



Libya: Beyond Regime Change

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NATO's intervention in Libya has highlighted the risks connected with enforcement of humanitarian principles in Europe's neighbourhood through engaging in regime change. The EU now seems to remain the only viable forum if the Western states wish to play a more permanent role in Libya.

TOWARDS HUMANITARIAN ENFORCEMENT

Haphazardness rather than deliberate strategy was the reason why NATO became involved in the bombardment of military targets in Libya in the first place. The intervention in Libya is interesting from the perspective that it is not only rooted in international considerations, but also to a great degree in domestic factors. It was France under the leadership of Sarkozy who issued the first official recognition of the National Transitional Council and then initiated the first air bombardments against military targets in Libya. The Libya intervention started out being widely popular in France and seemed to give Sarkozy a much-needed success at a time of unfavourable opinion polls in the run-up to the presidential elections in 2012. France felt she had failed her historical responsibility during the 'Arab Spring' in Tunisia, and Libya therefore became a welcome opportunity to manifest a French return to North Africa with support to revolutionary movements and willingness to back words with action.

The American military support to the Libya intervention was officially motivated by the wish to avoid a 'new Rwanda', but it was certainly just as important that Libya was perceived to be a relatively easy target. Libya was an obvious opportunity to put pressure on an authoritarian regime through the use of air power and thus supposedly to reinforce a positive political development in the region. The British motivation has to a large extent been

RECOMMENDATIONS

- NATO should recognise that imposed regime change is a far-reaching interpretation of the 'responsibility to protection' doctrine, which may have significant political costs at the international level.
- While NATO's political capital in the UN Security Council seems to have become exhausted, the EU is in a better position to ensure a Western presence in post-Gadafi Libya.
- At this initial stage, winning the peace must remain the primary ambition. The promotion of democracy remains a long-term goal based on the ability to deliver political and social benefits to the broader population.

driven by the same 'prestige logic' as the French, but even more importantly by the ambition of preserving the close strategic relationship with the USA by actively supporting its strategic line. The activism of other Atlanticist oriented states should probably also be seen in this light. Sceptical countries like Germany and Turkey were then persuaded to quietly accept that NATO took over the command of the operation.

Against this backdrop, NATO ended up being responsible for an intervention in a foreign country without any



real purpose or strategy other than the immediate protection of the civilian population, which eventually resulted in the toppling of Gaddafi's regime. The intervention in Libya can, thus, to a large extent be seen as driven by a mixture of national prestige and the ambition to maintain a humanitarian order in the European neighbourhood through the targeting of a brutal dictator.

MILITARY VERSUS POLITICAL NATO

The intervention in Libya is, however, unconventional in more than one respect. First and foremost, it calls into question NATO's real intentions when weighing political and military goals against each other.

In 2010 NATO published a New Strategic Concept under the leadership of Secretary General Anders Fogh Rasmussen for the future of the Transatlantic Alliance. The New Strategic Concept outlines the elements of a more political NATO which seeks to influence the surrounding world through strategic partnerships and political agreements. The Concept seems to attempt to redefine NATO beyond the predominantly peace-making role which the Alliance invested in during the 1990s, when the security landscape was characterised by a high degree of instability following the disintegration of Yugoslavia. With the gradual consolidation of NATO's geopolitical presence in south-east Europe, the Alliance seems to be preparing for the encounter with a new world order with limited possibilities for further expansion. The Libya intervention, however, must be said to constitute somewhat of a paradox vis-à-vis NATO's self-declared vision of playing a larger political role in the future. The intervention in Libya clearly represents a return to the 'peace-making through air bombardments' of the 1990s, only now with a new geographical focus.

In addition to this comes the fact that the Libya intervention became more far-reaching than any earlier NATO intervention after it de facto turned into an attempt at promoting regime change. Judging by actual actions, everything suggests that NATO, or at least the participating NATO members, quickly extended the strategic focus from mere civilian protection and the enforcement of a no-fly zone to actively helping the toppling of Gaddafi and his regime. This happened by supporting the advance of the rebels towards Tripoli and other key strategic cities through air bombardments against Gaddafi's forces. The killing of Gaddafi's youngest son and three grandchildren in a house in which Gaddafi also was present at the time of the bombardment could only reinforce sceptical perceptions of how far NATO was willing to go beyond the mere protection of civilians in the attempt to eliminate Gaddafi.

The permanent Security Council members China and Russia, who abstained from the voting on the UNSC resolution 1973 that paved the way for the intervention, are

The Libya intervention is the first time in NATO's history that the Alliance has been directly engaged in imposing regime change in another country. When NATO intervened in the Kosovo conflict back in 1999, it refrained from engaging in the direct elimination of the political leadership. UN resolution 1973, which the Security Council adopted in March 2011 to pave the way for the Libya intervention, gives a mandate to protect the civilian population through all means available, except the deployment of ground troops. But the resolution contains no authorisation as such to eliminate the Libyan state leadership. At the very least, regime change is a far-reaching interpretation of a mandate given to protect civilians.

unlikely ever to have favoured deliberate regime change since they perceive it as an unfortunate international precedent, infringing the sovereignty principle imperative in international politics. NATO's conduct has made Russia in particular criticise NATO for overstepping the mandate of the UN resolution in the attempt to oust the Libyan regime. The escalation to regime change is a drastic step that, in principle, could push other great powers to reconsider strategic partnerships with NATO in the future. NATO thus seems to face a dilemma between prioritising its role as either a military or as a political actor in the new world order. The military effort in Libya may, against this backdrop, risk shaking the Alliance's self-defined political role in the interplay with the new 'emerging' powers.

WINNING THE PEACE – AND BEYOND

The doctrine of protection of civilians from atrocities ('responsibility to protect') prescribes that the international society has a right and duty to intervene and hinder humanitarian catastrophes against civilians around the globe. This doctrine is important for understanding why NATO actually ended up intervening in Libya in the first place. When it comes to the real consequences of this doctrine, however, a whole list of other countries appear as potential targets for external intervention. Syria and Bahrain are just the latest examples of violent crackdowns on demonstrators of the 'Arab Spring', which could equally lead to justification for external intervention. If the intention is to enforce humanitarian principles around the globe, it would seem just as obvious to intervene in countries like Zimbabwe, North Korea or Burma. The perpetual problem with these kinds of interventions is, therefore, that they are extremely selective.

The paradoxical thing about the Libya intervention is that it is taking place at a time when most Western states are facing cuts in defence spending and when NATO is already pressured in Afghanistan with difficulties in ensuring backing from Allies and partners. Rationally, therefore, NATO should not be able to afford to open a new front in North Africa where most Alliance members can hardly be said to have any vital interests. National prestige and the ability to enforce a humanitarian order in the European neighbourhood through the elimination of a relatively easy target were decisive for NATO's decision to engage as a party in Libya's internal conflict. To put things a bit polemically, NATO did it because it could.

At the same time, the lack of a clear strategy from the beginning, other than civilian protection/regime change, has the potential of leading to considerable internal and international disagreement on Libya's future. While the primary challenge in Libya may not be related to 'winning the peace', the real problems are likely to arise in the longer term in the transition to some sort of democratic rule.

With the successful overthrow of Gaddafi, a new transition phase awaits in which it seems hard for the West not to assume any serious role. Even though Libya is a country with a smaller, well educated and more homogenous population, the parallels to Iraq and Afghanistan do not seem irrelevant for the challenges now faced by the international society. Libya is a country with little or no tradition of democratic rule which is likely to complicate the expected attempt of the international society and the West to encourage the establishment of a democratic state in post-Gaddafi Libya.

THE EU AS STRATEGIC PARTNER

In the meantime, given the uncertainty connected to the ability of the Libyan Transitional Council to deliver security and to ensure the reconstruction of the country, the UN is likely at some point and in one way or another to become involved in the national reconciliation process. The EU enjoys the benefits of being a soft power which would allow it to play a significant role in the post-conflict phase. Not only does the EU have extensive experience with the deployment of civilian missions throughout the globe, but it also seems to offer the necessary legitimacy if the Western states wish to make an independent contribution within a broader UN framework.

While the UN Security Council is likely to remain sceptical towards any further NATO role in Libya as NATO itself has expressed little willingness to play a permanent role in post-Gaddafi Libya, the EU currently enjoys a much stronger international position. The reason is that few outside actors would suspect the EU of undertaking tasks that are not strictly defined by an international mandate and thus



Libya uprising – new ammunition.
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to take unanticipated action similar to what NATO has been criticised for during the Libya intervention. In this respect, the EU is likely to be entrusted with a significant role in the post-conflict phase.

The question remains as to what extent the EU then wishes to become involved in providing security, or in embarking on more ambitious state or nation-building processes in Libya through the CSDP. The Western states more or less stumbled into the Libyan conflict and some of them, especially France and Italy, are likely to want to maintain a (European) presence in the country for both humanitarian and self-interested reasons (oil). The reconstruction of Libya should be seen against the background of other recent and less successful attempts at winning the peace (Iraq, Afghanistan), but with luck, Libya will make for a far more easy case. The real problems may instead arise in the efforts to create a coherent state as has been witnessed in the lack of progress in, for instance, Bosnia or Kosovo. A significant amount of legitimacy for a Western presence in post-Gaddafi Libya could be obtained by the inclusion, symbolic or real, of other actors such as the Arab League and the African Union.

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