going to see any kind of advocacy for the responsibility to protect within those societies that push those countries to take stands on these issues? Because often, they've been disappointing on these issues. At the U.N., they are quite skeptical of intervention, and have not been nearly as outspoken as they could have been. So I think that's going to be a really important question going forward.

SODERBERG: I think that's a great point, and you cannot always have the U.S. be the one solving the problems. Sometimes they don't want our intervention there, and so building up the capacity of human rights groups on the ground to do it is the best way to address it. Look at what's happening in Egypt today. The democracy movements are getting prosecuted by the military-led government. They're holding 19 Americans who are helping the groups on the ground there.

- And this supposed ally of the United States - it gets \$1.5 billion a year - is thinking about putting them on trial, has announced they're going to do so, including the son of our secretary of transportation, Ray LaHood. It's appalling.

CONAN: Nancy Soderberg, former U.S. ambassador to the United Nations, served as deputy assistant to President Clinton for national security affairs, currently a distinguished visiting scholar at the University of North Florida and president of Connect U.S. Fund. Also with us, David Bosco of the American University and Foreign Policy magazine. You're listening to TALK OF THE NATION, from NPR News. And here's an email from Sadu(ph) in Cincinnati: The U.S. does not always follow these human rights principles, especially when they are in conflicts with national security interests.

For example, we stop speaking out against slavery and ethnic cleansing in Mauritania as soon as that government volunteered to help us fight al-Qaida. And the record is whether it's that case or others. You could point out Congo - seven-and-a-half million dead over the past 20 years.

BOSCO: One of the interesting things is that, you know, again, Congo, I know less about the situation in Mauritania. Congo's another situation where you're kind in this intermediate range between the international community not doing anything and the international community taking the action that's probably necessary. I mean, again, you have a fairly large peacekeeping force there, not always effective, but probably...

- CONAN: And sometimes, part of the problem.

BOSCO: Sometimes part of the problem, but probably in the aggregate, making the situation better. And I'm afraid that in most situations, you are in this kind of limbo, this gray area between doing nothing and doing what's necessary.

CONAN: Ambassador Soderberg, let me return to the case of Syria, and again, you have familiarity with the case in the former Yugoslavia, where the United States and its allies acted without Security Council authorization - first in Bosnia, later in Kosovo. Is that the kind of situation we're going to be facing eventually in Syria?

SODERBERG: I think absolutely. We did actually have U.N. authorization in Bosnia. The Russians did block our air campaign at the Security Council in Kosovo, and we said heck with that. We're doing it, anyway. One thing I would come back to is the U.N. It's got lots of problems, but people forget that the U.N. has the second-largest deployed military operation in the world. We've got about 140 deployed. The U.N. has 120,000 troops on the ground, preventing atrocities every day.

- And, yes, it's not perfect. There have been horrible instances of sexual abuse. But by and large, that's a collection of 120,000 dedicated men and women who are on the ground, preventing atrocities every day. They don't get the credit they deserve. I think, ultimately, you'll see the U.N. in many of these cases, and probably including Syria. It's been in Lebanon for decades. There's even a small one in Israel. And if you fast-forward to what I think is going to happen in Syria, I think you'll have a coalition of the willing going to try and protect the population on the ground, not through an army or armed forces on the ground, but you'll have a civil war breaking out with various factions supporting the opposition, others supporting the government.

It's going to get very, very, very messy. Ultimately, Assad will leave, and you'll have, I think, a democratic government come there. A lot of it is going to depend on what Iran does. A lot of it's going to happen on what the U.S. does. And a lot of it is going to depend on the people of Syria. And ultimately, this government has to go.

CONAN: One final email from Erik in Albany, California: I was dismayed to hear Ms. Soderberg castigate the U.N. for not coming to the aid of Syrian protesters, since she wrote a book, "The Superpower Myth," where she argued, among other things, that anybody who wanted to invade Iraq because of human rights concerns was delusional.

- SODERBERG: I love the fact that people are reading my book. "The Superpower Myth" is that the U.S. can solve all of its problems altogether. I don't think that the justification for going into Iraq on humanitarian cases is something that justified us going in. I think in the long run, Iraq will survive as a difficult, not perfect Jeffersonian democracy. But at the time, we went in 2003, Saddam Hussein was contained. He did not have weapons of mass destruction. And the war in Iraq will continue to divide the American people.

It was divided at the time, and it remains divided and very controversial. But I do think the people of Iraq are going to make it work after our departure at the end of last year.

CONAN: Ambassador Soderberg, thanks very much for your time today. Appreciate it.

SODERBERG: My pleasure.

CONAN: Nancy Soderberg joined us from WJCT, our member station in Jacksonville. Also, our thanks to David Bosco, who was with us here on Studio 3A. He is assistant professor of international politics at American University, and his book is "Five to Rule Them All: The U.N. Security Council and the Making of the Modern world." Appreciate your time.

BOSCO: Thanks so much.

CONAN: Up next: The uproar over the Komen Foundation and Planned Parenthood is on the Opinion Page. Stay with us for that. I'm Neal Conan. It's the TALK OF THE NATION, from NPR News.

['Foreign military presence in Syria raises ghost of Libya' — RT](http://rt.com/politics/syria-russia-libya-duma-statement-975)

<http://rt.com/politics/syria-russia-libya-duma-statement-975>

- 'Foreign military presence in Syria raises ghost of Libya'
- 10 February, 2012
- Russian lawmakers declared their unanimous support for Moscow's official position on Syria, which one Duma member says may have been infiltrated by foreign military.

Chairman of the State Duma International Affairs Committee Alexei Pushkov spoke out following reports that a "*foreign special task force*" has been dispatched to Syria in an effort to provide assistance to the political opposition.

"According to the latest reports that are now being verified, a foreign special task force has been deployed in Syria," Pushkov told reporters on Friday. *"If these reports are proved to be true, the scenario will be absolutely the same as it was in Libya."*

According to Pushkov, *"they [the alleged foreign task force on the ground in Syria] are supporting the opposition and supplying them with arms; they propose an unbalanced resolution that places rigid conditions on Syria's ruling regime, while giving in to the demands of the opposition."*

Meanwhile, the four factions of the State Duma unanimously declared their support for Russia's official position in Syria.

The statement, proposed by the International Affairs Committee, says the State Duma *"deems it extremely important for the UN, specifically the Security Council, not to side with any party in the conflict."*

"The State Duma deputies support Russia's official position...to facilitate the settlement of the conflict inside Syria," the statement reads. *"Such an unbalanced approach...would undermine the chances for an equitable and constructive dialogue."*

- The statement went on to criticize the *"ultimatums issued to only one side of the conflict,"* while, at the same time, calling for *"regime change"* as a mandatory precondition for settling the unrest.

The Russian deputies say they condemn military intervention in the affairs of foreign countries and the imposition of solutions from outside.

"Russia will not support a single document that implies or allows such intervention without the UN Security Council's direct approval," the lawmakers said.

Pushkov warned against using unsubstantiated *"humanitarian reasons"* for justifying military intervention in foreign countries, and turning the United Nations and the Security Council *"into an ally for one side of a civil conflict."*

These activities are advanced by the help of western media, Pushkov believes, which promote a particular set of 'facts' that are usually impossible to prove. He called for a bigger presence of Russian media in the international arena in order to create greater transparency in news coverage.

"This is a serious matter for our information policy," the deputy said.

Russia has expressed alarm over the increasing tendency of foreign powers – notably NATO countries – to resolve internal conflicts in foreign countries through military force. The latest such intervention happened in Libya, which recently experienced a full-blown civil war.

Following the passage of a UN resolution on Libya that called for the protection of innocent civilians, NATO countries launched a massive aerial offensive that inflicted heavy casualties. Russia and other countries say NATO *"overstepped its mandate"* by apparently taking the side of the militant opposition.

The NATO mission attracted further condemnation when video footage showed Libyan leader Muammar Gaddafi being taken alive by the National Liberation Army in Sirte, moments before being summarily executed by his captors

[Libya outcome 'vitiates' UN Security Council – RT](http://rt.com/news/libya-syria-secutiry-council-217)

<http://rt.com/news/libya-syria-secutiry-council-217>

- Libya outcome 'vitiates' UN Security Council
- Published: 01 February, 2012
- The way some UN Security Council members used the body's resolutions on Libya to justify their backing for rebel forces in the country has created an obstacle to dealing with the civil conflict in Syria, India's Ambassador to the UN has told RT.

Hardeep Singh Puri says the world's top security body was hit hard by the Libyan experience, when nations sitting at the table ignored sections of the resolutions they were charged with implementing.

"One of the difficulties we are having so far as the situation in Syria is concerned is that the Security Council's experience in respect of Resolutions 1970 and 1973 on Libya is now vitiating the atmosphere in terms of the approach towards how to deal with the situation in Syria," he explained, referring to the fact that despite all efforts, the UN Security Council has been failing to adopt any new document on the developing crisis in Syria for six months.

The Indian diplomat says while the Security Council did authorize the use of force in Libya, the stated goal was to stop violence, and nothing more.

"Yes, the UN was to get involved. It would have to take action in order to enforce a no-fly zone. The Resolution 1973 also speaks of ceasefire. And when we tried to invoke the ceasefire provision, some other countries, which were involved in the military operation, said that they did not want to consider the possibility of a ceasefire until the regime had been dislodged. I'm not saying it was done for a regime change, but that's what it amounts to in the end," he said.

The creative interpretation of the UN SC's collective will is not the worst problem with the Libya scenario, however.

- *"There is a more serious issue. Resolution 1973 specifically refers to an arms embargo. But that resolution was interpreted, as some people said, as, 'Well it means you can carry out a*

military operation against Gaddafi, but arms embargo does not prevent you from arming the rebels'. I find that situation unacceptable," he stressed.

"I have very often taken the lead in the Council to say that words have meanings. And therefore when we agree to a form or a set of words, we should be clear among ourselves as to what it is that we are agreeing to. The imposition of the will of those who have military clout – it appears that in the context of the moment, of the immediate crisis, this approach is an approach that can be adopted. But in the long run, these things don't work," he concluded.

[Arab League to reiterate backing for Libya no-fly zone | World news | guardian.co.uk](http://www.guardian.co.uk/world/2011/mar/22/arab-league-libya-no-fly)

<http://www.guardian.co.uk/world/2011/mar/22/arab-league-libya-no-fly>

• Arab League to reiterate backing for Libya no-fly zone

Statement expected after secretary general Amr Moussa meets Ban Ki-moon and expresses support for UN resolution 1973

- - [Martin Chulov](#) in Cairo
 - [guardian.co.uk](#), Tuesday 22 March 2011
- The Arab League is soon expected to reiterate support for a no-fly zone over [Libya](#), ending two days of ambivalence that shook the confidence of the US and European states.

The countries involved in enforcing the zone had linked their participation to regional backing.

Arab diplomatic solidarity endorsing military action wobbled on Sunday, when the league's secretary general, Amr Moussa, suggested early strikes on Muamar Gaddafi's military may have gone beyond their intended scope and could be imperilling civilians.

However, in a meeting on Monday with the UN secretary general, [Ban Ki-moon](#), [Moussa appeared to be back on board](#).

Standing alongside the UN chief, he said: "We are committed to UN security council resolution 1973. We have no objection to this decision, particularly as it does not call for an invasion of Libyan territory."

- Moussa's statement followed a frantic round of phone calls from several US officials. The UN and Nato also made contact, the latter seeking for itself a command-and-control role, a development that would allow an anxious US military to retreat to the sidelines.

An emergency meeting of the Arab League in Cairo on Tuesday looms as a crucial test of will for the regional body, which has been caught between a desire to see Colonel Gaddafi gone and reluctance to be seen to have the US, or Europe, do its bidding.

Gaddafi has few friends in the Arab world. Many of the foreign ministers meeting in Cairo have first-hand accounts of the erratic dictator's attempts to impose his will on his neighbours over 42 years.

- UN security council resolution 1973 would, at face value, appear to give the Arab League cover for its continuing endorsement of the Libyan attacks. However, the league's complex position seems to have many causes.

President Obama's reluctance to send in his air force and navy until the Arab League had taken a diplomatic lead leaves the body in the position of having sanctioned a US-led attack on a member state – a tough stance to adopt, with the wounds of Iraq still healing.

Secondly, finishing militarily what authentic popular uprisings have so far managed to achieve with little bloodshed in Tunisia and Egypt could set a precedent that struggling

revolutionaries, particularly in Yemen, would like to see repeated.

There is also genuine uncertainty about the mandate given to the allied jets, warships and submarines that have pounded Gaddafi's military south of Benghazi and in the heart of Tripoli.

- "Even though the cause was basically right, there was a rush to get into action, brought on by Gaddafi's advance on Benghazi," said one Arab League official. "So now what: get rid of Gaddafi through western-led force or create the conditions for the Libyans to do it themselves? These things need to be considered."

So far, despite the broad support given to military action at an earlier Arab League meeting last month, only Qatar has been prepared to contribute forces. Four Qatari air force jets were expected to appear over Libyan skies this week.

Much of the bombing has already been done, with US commanders reporting that all radar installations used to guide surface to air missiles have been taken out.

A second league official said if this assessment were confirmed, it would be easier for more member states to send forces. "If it is just a no-fly zone, people will be a lot more comfortable," he said.

[Pambazuka - AU on Libya: Political solution needed](http://www.pambazuka.org/en/category/features/74462)

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• **AU on Libya: Political solution needed**

Ruhakana Rugunda

2011-06-29, Issue [537](#)

- At a meeting between the UN Security Council and the African Union High Level Ad hoc Committee on Libya on 15 June, Dr Ruhakana Rugunda, Uganda's permanent representative to the United Nations, gave the African Union's stand on NATO's invasion of Libya.

- Mr. President,

1. Thank you for organising this interactive dialogue. It is good that the United Nations Security Council has met the African Union (AU) Mediation Committee (High-Level Ad hoc Committee on Libya) so that we can exchange views on the situation in Libya in a candid manner. This should have happened much earlier because Libya is a founding member of the AU. An attack on Libya or any other member of the African Union without express agreement by the AU is a dangerous provocation that should be avoided given the relaxed international situation in the last 20 years since the release of Nelson Mandela from jail and the eventual freedom of South Africa.

2. The UN is on safer ground if it confines itself on maintaining international peace and deterring war among member states.

3. Intervening in internal affairs of States should be avoided except where there is proof of genocide or imminent genocide as happened in Rwanda or against the Jews in Germany and the European countries that were occupied by the Third Reich.

- 4. There are differences on the issue of Libya as to whether there was proof of genocide or intended genocide. Fighting between Government troops and armed insurrectionists is not genocide. It is civil war. It is the attack on unarmed civilians with the aim of exterminating a particular group that is genocide – to exterminate the genes of targeted groups such as the Jews, Tutsis, etc. It is wrong to characterise every violence as genocide or imminent genocide so as to use it as a pretext for the undermining of the sovereignty of States. Certainly, sovereignty has been a tool of emancipation of the peoples of Africa who are beginning to chart transformational paths for most of the African countries after centuries of predation by the slave trade, colonialism and neo-colonialism.

Careless assaults on the sovereignty of African Countries are, therefore, tantamount to inflicting fresh wounds on the destiny of the African peoples. If foreign invasions, meddlings, interventions, etc, were a source of prosperity, then, Africa should be the richest continent in the world because we have had all versions of all that: slave trade, colonialism and neo-colonialism. Yet, Africa has been the most wretched on account of that foreign meddling.

- 5. Whatever the genesis of the intervention by NATO in Libya, the AU called for dialogue before the UN resolutions 1970 and 1973 and after those Resolutions. Ignoring the AU for three months and going on with the bombings of the sacred land of Africa has been high-handed, arrogant and provocative. This is something that should not be sustained. To a discerning mind, such a course is dangerous. It is unwise for certain players to be intoxicated with technological superiority and begin to think they alone can alter the course of human history towards freedom for the whole of mankind. Certainly, no constellation of states should think that they can recreate hegemony over Africa.

6. The safer way is to use the ability to talk, to resolve all problems.

- 7. The UN or anybody acting on behalf of the UN must be neutral in relation to the internal affairs of states. Certainly, that should be the case with respect to African countries. The UN should not take sides in a civil war. The UN should promote dialogue, peaceful resolution of conflicts, and help in enforcing agreements arrived at after negotiations such as the agreement on the Sudan.

8. Regardless of the genesis of the Libyan problem, the correct way forward now is dialogue without pre-conditions. The demand by some countries that Col. Muammar Gaddafi must go first before the dialogue is incorrect. Whether Gaddafi goes or stays is a matter for the Libyan people to decide. It is particularly wrong when the demand for Gaddafi's departure is made by outsiders.

9. In order for dialogue, without pre-conditions, to take place, we need a ceasefire in place that should be monitored by the AU troops among others. This will help the AU to confirm the veracity of the stories of Gaddafi killing civilians intentionally.

- 10. That dialogue should agree on the way forward in the direction of introducing competitive politics. Gaddafi thinks he has the most democratic system in the world of people's authority, elected local committees. Since so much chaos in Libya has emerged on the issue, Gaddafi should see the wisdom of accepting competitive democracy. Gaddafi cannot ignore the fact that the rebels took over Benghazi and his authority melted away before NATO came in to confuse the picture. The pre-NATO uprising in Benghazi was, mainly, internal. Gaddafi may say that they were organised by Al Qaeda. Even if that is so, it is a fact that some Libyans in Benghazi threw out Gaddafi's authority. Therefore, Gaddafi must think of and agree to reforms, resulting into competitive politics.

11. A transitional mechanism could, then, be worked out and competitive elections would take place after an agreed timetable.

12. What about security for the opposition members? We have plenty of experience on such issues. What did we do in Burundi? We provided a protection force (a brigade) for the Hutu leaders who were living outside Burundi or were in the bush. One of them is now the President of Burundi after winning democratic elections.

- 13. How about those who are alleged to have committed war crimes – including Gaddafi and the rebels? Again, our decision in Burundi is useful here. We used the concept of "immunité provisoire" (provisional immunity), for all the stakeholders so that they could participate in the dialogue. After peace is realised, then a Truth and Reconciliation body could be set up to look into these matters. After democratic elections, trials of guilty parties can take place.

14. Long-term safety of everybody can be ensured by security sector reform and especially reform of the army, so that it takes orders from any elected President.

15. The intervention in Libya was premised on the basis of protecting civilians and preventing further civilian deaths. However, the humanitarian situation in Libya remains serious and continues to get worse with continued hostilities. Looking at how resolutions 1970 and 1973 are being implemented, the international community and the United Nations in particular, are being severely put to the test, as what is happening in Libya will undermine future efforts of the UN in the protection of civilians. There is, therefore, no need for any war-like activities in Libya because there is a peaceful way forward. There has been no need for these war activities, ever since Gaddafi accepted dialogue when the AU mediation Committee visited Tripoli on April 10, 2011. Any war activities after that have

been provocation for Africa. It is an unnecessary war. It must stop.

- 16. The story that the rebels cannot engage in dialogue unless Gadaffi goes away does not convince us. If they do not want dialogue, then, let them fight their war with Gadaffi without NATO bombing. Then, eventually, a modus vivendus will emerge between the two parties or one of them will be defeated. The attitude of the rebels shows us the danger of external involvement in internal affairs of African countries.

The externally sponsored groups neglect dialogue and building internal consensus and, instead, concentrate on winning external patrons. This cannot be in the interest of that country. Mobutu's Congo as well as performance of all the other neo-colonies of Africa in the 1960s, 1970s, 1980s and their eventual collapse in the 1990s prove that foreign sponsored groups are of no value to Africa.

17. It is essential that the UN Security Council works with the African Union to ensure that a ceasefire is immediately established with an effective and verifiable monitoring mechanism and dialogue embarked upon, leading to a political process including transitional arrangements and the necessary reforms. The crisis in Libya requires a political solution and not a military one; and the AU Road Map is the most viable option.

Libya recolonised

<http://www.frontlineonnet.com/fl2823/stories/20111118282300900.htm>



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- **COVER STORY**

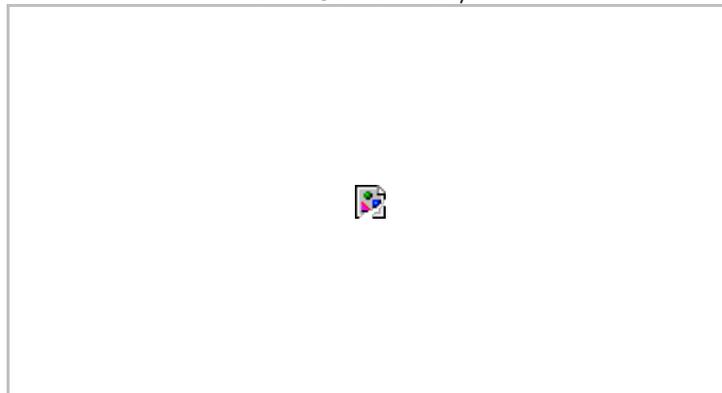
Libya recolonised

AIJAZ AHMAD

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Libya is the first country that the Euro-American consortium has invaded exclusively on the pretext of human rights violations.

IVAN SEKRETAREV/AP



On the outskirts of Tripoli, a residential building reduced to rubble in a NATO airstrike

on June 19. Even the most conservative estimates suggest that the war in Libya has led to the loss of at least 50,000 lives, mostly at the hands of NATO's bombers and local allies.

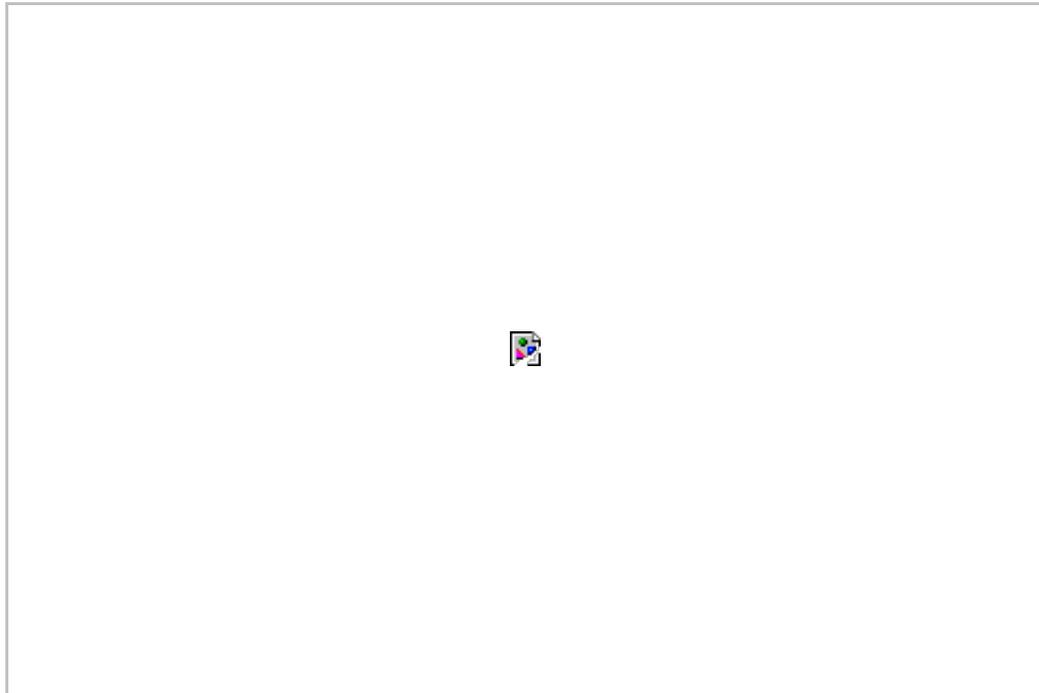
- FROM Kabul in October 2001 to Tripoli in October 2011, a decade of unremitting planetary warfare has seen countries devastated and capitals occupied over a vast swathe of territory from the Hindu Kush to the northern end of Africa's Mediterranean coast. Within the Arab world, this ultra-imperialist offensive of Euro-American predators may yet move on to Syria as well – and beyond that to Iran at some future date. For now, in any case, the occupation of Libya by the North Atlantic Treaty Organisation's (NATO) clients and corporations marks the vanquishing of the spirit of rebellion that was ignited in neighbouring Tunisia and Egypt earlier this year and has been under attack ever since. For much of Africa, though, this may yet be merely a beginning of a new conquest by the Euro-American consortium that may ravage the continent even more ferociously than did the famous "Scramble for Africa" that was sanctified in Berlin at the end of the 19th century.
- **Humanitarian interventionism**

Afghanistan was invaded in the name of "War on Terror" plus human rights. Iraq was invaded in the name of "War on Terror" plus nuclear non-proliferation plus human rights. Libya is the first country that has been invaded almost exclusively in the name of human rights. In the very early days of hostilities in Libya, President Barack Obama said dramatically that if NATO had waited "one more day, Benghazi could suffer a massacre that would have reverberated across the region and stained the conscience of the world". His senior aides claimed that the imminent "massacre" could have led to the death of one lakh people, and this is what got repeated ad nauseum on U.S. television channels as well as in all the halls of power where the option of human rights interventionism got discussed with a view to obtaining a United Nations Security Council (UNSC) resolution. This was a bare-faced lie, very much in the mould of the lie about Iraq's purported nuclear weapons that was brandished around by Obama's predecessor, President George Bush Jr. It was on the basis of such disinformation that Resolutions 1970 and 1973 were passed in the Security Council, invoking the dubious principle of the "responsibility to protect", which was inserted into the duties of the U.N. as late as 2005, after the invasions of Afghanistan and Iraq were already afoot.

- This was the time when the Bush administration was openly claiming in international fora, including at the U.N. itself, that (a) in this Age of Terror the U.S. reserved the right of pre-emptive military attack against any state that the U.S. considered a threat to its national security, and that (b) in the conditions of the "War on Terror" many aspects of the Geneva Conventions were no longer applicable. This discourse of the right to pre-emptive invasion was then supplemented by the discourse of the benign nature of the empire itself, in the shape of human rights interventionism. The claim now was that the "international community" – as defined by Euro-American powers – had the right to intervene in the internal affairs of any sovereign country if "massacre" or "genocide" was imminent. The NATO bombings in Libya that began in the third week of March were the first that had ever been authorised by the Security Council in its entire history on this dubious principle of human rights interventionism. Nicolas Sarkozy, the French President, was in his own way quite right when he asserted in the early hours of March 25: "It's a historic moment... what is happening in Libya is creating jurisprudence... it is a major turning point in the foreign policy of France, Europe, and the world" (emphasis added).
- No credible evidence has ever emerged to support Obama's claim that a massacre (of up to 100,000) was imminent in Benghazi, and no massacres ensued in the rebellious cities and towns that Qaddafi's troops did occupy in the earlier stages of the fighting. On the contrary, there is incontrovertible evidence of massacres at the hands of NATO's mercenaries. Neighbouring countries, such as Niger, Mali and Chad, have reported the eviction of some three lakh black African residents from Libya as NATO's local allies and clients rolled on towards Tripoli under the devastating shield of NATO's own 40,000-plus bombings over large parts of Libya. Together with these mass evictions of workers and refugees from neighbouring countries – whom the Qaddafi regime had welcomed to make up for labour shortages in an expanding economy – there are also credible reports of lynchings and massacres of black Libyans themselves. The scale of these depredations is yet undetermined but it is already clear that upwards of 50,000 have died as a result of the war unleashed by NATO with the collusion of the Security Council, and half a million or more have been rendered homeless, mostly at the hands of NATO-armed "rebels" who have now been appointed as the new government of the country. Neither the Security Council nor NATO commanders nor, indeed, President Obama – the first black President in

the history of the U.S. and himself the son of a Kenyan father – has seen it fit to take up the “responsibility to protect” these hapless people, most of them black Africans, even though several heads of African states have protested, including the very pro-U.S. President of Nigeria.

- One of the most pernicious aspects of the liberal discourse of human rights in our time is that this doctrine is utilised in country after country to justify imperialist interventionism in the affairs of the sovereign countries of the tricontinent in direct violation not only of the United Nations Charter and the Westphalian order of nation-states as such but, even more fundamentally, of the very spirit and practices of the anti-colonial movements that fought to dismantle the colonial empires of yesteryear. The right to independent nationhood is inseparable from the right to choose one's own government without foreign interference. In virtually every country of Latin America over the past half a century, peoples have fought against the most brutal kinds of dictatorship but without ever asking for a foreign intervention.
- For three simple reasons: (1) it is only the people themselves, in their collectivity, who have the right to change their government; (2) it would be hard to find a dictator, including Qaddafi and Saddam Hussein, who has not colluded with imperialism at one point or another; and (3) a military intervention is always, without exception, the intervention of the strong against the weak – always, without exception, in pursuit of the interests of those who intervene.



Given this basic principle, the issue of Qaddafi's dictatorial rule is just as irrelevant today as was the nature of Saddam Hussein's rule in the past; and as irrelevant as would be the dictatorial temper of Bashar al-Asad in Syria or Mahmoud Ahmedinejad in Iran in case of invasions yet to come.

- We shall come to the paradoxical character of the Qaddafi regime, and it cannot be anyone's case that Qaddafi was some sort of liberal democrat. It needs to be said, though, that he was no more dictatorial than most rulers of Africa and the Arab world, most notably the friends of the West in Saudi Arabia and the whole complex of various emirates in the Gulf. His authoritarianism was indeed ferocious. However, if matters are viewed from the perspective of the well-being of the Libyan people, we shall also have to concede that Qaddafi built the most advanced welfare state in Africa – just as Iraq was the most advanced welfare state in the Arab East, Saddam's authoritarianism notwithstanding. Dismantling of the welfare state – and privatisation and corporatisation

of the national assets – is in fact the filthy underbelly of this human rights imperialism. If human rights were even remotely the issue in such interventionism, Saudi Arabia would be the logical first target. And, why should there not be a NATO occupation of Israel, immediately, for protecting the human rights of the Palestinian people and the implementation of numerous Security Council resolutions?

- In reality, the great crusade for human rights and democracy in Libya was conducted by NATO with the aid of, among others, personnel from Qatar and the Emirates, just as NATO's own Islamists in Turkey have joined hands with Saudi Arabia in providing weapons to the Muslim Brotherhood and its allies in Syria against the Assad regime in the name of democracy and human rights.
- **Empire goes where oil is**

The Security Council resolution that authorised NATO's "humanitarian intervention" in Libya was well reflected in a secret proposal to the French government by the National Transitional Council (NTC) in the early days of the "rebellion", which offered to France 35 per cent of Libya's gross national oil production "in exchange", in the words of the proposal, for "total and permanent" French support for the NTC. The French government, of course, denied it when the French newspaper Liberation published the communication. This coyness of the conspirators was not to last long. On October 21, less than 24 hours after the announcement of Qaddafi's assassination, Britain's new Defence Minister, Philip Hammond, announced that the United Kingdom had presented to the NTC a "request" for a licence to drill for oil. He then added:

- "Libya is a relatively wealthy country with oil reserves, and I expect there will be opportunities for British and other companies to get involved in the reconstruction of Libya.... I would expect British companies, even British sales directors, [to be] packing their suitcases and looking to get out to Libya and take part in the reconstruction of that country as soon as they can."
- As the U.S. Ambassador, Gene Cretz, unfurled the flag over the American Embassy in Tripoli, at its reopening ceremony on September 22, he was equally upbeat:



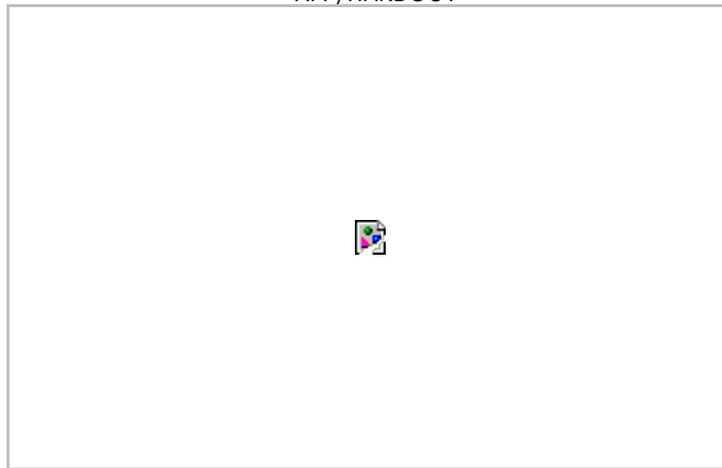
"We know that oil is the jewel in the crown of Libyan natural resources, but even in Qaddafi's time they were starting from A to Z in terms of building infrastructure and other things. If we can get American companies here on a fairly big scale, which we will try to do everything we can to do that, then this will redound to improve the situation in the United States with respect to our own jobs."

- Referring to the Italian oil company, the Foreign Minister of Italy, Franco Frattini, added his own gleeful chime to this triumphalist chorus: "Eni will play a No.1 role in the future." Qatar, whose overt and covert contribution to the NATO offensive was very considerable indeed, is already handing oil sales in eastern Libya and will also be entering the distribution of the spoils of war from a position of strength. The New York Times noted: "Libya's provisional government has already said it is eager to welcome Western businesses (and)... would even give its Western backers some 'priority' in access to Libyan business." That was accurate. "We don't have a problem with Western countries like Italians, French and U.K. companies," Abdeljalil Mayouf, a spokesman for the NTC-controlled oil company, Agogco, was quoted by Reuters as saying, "but we may have some political issues with Russia, China and Brazil."
- Libya's 46 billion barrels of oil make it home to Africa's largest proven deposit of

conventional crude, though Nigeria and Angola dispute this Libyan pre-eminence. Before the civil war began in earnest in February, Libya was pumping about 1.6 million barrels a day, most of which went to southern Europe, whose refineries were tailored to refine Libya's light, high-quality crude. By contrast, Saudi crude is heavier and unsuitable for many of those refineries, while Libya's geographical proximity also makes it much more attractive. Almost 70 per cent of Libya's oil went to four countries, Spain, Germany, France and Italy, even before the NATO war, and oil-producing regions were of course the first to be secured as NATO started bombing its way to victory. The oil industry's biggest players, meanwhile, are ready to reclaim their old concessions and get new ones. The vast Ghadames and Sirte basins, largely off limits to foreign oil companies since Qaddafi came to power 42 years ago, are now expected to be privatised and opened to foreign corporations. The same applies to Libya's offshore oil and gas resources.

- The loss of political sovereignty thus leads necessarily to great curtailment of economic sovereignty as well.

AFP/HANDOUT



THE PRODUCTION FACILITIES of a German oil firm in the Libyan desert near the oasis of Jakhira, which was shut in February following the violence. Almost 70 per cent of Libya's oil went to four countries - Spain, Germany, France and Italy - even before the NATO bombings, during which the oil-producing regions were the first to be secured.

- **African Union vs "The international Community"**

At a meeting between the two parties on June 15 this year, some three months after NATO initiated its aerial bombings of Libya, the High Level Ad hoc Committee of the African Union (A.U.) handed over to the Security Council a letter spelling out the A.U. position on the Libyan crisis. Now, even after the fall of Tripoli and the assassination of Qaddafi, the contents of that communication are worth re-visiting if we wish to assess the great gap of perceptions and prescriptions, on issues of interventionism, between nation-states of the tricontinent on the one hand, and, on the other hand, those institutions of "the international community" whose task it is to justify Euro-American interventionism. We shall first offer a series of quotations from that key document:

1. "Whatever the genesis of the intervention by NATO in Libya, the A.U. called for dialogue before the U.N. Resolutions 1970 and 1973 and after those resolutions. Ignoring the A.U. for three months and going on with the bombings of the sacred land of Africa has been high-handed, arrogant and provocative."
2. "An attack on Libya or any other member of the African Union without express agreement by the A.U. is a dangerous provocation... sovereignty has been a tool of emancipation of the peoples of Africa who are beginning to chart transformational paths for most of the African countries after centuries of predation by the slave trade, colonialism

and neocolonialism. Careless assaults on the sovereignty of African countries are, therefore, tantamount to inflicting fresh wounds on the destiny of the African peoples.”

- 3. “Fighting between government troops and armed insurrectionists is not genocide. It is civil war.... It is wrong to characterise every violence as genocide or imminent genocide so as to use it as a pretext for the undermining of the sovereignty of states.”

- 4. “The U.N. should not take sides in a civil war. The U.N. should promote dialogue.... The demand by some countries that Col. Muammar Qaddafi must go first before the dialogue is incorrect. Whether Qaddafi goes or stays is a matter for the Libyan people to decide. It is particularly wrong when the demand for Qaddafi's departure is made by outsiders.... Qaddafi accepted dialogue when the A.U. mediation committee visited Tripoli on April 10, 2011. Any war activities after that have been provocation for Africa. It is an unnecessary war. It must stop.... The story that the rebels cannot engage in dialogue unless Qaddafi goes away does not convince us. If they do not want dialogue, then, let them fight their war with Qaddafi without NATO bombing.... The externally sponsored groups neglect dialogue and building internal consensus and, instead, concentrate on winning external patrons.”

- It goes without saying that the A.U. is by no means a conglomeration of radicals; it is a conservative grouping of state governments, most of whom are, in one way or another, allied with the West; many of the heads of states participating in A.U. proceedings at any given time are venal, corrupt, authoritarian or worse. That is, however, no more relevant than the personal venality of Sarkozy or Silvio Berlusconi or any other Western leader. The point, rather, is that the A.U.'s is the only united voice through which African states speak and that the principles and points of fact raised here are unexceptionable.
- The very first point is that the Security Council, NATO or any other conglomeration of states and institutions simply have no right to represent themselves as “the international community” when what they say and do is opposed by the united voice of the African state system. The second point is that the issue of state sovereignty is posed in Africa and Asia not only in European, Westphalian terms, but, far more sensitively and explosively, in the perspective of the recently won and still very fragile independence of states after a long history of colonial predation. Further, the A.U. letter rejects the position – enunciated by Obama, his NATO allies and the Security Council – that there was any genocide or imminent genocide in Libya. Rather, it speaks strictly of a “civil war” between “government troops and armed insurrectionists”, calls upon the U.N. not to take sides in the “civil war” and goes on then to contemptuously dismiss the “externally sponsored groups” and their “demands” that are designed for “winning external patrons”.
- The most important practical point in any case is that Qaddafi had accepted the principle of negotiation and arbitration by the A.U. as early as April 10, after which the A.U. quite rightly demanded that NATO stop its military mission and the U.N. concentrate on facilitating negotiations under A.U. auspices. A significant section of the letter laid out an elaborate plan for negotiations, for policing of violence inside Libya by an A.U. brigade as had been done in Burundi, and for conflict resolution processes using the principles of “provisional immunity” during the peace negotiations, and for the establishment of truth and reconciliation bodies for reconciliation after peace has been re-established.

None of it was heeded, precisely because the voice of reason had come from the weak, while the will for intervention and regime change had come from self-appointed masters of the universe.

- **Civilisation and the ecstasy of conquest**

In the moment of victory, President Obama was relatively more measured in his words than many other Western leaders. The fall of Libya to 40,000-plus NATO bombings was proof, he said, that “we are seeing the strength of the American leadership across the world”. And he was not entirely mistaken in taking the credit. The Security Council resolution that authorised NATO operations would have been inconceivable without the coercive powers of the U.S. Obama's cavalier condoning of assassination and extra-judicial execution, as displayed to the world in the cases of Osama bin Laden and Anwar al-Awlaki among others, was part of the implicit licence to kill the unarmed Qaddafi as well. Less

than 48 hours before Qaddafi was actually assassinated, Hillary Clinton, the U.S. Secretary of State, was on a triumphant visit to Tripoli, the Libyan capital now occupied by NATO and its local clients, and said unambiguously: "We hope he [Qaddafi] can be captured or killed soon." Incitement to murder could hardly be couched in words more stark

- This issue of an authorised assassination should detain us somewhat, for it does impinge upon the imperial duplicity of the human rights discourse. Details of Qaddafi's death and burial are still unclear. We do know that the town of Sirte, to which he had retreated during the siege of Tripoli, was devastated by hundreds of aerial bombings by NATO with the single-minded intent to kill him and those close to him. We also know that he was leaving Sirte in a convoy when the convoy too was bombed; the French claimed that it was their Rafale fighter jet that disabled his vehicle; the Americans claimed that it was the work of one of their Predators. The main point is that he was captured alive and unarmed by NATO's mercenaries on the ground, kicked around, beaten and killed. Considering how many American, French, British, Qatari and other special forces have been there, commanding the Libyan "rebels", it is significant that the body of the dead man was never taken away from the milling "rebels". Christof Heyns, the U.N. Special Rapporteur, seems to be clear on this point: "The Geneva Conventions are very clear that when prisoners are taken they may not be executed wilfully and if that was the case then we are dealing with a war crime, something that should be tried."
- The complication, however, is that the Western alliance had previously announced an award of \$20 million to anyone who kills (or helps kill/capture) Qaddafi. So, here is a test for Western values: should the man who killed Qaddafi be tried in a court of law? Should he be awarded \$20 million and celebrated as a hero? Or should he be allowed to slip out of the grip of the law, history and public memory – and settled, with a handsome settlement, in Miami, southern California or a villa on the Rhine?

Qaddafi's own tribe issued this statement: "We call on the U.N., the Organisation of the Islamic Conference and Amnesty International to force the [National] Transitional Council to hand over the martyrs' bodies to our tribe in Sirte and to allow them to perform their burial ceremony in accordance with Islamic customs and rules." But there was no such luck! NATO's mercenaries displayed Qaddafi's body, along with that of his son Mutassim, naked to the waist, in freezers in a meat store in Misrata, inviting souvenir photographs.

- Human rights imperialism seems to be inventing a brand new entertainment industry: that of necrophilic tourism.
- Be that as it may. President Obama is right in claiming that the event proved "the strength of American leadership". U.S. Special Forces and Central Intelligence Agency (CIA) teams were on the ground since before the beginning of the rebellion and made sure that those who were destined to be NATO's mercenary army on the ground were armed from the start; they were then joined by their French and British counterparts and backed by armed groups from Qatar, the Emirates and the like. Bombings were left largely to the Franco-British component of NATO but much of the high electronics and infrastructural nitty-gritty was handled by the U.S. forces: collecting electronic intelligence and smashing the Libyan anti-aircraft systems, for example, and blockading the coast. NATO warplanes used U.S. bases for refuelling and these bases supplied munitions when their European counterparts ran low. In an important sense, the military operation in Libya was a highly successful experiment in an assault coordinated between AFRICOM – the U.S. Command for the control of Africa – and its European partners.
- If President Obama was cryptic, his icy Vice President, Joe Biden, was precise: "In this case, America spent \$2 billion and didn't lose a single life. This is more of the prescription for how to deal with the world as we go forward than it has been in the past." By "life", Biden obviously means American life, considering that even the most conservative estimates suggest that the war in Libya has led to the loss of at least 50,000 lives, mostly at the hands of NATO bombers and their local allies.

More broadly, what is at issue is a U.S. objective, first conceived during the Vietnam War, to develop an "automated battlefield" with technologies so advanced that wars may be won and entire countries conquered without any significant ground deployment. Across the Atlantic, that same idea was invoked by people like Paddy Ashdown, who once served for four years as E.U. High Representative in Bosnia-Herzegovina, who said that from now on the West should adopt the "Libyan model" of intervention rather than the "Iraqi model"

of massive invasion.

- This kind of hard-boiled Anglo-Saxon pragmatism can easily be translated by an ambitious politician like Nicolas Sarkozy, the current French President, into the sophistries of a high-minded Gallic discourse on history and civilisation. Pierre Lévy, a former editor of L'Humanité, recently recalled a passage from a speech Sarkozy delivered in 2007 in which he glorified "the shattered dream of Charlemagne and of the Holy Roman Empire, the Crusades, the great schism between Eastern and Western Christianity, the fallen glory of Louis XIV and Napoleon..." and then went on to declare that "Europe is today the only force capable of carrying forward a project of civilisation." This claim to a unique civilisational mission then led quickly to an ambition to conquer: "I want to be the President of a France which will bring the Mediterranean into the process of its reunification after 12 centuries of division and painful conflicts.... America and China have already begun the conquest of Africa. How long will Europe wait to build the Africa of tomorrow? While Europe hesitates, others advance."
- Lévy then goes on to quote Dominique Strauss-Kahn, a senior leader of the Socialist Party (much in the news recently for alleged sexual misdemeanours), who matched Sarkozy's bombast with his own desire for a Europe stretching "from the cold ice of the Arctic in the North to the hot sands of the Sahara in the South (...)" and that Europe, I believe, if it continues to exist, will have reconstituted the Mediterranean as an internal sea, and will have re-conquered the space that the Romans, or Napoleon more recently, attempted to consolidate."

In this world view, then, NATO is seen as having inherited a mission from the Roman Empire and the Napoleonic conquests, which then involves the "re-conquest" of North Africa. It was, after all, only about 50 years ago that France finally relinquished its claim that Algeria was not a foreign colony but an "outlying province" of France itself. What is very striking in any case is how closely the rhetoric of "civilisation" is woven into the rhetoric of "conquest" and even "re-conquest."

- **Obama, Africa and the Imperial Project**

Poor little "Olde Europe"! Even in its wildest civilisational ravings, all it can imagine is the re-conquest of its colonial empire in North Africa. By contrast, the U.S. knows how to get directly to the point. In the second week of October, when the war against Libya had been won but Qaddafi yet not assassinated, President Obama announced: "I have authorised a small number of combat-equipped U.S. forces to deploy to central Africa to provide assistance to regional forces.... On October 12, the initial team of U.S. military personnel with appropriate combat equipment deployed to Uganda. During the next month, additional forces will deploy.... These forces will act as advisers to partner forces that have the goal of removing from the battlefield Joseph Kony and other senior leadership of the LRA [Lord's Resistance Army].... Subject to the approval of each respective host nation, elements of these U.S. forces will deploy into Uganda, South Sudan, the Central African Republic, and the Democratic Republic of the Congo."

- So, in the wake of the Libyan conquest, U.S. troops are to be immediately deployed to countries across the middle of Africa, in four countries and in cooperation with regimes that have hideous records of dictatorship and human rights abuses, not the least on the part of Uganda's "President-for-life", Yoweri Museveni. Obama justified this newly minted "humanitarian mission" in Uganda in the name of eliminating the LRA. This is odd. The LRA has actually been around for almost a quarter century and has never been weaker than it is today. Why, suddenly, such an operation across a huge part of Africa? Paul Craig Roberts, a former Under Secretary of State for Treasury under President Ronald Reagan (and thus not a left-winger by a long shot), put the matter succinctly: "With Libya conquered, AFRICOM will start on the other African countries where China has energy and mineral investments.... Whereas China brings Africa investment and gifts of infrastructure, Washington sends troops, bombs and military bases."
- Even this recent deployment may be just the tip of an oncoming iceberg. For many years now, the U.S. has been building up a special Command for Africa, the AFRICOM, in tandem with CENTCOM that is responsible for operations in the Middle East (West Asia). As part of this imperial mission in Africa, the U.S. is actively engaged in training the militaries of Mali, Chad, Niger, Benin, Botswana, Cameroon, the Central African Republic, Ethiopia, Gabon, Zambia, Uganda, Senegal, Mozambique, Ghana, Malawi and Mauritania. Together with

other NATO countries, the U.S. has staged numerous military exercises in Africa with the ostensible purpose of preparing contingency plans for "protecting energy supplies" in the Niger delta and the Gulf of Guinea. Aside from Libya, major oil producers in the region include Angola, Nigeria, Cameroon, Gabon, Equatorial Guinea, Chad and Mauritania. All these, and many others besides, are to be "protected" – pretty much on the "Libyan model" if need be.

- This is not the place to go into details. Suffice it to say that the fall of Libya is likely to serve as the first major step in the offensive to capture Africa's plentiful natural resources. In the fullness of time, as multiple insurgencies and bloodlettings are let loose across the continent, we are likely to see the erection of many new bases for the AFRICOM-NATO combine, very much on the model of Iraq and Afghanistan. The objective is not only to reserve African resources for the Euro-American imperium as much as possible but also to deny those resources to China, which gets about one third of its oil from Africa – Angola and Sudan in particular – in addition to important materials like platinum, copper, timber and iron ore. Some 75 Chinese companies were working in Libya with 36,000 personnel, not so much in the oil sector as in infrastructural development projects; and China accounted for about 11 per cent of Libya's pre-war exports. It evacuated its personnel and complained that NATO had unilaterally changed the U.N. resolution from protecting civilians to regime change.

The U.S. would like to see this eviction of China from Libya to become permanent and for such evictions to be repeated across Africa. Will that happen? Too soon to tell. The U.S. has the military might and the impatient arrogance of a declining superpower, but China is the one that has the cash and the almost glacial patience of a rising economic power. A confrontation is on, and it will take decades to settle.

- **Conclusion**

Major issues pertaining to the significance of the Libya war have not been addressed here: the meaning of all this for the so-called "Arab Spring"; the nature of the fallen Qaddafi regime; the likely composition of the emerging dispensation; the social disintegration and multiple internal conflicts that are now likely to ensue; the destabilisation and the prospect of multiple civil wars across the Sahel region caused by the war on Libya; and so on. Other contributors to this issue of *Frontline* may clarify these issues, or this author may return to them in a future contribution.

- So, let me conclude this piece by noting that Qaddafi did leave a brief will, and it is important that we recall some of his last words:

"Let the free people of the world know that we could have bargained over and sold out our cause in return for a personally secure and stable life. We received many offers to this effect but we chose to be at the vanguard of the confrontation as a badge of duty and honour. Even if we do not win immediately, we will give a lesson to future generations that choosing to protect the nation is an honour and selling it out is the greatest betrayal that history will remember forever despite the attempts of the others to tell you otherwise."

- That is true. Friendly African countries had offered him safe sanctuaries, while some European countries would have preferred to have him as a neutralised client rather than a celebrated martyr in (at least parts of) Libya. Offers were indeed made. Given the choices, he preferred to die. In that brief will, he also expressed a simple wish:

"Should I be killed, I would like to be buried, according to Muslim rituals, in the clothes I was wearing at the time of my death and my body unwashed, in the cemetery of Sirte, next to my family and relatives. I would like that my family, especially women and children, be treated well after my death."

- In Islamic custom, the stipulation that the body be washed and wrapped in a fresh shroud is lifted in the case of martyrs. Right or wrong, Qaddafi did think of his own impending

death as martyrdom. We may not think so, but many others probably will. Qaddafi was quite largely a buffoon, in many ways brutish, more so as he grew older and more egomaniacal, but not everyone is going to forget that he also had a visionary side to him and built for his people the most advanced welfare state on the continent. His is a contradictory legacy. We have described earlier in this piece what the winners did to his corpse. Not just the members of his own family or his tribesmen, but many, many others might not so easily forget all that.

[Recognizing the "Unpeople" | Truthout](http://www.truth-out.org/recognizing-unpeople/1325894936#.Twit8zbKb2M.twitter)

<http://www.truth-out.org/recognizing-unpeople/1325894936#.Twit8zbKb2M.twitter>

. Recognizing the "Unpeople"

Saturday 7 January 2012

by: Noam Chomsky, Truthout | Op-Ed

- On June 15, three months after the NATO bombing of Libya began, the African Union presented to the U.N. Security Council the African position on the attack – in reality, bombing by their traditional imperial aggressors: France and Britain, joined by the U.S., which initially coordinated the assault, and marginally some other nations.
- It should be recalled that there were two interventions. The first, under U.N. Security Council Resolution 1973, adopted on March 17, called for a no-fly zone, a cease-fire and measures to protect civilians. After a few moments, that intervention was cast aside as the imperial triumvirate joined the rebel army, serving as its air force.

At the outset of the bombing, the A.U. called for efforts at diplomacy and negotiations to try to head off a likely humanitarian catastrophe in Libya. Within the month, the A.U. was joined by the BRICS countries (Brazil, Russia, India, China and South Africa) and others, including the major regional NATO power Turkey.

- In fact, the triumvirate was quite isolated in its attacks – undertaken to eliminate the mercurial tyrant whom they had supported when it was advantageous. The hope was for a regime likelier to be amenable to Western demands for control over Libya's rich resources and, perhaps, to offer an African base for the U.S. Africa command AFRICOM, so far confined to Stuttgart.

No one can know whether the relatively peaceful efforts called for in U.N. Resolution 1973, and backed by most of the world, might have succeeded in averting the terrible loss of life and the destruction that followed in Libya.

- On June 15, the A.U. informed the Security Council that "ignoring the A.U. for three months and going on with the bombings of the sacred land of Africa has been high-handed, arrogant and provocative." The A.U. went on to present a plan for negotiations and policing within Libya by A.U. forces, along with other measures of reconciliation – to no avail.

The A.U. call to the Security Council also laid out the background for their concerns: "Sovereignty has been a tool of emancipation of the peoples of Africa who are beginning to chart transformational paths for most of the African countries after centuries of predation by the slave trade, colonialism and neocolonialism. Careless assaults on the sovereignty of African countries are, therefore, tantamount to inflicting fresh wounds on the destiny of the African peoples."

- The African appeal can be found in the Indian journal Frontline, but was mostly unheard in the West. That comes as no surprise: Africans are "unpeople," to adapt George Orwell's

term for those unfit to enter history.

On March 12, the Arab League gained the status of people by supporting U.N. Resolution 1973. But approval soon faded when the League withheld support for the subsequent Western bombardment of Libya.

And on April 10, the Arab League reverted to unpeople by calling on the U.N. also to impose a no-fly zone over Gaza and to lift the Israeli siege, virtually ignored.

- That too makes good sense. Palestinians are prototypical unpeople, as we see regularly. Consider the November/December issue of Foreign Affairs, which opened with two articles on the Israel-Palestine conflict.

One, written by Israeli officials Yosef Kuperwasser and Shalom Lipner, blamed the continuing conflict on the Palestinians for refusing to recognize Israel as a Jewish state (keeping to the diplomatic norm: States are recognized, but not privileged sectors within them).

- The second, by American scholar Ronald R. Krebs, attributes the problem to the Israeli occupation; the article is subtitled: "How the Occupation Is Destroying the Nation." Which nation? Israel, of course, harmed by having its boot on the necks of unpeople.

Another illustration: In October, headlines trumpeted the release of Gilad Shalit, the Israeli soldier who had been captured by Hamas. The article in The New York Times Magazine was devoted to his family's suffering. Shalit was freed in exchange for hundreds of unpeople, about whom we learned little, apart from sober debate as to whether their release might harm Israel.

- We also learned nothing about the hundreds of other detainees held in Israeli prisons for long periods without charge.

Among the unmentioned prisoners are the brothers Osama and Mustafa Abu Muamar, civilians kidnapped by Israel forces that raided Gaza City on June 24, 2006 – the day before Shalit was captured. The brothers were then "disappeared" into Israel's prison system.

Whatever one thinks of capturing a soldier from an attacking army, kidnapping civilians is plainly a far more serious crime – unless, of course, they are mere unpeople.

- To be sure, these crimes do not compare with many others, among them the mounting attacks on Israel's Bedouin citizens, who live in southern Israel's Negev.

They are again being expelled under a new program designed to destroy dozens of Bedouin villages to which they had been driven earlier. For benign reasons, of course. The Israeli cabinet explained that 10 Jewish settlements would be founded there "to attract a new population to the Negev" – that is, to replace unpeople with legitimate people. Who could object to that?

The strange breed of unpeople can be found everywhere, including the U.S.: in the prisons that are an international scandal, the food kitchens, the decaying slums.

- But examples are misleading. The world's population as a whole teeters on the edge of a black hole.

We have daily reminders, even from very small incidents – for instance, last month, when Republicans in the U.S. House of Representatives barred a virtually costless reorganization to investigate the causes of the weather extremes of 2011 and to provide better forecasts.

Republicans feared that it might be an opening wedge for “propaganda” on global warming, a nonproblem according to the catechism recited by the candidates for the nomination of what years ago used to be an authentic political party.

Poor sad species.

[Beijing wants stability restored to Libya - The Irish Times - Mon, Mar 21, 2011](http://www.irishtimes.com/newspaper/world/2011/0321/1224292709163.html)

<http://www.irishtimes.com/newspaper/world/2011/0321/1224292709163.html>

- The Irish Times - Monday, March 21, 2011

Beijing wants stability restored to Libya

- **CHINA:** BEIJING – China wants stability restored to Libya as soon as possible, the foreign ministry said yesterday after western forces launched strikes against Muammar Gadhafi’s troops.

Expressing regret about the attacks, the Chinese foreign ministry said that it hoped the conflict would not escalate and lead to greater loss of civilian life.

- China had the chance to veto last week’s United Nations Security Council resolution that authorised “all necessary measures”, a term for military action, to protect civilians against Gadhafi’s forces. Instead, it joined Russia, Germany, India and Brazil in abstaining. It has been trying to balance its worries about allowing military action with the demands of Arab and other governments angered by Gadhafi’s unyielding response to uprisings demanding an end to his rule.

“China has noticed the latest developments in Libya and it expresses regret about the military attacks,” the foreign ministry said. “We hope that Libya can recover stability as soon as possible and that an escalation of military conflict leading to more civilian deaths can be avoided,” it added.

China’s comments came just hours after French planes fired the first shots in what is the biggest international military intervention in the Arab world since the 2003 invasion of Iraq.

Western forces hit targets along the Libyan coast. Libyan state television said 48 people had been killed and 150 wounded in the air strikes. Throughout the recent tumult across the Middle East and North Africa, China has sought to avoid becoming deeply enmeshed and has little appetite for turning the regional upheaval into a point of confrontation with the US.

– (Reuters)

[No-fly zone will continue despite new ceasefire by Gadhafi, say British - The Irish Times - Mon, Mar 21, 2011](http://www.irishtimes.com/newspaper/world/2011/0321/1224292709199.html)

<http://www.irishtimes.com/newspaper/world/2011/0321/1224292709199.html>

- The Irish Times - Monday, March 21, 2011

No-fly zone will continue despite new

ceasefire by Gadafy, say British

- MARK HENNESSY, London Editor
- **UK PARTICIPATION:** THE NO-FLY zone over Libya will continue to be enforced, despite Libyan leader Muamma Gadafy decision last night to call a new ceasefire, the British government said last night.

"Everyone will recall that in recent days Colonel Gadafy declared a ceasefire which was promptly violated. We said then we would judge him on his actions not his words — and we will do so again," said a spokesman for the British prime minister, David Cameron.

"His obligations are very clearly set out by the UN Security Council resolution. Our assessment is that he is in breach of these obligations so we will continue to enforce the Resolution," said the spokesman.

The British government believes a number of Arab nations, including Qatar and the United Arab Emirates, will soon become involved in policing the no-fly zone over Libya, despite sharp criticism from the Arab League about alleged civilian casualties in the wake of the first attacks by French military jets on Saturday.

Defence secretary Liam Fox said Royal Air Force Tornados and Typhoons would fly to southern Italy to set up a permanent base for patrolling duties, although he added that the British government would press to persuade some Nato countries doubtful about the action, including Germany, to bring the operation under Nato's command structures.

- Mr Fox and foreign secretary William Hague said the overthrow of Muammar Gadafy was not the objective of the United Nations- sanctioned mission, although the defence secretary was careful to add that regime change "may come about" if support slipped away from the Libyan leader in coming days following the air strikes.

"It would be much better for everyone if Gadafy went but, given this is not part of the UN resolution, the important thing is to ensure that Gadafy does not have control of the military assets which he uses to brutalise and murder his people," said Mr Fox, who spent much of the weekend speaking to Arab counterparts.

There has been broad support for British prime minister David Cameron, the first western leader to push for a no-fly zone, who will address the House of Commons today.

There is concern that the objectives of the mission are unclear, however.

Labour, in particular, may press today for guarantees that air strikes will not be followed by a ground invasion.

Saying none of the countries involved was preparing for a ground invasion, Mr Hague added that it was "unlikely" there would be civilian casualties from the attacks on Libyan radar and anti-aircraft batteries, although experience elsewhere, including Kosovo, has been that such casualties are almost inevitable.

Arab League secretary general Amr Moussa's criticism yesterday afternoon of the first wave of air strikes caused confusion for a time in London, as the league had earlier backed the mission.

[U.N. Approves Airstrikes Against Libya - NYTimes.com](http://www.nytimes.com/2011/03/18/world/africa/18nations.html?hp=&pagewanted=all)

<http://www.nytimes.com/2011/03/18/world/africa/18nations.html?hp=&pagewanted=all>

- As U.N. Backs Military Action in Libya, U.S. Role Is Unclear



Moises Saman for The New York Times

A pro-Qaddafi crowd stormed a news conference given by Libya's deputy foreign minister at a hotel in Tripoli early Friday.

By [DAN BILEFSKY](#) and [MARK LANDLER](#)

Published: March 17, 2011

- UNITED NATIONS — The [United Nations Security Council](#) voted Thursday to authorize military action, including airstrikes against Libyan tanks and heavy artillery and a no-fly zone, a risky foreign intervention aimed at averting a bloody rout of rebels by forces loyal to Col. [Muammar el-Qaddafi](#).
- After days of often acrimonious debate, played out against a desperate clock, as Colonel Qaddafi's troops advanced to within 100 miles of the rebel capital of Benghazi, [Libya](#), the Security Council authorized member nations to take "all necessary measures" to protect civilians, diplomatic code words calling for military action.
- Diplomats said the resolution — which passed with 10 votes, including the United States, and abstentions from Russia, China, Germany, Brazil and India — was written in sweeping terms to allow for a wide range of actions, including strikes on air-defense systems and missile attacks from ships. Military activity could get under way within a matter of hours, they said.
- Benghazi erupted in celebration at news of the resolution's passage. "We are embracing each other," said Imam Bugaighis, spokeswoman for the rebel council in Benghazi. "The people are euphoric. Although a bit late, the international society did not let us down."
- The vote, which came after rising calls for help from the Arab world and anguished debate in Washington, left unanswered many critical questions about who would take charge, what role the United States would play and whether there was still enough time to stop Colonel Qaddafi from recapturing Benghazi and crushing a rebellion that had once seemed likely to drive him from power. After the vote, [President Obama](#) met with the [National Security Council](#) to discuss the possible options, European officials said. He also spoke by telephone on Thursday evening with Prime Minister David Cameron of Britain and President [Nicolas Sarkozy](#) of France, the White House said.
- Speaking on a radio call-in show in Tripoli before the vote, Colonel Qaddafi raised the level of urgency on the vote, saying that his forces would begin an assault on Benghazi that night.
- "We will come house by house, room by room. It's over. The issue has been decided," he said, offering amnesty to those who laid down their arms. To those who continued to resist, he vowed: "We will find you in your closets. We will have no mercy and no pity."
- After the Security Council's vote, Libya's deputy foreign minister, Khalid Kaim, said at a news conference in Tripoli early on Friday morning that the Qaddafi government welcomed

the resolution's calls for the protection of civilians, which he insisted his government had always sought. But he warned against foreign countries' trying to arm the rebels. "That means they are inviting Libyans to kill each other," he said.

- Mr. Kaim said the Qaddafi government was ready for a cease-fire with the rebels, "but we need to talk to someone to agree on the technicalities of the decision." And he declined to address the possibility that the government's forces were continuing to push swiftly toward Benghazi.
- James M. Lindsay, the director of studies at the [Council on Foreign Relations](#), said of the Security Council's decision: "It's going to be tougher to stop Qaddafi today than it was a week ago. The issue is not going to be settled in the skies above Benghazi, but by taking out tanks, artillery positions and multiple-launch rocket systems on the ground."

Mr. Lindsay said that would require helicopter gunships and other close-in support aircraft rather than advanced fighter planes. Other analysts said repelling Colonel Qaddafi's forces might require ground troops, an option that has been ruled out by senior American officials.

A Pentagon official said Thursday that decisions were still being made about what kind of military action, if any, the United States might take with the allies against Libya. The official said that contingency planning continued across a full range of operations, including a no-fly zone, but that it was unclear how much the United States would become involved beyond providing support.

- That support is likely to consist of much of what the United States already has in the region — Awacs radar planes to help with air traffic control should there be airstrikes, other surveillance aircraft and about 400 [Marines](#) aboard two amphibious assault ships in the region, the Kearsarge and the Ponce.

The Americans could also provide signal-jamming aircraft in international airspace to muddle Libyan government communications with its military units.

- A European diplomat said that Britain and France were still waiting to hear what role the United States would take in any military action in Libya. "One decision that needs to be made," he said, "is whether there will be a command and control operations in Britain or in France."
- Beyond that, the diplomat said that officials in Britain, France and the United States were all adamant that [Arab League](#) forces take part in the military actions and help pay for the operations, and that it not be led by [NATO](#), to avoid the appearance that the West was attacking another Muslim country.
- The United States has played a complicated role in the debate over military involvement, initially expressing great reluctance about being drawn into another armed conflict in a Muslim country but subsequently unnerved by the reports of Colonel Qaddafi's gains.

But diplomats said the moral imperative of protecting civilians from Colonel Qaddafi and the political imperative of United States not watching from the sidelines while a notorious dictator violently crushed a democratic rebellion had helped wipe away lingering doubts.

- Characterizing Colonel Qaddafi as a menacing "creature" lacking a moral compass, Secretary of State [Hillary Rodham Clinton](#) said Thursday that the international community had little choice but to act. "There is no good choice here. If you don't get him out and if you don't support the opposition and he stays in power, there's no telling what he will do," Mrs. Clinton said from Tunisia on Thursday.
- She went on to say Qaddafi would do "terrible things" to Libya and its neighbors. "It's just in his nature. There are some creatures that are like that." Her remarks, applauded by the studio audience where she appeared, amounted to the administration's most stridently personal attacks on the Libyan leader, echoing President [Ronald Reagan](#)'s "mad dog of the Middle East."
- The resolution — sponsored by Lebanon, another Arab state, and strongly backed by France, Britain and the United States — explicitly mentions the need to protect civilians in the rebel stronghold Benghazi, "while excluding an occupation force." It calls to "establish a ban on all flights in the airspace" and an immediate cease-fire.

Mrs. Clinton said Thursday that establishing a no-fly zone over Libya would require bombing targets inside the country to protect planes and pilots. She said other options being considered included the use of drones and arming rebel forces, though not ground

troops, an option that appeared to be ruled out Thursday by the State Department's highest-ranking career diplomat, Under Secretary William J. Burns.

- The vote was also a seminal moment for the 192-member [United Nations](#) and was being watched closely as a critical test of its ability to take collective action to prevent atrocities against civilians. Diplomats said the specter of former conflicts in Bosnia, Rwanda and Darfur, when a divided and sluggish Security Council was seen to have cost lives, had given a sense of moral urgency to Thursday's debate. Yet some critics also noted that a no-fly zone authorized in the early 1990s in Bosnia had failed to prevent some of the worst massacres there, including the Srebrenica massacre.
- The resolution stresses the necessity of notifying the Arab League of military action and specifically notes an "important role" for Arab nations in enforcing the no-fly zone. Diplomats said Qatar and the United Arab Emirates were considering taking a leading role, with Jordan, Saudi Arabia and Egypt also considering participating.
- The participation of Arab countries in enforcing a no-fly zone has been seen as a prerequisite for the United States, keen not to spur a regional backlash. Diplomats said debate on the resolution had been contentious, with Russia and China reluctant to support military intervention. The German foreign minister, [Guido Westerwelle](#), also opposed military action and called for tougher sanctions.

Security Council members said they were aware that military units loyal to Colonel Qaddafi were surrounding the strategically located town of Ajdabiya and massing for a push up the road to the rebel stronghold of Benghazi, 100 miles away.

Dan Bilefsky reported from the United Nations, and Mark Landler from Washington. Reporting was contributed by David D. Kirkpatrick from Tripoli, Libya; Kareem Fahim from Tobruk, Libya; Helene Cooper and Elisabeth Bumiller from Washington; and Steven Lee Myers from Tunis.

[Hugh Roberts · Who said Gaddafi had to go? · LRB 17 November 2011](#)

<http://www.lrb.co.uk/v33/n22/hugh-roberts/who-said-gaddafi-had-to-go>

- [Vol. 33 No. 22 · 17 November 2011](#)
pages 8-18 | 12681 words

• Who said Gaddafi had to go?

Hugh Roberts

- So Gaddafi is dead and Nato has fought a war in North Africa for the first time since the FLN defeated France in 1962. The Arab world's one and only State of the Masses, the Socialist People's Libyan Arab Jamahiriyya, has ended badly. In contrast to the bloodless coup of 1 September 1969 that overthrew King Idris and brought Gaddafi and his colleagues to power, the combined rebellion/civil war/ Nato bombing campaign to protect civilians has occasioned several thousand (5000? 10,000? 25,000?) deaths, many thousands of injured and hundreds of thousands of displaced persons, as well as massive damage to infrastructure. What if anything has Libya got in exchange for all the death and destruction that have been visited on it over the past seven and a half months?
- The overthrow of Gaddafi & Co was far from being a straightforward revolution against tyranny, but the West's latest military intervention can't be debunked as being simply about oil. Presented by the National Transitional Council (NTC) and cheered on by the Western media as an integral part of the Arab Spring, and thus supposedly of a kind with the upheavals in Tunisia and Egypt, the Libyan drama is rather an addition to the list of Western or Western-backed wars against hostile, 'defiant', insufficiently 'compliant', or 'rogue' regimes: Afghanistan I (v. the Communist regime, 1979-92), Iraq I (1990-91), the Federal Republic of Yugoslavia (over Kosovo, 1999), Afghanistan II (v. the Taliban regime, 2001) and Iraq II (2003), to which we might, with qualifications, add the military interventions in Panama (1989-90), Sierra Leone (2000) and the Ivory Coast (2011). An

older series of events we might bear in mind includes the Bay of Pigs (1961), the intervention by Western mercenaries in the Congo (1964), the British-assisted palace coup in Oman in 1970 and – last but not least – three abortive plots, farmed out to David Stirling and sundry other mercenaries under the initially benevolent eye of Western intelligence services, to overthrow the Gaddafi regime between 1971 and 1973 in an episode known as the Hilton Assignment.

- At the same time, the story of Libya in 2011 gives rise to several different debates. The first of these, over the pros and cons of the military intervention, has tended to eclipse the others. But numerous states in Africa and Asia and no doubt Latin America as well (Cuba and Venezuela spring to mind) may wish to consider why the Jamahiriyya, despite mending its fences with Washington and London in 2003-4 and dealing reasonably with Paris and Rome, should have proved so vulnerable to their sudden hostility. And the Libyan war should also prompt us to examine what the actions of the Western powers in relation to Africa and Asia, and the Arab world in particular, are doing to democratic principles and the idea of the rule of law.
- The Afghans who rebelled against the Communist regimes of Noor Mohammed Taraki, Hafizullah Amin and the Soviet-backed Babrak Karmal, and in 1992 overthrew Mohammed Najibullah before laying waste to Kabul in protracted factional warfare, called themselves *mujahedin*, 'fighters for the faith'. They were conducting a jihad against godless Marxists and saw no need to be coy about it in view of the enthusiastic media coverage as well as logistical support the West was giving them. But the Libyans who took up arms against Gaddafi's Jamahiriyya have sedulously avoided this label, at least when near Western microphones. Religion had little to do with the upheavals in Tunisia and Egypt: Islamists were almost entirely absent from the stage in Tunisia until the fall of Ben Ali; in Egypt the Muslim Brothers weren't instigators of the protest movement (in which Coptic Christians also took part) and made sure their support remained discreet. And so the irrelevance of Islamism to the popular revolt against despotic regimes was part of the way the Arab Spring came to be read in the West. Libyan rebels and Gaddafi loyalists alike tacitly recognised this fact.
- The Western media generally endorsed the rebels' description of themselves as forward-looking liberal democrats, and dismissed Gaddafi's exaggerated claim that al-Qaida was behind the revolt. But it has become impossible to ignore the fact that the rebellion has mobilised Islamists and acquired an Islamicist tinge. On his first visit to Tripoli, Mustafa Abdul Jalil, the chairman of the NTC, then still based in Benghazi, declared that all legislation of the future Libyan state would be grounded in the Sharia, pre-empting any elected body on this cardinal point. And Abdul Hakim Belhadj (alias Abu Abdallah al-Sadiq), whom the NTC appointed to the newly created post of military commander of Tripoli, is a former leader of the Libyan Islamic Fighting Group, a movement which conducted a campaign of terrorism against the Libyan state in the 1990s and went on to provide recruits to al-Qaida. The democratic revolutionaries in Tunisia are now concerned that the re-emergence of the Islamist movement has diverted political debate from constitutional questions to toxic identity issues and may derail the country's nascent democracy; in this light, the Islamist aspect of the Libyan rebellion should put us on our guard. It is among several reasons to ask whether what we have been witnessing is a revolution or a counter-revolution.
- The rebels' name has changed several times in the Western media's lexicon: first they were peaceful demonstrators, democracy protesters, civilians; then (a belated admission) rebels; and, finally, revolutionaries. Revolutionaries – in Arabic, *thuwwar* (singular: *tha'ir*) – has been their preferred label at least since the fall of Tripoli. *Tha'ir* can simply mean 'agitated' or 'excited'. The young men who spent much of the period between April and July careering up and down the coastal highway in Toyota pick-ups (and the whole of September running backwards and forwards around Bani Walid), while firing as much of their ammunition into the air as at the enemy, have certainly been excited. But how many veterans of revolutions elsewhere, as distinct from Western journalists, would recognise them as their counterparts?
- The events in both Tunisia and Egypt have been revolutionary in intent, but the change that has occurred in Egypt falls well short of a genuine revolution: the army's return to power means that the country's politics has yet to transcend the logic of the Free Officers' state established in 1952. But the way hundreds of thousands stood up against Mubarak last winter was a historic event Egyptians will never forget. The same is true of Tunisia, except that there a revolution has not only toppled Ben Ali but also ended the monopoly of the old ruling party. The Tunisians have entered the unknown. Whether they have the resources to cope with the Islamist movement may be their greatest test. The recent elections suggest they are coping pretty well.
- Libya was part of the wider 'Arab awakening' in two respects. The unrest began on 15 February, three days after the fall of Mubarak: so there was a contagion effect. And clearly many of the Libyans who took to the streets over the next few days were animated by

some of the same sentiments as their counterparts elsewhere. But the Libyan uprising diverged from the Tunisian and Egyptian templates in two ways: the rapidity with which it took on a violent aspect – the destruction of state buildings and xenophobic attacks on Egyptians, Serbs, Koreans and, above all, black Africans; and the extent to which, brandishing the old Libyan flag of the 1951-69 era, the protesters identified their cause with the monarchy Gaddafi & Co overthrew. This divergence owed a lot to external influences. But it also owed much to the character of Gaddafi's state and regime.

- Widely ridiculed as the bizarre creation of its eccentric if not lunatic 'Guide', the Socialist People's Libyan Arab Jamahiriyya in fact shared many features with other Arab states. With the massive increase in oil revenues in the early 1970s, Libya became a 'hydrocarbon society' that resembled the states of the Gulf more than its North African neighbours. Libya's oil revenues were distributed very widely, the new regime laying on a welfare state from which virtually all Libyans benefited, while also relying on oil wealth, as the Gulf States do, to buy in whatever it lacked in terms of technology and consumer goods, not to mention hundreds of thousands of foreign workers. For Gaddafi and his colleagues the state's distributive role quickly became the central element in their strategy for governing the country.
- The 1969 coup belonged to the series of upheavals that challenged the arrangements made by Britain and France to dominate the Arab world after the First World War and the destruction of the Ottoman Empire. These took on a new vigour in the wake of the defeats of the Second World War and the supersession of British by American hegemony in the Middle East. These arrangements entailed the sponsoring, safeguarding and manipulation of newly confected monarchies in Saudi Arabia, Jordan, Iraq, Egypt, Libya and the Gulf statelets, and in most cases the challenges were precipitated by catastrophic developments in the Arab-Israeli conflict. Just as the Free Officers who deposed King Farouq and seized power in Egypt in 1952 were outraged at the incompetent way Egypt's armed forces were led in 1948, and the revolution in Iraq in 1958 owed much to increased hostility to the pro-British monarchy after Suez, so the Arab defeat in 1967, and crucially, frustration at Libya's absence from the Arab struggle, prompted Gaddafi and his colleagues to attempt their coup against the Libyan monarchy. However, beyond closing the US base at Wheelus Field and nationalising the oil, they didn't really know what to do next.
- Unlike his Hashemite counterparts, who came from Mecca and were foreigners in Jordan and Iraq, King Idris was at least a Libyan. He also had legitimacy as the head of the Sanussiyya religious order, which in the course of the 19th and early 20th centuries had established itself the length and breadth of eastern Libya, and had distinguished itself in the resistance to the Italian conquest from 1911 onwards. But like the Hashemites Idris came to the throne as a protégé of the British, who fished him out of Cairo, where he had spent more than 20 years in exile, to make him king and thereby recast Libya as a monarchy in 1951 when the UN finally decided what to do with the former Italian colony.
- The Sanussiyya, originally an Islamic revivalist order, was set up in north-eastern Libya, the province the Italians called Cyrenaica, by an immigrant divine from western Algeria, Sayyid Mohammed ben Ali al-Sanussi al-Idrisi, who founded his order in Mecca in 1837 but moved it to Libya in 1843. It took root throughout the eastern province in the interstices of Bedouin tribal society and spread south along the trade routes that crossed the Sahara into Sudan, Chad and Niger. It had less of a presence in western Libya: in Tripolitania in the north-west, which had its own religious and political traditions based on the Ottoman connection, and Fezzan in the south-west. The two western provinces have always been considered part of the Maghreb (the Arab west), linked primarily to Tunisia and Algeria, while eastern Libya has always been part of the Mashreq (the Arab east) and oriented to Egypt and the rest of the Arab Levant.
- The new monarchy's internal social basis was thus markedly uneven and Idris was badly placed to promote a genuine process of national integration, opting instead for a federal constitution that left Libyan society much as he found it while, out of deference to his Western sponsors as well as alarm at the rise of radical Arab nationalism and Nasserism in particular, he insulated the country from the rest of the Arab world. Gaddafi's coup was a revolt against this state of affairs, and the otherwise baffling flamboyance of his foreign policy was evidence of his determination that Libya should no longer be a backwater.
- The new regime's inner circle was drawn from a small number of tribes, above all the Gadadfa in central Libya, the Magarha from the Fezzan in the south-west and the Warfalla from south-eastern Tripolitania. This background did not dispose Gaddafi and his associates to identify with the political and cultural traditions of the Tripoli elites or those of Benghazi and the other towns of coastal Cyrenaica. As the elites saw it, the 1969 coup

had been carried out by 'Bedouin' – that is, country bumpkins. For Gaddafi & Co, the traditions of the urban elites offered no recipe for governing Libya: they would only perpetuate its disunity.

- The Mediterranean and the Middle East are not short of examples of lands made painfully into states based, not on the cosmopolitan societies of the seaboard, but on the bleak and hard regions of the interior. It was the austere society and sombre towns of the Castilian plateau, not sophisticated Barcelona or sunny Valencia or Granada, that brought forth the kingdom which, once joined to Aragon, united the rest of Spain at the expense of the rich culture of Andalucia in particular. In the same way Ibn Saud, ruler of the unforgiving Nejd plateau in the centre of the Arabian peninsula, had united the Arabs under the sword while forcing the townsmen of the Hijaz, near the Red Sea coast, who were nourished on the traditions of all four *madhahib* (legal schools) of Sunni Islam and well acquainted with the various Shia traditions, to bend the knee to Wahhabi dogmatism. Ibn Saud had the militant religious tradition of the *muwahiddun*, the disciples of the Nejd religious reformer Muhammad Ibn Abd al-Wahhab, behind him in his drive to unify Arabia by conquest. Even the revolutionaries of the FLN had religion going for them, not only because they were confronting a Christian colonial power but also as heirs to the al-Islah reform movement. But Gaddafi and his associates had no militant religious banner and organised Islam in Libya was minded to resist them.
- Pre-empted in the religious sphere by both the Sanussiyya in the east and the pan-Islamic tradition of the Tripolitanian *'ulama*, which dated from the Ottoman era, they were desperate to find a doctrinal source for the kind of ideological enthusiasm they needed to stir in order to reorder Libyan society. At the outset, they thought they had one in pan-Arabism, which, especially in its Nasserite version, had inspired enthusiasm across North Africa from 1952 onwards, putting the champions of Islam on the back foot. But Gaddafi & Co were latecomers to the Arab nationalist revolutionary ball and little more than a year after their seizure of power Nasser was dead. For some time Gaddafi persisted with the idea of a strategic relationship with Egypt, which would have helped to solve several of the new Libya's problems, providing it with an ally and shoring up the regime's efforts to deal with refractory currents in Cyrenaica. But Egypt under Sadat veered away from pan-Arabism and plans for an Egyptian-Libyan union, announced in August 1972, led nowhere. In late 1973 an anti-Egyptian campaign was launched in the Libyan press, and Libya's embassy in Cairo was closed.
- Gaddafi now tried to contract an alliance with his western neighbour, declaring a new 'Arab-Islamic Republic' with Tunisia's Habib Bourguiba in January 1974. This too proved stillborn. Many wondered what on earth the worldly, Francophile, secular and moderate Bourguiba could have been thinking and Houari Boumediène, Algeria's president, weighed in to remind Tunis that there could be no shift in the geopolitical balance of the Maghreb without Algeria's agreement. Following this logic, Gaddafi secured an alliance with Algeria, and in 1975 Boumediène and Gaddafi signed a treaty of mutual friendship. It appeared that Libya had at last entered an alliance it could rely on. Two years later, after Sadat's visit to Tel Aviv, Libya joined Algeria, Syria, South Yemen and the PLO in the Steadfastness Front, which was opposed to any rapprochement with Israel. But Boumediène died unexpectedly in late 1978. His successor, Chadli Bendjedid, emulating Sadat, abandoned Algeria's revolutionary commitments and the protective alliance with Tripoli; Libya was alone again. Gaddafi's desperation is evident in the short-lived treaty he signed with Morocco's King Hassan in 1984. It was his last attempt to fit in with fellow North African and Arab states. Instead, he looked to sub-Saharan Africa, where the Jamahiriyya could play the benevolent patron.
- All the states of North Africa have had African policies of a kind. And all but Tunisia have strategic hinterlands consisting of the countries to their south: for Egypt, the Sudan; for Algeria, the Sahel states (Niger, Mali and Mauritania); for Morocco, Mauritania, also a permanent bone of contention with Algeria. In pursuing their African policies, the North African states often compete with one another, but they have also been in competition with Western powers keen to preserve or, in the case of the US, to contract patron-client relations with these states. What distinguished Gaddafi's Libya from its North African neighbours was the extent of its investment in this southern strategy, which became central to the regime's conception of Libya's mission in the world.
- The Jamahiriyya's African policy had a darker side. Gaddafi's support for Idi Amin is the outstanding example, though even that seems less grotesque when weighed against the support of various Western governments for Mobutu Sese Seko. There was also Libya's involvement in Chad's civil war (and attempted annexation of the Aouzou Strip) and its sustained involvement in the Tuareg question in Niger and Mali. At the same time, it gave strong financial and practical support to the African Union, opposed the installation of the US military's 'Africom' on the soil of any African country and funded a wide range of development projects in sub-Saharan countries. Gaddafi planned to exploit the immense water reserves under Libya's Sahara, and to provide water to the Sahel countries, which

could have transformed their economic prospects, but this possibility has now almost certainly been killed off by Nato's intervention, since Western (and perhaps particularly French) water companies are lining up alongside Western oil firms for their slice of the Libyan action.

- Gaddafi's African policy gave Libya a firm geopolitical position and consolidated its strategic hinterland while also benefiting Africa. That many African countries appreciated Libya's contribution to the continent's affairs was made clear by the AU's opposition to Nato's intervention and its sustained efforts to broker a ceasefire and negotiations between the two sides of the civil war. These efforts were dismissed with scorn by Western governments and press, with African opposition to the military intervention cynically derided as Libya's clients doing their duty to their patron, a self-serving judgment that was unfair to South Africa in particular. That the Arab League, whose support for a no-fly zone was invoked by London, Paris and Washington to claim Arab legitimisation of Nato's intervention, had a membership almost entirely confined to Western powers' client states was never mentioned.
- The situation was full of irony for Libya. Gaddafi's son Saif al-Islam's contemptuous comment on the Arab League's resolution, 'El-Arab? Toz fi el-Arab!' ('The Arabs? To hell with the Arabs!'), expressed the family's bitter recognition that the pan-Arabism behind the 1969 revolution had long ago become obsolete as the majority of Arab states subsided into shamefaced submission to the Western powers. The problem for Gaddafi & Co was that the African perspective they had diligently pursued as a *solution de rechange* for defunct pan-Arabism consistent with their original anti-imperialist worldview meant little to the many Libyans who wanted Libya to approximate to Dubai, or, worse, stirred virulent resentment against the regime and black Africans alike. And so, in taking Libya into Africa while tending to remove it from Arab regional affairs, the Jamahiriyya's foreign policy, like that of Idris's monarchy, cut the Libyans off from other Arabs, especially the well-heeled Gulf Arabs whose lifestyle many middle-class Libyans aspired to. In this way, the regime's foreign policy made it vulnerable to a revolt inspired by events elsewhere in the Arab world. But there was another reason for its vulnerability.
- The authors of the 1969 coup initially took Nasser's Egypt for their model, imitating its institutions and terminology – Free Officers, Revolutionary Command Council – and equipping themselves with a single 'party', the Arab Socialist Union (ASU), like Nasser's prototype essentially a state apparatus providing a façade for the new regime. But within two years, Sadat's de-Nasserisation purges were underway and he was mending fences with the Muslim Brothers, while the beginning of *infitah* – his policy of opening up the economy – announced the retreat from 'Arab socialism' and the rift with Moscow presaged the turn to America. Thus the Egyptian model evolved rapidly into an anti-model, while the experiment with the ASU proved an instructive failure. The idea of a single party seemed to make sense in Libya as it had originally made sense in Egypt and also Algeria. Leaders of military regimes needed to set up a civilian façade so that they could offer a degree of controlled representation and bring the politically ambitious into the new dispensation. But in Egypt and Algeria the architects of the new single party were dealing with comparatively politicised populations. Gaddafi & Co confronted a politically inert society, with little in the way of a state tradition, pulverised by a brutal colonial conquest and reduced to onlookers as the country became a battleground in World War Two, then liberated from colonial rule by external forces and finally tranquillised by the Sanussi monarchy. In trying to launch the ASU, the new regime found little to work with in terms of political talent or energy in the wider population; instead it was the old elites of Tripoli and Benghazi who invested in the party, which not only failed to mobilise popular enthusiasm but became a focus of resistance to the revolution Gaddafi had in mind.
- Gaddafi accordingly began to develop an idea he voiced within weeks of seizing power in 1969: that representative democracy was unsuited to Libya. Other leaders in North Africa and the Middle East felt the same about their own countries. But in pretending to allow for representation they were acknowledging their vice in tacitly paying homage to virtue. In his *Green Book*, however, Gaddafi scandalised people by his refusal to be a hypocrite: he elevated his rejection of representation into an explicit constitutive principle which he called the State of the Masses. But the real problem was that his new course led Libya to a historic impasse.
- He dispensed with the ASU and the idea of a single ruling party, promoting instead People's Congresses and Revolutionary Committees as the key political institutions of the Jamahiriyya, which was proclaimed in 1977. The former were to assume responsibility for public administration and secure popular participation, the latter to keep the flame of the Revolution alive. The members of the People's Congresses were elected, and these elections were taken seriously, at least at the local level and for a while. But voters were not, in theory, electing representatives, merely deciding who among the candidates on offer they wished to assume the mainly administrative responsibilities of the bodies in question. The system encouraged political and ideological unanimity, allowing no voice for

- dissident opinion except on trivial matters. It drew many ordinary Libyans into a sort of participation in public affairs, although this was waning by the mid-1990s, but it did not educate them in other aspects of politics, and did not work well on its own terms either.
- Gaddafi's State of the Masses drew on ideas developed elsewhere. The championing of direct over representative democracy was a prominent feature of the utopian outlook of young Western leftists in the 1960s. And the strategic decision to mobilise the 'revolutionary' energies of the young to outflank conservative party apparatuses was central to Mao's Cultural Revolution and a feature of Boumediène's 'Révolution socialiste'. Where Gaddafi went further was in abolishing the ASU and outlawing parties altogether, but in this he could claim a doctrinal warrant: the notion that there should be no political parties in a Muslim country has long been advocated by some currents of Sunni Islamism, on the grounds that 'party' connotes *fitna*, or a division of the community of the faithful, the supreme danger. Kuwait, Oman, Saudi Arabia and the United Arab Emirates allow no political parties to this day. (Gaddafi's rule always had a more pronounced Islamic aspect than that of the regimes in Cairo and Algiers; his intolerance of Islamists owed a lot to the fact that he was intent on remaining the source of radicalism and unwilling to allow rivals.) Finally, the idea of direct popular participation in public administration could claim a local origin in the tradition of the Bedouin tribes known as *hukumat 'arabiyya* (meaning here 'people's government' not 'Arab government'), in which every adult male can have his say.
 - The Jamahiriyya lasted 34 years (42 if backdated to 1969), a respectable innings. It did not work for foreign businessmen, diplomats and journalists, who found it more exasperating to deal with than the run of Arab and African states, and their views shaped the country's image abroad. But the regime was not designed to work for foreigners and seems to have worked fairly well for many Libyans much of the time. It achieved more than a tripling of the total population (6.5 million today, up from 1.8 million in 1968), high standards of healthcare, high rates of schooling for girls as well as boys, a literacy rate of 88 per cent, a degree of social and occupational promotion for women that women in many other Arab countries might well envy and an annual per capita income of \$12,000, the highest in Africa. But the point about these indices, routinely cited, naturally enough, by critics of the West's intervention in reply to the propaganda that has relentlessly blackened the Gaddafi regime, is that they are in one crucial sense beside the point.
 - The socio-economic achievements of the regime can be attributed essentially to the distributive state: that is, the success of the hydrocarbons sector and of the mechanisms put in place early on to distribute petrodollars. But the central institutions of the Jamahiriyya, the tandem of People's Congresses and Revolutionary Committees, did not make for effective government at all, in part because they involved a tension between two distinct notions and sources of legitimacy. The Congresses embodied the idea of the people as the source of legitimacy and the agent of legitimation. But the Committees embodied the very different idea of the Revolution as possessing a legitimacy that trumped all others. At the apex of the Revolution was Gaddafi himself, which is why it made sense for him to position himself outside the structure of Congresses and hence of the formal institutions of government, neither prime minister nor president but simply Murshid, Guide, Brother Leader. The position enabled him to mediate in free-wheeling fashion between the various components of the system and broader public opinion, criticising the government (and thereby articulating public restiveness) or deploring the ineffectiveness and correcting the mistakes of People's Congresses and doing so always from the standpoint of the Revolution. The tradition of an Arab ruler making a virtue of siding with public opinion against his own ministers goes back to Haroun al-Rashid. But the way revolutionary legitimacy could override popular legitimacy in Gaddafi's system also resembles Khomeini's insistence that the interests of Iran's revolution could override the precepts of the Sharia – i.e. that political considerations could trump Islamic dogma – and that he was the arbiter of when this was necessary. It is striking that Gaddafi considered that the interest of the Revolution required the hydrocarbons sector to be spared the ministrations of People's Congresses and Revolutionary Committees alike.
 - Words such as 'authoritarianism', 'tyranny' (a favourite bugbear of the British) and 'dictatorship' have never really captured the particular character of this set-up but have instead relentlessly caricatured it. Gaddafi, unlike any other head of state, stood at the apex not of the pyramid of governing institutions but of the informal sector of the polity, which enjoyed a degree of hegemony over the formal sector that has no modern counterpart. It meant that the Jamahiriyya's formal institutions were extremely weak, and that included the army, which Gaddafi mistrusted and marginalised.
 - One is tempted to say of Gaddafi, 'L'état, c'était lui.' But it was the more and more mystical idea of the Revolution, not heredity and divine right, that legitimated his power. And the intangible content of this Revolution, what Ruth First called its elusiveness, was closely connected to the fact that the Revolution was never over.
 - A distinction between revolutionary and constitutional government was made in 1793 by Robespierre, when he wrote: 'The aim of constitutional government is to preserve the

Republic; that of revolutionary government is to lay its foundation.' The effective historical function of the revolutionary government in Libya was to ensure that, while the country was modernised in important respects, it did not and could not become a republic. The Libyan Revolution turned out to be permanent because its objects were imprecise, its architects had no form of law-bound, constitutional government in view as a final destination and no conception of a political role for themselves or anyone else after the Revolution. The State of the Masses, *al-jamahiriyya*, was presented as far superior to a mere republic – *jumhuriyya* – but in fact fell far short of one. And, in contrast to states that call themselves republics but fail to live up to the name, its pretensions signalled that there was never an intention to establish a real republic in which government would truly be the affair of the people. The State of the Masses was in reality little more than a game to occupy and contain ordinary Libyans while the grown-up business of politics was conducted behind the scenes, the affair of a mysterious and unaccountable elite.

- The mobilisation of society in the French Revolution threw up several independent-minded leaders – Danton, Marat, Hébert et al as well as Robespierre – which made it psychologically possible for fellow Jacobins to rebel against Robespierre and set in train the tortuous process of superseding revolutionary by constitutional government. Something similar, up to a point, can be said of Algeria (where the independence struggle threw up a superabundance of strong-minded revolutionaries), although 49 years on, the winding road to the democratic republic still stretches far ahead, as it did in France. But the political inertia of Libyan society meant that its Revolution had one and only one leader. Gaddafi's closest colleagues no doubt had personal influence but only one of them, Abdessalam Jalloud, had it in him to disagree openly with Gaddafi on major issues (and he finally quit on his own terms in 1995). And so Gaddafi's rule can be seen as an extreme instance of what Rosa Luxemburg called 'substitutionism': the informal government that was the real government of Libya was a one-man show. Incarnating the nebulous Revolution, the imprecise interest of the nation and the inarticulate will of the people at the same time, Gaddafi clearly believed he needed to make the show interesting. His flamboyance had a political purpose. But how long can colourfulness command consent, let alone loyalty? A Pied Piper leading Libyans – mostly well fed, housed and schooled, but maintained in perpetual political infancy – to no destination in particular. The wonder of it is that the show had such a long run.
- Gaddafi seems to have realised years ago what he had done – the quasi-utopian dead end he had got Libya and himself into – and tried to escape its implications. As early as 1987 he was experimenting with liberalisation: allowing private trading, reining in the Revolutionary Committees and reducing their powers, allowing Libyans to travel to neighbouring countries, returning confiscated passports, releasing hundreds of political prisoners, inviting exiles to return with assurances that they would not be persecuted, and even meeting opposition leaders to explore the possibility of reconciliation while acknowledging that serious abuses had occurred and that Libya lacked the rule of law. These reforms implied a shift towards constitutional government, the most notable elements being Gaddafi's proposals for the codification of citizens' rights and punishable crimes, which were meant to put an end to arbitrary arrests. This line of development was cut short by the imposition of international sanctions in 1992 in the wake of the Lockerbie bombing: a national emergency that reinforced the regime's conservative wing and ruled out risky reform for more than a decade. It was only in 2003-4, after Tripoli had paid a massive sum in compensation to the bereaved families in 2002 (having already surrendered Abdelbaset Ali al-Megrahi and Al Amin Khalifa Fhima for trial in 1999), that sanctions were lifted, at which point a new reforming current headed by Gaddafi's son Saif al-Islam emerged within the regime.
- It was the fashion some years ago in circles close to the Blair government – in the media, principally, and among academics – to talk up Saif al-Islam's commitment to reform and it is the fashion now to heap opprobrium on him as his awful father's son. Neither judgment is accurate, both are self-serving. Saif al-Islam had begun to play a significant and constructive role in Libyan affairs of state, persuading the Libyan Islamic Fighting Group to end its terrorist campaign in return for the release of LIFG prisoners in 2008, promoting a range of practical reforms and broaching the idea that the regime should formally recognise the country's Berbers. While it was always unrealistic to suppose that he could have remade Libya into a liberal democracy had he succeeded his father, he certainly recognised the problems of the Jamahiriyya and the need for substantial reform. The prospect of a reformist path under Saif was ruled out by this spring's events. Is there a parallel with the way international sanctions in the wake of Lockerbie put paid to the earlier reform initiative?
- Since February, it has been relentlessly asserted that the Libyan government was responsible both for the bombing of a Berlin disco on 5 April 1986 and the Lockerbie bombing on 21 December 1988. News of Gaddafi's violent end was greeted with satisfaction by the families of the American victims of Lockerbie, understandably full of

bitterness towards the man they have been assured by the US government and the press ordered the bombing of Pan Am 103. But many informed observers have long wondered about these two stories, especially Lockerbie. Jim Swire, the spokesman of UK Families Flight 103, whose daughter was killed in the bombing, has repeatedly expressed dissatisfaction with the official version. Hans Köchler, an Austrian jurist appointed by the UN as an independent observer at the trial, expressed concern about the way it was conducted (notably about the role of two US Justice Department officials who sat next to the Scottish prosecuting counsel throughout and appeared to be giving them instructions). Köchler described al-Megrahi's conviction as 'a spectacular miscarriage of justice'. Swire, who also sat through the trial, subsequently launched the Justice for Megrahi campaign. In a resumé of Gaddafi's career shown on BBC World Service Television on the night of 20 October, John Simpson stopped well short of endorsing either charge, noting of the Berlin bombing that 'it may or may not have been Colonel Gaddafi's work,' an honest formula that acknowledged the room for doubt. Of Lockerbie he remarked cautiously that Libya subsequently 'got the full blame', a statement that is quite true.

- It is often claimed by British and American government personnel and the Western press that Libya admitted responsibility for Lockerbie in 2003-4. This is untrue. As part of the deal with Washington and London, which included Libya paying \$2.7 billion to the 270 victims' families, the Libyan government in a letter to the president of the UN Security Council stated that Libya 'has facilitated the bringing to justice of the two suspects charged with the bombing of Pan Am 103, and accepts responsibility for the actions of its officials'. That this formula was agreed in negotiations between the Libyan and British (if not also American) governments was made clear when it was echoed word for word by Jack Straw in the House of Commons. The formula allowed the government to give the public the impression that Libya was indeed guilty, while also allowing Tripoli to say that it had admitted nothing of the kind. The statement does not even mention al-Megrahi by name, much less acknowledge his guilt or that of the Libyan government, and any self-respecting government would sign up to the general principle that it is responsible for the actions of its officials. Tripoli's position was spelled out by the prime minister, Shukri Ghanem, on 24 February 2004 on the *Today* programme: he made it clear that the payment of compensation did not imply an admission of guilt and explained that the Libyan government had 'bought peace'.
- The standards of proof underpinning Western judgments of Gaddafi's Libya have not been high. The doubt over the Lockerbie trial verdict has encouraged rival theories about who really ordered the bombing, which have predictably been dubbed 'conspiracy theories'. But the prosecution case in the Lockerbie trial was itself a conspiracy theory. And the meagre evidence adduced would have warranted acquittal on grounds of reasonable doubt, or, at most, the 'not proven' verdict that Scottish law allows for, rather than the unequivocally 'guilty' verdict brought in, oddly, on one defendant but not the other. I do not claim to know the truth of the Lockerbie affair, but the British are slow to forgive the authors of atrocities committed against them and their friends. So I find it hard to believe that a British government would have fallen over itself as it did in 2003-5 to welcome Libya back into the fold had it really held Gaddafi responsible. And in view of the number of Scottish victims of the bombing, it is equally hard to believe that SNP politicians would have countenanced al-Megrahi's release if they believed the guilty verdict had been sound. The hypothesis that Libya and Gaddafi and al-Megrahi were framed is to be taken very seriously indeed. And if it were the case, it would follow that the greatly diminished prospect of reform from 1989 onwards as the regime batted down the hatches to weather international sanctions, the material suffering of the Libyan people during this period, and the aggravation of internal conflict (notably the Islamist terrorist campaign waged by the LIFG between 1995 and 1998) can all in some measure be laid at the West's door.
- Wherever the blame lies, the Jamahiriyya survived up to 2011 fundamentally unchanged in its key political features: the absence of political parties, the absence of independent associations, newspapers and publishing houses and the corresponding weakness of civil society, the dysfunctional character of the formal institutions of government, the weakness of the armed forces and the indispensability of Gaddafi himself as the originator of the Revolution that constituted the state. After 42 years of Gaddafi's rule, the people of Libya were, politically speaking, not much further forward than they were on 31 August 1969. And so the Jamahiriyya was vulnerable to internal challenge the moment Arab mass movements making an issue of human dignity and citizens' rights got going. The tragic irony is that the features of the Jamahiriyya that made it vulnerable to the Arab Spring also, in their combination, completely ruled out any emulation of the Tunisian and Egyptian scenarios. The factors that enabled a fundamentally positive evolution to occur in both these countries once the mass protest movement started were absent from Libya. In both Tunisia and Egypt, the population's greater experience of political action gave the protests a degree of sophistication, coherence and organisational flair. The fact that neither

president had been a founding figure allowed for a distinction to be made between a protest against the president and his cronies and a rebellion against the state: the patriotism of the protesters was never put in question. And in both cases the role of the armed forces was crucial: being loyal to the state and the nation rather than to a particular leader, they were disposed to act as arbiters and facilitate a resolution without the existence of the state being put in jeopardy.

- None of this applied to Libya. Gaddafi was the founder of the Jamahiriyya and the guarantor of its continued existence. The armed forces were incapable of playing an independent political role. The absence of any tradition of non-violent opposition and independent organisation ensured that the revolt at the popular level was a raw affair, incapable of formulating any demands that the regime might be able to negotiate. On the contrary, the revolt was a challenge to Gaddafi and to the Jamahiriyya as a whole (and thus to what existed in the way of a state).
- The situation that developed over the weekend following the initial unrest on 15 February suggested three possible scenarios: a rapid collapse of the regime as the popular uprising spread; the crushing of the revolt as the regime got its act together; or – in the absence of an early resolution – the onset of civil war. Had the revolt been crushed straightaway, the implications for the Arab Spring would have been serious, but not necessarily more damaging than events in Bahrain, Yemen or Syria; Arab public opinion, long used to the idea that Libya was a place apart, was insulated against the exemplary effect of events there. Had the revolt rapidly brought about the collapse of the regime, Libya might have tumbled into anarchy. An oil-rich Somalistan on the Mediterranean would have had destabilising repercussions for all its neighbours and prejudiced the prospects for democratic development in Tunisia in particular. A long civil war, while costly in terms of human life, might have given the rebellion time to cohere as a rival centre of state formation and thus prepared it for the task of establishing a functional Libyan state in the event of victory. And, even if defeated, such a rebellion would have undermined the premises of the Jamahiriyya and ensured its demise. None of these scenarios took place. A military intervention by the Western powers under the cloak of Nato and the authority of the United Nations happened instead.
- How should we evaluate this fourth scenario in terms of the democratic principles that have been invoked to justify the military intervention? There is no doubt that many Libyans consider Nato their saviour and that some of them genuinely aspire to a democratic future for their country. Even so I felt great alarm when intervention started to be suggested and remain opposed to it even now despite its apparent triumph, because I considered that the balance of democratic argument favoured an entirely different course of action.
- The claim that the 'international community' had no choice but to intervene militarily and that the alternative was to do nothing is false. An active, practical, non-violent alternative was proposed, and deliberately rejected. The argument for a no-fly zone and then for a military intervention employing 'all necessary measures' was that only this could stop the regime's repression and protect civilians. Yet many argued that the way to protect civilians was not to intensify the conflict by intervening on one side or the other, but to end it by securing a ceasefire followed by political negotiations. A number of proposals were put forward.
- The International Crisis Group, for instance, where I worked at the time, published a statement on 10 March arguing for a two-point initiative: (i) the formation of a contact group or committee drawn from Libya's North African neighbours and other African states with a mandate to broker an immediate ceasefire; (ii) negotiations between the protagonists to be initiated by the contact group and aimed at replacing the current regime with a more accountable, representative and law-abiding government. This proposal was echoed by the African Union and was consistent with the views of many major non-African states – Russia, China, Brazil and India, not to mention Germany and Turkey.
- It was restated by the ICG in more detail (adding provision for the deployment under a UN mandate of an international peacekeeping force to secure the ceasefire) in an open letter to the UN Security Council on 16 March, the eve of the debate which concluded with the adoption of UNSC Resolution 1973. In short, before the Security Council voted to approve the military intervention, a worked-out proposal had been put forward which addressed the need to protect civilians by seeking a rapid end to the fighting, and set out the main elements of an orderly transition to a more legitimate form of government, one that would avoid the danger of an abrupt collapse into anarchy, with all it might mean for Tunisia's revolution, the security of Libya's other neighbours and the wider region. The imposition of a no-fly zone would be an act of war: as the US defense secretary, Robert Gates, told Congress on 2 March, it required the disabling of Libya's air defences as an indispensable preliminary. In authorising this and 'all necessary measures', the Security Council was choosing war when no other policy had even been tried. Why?

- Many critics of Nato's intervention have complained that it departed from the terms of Resolution 1973 and was for that reason illegal; that the resolution authorised neither regime change nor the introduction of troops on the ground. This is a misreading. Article 4 ruled out the introduction of an occupying force. But Article 42 of the 1907 Hague Regulations states that 'territory is considered occupied when it is actually placed under the authority of the hostile army,' a definition conserved by the 1949 Geneva Conventions. What Resolution 1973 ruled out was the introduction of a force intended to take full political and legal responsibility for the place, but that was never the intention; ground forces were indeed eventually introduced, but they have at no point accepted political or legal responsibility for anything and so fall short of the conventional definition of an occupying force.
- It may be that this misreading of the resolution was connived at by the governments that drafted it in order to secure the best (or least bad) tally of votes in favour on 17 March; this would of course be only one instance of the sophistry to which the *metteurs en scène* of intervention have resorted. And regime change was tacitly covered by the phrase 'all necessary measures'. That this was the right way to read the resolution had already been made clear by the stentorian rhetoric of Cameron and Hague, Sarkozy and Juppé, and Obama and Clinton in advance of the Security Council vote. Since the issue was defined from the outset as protecting civilians from Gaddafi's murderous onslaught 'on his own people', it followed that effective protection required the elimination of the threat, which was Gaddafi himself for as long as he was in power (subsequently revised to 'for as long as he is in Libya' before finally becoming 'for as long as he is alive'). From the attitudes struck by the Western powers in the run-up to the Security Council debate, it was evident that the cleverly drafted resolution tacitly authorised a war to effect regime change. Those who subsequently said that they did not know that regime change had been authorised either did not understand the logic of events or were pretending to misunderstand in order to excuse their failure to oppose it. By inserting 'all necessary measures' into the resolution, London, Paris and Washington licensed themselves, with Nato as their proxy, to do whatever they wanted whenever they wanted in the full knowledge that they would never be held to account, since as permanent veto-holding members of the Security Council they are above all laws.
- In two respects the conduct of the Western powers and Nato did indeed appear explicitly to violate the terms of Security Council resolutions. The first instance was the repeated supply of arms to the rebellion by France, Qatar, Egypt (according to the *Wall Street Journal*) and no doubt various other members of the 'coalition of the willing' in what seemed a clear breach of the arms embargo imposed by the Security Council in Articles 9, 10 and 11 of Resolution 1970 passed on 26 February and reiterated in Articles 13, 14 and 15 of Resolution 1973. It was later explained that Resolution 1973 superseded 1970 in this respect and that the magic phrase 'all necessary measures' licensed the violation of the arms embargo; thus Article 4 of Resolution 1973 trumped Articles 13 to 15 of the same resolution. In this way it was arranged that any state might supply arms to the rebels while none might do so to the Libyan government, which by that time had been decreed illegitimate by London, Paris and Washington. Scarcely anyone has drawn attention to the second violation.
- The efforts of the ICG and others seeking an alternative to war did not go entirely unnoticed. Apparently their proposals made some impression on the less gung-ho members of the Security Council, and so a left-handed homage was paid them by the drafters of Resolution 1973. In the final version – unlike any earlier ones – the idea of a peaceful solution was incorporated in the first two articles, which read:
 - [The Security Council ...]
 - (1) *Demands* the immediate establishment of a ceasefire and a complete end to violence and all attacks against, and abuses of, civilians; (2) *Stresses* the need to intensify efforts to find a solution to the crisis which responds to the legitimate demands of the Libyan people and notes the decisions of the secretary-general to send his special envoy to Libya and of the Peace and Security Council of the African Union to send its ad hoc High Level Committee to Libya with the aim of facilitating dialogue to lead to the political reforms necessary to find a peaceful and sustainable solution.
- In this way Resolution 1973 seemed to be actively envisaging a peaceful alternative as its first preference, while authorising military intervention as a fallback if a ceasefire was refused. In reality, nothing could have been further from the truth.
- Resolution 1973 was passed in New York late in the evening of 17 March. The next day, Gaddafi, whose forces were camped on the southern edge of Benghazi, announced a ceasefire in conformity with Article 1 and proposed a political dialogue in line with Article 2. What the Security Council demanded and suggested, he provided in a matter of hours. His

ceasefire was immediately rejected on behalf of the NTC by a senior rebel commander, Khalifa Haftar, and dismissed by Western governments. 'We will judge him by his actions not his words,' David Cameron declared, implying that Gaddafi was expected to deliver a complete ceasefire by himself: that is, not only order his troops to cease fire but ensure this ceasefire was maintained indefinitely despite the fact that the NTC was refusing to reciprocate. Cameron's comment also took no account of the fact that Article 1 of Resolution 1973 did not of course place the burden of a ceasefire exclusively on Gaddafi. No sooner had Cameron covered for the NTC's unmistakable violation of Resolution 1973 than Obama weighed in, insisting that for Gaddafi's ceasefire to count for anything he would (in addition to sustaining it indefinitely, single-handed, irrespective of the NTC) have to withdraw his forces not only from Benghazi but also from Misrata and from the most important towns his troops had retaken from the rebellion, Ajdabiya in the east and Zawiya in the west – in other words, he had to accept strategic defeat in advance. These conditions, which were impossible for Gaddafi to accept, were absent from Article 1.

- Cameron and Obama had made clear that the last thing they wanted was a ceasefire, that the NTC could violate Article 1 of the resolution with impunity and that in doing so it would be acting with the agreement of its Security Council sponsors. Gaddafi's first ceasefire offer came to nothing, as did his second offer of 20 March. A week later, Turkey, which had been working within the Nato framework to help organise the provision of humanitarian aid to Benghazi, announced that it had been talking to both sides and offered to broker a ceasefire. The offer was given what Ernest Bevin would have called 'a complete ignoral' and nothing came of it either, as nothing came of a later initiative, seeking a ceasefire and negotiations (to which Gaddafi explicitly agreed), undertaken by the African Union in April. It too was rejected out of hand by the NTC, which demanded Gaddafi's resignation as a condition of any ceasefire. This demand went beyond even Obama's earlier list of conditions, none of which had figured in Resolution 1973. More to the point, it was a demand that made a ceasefire impossible, since securing a ceasefire requires commanders with decisive authority over their armies, and removing Gaddafi would have meant that no one any longer had overall authority over the regime's forces.
- By incorporating the alternative non-violent policy proposals in its text, the Western war party had been pulling a confidence trick, stringing along a few undecided states to get them to vote for the resolution on 17 March: a war to the finish, violent regime change and the end of Gaddafi had been the policy from the outset. All subsequent offers of a ceasefire by Gaddafi – on 30 April, 26 May and 9 June – were treated with the same contempt.
- Those who believe in 'international law' and are happy with wars they consider 'legal' may wish to make something of this. But the crucial point here has to do with the logic of events and the policy choices associated with them. In incorporating the ICG's – or, more generally, the peace party's – suggestions into the revised text of Resolution 1973, London, Paris and Washington deftly headed off a real debate in the Security Council, one that would have considered alternatives, at the price of making their own resolution incoherent.
- London, Paris and Washington could not allow a ceasefire because it would have involved negotiations, first about peace lines, peacekeepers and so forth, and then about fundamental political differences. And all this would have subverted the possibility of the kind of regime change that interested the Western powers. The sight of representatives of the rebellion sitting down to talks with representatives of Gaddafi's regime, Libyans talking to Libyans, would have called the demonisation of Gaddafi into question. The moment he became once more someone people talked to and negotiated with, he would in effect have been rehabilitated. And that would have ruled out violent – revolutionary? – regime change and so denied the Western powers their chance of a major intervention in North Africa's Spring, and the whole interventionist scheme would have flopped. The logic of the demonisation of Gaddafi in late February, crowned by the referral of his alleged crimes against humanity to the International Criminal Court by Resolution 1970 and then by France's decision on 10 March to recognise the NTC as the sole legitimate representative of the Libyan people, meant that Gaddafi was banished for ever from the realm of international political discourse, never to be negotiated with, not even about the surrender of Tripoli when in August he offered to talk terms to spare the city further destruction, an offer once more dismissed with contempt. And this logic was preserved from start to finish, as the death toll of civilians in Tripoli and above all Sirte proves. The mission was always regime change, a truth obscured by the hullabaloo over the supposedly imminent massacre at Benghazi.
- The official version is that it was the prospect of a 'second Srebrenica' or even 'another Rwanda' in Benghazi were Gaddafi allowed to retake the city that forced the 'international community' (minus Russia, China, India, Brazil, Germany, Turkey et al) to act. What grounds were there for supposing that, once Gaddafi's forces had retaken Benghazi, they would be ordered to embark on a general massacre?

- Gaddafi dealt with many revolts over the years. He invariably quashed them by force and usually executed the ringleaders. The NTC and other rebel leaders had good reason to fear that once Benghazi had fallen to government troops they would be rounded up and made to pay the price. So it was natural that they should try to convince the 'international community' that it was not only their lives that were at stake, but those of thousands of ordinary civilians. But in retaking the towns that the uprising had briefly wrested from the government's control, Gaddafi's forces had committed no massacres at all; the fighting had been bitter and bloody, but there had been nothing remotely resembling the slaughter at Srebrenica, let alone in Rwanda. The only known massacre carried out during Gaddafi's rule was the killing of some 1200 Islamist prisoners at Abu Salim prison in 1996. This was a very dark affair, and whether or not Gaddafi ordered it, it is fair to hold him responsible for it. It was therefore reasonable to be concerned about what the regime might do and how its forces would behave in Benghazi once they had retaken it, and to deter Gaddafi from ordering or allowing any excesses. But that is not what was decided. What was decided was to declare Gaddafi guilty in advance of a massacre of defenceless civilians and instigate the process of destroying his regime and him (and his family) by way of punishment of a crime he was yet to commit, and actually unlikely to commit, and to persist with this process despite his repeated offers to suspend military action.
- There was no question of anything that could properly be described as ethnic cleansing or genocide in the Libyan context. All Libyans are Muslims, the majority of Arab-Berber descent, and while the small Berber-speaking minority had a grievance concerning recognition of its language and identity (its members are Ibadi, not Sunni, Muslims), this was not what the conflict was about. The conflict was not ethnic or racial but political, between defenders and opponents of the Gaddafi regime; whichever side won could be expected to deal roughly with its adversaries, but the premises for a large-scale massacre of civilians on grounds of their ethnic or racial identity were absent. All the talk about another Srebrenica or Rwanda was extreme hyperbole clearly intended to panic various governments into supporting the war party's project of a military intervention in order to save the rebellion from imminent defeat.
- Why did the panic factor work so well with international, or at any rate Western, public opinion and especially governments? It is reliably reported that Obama's fear of being accused of allowing another Srebrenica tipped the scales in Washington when not only Robert Gates but also, initially, Hillary Clinton had resisted US involvement. I believe the answer is that Gaddafi had already been so thoroughly demonised that the wildest accusations about his likely (or, as many claimed, certain) future conduct would be believed whatever his actual behaviour. This demonisation took place on 21 February, the day all the important cards were dealt.
- On 21 February the world was shocked by the news that the Gaddafi regime was using its airforce to slaughter peaceful demonstrators in Tripoli and other cities. The main purveyor of this story was al-Jazeera, but the story was quickly taken up by the Sky network, CNN, the BBC, ITN et al. Before the day was over the idea of imposing a no-fly zone on Libya was widely accepted, as was the idea of a Security Council resolution imposing sanctions and an arms embargo, freezing Libya's assets and referring Gaddafi and his associates to the ICC on charges of crimes against humanity. Resolution 1970 was duly passed five days later and the no-fly zone proposal monopolised international discussion of the Libyan crisis from then on.
- Many other things happened on 21 February. Zawiya was reported to be in chaos. The minister of justice, Mustafa Abdul Jalil, resigned. Fifty Serbian workers were attacked by looters. Canada condemned 'the violent crackdowns on innocent demonstrators'. Two airforce pilots flew their fighters to Malta claiming they did so to avoid carrying out an order to bomb and strafe demonstrators. By late afternoon regime troops and snipers were reliably reported to be firing on crowds in Tripoli. Eighteen Korean workers were wounded when their place of work was attacked by a hundred armed men. The European Union condemned the repression, followed by Ban Ki-moon, Nicolas Sarkozy and Silvio Berlusconi. Ten Egyptians were reported to have been killed by armed men in Tobruk. William Hague, who had condemned the repression the previous day (as had Hillary Clinton), announced at a press conference that he had information that Gaddafi had fled Libya and was en route to Venezuela. The Libyan ambassador to Poland stated that defections from the armed forces as well as the government could not be stopped and Gaddafi's days were numbered. Numerous media outlets carried the story that Libya's largest tribe, the Warfalla, had joined the rebellion. Libya's ambassadors to Washington, India, Bangladesh and Indonesia all resigned, and its deputy ambassador to the UN, Ibrahim Dabbashi, rounded off the day by calling a news conference at Libya's mission in New York and claimed that Gaddafi had 'already started the genocide against the Libyan people' and was flying in African mercenaries. It was Dabbashi more than anyone else who, having primed his audience in this way, launched the idea that the UN should impose a no-fly zone and the ICC should investigate Gaddafi's 'crimes against humanity and

crimes of war’.

- At this point the total death toll since 15 February was 233, according to Human Rights Watch. The Fédération Internationale des Droits de l’Homme suggested between 300 and 400 (but it also announced the same day that Sirte had fallen to the rebels). We can compare these figures with the total death toll in Tunisia (300) and Egypt (at least 846). We can also compare both HRW’s and FIDH’s figures with the death toll, plausibly estimated at between 500 and 600, of the seven days of rioting in Algeria in October 1988, when the French government rigorously refrained from making any comment on events. But the figures were beside the point on 21 February; it was impressions that counted. The impression made by the story that Gaddafi’s airforce was slaughtering peaceful protesters was huge, and it was natural to take the resignations of Abdul Jalil and the ambassadors, the flight of the two pilots, and especially Dabbashi’s dramatic declaration about genocide as corroborating al-Jazeera’s story.
- Goodies and baddies (to use Tony Blair’s categories) had been clearly identified, the Western media’s outraged attention totally engaged, the Security Council urgently seized of the matter, the ICC primed to stand by, and a fundamental shift towards intervention had been made – all in a matter of hours. And quite right too, many may say. Except that the al-Jazeera story was untrue, just as the story of the Warfalla’s siding with the rebellion was untrue and Hague’s story that Gaddafi was fleeing to Caracas was untrue. And, of course, Dabbashi’s ‘genocide’ claim was histrionic rubbish which none of the organisations with an interest in the use of the term was moved to challenge.
- These considerations raise awkward questions. If the reason cited by these ambassadors and other regime personnel for defecting on 21 February was false, what really prompted them to defect and make the declarations they did? What was al-Jazeera up to? And what was Hague up to? A serious history of this affair when more evidence comes to light will seek answers to these questions. But I don’t find it hard to understand that Gaddafi and his son should suddenly have resorted to such fierce rhetoric. They clearly believed that, far from confronting merely ‘innocent demonstrators’ as the Canadians had it, they were being destabilised by forces acting to a plan with international ramifications. It is possible that they were mistaken and that everything was spontaneous and accidental and a chaotic muddle; I do not pretend to know for sure. But there had been plans to destabilise their regime before, and they had grounds for thinking that they were being destabilised again. The slanted coverage in the British media in particular, notably the insistence that the regime was faced only by peaceful demonstrators when, in addition to ordinary Libyans trying to make their voices heard non-violently, it was facing politically motivated as well as random violence (e.g. the lynching of 50 alleged mercenaries in al-Baida on 19 February), was consistent with the destabilisation theory. And on the evidence I have since been able to collect, I am inclined to think that destabilisation is exactly what was happening.
- In the days that followed I made efforts to check the al-Jazeera story for myself. One source I consulted was the well-regarded blog Informed Comment, maintained and updated every day by Juan Cole, a Middle East specialist at the University of Michigan. This carried a post on 21 February entitled ‘Qaddafi’s bombardments recall Mussolini’s’, which made the point that ‘in 1933-40, Italo Balbo championed aerial warfare as the best means to deal with uppity colonial populations.’ The post began: ‘The strafing and bombardment in Tripoli of civilian demonstrators by Muammar Gaddafi’s fighter jets on Monday ...’, with the underlined words linking to an article by Sarah El Deeb and Maggie Michael for Associated Press published at 9 p.m. on 21 February. This article provided no corroboration of Cole’s claim that Gaddafi’s fighter jets (or any other aircraft) had strafed or bombed anyone in Tripoli or anywhere else. The same is true of every source indicated in the other items on Libya relaying the aerial onslaught story which Cole posted that same day.
- I was in Egypt for most of the time, but since many journalists visiting Libya were transiting through Cairo, I made a point of asking those I could get hold of what they had picked up in the field. None of them had found any corroboration of the story. I especially remember on 18 March asking the British North Africa expert Jon Marks, just back from an extended tour of Cyrenaica (taking in Ajdabiya, Benghazi, Brega, Derna and Ras Lanuf), what he had heard about the story. He told me that no one he had spoken to had mentioned it. Four days later, on 22 March, *USA Today* carried a striking article by Alan Kuperman, the author of *The Limits of Humanitarian Intervention* and coeditor of *Gambling on Humanitarian Intervention*. The article, ‘Five Things the US Should Consider in Libya’, provided a powerful critique of the Nato intervention as violating the conditions that needed to be observed for a humanitarian intervention to be justified or successful. But what interested me most was his statement that ‘despite ubiquitous cellphone cameras, there are no images of genocidal violence, a claim that smacks of rebel propaganda.’ So, four weeks on, I was not alone in finding no evidence for the aerial slaughter story. I subsequently discovered that the issue had come up more than a fortnight earlier, on 2

March, in hearings in the US Congress when Gates and Admiral Mike Mullen, chairman of the Joint Chiefs of Staff, were testifying. They told Congress that they had no confirmation of reports of aircraft controlled by Gaddafi firing on citizens.

- The story was untrue, just as the story that went round the world in August 1990 that Iraqi troops were slaughtering Kuwaiti babies by turning off their incubators was untrue and the claims in the sexed-up dossier on Saddam's WMD were untrue. But as Mohammed Khider, one of the founders of the FLN, once remarked, 'when everyone takes up a falsehood, it becomes a reality.' The rush to regime change by war was on and could not be stopped.
- The intervention tarnished every one of the principles the war party invoked to justify it. It occasioned the deaths of thousands of civilians, debased the idea of democracy, debased the idea of law and passed off a counterfeit revolution as the real thing. Two assertions that were endlessly reiterated – they were fundamental to the Western powers' case for war – were that Gaddafi was engaged in 'killing his own people' and that he had 'lost all legitimacy', the latter presented as the corollary of the former. Both assertions involved mystifications.
- 'Killing his own people' is a hand-me-down line from the previous regime change war against Saddam Hussein. In both cases it suggested two things: that the despot was a monster and that he represented nothing in the society he ruled. It is tendentious and dishonest to say simply that Gaddafi was 'killing his own people'; he was killing those of his people who were rebelling. He was doing in this respect what every government in history has done when faced with a rebellion. We are all free to prefer the rebels to the government in any given case. But the relative merits of the two sides aren't the issue in such situations: the issue is the right of a state to defend itself against violent subversion. That right, once taken for granted as the corollary of sovereignty, is now compromised.
- Theoretically, it is qualified by certain rules. But, as we have seen, the invocation of rules (e.g. no genocide) can go together with a cynical exaggeration and distortion of the facts by other states. There are in fact no reliable rules. A state may repress a revolt if the permanent veto-holding powers on the Security Council allow it to (e.g. Bahrain, but also Sri Lanka) and not otherwise. And if a state thinks it can take this informal authorisation to defend itself as read because it is on good terms with London, Paris and Washington and is honouring all its agreements with them, as Libya was, it had better beware. Terms can change without warning from one day to the next. The matter is now arbitrary, and arbitrariness is the opposite of law.
- The idea that Gaddafi represented nothing in Libyan society, that he was taking on his entire people and his people were all against him was another distortion of the facts. As we now know from the length of the war, the huge pro-Gaddafi demonstration in Tripoli on 1 July, the fierce resistance Gaddafi's forces put up, the month it took the rebels to get anywhere at all at Bani Walid and the further month at Sirte, Gaddafi's regime enjoyed a substantial measure of support, as the NTC did. Libyan society was divided and political division was in itself a hopeful development since it signified the end of the old political unanimity enjoined and maintained by the Jamahiriyya. In this light, the Western governments' portrayal of 'the Libyan people' as uniformly ranged against Gaddafi had a sinister implication, precisely because it insinuated a new Western-sponsored unanimity back into Libyan life. This profoundly undemocratic idea followed naturally from the equally undemocratic idea that, in the absence of electoral consultation or even an opinion poll to ascertain the Libyans' actual views, the British, French and American governments had the right and authority to determine who was part of the Libyan people and who wasn't. No one supporting the Gaddafi regime counted. Because they were not part of 'the Libyan people' they could not be among the civilians to be protected, even if they were civilians as a matter of mere fact. And they were not protected; they were killed by Nato air strikes as well as by uncontrolled rebel units. The number of such civilian victims on the wrong side of the war must be many times the total death toll as of 21 February. But they don't count, any more than the thousands of young men in Gaddafi's army who innocently imagined that they too were part of 'the Libyan people' and were only doing their duty to the state counted when they were incinerated by Nato's planes or extra-judicially executed en masse after capture, as in Sirte.
- The same contempt for democratic principle characterised the repeated declarations in the West that Gaddafi had 'lost all legitimacy'. Every state needs international recognition and to that extent depends on external sources of legitimation. But the democratic idea gives priority to national over international legitimacy. With their claim of lost legitimacy the Western powers were not only pre-empting an eventual election in Libya which would ascertain the true balance of public opinion, they were mimicking the Gaddafi regime: in the Jamahiriyya the people were liable to be trumped by the Revolution as a source of superior legitimacy.
- 'If you break it, you own it,' Colin Powell famously remarked, in order to alert the Beltway to the risks of a renewed war against Iraq. The lesson of the mess in Iraq has been

learned, at least to the extent that the Western powers and Nato have repeatedly insisted that the Libyan people – the NTC and the revolutionary militias – own their revolution. So, not owning Libya after the fall of Gaddafi, Nato and London and Paris and Washington cannot be accused of breaking it or be held responsible for the debris. The result is a shadow play. The NTC occupies centre stage in Libya, but since February every key decision has been made in the Western capitals in consultation with the other, especially Arab, members of the 'contact group' meeting in London or Paris or Doha. It is unlikely that the structure of power and the system of decision-making which have guided the 'revolution' since March are going to change radically. And so unless something happens to upset the calculations that have brought Nato and the NTC this far, what will probably emerge is a system of dual power in some ways analogous to that of the Jamahiriyya itself, and similarly inimical to democratic accountability. That is, a system of formal decision-making about secondary matters acting as a façade for a separate and independent, because offshore, system of decision-making about everything that really counts (oil, gas, water, finance, trade, security, geopolitics) behind the scenes. Libya's formal government will be a junior partner of the new Libya's Western sponsors. This will be more of a return to the old ways of the monarchy than to those of the Jamahiriyya.

[NATO stretching UN Libya mandate: Evans](http://news.smh.com.au/breaking-news-national/nato-stretching-un-libya-mandate-evans-20110504-1e7zj.html)

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• NATO stretching UN Libya mandate: Evans

May 4, 2011

AAP

- NATO has stretched the UN mandate on Libya to its absolute limit in attacking the palaces of Muammar Gaddafi and talking of regime change, former Labor foreign minister Gareth Evans says.

Professor Evans, chancellor of the Australian National University, says the coalition of nations that produced the UN resolution authorising action against Libya was under real stress.

- In a lecture on the lessons and challenges of the "responsibility to protect" doctrine to be delivered at the university on Thursday night, he says the Libyan intervention had ignited the debate on when it was appropriate to take military action against another state to protect civilians.

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Professor Evans says there is growing anxiety that the Security Council mandate on Libya is being stretched to breaking point by the NATO operation.

He says there is growing frustration that Gaddafi was still hanging on despite NATO air attacks on his air force, heavy weapons, command centres and other facilities.

- "But as NATO responds to those pressures by stretching its UN mandate to the absolute limit ... then the risk accelerates of buyers' remorse from those who did not oppose Resolution 1973, and of a backlash when the next extreme responsibility-to-protect case

comes before the Security Council," he says.

Professor Evans says NATO is pushing the mandate by targeting Gaddafi's palaces, command centres and heavy weapons and being more willing to talk about regime change as the primary objective or only means to protect civilians effectively.

As well, there is talk of putting advisers on the ground and arming the rebels despite the embargo on the latter.

He says if the constituency which created UN Resolution 1973 was to remain unbroken, it was crucial for NATO to not test the limits of the resolution any further than it had already.

- "Unless and until another Security Council resolution can be negotiated putting the military intervention on a broader 'international peace and security' rather than just responsibility-to-protect footing, which is extremely unlikely, the only course to embrace is patience," he says.

Professor Evans says there is real concern that events in Libya, far from setting a new benchmark for future commitment, will prove to be the high water mark of responsibility-to-protect from which the tide would now recede.

"It would be a profoundly unhappy development if there were to be a major retreat from what has been achieved so far," he says.

[UN votes to lift Libya no-fly zone on Oct. 31 - AP](http://news.yahoo.com/un-votes-lift-libya-no-fly-zone-oct-143436062.html)

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• UN votes to lift Libya no-fly zone on Oct. 31



By *EDITH M. LEDERER - Associated Press | AP*

- UNITED NATIONS (AP) — The U.N. Security Council voted unanimously Thursday to lift the no-fly zone over Libya on Oct. 31 and end its authorization of military action to protect civilians.

The council authorized the actions on March 17 in response to an Arab League request to try to halt Moammar Gadhafi's military, which was advancing against rebels and their civilian supporters. The NATO bombing campaign that followed was critical in helping the rebels oust Libyan leader Moammar Gadhafi from power in August.

The council adopted the resolution a day after Libya's deputy U.N. Ambassador Ibrahim Dabbashi asked members to wait until the transitional government made an official request, which he hoped would come by Oct. 31.

- UNITED NATIONS (AP) — The U.N. Security Council voted unanimously Thursday to lift the no-fly zone over Libya on Oct. 31 and end military action to protect civilians, acting swiftly following the death of Moammar Gadhafi and the interim government's declaration of the country's liberation.

The council authorized the actions on March 17 in response to an Arab League request to try to halt Moammar Gadhafi's military, which was advancing against rebels and their civilian supporters. The NATO bombing campaign that followed was critical in helping the rebels oust Gadhafi from power in August.

"This marks a really important milestone in the transition in Libya," Britain's U.N. Ambassador Mark Lyall Grant said. "It marks the way from the military phase towards the formation of an inclusive government, the full participation of all sectors of society, and for the Libyan people to choose their own future."

- But the U.N.'s most powerful body decided that there was no need for U.N.-authorized military action following the death of Gadhafi on Oct. 20 and the transitional government's announcement of the country's liberation on Oct. 23.

Last week, NATO announced preliminary plans to phase out its mission on Oct. 31. But the alliance unexpectedly postponed a decision on Wednesday, saying NATO Secretary-General Anders Fogh Rasmussen needed to continue consultations with the United Nations and Libya's National Transitional Council.

The resolution ends the U.N. authorization for military action just before midnight on Oct. 31, which means that Libya will regain control of its airspace and all military operations effective Nov. 1.

Russia's U.N. Ambassador Vitaly Churkin had called for an end to military operations on Oct. 31 and welcomed the council's action — as did the ambassadors of United States, Britain, France, Germany, South Africa and other council nations.

- In Berlin, NATO Secretary-General Anders Fogh Rasmussen said the alliance on Friday would confirm its earlier, preliminary decision to end operations Oct. 31.

He said after meeting with German Chancellor Angela Merkel that Thursday's U.N. resolution "reflects that we have fully accomplished our mandate to protect the civilian population of Libya, so now we have firm ground for terminating our operations as we decided to do a week ago."

The alliance is ready to assist the new Libyan government in the transformation to democracy, particularly in the areas of defense and security sector reforms, Fogh Rasmussen said. "I wouldn't expect new tasks beyond that."

The Security Council adopted the resolution a day after Libya's deputy U.N. Ambassador Ibrahim Dabbashi told the council Libyans wanted their sovereignty restored but asked members to hold up action until the transitional government made a formal request, which he hoped would come by Oct. 31.

- The U.N.'s most powerful body rejected his request, deciding that there was no need for U.N.-authorized military action following the death of Gadhafi on Oct. 20 and the National Transitional Council's announcement of liberation on Oct. 23.

The resolution ends the U.N. authorization for military action just before midnight local time on Oct. 31, which means that Libya will regain control of its airspace and all military operations effective Nov. 1.

The Security Council said it looks forward "to the swift establishment of an inclusive, representative transitional government of Libya" committed to democracy, good governance, rule of law, national reconciliation and respect for human rights.

It strongly urged Libyan authorities "to refrain from reprisals," take measures to prevent others from carrying out reprisals, and to protect the population, "including foreign nationals and African migrants." Those two groups have been targeted by anti-Gadhafi forces because they were seen as supporting the late dictator's regime.

Russia's U.N. Ambassador Vitaly Churkin, who earlier argued that the resolution authorizing military action was misused by NATO to justify months of airstrikes against Gadhafi's regime, circulated a resolution last week calling for an end to military operations on Oct. 31.

- Churkin welcomed the council's unanimous vote but told reporters that "numerous violations have taken place" in implementing the Libya resolution and "serious lessons should be drawn for the Security Council."

U.S. Ambassador Susan Rice countered that NATO's action prevented "mass slaughter" in the eastern city of Benghazi and elsewhere over many months and insisted that all council members knew what authorization of the use of force to protect civilians would entail.

"We discussed it very concretely and plainly, and described thoroughly that this would entail active use of air power and air strikes to halt Gadhafi forces that were engaged in offensive actions against its people," she said.

As the air campaign unfolded, she said, "there were those that found it increasingly uncomfortable what it was they had agreed to. But to suggest that somehow they were misled is false."

Rice said she believes history will judge the Libyan resolution and actions that followed "to be a proud chapter in the Security Council's history."

While U.S. aircraft were crucial at the beginning of the air campaign, France and Britain then took the lead in the NATO operation.

- France's U.N. Ambassador Gerard Araud said his country was proud that it "stood on the side of the Libyan people" from the beginning and would now help them rebuild the country. As for Churkin's criticism, Araud said, "we let the historians decide."

The resolution adopted Thursday expressed concern at the proliferation of arms in Libya and its potential impact on regional peace and said the Security Council would address this issue "expeditiously."

Ian Martin, the top U.N. envoy to Libya, told the Security Council Wednesday that Libya under Gadhafi accumulated the largest known stockpile of shoulder-fired anti-aircraft missiles in any non-producing country. While thousands were destroyed during NATO operations, he said the U.N. is increasingly concerned "over the looting and likely proliferation" of these weapons and other munitions, as well as a spate of newly laid mines within the country.

Martin expressed concern over command and control of chemical and nuclear material sites though he said the interim government's forces appear to be controlling them. He said additional undeclared chemical weapons sites have been located as well.

A Russian-drafted resolution circulated to council members Thursday and obtained by the Associated Press calls on Libyan authorities "to take all necessary steps to prevent the proliferation of all arms and related material," including shoulder-fired missiles.

It also calls on the government to destroy Libyan stockpiles of chemical weapons in coordination with international authorities.

Diplomats said the resolution could be put to a vote as early as Friday.

<http://www.jana-news.ly/en/art.php?a=8019>
<http://www.jana-news.ly/en/art.php?a=8019>

• **Brazil Express Condemnation to NATO Violation of UNSC Resolutions 1970 and 1973**

2011-08-06 19:13:51

Brasilia, 06.08.2011 (JANA) The President, government and people of Brazil expressed condemnation of the NATO crusader violations of the UN Security Council resolutions 1970 and 1973. This came when the advisor to the President of Brazil for political affairs met in the capital Brasilia on Friday with the Secretary of the GPC for Transportation and Communication Dr. Mohamed Zaidan. The secretary handed the advisor Marco Garcia a message from the Leader of the Revolution to President Dilma, and expressed his greetings to the people of Brazil. For his part, the Brazilian official asked the secretary to convey greetings of President Dilma and her admiration of the courage of the Libyan

people against the global forces of hegemony. During the meeting, the Secretary gave an elaborate explanation on reality of the events taking place in Libya, a colonial conspiracy against the Libyan people and the leader Muammer Algathafi, and a Atlantic aggression, which under the cover of Security Council targets civilians, civilian locations and the infrastructure of Libya. Advisor Marco Garcia reiterated Brazil's condemnation of the NATO aggression that deliberately kills civilians by bombarding residential areas and destroys the infrastructure of Libya. He expressed President's support for the African road map on Libya, which was adopted by the African Union summit in Equatorial Guinea, he also expressed Brazil's readiness to cooperate with Great Jamahiriya through its current Security Council membership. / JANA /

[LeMonde Libya](http://www.diigo.com/item/note/ahoy/6typ?k=fccc2d31056314edef9d64395c32baf7)

<http://www.diigo.com/item/note/ahoy/6typ?k=fccc2d31056314edef9d64395c32baf7>

" More recently this vision of multilateral world order has been buttressed by the rise of human rights law and non-governmental organisations. These momentous legal developments should surely bring us ever closer to world peace. And yet a growing number of jurists worldwide have come to see international law less as a force for peace than as a supple instrument of war. "

<http://mondediplo.com/2011/07/06libya>

Le Monde diplomatique, English Edition, July 2011

International law now used as a weapon

License for war in Libya

Under international law, the UN Security Council blessed Nato's Libya campaign without the necessary debates over its consequences

by Chase Madar

A vision of international law, centralised and standing above all nations, regulating and upholding a pacific world order, has guided much thought and action in international relations since the end of the second world war. *Peace Through Law*, published in 1944 by the Austrian jurist Hans Kelsen, is the classic exposition of this vision; *Forging a World of Liberty Under Law* by G. John Ikenberry and Anne-Marie Slaughter (1) is the latest iteration. Diplomats, politicians and bureaucrats have built legal institutions (multilateral but based in New York) by which sovereign states can settle disputes lawfully, with military force exercised only in self-defence, and as a last resort.

More recently this vision of multilateral world order has been buttressed by the rise of human rights law and non-governmental organisations. These momentous legal developments should surely bring us ever closer to world peace. And yet a growing number of jurists worldwide have come to see international law less as a force for peace than as a supple instrument of war.

A case in point is the deployment of international law in Nato's Libya campaign, now into its fourth month and fighting far beyond its initial mandate of "civilian protection". Security Council resolution 1973 blessed, under international law, this act of war: the approval of the US, with France and the UK, as well as seven other nations (representing 600 million people) was enough to stamp Operation Odyssey Dawn with the UN's great seal. China, India, Russia, Brazil and Germany, which represent nearly three billion people, abstained from the vote to authorise military force, but formal compliance with UN Charter law has convinced many that this act of war is just and necessary. Middle East writer Juan Cole supports the war because it is legal and multilateral, as have many others across the political spectrum. "The Libya intervention is multilateralism at its best," said Stephen Szabo, director of the Transatlantic Academy in Washington.

Suppose that Nato's war in Libya is in perfect accord with international law (which is to overlook

the absence of congressional authorisation, a violation of the US constitution and the War Powers Act of 1973). If it is legal, is it benevolent or worth fighting? Legality is never enough to justify any action. It would be legal for someone to donate their entire worldly wealth to Sarah Palin's political action committee and then move their family into a cardboard box. Every day we are presented with choices that, though legal, would be foolish and destructive. The distinction, though banal, is often difficult for jurists to grasp.

But surely the fact that the Libya campaign is multilateral makes a difference? Multilateralism has beguiled many great liberal minds in the past. The Italian philosopher Norberto Bobbio and the German sociologist Jürgen Habermas were dazzled by the multilateralism of the 1991 Gulf war and championed the campaign at first. Once they saw the carnage and lasting damage to ordinary Iraqis, authorised by UN Security Council resolution 678, they recanted.

Cold act of cruelty

Economic sanctions against Iraq quickly turned into a cold act of cruelty, killing tens of thousands of non-combatant citizens trapped in an authoritarian state. These sanctions, authorised by resolution 661, were fully multilateral and, as far as the UN goes, legal. (Former chief sanctions administrator Denis Halliday quit the programme in Iraq on the grounds that its actions probably met the UN definition of genocide.) Multilateralism under the auspices of the UN is no guarantee of prudent or even minimally humane policy.

Bismarck once remarked that treaties were like sausages, you don't want to know what goes into their making, and the origins of the UN contain much that is unappetising. At the founding conference in San Francisco, the US government tapped foreign delegates' phones, bugged their hotel rooms and left no chance for any outcome other than an institution dominated by the US.

The historian Mark Mazower has emphasised the UN's originally intended function not just as a world parliament but as an instrument for managing colonial empires (2). Despite the complaints of the US right, the UN has never restrained US war-making abroad; if anything, it has eagerly offered itself as a helpmate for great power prerogatives. (Even after the latest Iraq war violated international law, the UN trailed after the conquering army to help with the occupation, at the cost of the lives of UN workers.) The UN's commissions do much valuable work but the UN Security Council, where most of the real power resides, remains, as noted by Danilo Zolo, director of the international law journal *Jura Gentium*, about as democratic a forum as the Holy Alliance of 1815 (3).

Unlike the Holy Alliance, the UN comes with a sonorous charter with claims to global universality and a strong preference that military force should be a last resort. Yet the UN Charter has proved useful for fashioning cases for war. As David Kennedy of Harvard Law School noted, "The surprising thing is how rarely warfare has been undertaken since 1945 without some UN Charter justification; it is hard for me to think of an example, actually. More commonly, all parties to the conflict root the justification for their actions in one or another way in the language of the Charter, which strengthens their own confidence in the absolute justice of their cause."

It is puzzling that so many revere Security Council resolutions. (Or perhaps pretend to: when the Nato air assault on Serbia in 1999 proceeded without UN authorisation, few seemed to mind.) Does the approval of the Security Council really guarantee sound judgment?

Is legality the real issue?

Opposition to the Bush and Blair invasion of Iraq stressed the war's illegality, which was brazen; international law provided a ready-made vocabulary to articulate why that war was so wrong. And yet the emphasis on law was misplaced, both tactically and intellectually. Inside the US, international law has little clout and is often felt to lack democratic legitimacy. Even in the UK, where international law talk has more weight, legal institutions and arguments failed to force the Labour government to change its disastrous course in Iraq, or to hold any of those responsible to account. (The Chilcot Commission's feeble grilling of a cheerful Tony Blair failed even as theatre.) Others have also wondered if a National Security Council resolution "legalising" the conflict would have in any way redeemed such a brutal and destructive war.

Another reason for the emphasis on law is the growing influence of the human rights industry. Although the lawyers who staff these nonprofits do much courageous and valuable work, the human rights discourse is insufficient - indeed, vacuous - as politics. This is by design, as the doctrine of human rights grounds its legitimacy on being militantly apolitical, a neutral pose both ideological and pragmatic; any position of overt politicisation would alienate governments, offend key donors and imperil an NGO's tax-exempt status. Neither **Amnesty International** nor **Human Rights Watch (HRW)** took any position on the invasion of Iraq: such political judgment is outside their brief, though HRW did note in 2004 that the Iraq war was not a bona fide humanitarian intervention (4).

HRW has a policy of silence on matters of *jus ad bellum* (the laws on *whether* to wage war), focusing instead on violations of *jus in bello* (laws on *how* war is fought). According to James Ross, HRW's legal and policy director, the group only speaks out in favour of war in exceptional cases "when it is the only reasonable measure that can prevent or stop the crime of genocide or the comparable mass killing of civilians". These exceptions have happened frequently of late. Both HRW's executive director Ken Roth and its chief Washington lobbyist Tom Malinowski applauded the Nato campaign in Libya, endorsing military force. Days after the airstrikes began, HRW called for "nothing less than the type of unified and decisive action the UN Security Council has brought to bear in Libya" in Côte d'Ivoire, in a *Foreign Policy* article on 25 March. (Ross denies this was a call for military intervention, though it is difficult to read it as anything else.)

In 2009, HRW called for the Obama administration to "commit to a long-term strategy" for securing civilian safety in Afghanistan, tacitly approving a longer military occupation, in the name of human rights. (For many humanitarian NGOs it is an article of faith that the Afghan pacification campaign is a philanthropic endeavour, to which the 140,000 armed ISAF troops are purely ancillary.) HRW also supported wars in Kosovo and Somalia.

A secular Vatican

HRW aspires to be an authoritative but supranational font of human rights pronouncements, a secular Vatican. But transcending worldly politics is not so easy. The rest of the world sees it as American, with privileged access to Washington where its lobbying power is concentrated, and, as James Peck argues in his recent history (5), HRW has tended to operate within the intellectual parameters set by Washington.

In Iraq, it has criticised the tactics and execution of the US occupation in the spirit of a loyal adjutant, chiding the US military for not securing arms stockpiles that HRW researchers had spotted in Baghdad and Basra. But HRW has never condemned the occupation itself, the essential illegality of which has gone unquestioned. As for recommending military interventions, HRW did not follow up its endorsement of the Libyan campaign with calls for similar action in Yemen or Bahrain, both US client states where nonviolent protesters have been shot or imprisoned. (In fairness, HRW has consistently condemned Israeli human rights violations against Palestinians, a bold move for any American institution.)

Both the UN Charter and human rights law are double-jointed on questions of war. But if international law's prohibitions are useless, the licenses it grants to military violence are decidedly useful. UN officials and human rights grandees don't dwell on instances of international law's impotence (Panama, Kosovo, Iraq in 2003), but when they are able to approve acts of war (Iraq in 1991, Afghanistan, Libya) it is with an eagerness to prove their field's relevance. In ways that Hans Kelsen never envisioned, international law has been weaponised. "We should be clear," wrote Kennedy, "this bold new vocabulary beats ploughshares into swords as often as the reverse" (6).

For now, international law, however pliable to powerful states, remains an important strand in any debate about war. But law should never crowd out discussions of interests, ethics and the consequences of war, debates that were almost entirely missing in the run-up to the Libya war.

How had Gaddafi responded to uprisings in 1993 and 1996 in eastern Libya? (His reprisals, though lethal and tyrannical, did not come close to the scale of Srebrenica, much less Rwanda, the lazy reference points for justifications of the Nato airstrikes.) How would a sustained civil war

affect Libya's civilians? How would a free flow of arms affect the Sahel countries to Libya's south? Is the National Transition Council, however cordial its relations with Bernard-Henri Lévy, capable of ruling the country? These issues are at least as important as the legal casuistry deployed to justify military violence, which spoke more to the piety of Nato members' intentions than to the real consequences of military force. It has been too easily forgotten that warfare is not primarily a matter of law.

LMD English edition exclusive

Chase Madar is a lawyer and journalist in New York, and author of *The Passion of Bradley Manning*, O/R Books, September 2011

(1) "*Forging a World of Liberty Under Law* (PDF) G John Ikenberry and Anne-Marie Slaughter, former director of policy planning at the US Department of State, Princeton Project on National Security, 2006.

(2) Mark Mazower, *No Enchanted Palace*, Princeton, 2009.

(3) Danilo Zolo, *Cosmopolis*, Polity, Oxford/Boston, 1997.

(4) Ken Roth, "War in Iraq: Not a Humanitarian Intervention", Human Rights World Report 2004, January 2004.

(5) James Peck, *Ideal Illusions: How the US Government Co-opted Human Rights*, New York, 2011, p 259.

(6) David Kennedy, *Of Law and War*, Princeton, 2006, p 167.

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[Shift by Clinton Helped Push Obama to Take a Harder Line - NYTimes.com](http://www.nytimes.com/2011/03/19/world/africa/19policy.html?_r=1&pagewanted=all)

http://www.nytimes.com/2011/03/19/world/africa/19policy.html?_r=1&pagewanted=all

• Obama Takes Hard Line With Libya After Shift by Clinton

By [HELENE COOPER](#) and [STEVEN LEE MYERS](#)

Published: March 18, 2011

- WASHINGTON — In a Paris hotel room on Monday night, Secretary of State [Hillary Rodham Clinton](#) found herself juggling the inconsistencies of American foreign policy in a turbulent Middle East. She criticized the foreign minister of the United Arab Emirates for sending troops to quash protests in Bahrain even as she pressed him to send planes to intervene in Libya.
- Only the day before, Mrs. Clinton — along with her boss, [President Obama](#) — was a skeptic on whether the United States should take military action in Libya. But that night, with Col. [Muammar el-Qaddafi](#)'s forces turning back the rebellion that threatened his rule, Mrs. Clinton changed course, forming an unlikely alliance with a handful of top administration aides who had been arguing for intervention.

Within hours, Mrs. Clinton and the aides had convinced Mr. Obama that the United States had to act, and the president ordered up military plans, which Adm. [Mike Mullen](#), chairman of the [Joint Chiefs of Staff](#), hand-delivered to the White House the next day. On Thursday, during an hour-and-a-half meeting, Mr. Obama signed off on allowing American pilots to

join Europeans and Arabs in military strikes against the Libyan government.

- The president had a caveat, though. The American involvement in military action in Libya should be limited — no ground troops — and finite. “Days, not weeks,” a senior White House official recalled him saying.

The shift in the administration’s position — from strong words against Libya to action — was forced largely by the events beyond its control: the crumbling of the uprising raised the prospect that Colonel Qaddafi would remain in power to kill “many thousands,” as Mr. Obama said at the White House on Friday.

- The change became possible, though, only after Mrs. Clinton joined [Samantha Power](#), a senior aide at the [National Security Council](#), and [Susan Rice](#), Mr. Obama’s ambassador to the [United Nations](#), who had been pressing the case for military action, according to senior administration officials speaking only on condition of anonymity. Ms. Power is a former journalist and human rights advocate; Ms. Rice was an Africa adviser to President Clinton when the United States failed to intervene to stop the Rwanda [genocide](#), which Mr. Clinton has called his biggest regret.

Now, the three women were pushing for American intervention to stop a looming humanitarian catastrophe in Libya.

Senator [John Kerry](#) of Massachusetts, one of the early advocates for military action in Libya, described the debate within the administration as “healthy.” He said that “the memory of Rwanda, alongside Iraq in ‘91, made it clear” that the United States needed to act but needed international support.

- In joining Ms. Rice and Ms. Power, Mrs. Clinton made an unusual break with Secretary of Defense [Robert M. Gates](#), who, along with the national security adviser, [Thomas E. Donilon](#), and the counterterrorism chief, [John O. Brennan](#), had urged caution. Libya was not vital to American national security interests, the men argued, and Mr. Brennan worried that the Libyan rebels remained largely unknown to American officials, and could have ties to [Al Qaeda](#).

The administration’s shift also became possible only after the United States won not just the support of Arab countries but their active participation in military operations against one of their own.

- “Hillary and Susan Rice were key parts of this story because Hillary got the Arab buy-in and Susan worked the U.N. to get a 10-to-5 vote, which is no easy thing,” said Brian Katulis, a national security expert with the Center for American Progress, a liberal group with close ties to the administration. This “puts the United States in a much stronger position because they’ve got the international support that makes this more like the 1991 gulf war than the 2003 Iraq war.”

Ever since the democracy protests in the region began three months ago, the Obama administration has struggled to balance America’s national security interests against support for democratic principles, a struggle that has left Mr. Obama subject to criticism from all sides of the political spectrum. And by taking a case-by-case approach — quickly embracing protesters in Tunisia, eventually coming around to fully endorse their cause in Egypt, but backing the rulers in Bahrain, Saudi Arabia and Yemen — the administration at times has appeared inconsistent. While calling for Colonel Qaddafi’s ouster, administration officials indicated Mr. Obama was more concerned with unfolding events in Yemen, Bahrain and Egypt than with removing the Libyan leader.

- There was high drama right up to the surprising Security Council vote on Thursday night, when the ambassador for South Africa, viewed as critical to getting the nine votes needed to pass the resolution, failed to show up for the final vote, causing Ms. Rice to rush from the chamber in search of him.

South Africa and Nigeria — along with Brazil and India — had all initially balked at authorizing force, but administration officials believed they had brought the Africans around. Mr. Obama had already been on the phone pressing President [Jacob Zuma](#) of South Africa to support the resolution, White House officials said. Eventually, the South African representative showed up to vote yes, as did the Nigerian representative, giving the United States one vote more than required. Brazil and India, meanwhile, joined Russia, China and Germany in abstaining.

- The pivotal decision for Mr. Obama came on Tuesday though, after Mrs. Clinton had called from Paris with news that the Arab governments were willing to participate in military action. That would solve one of Mr. Gates's concerns, that the United States not be viewed on the Arab street as going to war against another Muslim country.

Mrs. Clinton "had the proof," one senior administration official said, "that not only was the [Arab League](#) in favor, but that the Emirates were serious about participating."

During a meeting with Mr. Obama and his top national security aides — Ms. Rice was on video teleconference from New York; Mrs. Clinton from Paris — Ms. Rice sought to allay Mr. Gates's concern that a no-fly zone by itself would not be enough to halt Colonel Qaddafi's progress, recalled officials attending the meeting.

- "Susan basically said that it was possible to get a tougher resolution" that would authorize a fuller range of options, including the ability to bomb Libyan government tanks on the road to Benghazi, the rebel stronghold in the east, administration official said.

"That was the turning point" for Mr. Obama, the official said. The president was scheduled to go to a dinner with military veterans that night; he told his aides to draw up military plans. And he instructed Ms. Rice to move forward with a broader resolution at the Security Council.

She already had one ready — drawn up the week before, just in case, officials said. Besides asking for an expanded military campaign, Ms. Rice loaded up the resolution with other items on the American wish list, including the authorization to use force to back an arms embargo against Libya. "We knew it would be a heavy lift to get any resolution through; our view was we might as well get as much as we could," Ms. Rice said in a telephone interview.

- On Wednesday at the Security Council, Russia put forward a competing resolution, calling for a cease-fire — well short of what the United States wanted. But the French, who had been trying to get a straight no-fly resolution through, switched to back the tougher American wording. And they "put it in blue" ink — U.N. code for calling for a vote.

"It was a brilliant tactical move," an American official said. "They hijacked the text, which means it could be called to a vote at any time."

On Thursday, the South Africans, Nigerians, Portuguese and Bosnians — all of them question marks — said they would support the tougher resolution.

- Even after getting the Security Council endorsement, Mr. Obama made clear that the military action would be an international effort.

"The change in the region will not and cannot be imposed by the United States or any foreign power," the president told reporters at the White House on Friday. "Ultimately, it will be driven by the people of the Arab world."

[Arab 'fig leaf' for regime change | Trinidad Express Newspaper | Commentaries](#)

http://www.trinidadexpress.com/commentaries/Arab__fig_leaf__for_regime_change-118480889.html

• Arab 'fig leaf' for regime change

Story Created: Mar 23, 2011

- THAT which started as a claimed humanitarian mission to save civilian lives in Libya has quickly escalated into the more precise objective of the intervening military powers — US, Britain and France — regime change in Tripoli.

As a journalist I have no tears to shed for President Moammar Gaddafi who has been ruling that oil-rich Arab nation with an iron fist for some four decades.

- Nor do I have any illusion that the intervening military powers have much time for the thinking of the people and governments of the Caribbean — a region that bridges the two Americas — when it comes to attaining their objectives in any part of the world — much less the personal views of an ordinary West Indian journalist.
- As Gadaffi was facing a militant armed rebellion against "undemocratic governance", in the wake of earlier similar uprisings in Tunisia, Egypt and Yemen — where governments have long mocked democratic governance — a Washington-Paris-London leadership troika was engaged in quietly lobbying for an Arab endorsement to provide regional cover via the United Nations Security Council.

That endorsement, or "fig leaf" covering came from the Arab League and was to result in the UN Security Council's resolution of March 17.

- It gave authority, by a ten-to-five majority for a "no-fly zone" in Libya and approval for use of all necessary measures to protect civilians in the conflict that was raging between Gadaffi's forces and an armed rebellion against his government.
- Not without significance, a primary mover behind the Arab League's endorsement of the UN resolution was the organisation's secretary general, Amir Moussa.

He had previously been fingered by American journalist Seymour Hersh, as Washington's "Plan B" to succeed the US much loved Hosni Mubarak, who was forced out of the presidency last month after some three decades of dictatorial rule, including like Gadaffi, torture and murder.

- It is no longer a secret that the Arab League's Moussa is a potential presidential candidate for Egypt's new general election under a new constitution.
- But as the military might of the intervening powers was being unleashed against Gadaffi's forces, the Arab League felt compelled to issue a statement complaining against violations of the terms of the "no-fly zone" UN resolution with the bombings of specific infrastructures, including a sprawling headquarter compound of Gadaffi where civilians were killed.
- As some of the enforcers of the UN resolution went on the defensive to claim that the Libyan president was not targeted, others were holding private discussions with the armed rebels and France made known its readiness to recognise the legitimacy of anti-Gadaffi national council located in Benghazi.
- However, the double-speak and lingering doubts about the real objective of the intervening military powers in Libya came to an end by Monday with a public warning from US President Barack Obama who is, quite surprisingly, proving to be a politician for all seasons.

He was firm in declaring while in Brazil — one of the five countries to have abstained from the "no-fly zone" resolution — (others were China, India, Russia and Germany)— that the time had come for "Gadaffi to go".

- In other words, as George Bush had done differently in Iraq with Saddam Hussein and subsequently, in collaboration with France's Nicolas Sarkozy in relation to Haiti's Bertrand Aristide — "regime change" in Tripoli is very much on the agenda of President Obama, who had already signalled his U-turn against closing down Guantanamo as a notorious detention centre for alleged terrorists — as earlier firmly pledged.
- I conclude with a brief excerpt of what Caricom Heads of Government had to say on developments in the Middle East and North Africa when they held their first half-yearly meeting for 2011 in Grenada last month:

"...The Caribbean community promotes and encourages adherence to democratic principles, good governance, the rule of law and the protection of human rights. The community reiterates its endorsement of the principles enshrined in the Charter of the United Nations and, therefore, condemn the use of violence against people who are protesting peacefully...."

- That was on February 27. Since then the political conflagration in the Middle East and North Africa has considerably worsened, with Saudi Arabia sending troops to forcefully put down an anti-government rebellion in Bahrain.
- Secondly, the US, UK and France using as a "fig leaf" the Arab League's flattering endorsement of a "no-fly zone" in Libya to unleash enormous military power and now the warning from President Obama that "Gadaffi must go", President George W Bush must be smiling.
- Let us get ready for regime change in Tripoli — compliments of even a coalition of intervening powers with conflicting messages and priorities.

- [Lord Strange](#) 72p · [2 hours ago](#)

Funny how the Express keeps deleting my comments. But as a news agency, just out of curiosity isn't the Express the least bit curious as to why these Western forces are asking Gaddafi to cease fire but they are not asking these totally disorganised rebels with no plan of proper government to cease fire? Nelson Mandela, Malcom X, Martin Luther, Mahatma Ghandi and others fought oppressive governments without violence. No one is saying these 'rebels' do not have the right to demand political change in their country but people must understand this for 40 yrs Gaddafi has been recognised as the legitimate ruler of Libya and people also need to understand that when a citizen takes up arms and attacks government institutions be it a democratic government or an autocratic one you are no longer a citizen but a terrorist, you become an enemy of the state.

- [Lord Strange](#) 72p · [2 hours ago](#)

BBC and CNN is engaging in their regular propaganda schemes to support the crimes of these hypocritical imperialist western governments, how can you call some one who is armed and using violence against an internationally recognised leader a 'rebel' but the minute that person is killed during battle with government forces he is automatically described as an 'innocent citizen' that is hypocrisy of the highest order. The Express also needs to ask why there isn't a no fly zone over Saudia Araba where protesters are being killed, or in the Ivory coast where over half a million people have been forced to flee their homes? Libyans are not fleeing Libya like that so what gives? Why attack Libya and not the Ivory Coast, Sudan or Darfur? Could this attack have anything to do with the fact that Gaddafi granted oil contracts to Russia and China instead of the French company? Because the first war planes to bomb Libya were French war planes. I wonder if armed citizens in the US and Britain attack the governments in those countries and the governments respond by sending the police and army after them I wonder if the UN will pass a resolution to bomb US or Britain. Just a thought..

- [Lord Strange](#) 72p · [2 hours ago](#)

One more thing and a crucial point that Ricky and the Express editorial desk seemed to have missed. The countries that voted for this UN Resolution 1973 are all declining world powers and world economies...i.e. Britian (which has huge debts and is pratically on the brink of bankruptcy), the US, France etc...none of the world's leading economies and emerging world powers such as Indian, China and Brazil voted for this resolution. I think the Express geopolitical news desk has some catching up to do! I'm free for hire. :-d

[Arab countries on the sidelines in Libya campaign - Nation Wires - MiamiHerald.com](#)

http://www.miamiherald.com/2011/03/23/2130647_p2/us-pressures-allies-to-take-libya.html

- In Congress, meanwhile, the Republican speaker of the House, Rep. John Boehner of Ohio, said Obama must quickly spell out the nation's precise goals in Libya. Congressional liberals and conservatives have criticized the president - some accusing him of acting too slowly, others saying he moved too quickly. Some have said he should have asked for Congress' approval before committing U.S. troops to combat.

Secretary of State Hillary Rodham Clinton said order could be resolved quickly - if Libyan leader Moammar Gadhafi would just quit.

- Obama returned Wednesday to Washington after a three-nation tour of Latin America, and several key Democrats lined up in support of his approach in Libya.

Sen. Dick Durbin of Illinois, the No. 2 Senate Democrat, said that when Gadhafi started a violent crackdown on his people, Obama moved with "unprecedented speed," and when Gadhafi remained defiant, Obama worked with allies and the Arab nations. He called it a "prudent course of action for the president and for our nation."

- But, Boehner, in a letter to the White House, said Obama still must provide a clear and robust assessment of the mission and how it will be achieved. Boehner did not call for a vote in the House on the commitment of U.S. military resources, as some lawmakers have demanded.
- Administration officials conceded there is no clear end to the fighting, although the Pentagon contended that Gadhafi's air force is essentially defeated and coalition planes are targeting more of his ground forces.
- In a telephone interview with reporters at the Pentagon from aboard his command ship, the USS Mount Whitney, in the Mediterranean, Navy Rear Adm. Gerard Hueber said no

Libyan aircraft had attempted to fly during the previous 24 hours.

"Those aircraft have either been destroyed or rendered inoperable," Hueber said.

[Arab countries on the sidelines in Libya campaign - Nation Wires - MiamiHerald.com](http://www.miamiherald.com/2011/03/23/2130647/us-pressures-allies-to-take-libya.html)

<http://www.miamiherald.com/2011/03/23/2130647/us-pressures-allies-to-take-libya.html>

- Arab countries on the sidelines in Libya campaign
- **By RICHARD LARDNER**

Associated Press

- WASHINGTON -- As America's NATO allies shoulder a greater share of the air war in Libya, the Arab countries that urged the U.N. Security Council to impose a no-fly zone are missing from the action.
- Except for the small Persian Gulf nation of Qatar, which is expected to start flying air patrols over Libya by this weekend, no other members of the 22-member Arab League have so far publicly committed to taking an active role. The U.S. has sold many of these countries, including Saudi Arabia and the United Arab Emirates, billions of dollars in sophisticated military gear over the past decade to help counter Iran's power in the region.
- Nearly a week into the campaign to prevent Libyan leader Moammar Gadhafi's forces from attacking civilians, the United States increased the pressure on its NATO allies to take command of the campaign, suggesting the U.S. might even step away from its leadership role in a few days, even with the conflict's outcome in doubt.
- Despite the threat, officials said there was no absolute deadline to hand over front-line control to other countries, or for an end to all U.S. participation. Still, with the costs of the campaign growing by the day and members of Congress raising complaints over the goals in Libya, the Obama administration wants its allies to take the lead role soon.
- Defense Secretary Robert Gates, an early skeptic of American military intervention in Libya, said President Barack Obama made clear from the start of the campaign last Saturday that the U.S. would run it for only about a week. In an exchange with reporters traveling with him in Cairo on Wednesday, Gates was asked if his comments meant the U.S. had set a firm deadline of this Saturday for turning over command.
- "I don't want to be pinned down that closely," Gates replied. "But what we've been saying is that we would expect this transition to the coalition, to a different command and control arrangement, to take place within a few days and I would still stand by that."

An American Army general now oversees the campaign from Europe, and an American Navy admiral is the day-to-day commander from a floating command post off the Libyan coast.

- While the question of overall command remains unsettled, the Defense Department on Wednesday released statistics showing U.S. aircraft are flying fewer missions than at the beginning of the week.
- Between Tuesday and Wednesday, there were 175 air missions - including non-combat flights - in the Libya operation, according to the department's figures. Of that total, 65 percent were flown by U.S. planes and 35 percent were flown by allied aircraft. Three days earlier, the U.S. made 87 percent of the flights compared with 13 percent by allied aircraft.
- But when, or if, any Arab League members besides Qatar will participate is unclear.

On March 12, the Arab League called for the no-fly zone over Libya, saying Gadhafi's government had "lost its sovereignty. Yet since then, Arab League Secretary-General Amr Moussa has said the air war has caused civilian deaths and gone beyond what the league had backed.

On Tuesday, two Qatar Air Force fighter jets and a cargo jet flew to a Greek air base on the island of Crete, en route to helping enforce the no-fly zone. Navy Adm. Samuel J. Locklear, the day-to-day commander, said he expected Qatar's aircraft to "be up and flying in the coalition by the weekend."

- Deputy national security adviser Ben Rhodes told reporters traveling with the president on Air Force One that the U.S. is continuing to talk to Arab states like Jordan and the United Arab Emirates. "Different countries are going to have different contributions to make here," he said.

[Gaddafi, moral interventionism and revolution - Opinion - Al Jazeera English](http://english.aljazeera.net/indepth/opinion/2011/03/2011322135442593945.html)

<http://english.aljazeera.net/indepth/opinion/2011/03/2011322135442593945.html>

- Gaddafi, moral interventionism and revolution

Intervening in Libya now will set a poor precedent on when the use of force is justified.

[Richard Falk](#) Last Modified: 23 Mar 2011

- Long ago, Gaddafi forfeited the legitimacy of his rule, creating the political conditions for an appropriate revolutionary challenge.

Recently he has confirmed this assessment, referring to his own people as "rats and dogs" or "cockroaches", and employing the bloodthirsty and vengeful language of a demented tyrant.

Such a tragic imposition of political abuse on the Libyan experience is a painful reality that exists beyond any reasonable doubt, but does it validate a UN authorised military intervention carried out by a revived partnership of those old colonial partners – France and Britain – and their post-colonial American imperial overseer? I think not.

Let us begin with the unknowns and uncertainties.

- **Unknowns**

There is no coherent political identity that can be confidently ascribed to the various anti-Gaddafi forces, loosely referred to as 'rebels'.

Just who are they, whom do they represent, and what are their political aspirations. It is worth observing that unlike the other regional events of 2011, the Libyan rising did not start as a popular movement of a spontaneous character, or a specific reaction to some incident as in Tunisia.

It seemed, although there is some ambiguity in the media reports, that the Libyan oppositional movement was violent from the start, and was more in the nature of a traditional insurrection against the established order than a popular revolution inspired by democratic values.

Such a political reaction to Gaddafi's regime seems fully justified as an expression of Libyan self-determination, and likely deserves encouragement from world public opinion.

- By and large, the international community did not resort to interventionary threats and actions until the domestic tide turned in favour of Tripoli, which means that intervention was called upon to overcome the apparent growing likelihood that Gaddafi would reestablish order in his favour.

The main pretext given for the intervention was the vulnerability of Libyan civilians to the wrath of the Gaddafi regime.

But there was little evidence of such wrath beyond the regime's expected defence of the established order, although admittedly being here undertaken in a brutal manner, which itself is not unusual in such a situation.

How is this different than the tactics relied upon by the regimes in Yemen and Bahrain, and in the face of far less of a threat to the status quo, and even that taking the form of political resistance, not military action.

- **A difference in resistance**

In Libya the opposition forces were relying almost from the outset on heavy weapons, while elsewhere in the region the people were in the streets in massive numbers, and mostly with no weapons, and in a few instances, with very primitive ones (stones, simple guns) that were used in retaliation for regime violence.

It may have been the case that the Libyan governmental response was predictably brutal and militarist, and that the rebel opposition felt that it had no choice.

But it should have been clear from the experiences in Iraq and Afghanistan that military intervention against a hated and brutal regime is not the end of the story, and before the ending is reached violence cascades to heights far beyond what would have likely resulted had there been no intervention producing heavy civilian casualties and massive displacements among the population.

- In effect, overall historical trends vindicate trust in the dynamics of self-determination, even if short-term disasters may and do occur, and similarly underscores the problematic character of intervention, even given the purest of motivations, which rarely, if ever, exists in world politics.
- But it can be asked, what about Rwanda and Bosnia (especially, the massacre at Srebrenica)? Are these not instances where humanitarian intervention should have been undertaken and was not? And didn't the NATO War in Kosovo demonstrate that humanitarian intervention does sometimes spare a vulnerable population from the ordeal of genocidal ethnic cleansing?

With respect to Rwanda and Bosnia, the threat of genocidal behaviour was clearly established, and could likely have been prevented by a relatively small-scale intervention, and should have been undertaken despite the uncertainties.

The facts surrounding the alleged genocidal threat in Kosovo remain contested, but there was a plausible basis for taking it seriously given what had happened a few years earlier in Bosnia.

- But just as the Libyan rebels raise some suspicion by seeking Euro-American military intervention, so did the KLA in Kosovo engage in terrorist provocations that led to violent Serb responses, allegedly setting the stage in 1999 for NATO's "coalition of the willing".

NATO went ahead in Kosovo without the benefit of a Security Council mandate, as here, for military action "by all necessary means".

- But with respect to Libya there is no firm evidence of a genocidal intention on Gaddafi's, no humanitarian catastrophe in the making, and not even clear indications of the extent of civilian casualties resulting from the fighting.
- We should be asking why did Russia signal its intention to veto such authorisation in relation to Kosovo, but not with respect to Libya.

Perhaps, the Russian sense of identification with Serb interests goes a long way to explain its opportunistic pattern of standing in the way or standing aside when interventionary forces gather a head of steam.

- **Debating the use of force**

One of the mysteries surrounding the Libyan intervention is why China and Russia expressed their opposition by abstaining rather than using their veto, why South Africa voted with the majority, and why Germany, India, and Brazil were content to abstain, yet seemed to express reservations sufficient to cast 'no' votes, depriving the interventionist of the nine affirmative votes that they needed to obtain authorisation.

- Generally the veto is used promiscuously, as recently by the United States, to shield Israel from condemnation for their settlement policy, but here the veto could have prevented a non-defensive and destructive military action that at this stage seems imprudent and almost certain in the future to be regarded as a poor precedent.

The American debate on the use of force was more complex than usual, and cut across party lines.

- Three positions are worth distinguishing: realists, moral interventionists, and moral and legal anti-interventionists.
- The realists, who usually carry the day when military issues arise in foreign policy debates, on this occasion warned against the intervention, saying it was too uncertain in its effects and costs, that the US was already overstretched in its overseas commitments, and that there were few American strategic interests involved.
- The moral interventionists, who were in control during the Bush II years, triumphantly reemerged in the company of hawkish Democrats such as Hilary Clinton and Joseph Biden, eventually prevailed in the debate, probably thanks to the push from London and Paris, the acquiescence of the Arab neighbours, and the loss of will on the part of Moscow and Beijing.

It is hard to find a war that Republicans do not endorse, especially if the enemy can be personalised and demonised as Gaddafi has been, and there is some oil in the ground!

- The anti-interventionists, who doubt the current effectiveness of hard power tactics, especially under Western auspices, were outmanoeuvred, especially at the United Nations and in the sensationalist media that confused the Gaddafi horror show for no brainer/slam dunk reasoning as to the question of intervention, treating it as a question of 'how', rather than 'whether', again failing to fulfil their role in a democratic society by giving no attention to the anti-intervention viewpoint.

Finally, there arises the question of the UN authorisation.

- **Upholding the charter**

The way international law is generally understood, there is no doubt that the Security Council vote, however questionable on political grounds, resolves the legal debate within

the UN.

An earlier World Court decision, ironically involving Libya, concluded that even when the UN Security Council disregards relevant norms of international law, its decisions are binding and authoritative.

Here, the Security Council has reached a decision supportive of military intervention that is legal, but not legitimate, being neither politically prudent nor morally acceptable.

The states that abstained acted irresponsibly, or put differently, did not uphold either the spirit or letter of the Charter.

- The Charter in Article 2(7) accepts the limitation on UN authority to intervene in matters "essentially within the domestic jurisdiction" of member states unless there is a genuine issue of international peace and security present, which there was not, even in the claim, which was supposedly motivated solely to protect the civilian population of Libya.

But such a claim was patently misleading and disingenuous as the obvious goals, as manifest from the scale and character of military actions taken, were minimally to protect the armed rebels from being defeated, and possibly destroyed, and maximally, to achieve a regime change resulting in a new governing leadership that was friendly to the West, including buying fully into its liberal economic geopolitical policy compass.

- Using a slightly altered language, the UN Charter embedded a social contract with its membership that privileged the politics of self-determination and was heavily weighted against the politics of intervention.

Neither position is absolute, but what seems to have happened with respect to Libya is that intervention was privileged and self-determination cast aside.

It is an instance of normatively dubious practise trumping the legal/moral ethos of containing geopolitical discretion with binding rules governing the use of force and the duty of non-intervention.

We do not know yet what will happen in Libya, but we do know enough to oppose such a precedent that exhibits so many unfortunate characteristics.

It is time to restore the global social contract between territorial sovereign states and the organised international community, which not only corresponds with the outlawry of aggressive war but also reflect the movement of history in support of the soft power struggles of the non-Western peoples of the world.