

Ten Myths About the 2011 Intervention in Libya

Five years after the 2011 international military intervention, Libya is still undergoing a violent post-Muammar Gaddafi transition. Between August 2014 and December 2015, the country has been divided between two rival governments: one in the northeast in Tobruk that has been recognized by the international community yet is impotent, and a second “Islamist” government in the capital Tripoli in the northwest. In December 2015, after fourteen months of UN-sponsored dialogue, the Skhirat Agreement led to the creation of a Presidential Council. Functioning as the head of state, it has been located in a navy base near Tripoli since March 30, 2016, with Faiez Serraj, a former member of the Tobruk Parliament, as its head.

The Presidential Council presides over the Government of National Accord (GNA), also based in Tripoli, which has been endorsed by the UN Security Council (UNSC) as the sole legitimate government of Libya, but is still not operational at the time of writing. The GNA has yet to be endorsed by the House of Representatives, the legitimate legislative authority based in Tobruk. However, the ambiguous motives of certain regional sponsors, as well as obstruction by hardliners on both sides and personal ambitions, continue to undermine the process.

Besides the GNA, there are two other centers of power: the former rival Government of National Salvation in Tripoli, which stepped down and is effectively a hollow shell as it no longer controls any relevant institutions but still has the capacity to be a nuisance, and the Tobruk government in the East, supported

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by Egypt and the United Arab Emirates, with general Khalifa Haftar leading the “Libyan National Army.”¹

The country remains fragmented between political actors, which—along with these three governments—also includes local powers such as “city-states” and tribes. It is also plagued by dozens of armed groups and militias fighting for control over territory and resources. Among them are jihadists, from Daesh (the Arabic acronym for the so-called “Islamic State,” also known as ISIL or ISIS or IS), al-Qaeda-linked groups like Ansar al-Sharia, and other factions. Libya is “the most important theatre for ISIL outside of the Syria–Iraq theatre,” according to CIA director John Brennan.² The terrorist group took root in Libya in 2014 in the eastern town of Derna. Now based mostly in and around Sirte, but also fighting in Benghazi and having sleeper cells in the capital and main cities, Daesh boasts between 4,000 and 6,000 fighters³ spread across the country, without having established territorial continuity as in Iraq and Syria. Facing a backlash from other armed groups, including Islamist competitors, Daesh is struggling. The fragmented environment of the Libyan political landscape has made it difficult for them to recruit and expand. And their propaganda is weakened by the absence of the eschatological dimension central to the “Califate,” since the apocalyptic prophecy of the end-of-times battle of Dabiq is supposed to happen in Syria, not Libya.

However, this does not prevent Daesh from committing lethal attacks. In January 2016, the terrorist group launched a high-intensity attack on oil terminals, also carrying out the bloodiest attack since the fall of Gaddafi against a police training camp in the town of Zliten. It also committed numerous attacks in neighboring Tunisia and tried to take control of the Tunisian city of Ben Gardane in March 2016. It has thus demonstrated considerable reach, which has caused great concern.

Libya’s instability calls into question the 2011 and any potential future intervention.

Such a situation calls into question both the responsibility of the 2011 intervention as well as the scope for a new intervention. As a result, debate has renewed in the last several months.⁴ Criticism of the military intervention that contributed to the fall of Gaddafi has grown increasingly vocal, and today it forms the basis of most objections to Western military interventionism. The intervention in Libya is accused of having violated international law and administered a “cure worse than the disease,” so to speak, which caused the country’s current turbulence and destabilized the entire region. The criticisms from this reading of history, which can be found frequently in Western domestic opinions and is ubiquitous among the BRICS nations (Brazil, Russia, India, China,

and South Africa),⁵ tarnishes the interveners' relations with the rest of the world and drains legitimacy from their other interventions.

Some criticisms are justified, but most rely on tendentious interpretations. Others are quite simply false. At a time when the installation of the Presidential Council in Tripoli indicates positive progress and a glimmer of hope, it is important to return to the events of 2011 to respond to at least ten such common criticisms, as well as the myths upon which they are based, one by one.

Myth I: There were No Humanitarian Reasons to Intervene

Skeptics are right to question the most sensational reports, first disseminated by opposition groups and *Al Jazeera*, that mentioned Gaddafi's airstrikes against peaceful protestors,⁶ or Viagra-fueled mass rape,⁷ or even genocide.⁸ But such healthy skepticism should not turn into revisionism or denial of the existence of any reasons grave enough to justify the intervention.

Contrary to the belief that "peaceful Libyan civilians were not actually targeted,"⁹ Gaddafi did order his army to attack his own population, who were protesting in the streets. Following popular uprisings in neighboring Tunisia (December 2010–January 2011) and Egypt (January–February 2011) as part of the "Arab Spring," anti-government protests in Libya began in the second-largest city, Benghazi, on February 15, 2011. As they spread to the western cities and especially the capital, Tripoli, they triggered a brutal repression. Hundreds of civilians were killed on February 21, 2011. The following day, the International Coalition Against War Criminals (ICAWC) spoke of 519 deaths¹⁰; UN human rights experts denounced possible crimes against humanity and called for Gaddafi to "stop the massacre"¹¹; the Organisation of the Islamic Conference spoke of a "humanitarian catastrophe"¹²; the Arab League suspended its activities in Libya, and the day after the African Union (AU) denounced the disproportionate use of force by Gaddafi against his people. On February 25, the UN Secretary-General declared that "more than 1,000 people have been killed."¹³ For methodological reasons the death count varied in these initial reports—counting the dead is not an easy science¹⁴—but on the eve of the intervention the death toll was at least 1,000.

UNSC resolution 1970, unanimously adopted on February 26, 2011, considered that "the widespread and systematic attacks currently taking place ... against the civilian population may amount to crimes against humanity."¹⁵ In his report, the International Criminal Court (ICC)'s prosecutor confirmed that "widespread and systematic attacks against the civilian population, including murder and persecution as crimes against humanity" had been committed on February 17.¹⁶ The report also showed a certain premeditation of a conflict with

civilians: in January, following events in Egypt and Tunisia, the Libyan government had hired mercenaries.

Future victims were the main concern for the international community. Not since Rwanda had the intention been stated as clearly to commit crimes against humanity. Gaddafi publically ordered his troops to “cleanse Libya house by house,” to execute “any Libyan who takes arms against Libya,” to show “no mercy,” to “capture the rats,” to “go out of your homes and storm them,” also saying that “Officers have been deployed in all tribes and regions so that they can purify all decisions from these cockroaches.”¹⁷ As the UK representative to the UNSC explained their vote in favor of the intervention, “Al-Qadhafi has publicly promised no mercy and no pity.”¹⁸

These actual and potential victims constituted grounds to intervene. However, some maintain that this was merely a pretext for other motivations such as economic, political, and even personal interests. This may well be true, as motivations are always mixed (although conspiracy theorists must ask themselves what the interveners gained through attacking Libya, when they—especially France—had maintained lucrative relations with the Gaddafi regime in the preceding years). Being justified by humanitarian considerations does not prevent the intervention from *also* having other motivations. All interventions have been, are, and will be motivated by national interests, for the good and simple reason that states are not—and even *should* not be—disinterested. The *raison d'être* of the state is to protect its own citizens and to defend the national interest: an absolute disinterest would be, by definition, a grave failure of the state's responsibility.¹⁹

However, no matter how one criticizes the presence of other interests, the humanitarian need for intervention does not disappear.

Myth 2: There was a Peaceful Solution to the Crisis

Some claim that the intervention had—deliberately—short-circuited the African Union's “roadmap,” which provided for a peaceful solution to the crisis and which “Gaddafi had eventually accepted.”²⁰ One can question the actual value of a promise from Gaddafi, given his unpredictable reputation. The claim itself is also rather dubious. One month earlier, he had declared on television that he would not retire and that he was ready to “die a martyr.” Four months later, as U.S. representatives demanded he cede power as a condition for ending NATO's intervention, he still refused.²¹

That being said, even though Gaddafi had certainly agreed in principle to the AU's roadmap, this map never mentioned his departure. Its elements were as follows: “the immediate cessation of all hostilities; the cooperation of the relevant Libyan authorities in facilitating the effective delivery of humanitarian aid to

populations in need; the protection of foreigners, including African migrant workers living in Libya; and the adoption and implementation of the political reforms necessary to eliminate the causes of the current conflict.”²² As the AU representative explained to the UNSC, “nothing in the roadmap could be legitimately interpreted as stemming from an inclination to support any given party.”²³ This is precisely why the other party, the National Transitional Council (NTC), rejected the roadmap: Gaddafi’s departure was a prerequisite to them. Gaddafi’s acceptance of the AU’s proposal, unlike the NTC, shows that the proposal did not involve his retirement.

Addressing another common misconception, the military intervention to protect civilians was not the first resort, but the last. It left Gaddafi 28 days, from the first protests of February 17, to prove his good will and comply. Resolution 1973 (March 17, 2011), which authorized the intervention, only came about because none of the preliminary measures—including diplomatic pressure and Resolution 1970 (February 26, 2011), which called for an arms embargo, asset freezes and travel bans on certain individuals, the creation of a sanctions committee, and a referral to the ICC—had managed to dissuade the regime from abusing the population. Lebanon, for example, explained its vote for Resolution 1970 by the fact that the Libyan authorities had not responded to the Council of the Arab League’s call (on February 22) to set up a national dialogue.²⁴ Colombia, in turn, justified its vote for Resolution 1973 by the fact that “the Libyan authorities had sufficient time to comply with Resolution 1970” yet had done nothing: “In the face of this non-compliance, the Council has a pressing need to act.”²⁵

Gaddafi’s obstinacy and the lack of confidence in his good will in the midst of the daily killings hastened the intervention. Leaving more time to political and peaceful solutions, without guarantees of the protection of civilian populations, would have probably changed nothing. However, once the military operations began, greater efforts could still have been made to engage Gaddafi in a political discussion and obtain a negotiated transition.

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Myth 3: Resolution 1973 was Abused

There is a fierce, widespread conviction that the resolution authorizing the intervention in Libya was taken advantage of. This can not only be found in the official discourse of developing countries—in particular the BRICS, all of which occupied a seat on the UNSC at the time and see themselves as having been deceived—but

also in a certain strain of Western opinion. This opinion holds that the resolution only authorized the implementation of a no-fly zone in order to protect Benghazi, with no boots on the ground, and that the initial mandate to protect civilians was just a pretext to provoke regime change.

However, this argument pays little attention to the precise wording of Resolution 1973. Before even mentioning a 'no-fly zone' (para. 6–12), it authorizes the interveners to "take all necessary measures ... to protect civilians and civilian populated areas ... while excluding a foreign occupation force of any form" (para. 4).²⁶ This therefore entails a general authorization to ensure the protection of the population in Benghazi *and* elsewhere, of which the no-fly zone is not the only measure. The resolution does not even exclude the deployment of troops on the ground, but just prohibits an occupation force (to avoid Iraq-type mission creep), and so would allow Special Forces, for example. Under international humanitarian law, "occupation" occurs when a territory "is actually placed under the authority of the hostile army" (Article 42 of The Hague Regulations of 1907). According to the International Criminal Tribunal for the former Yugoslavia's jurisprudence, it implies criteria such as the defeat of enemy's forces, the actual substitution of authorities, sufficient force present to actually exercise an effective control over the territory, the establishment of an administration, and the enforcement of directions to the civilian population.²⁷ Under those criteria, Special Forces cannot be considered an occupation force. Therefore, their presence did not violate Resolution 1973.

In the minutes preceding the vote, France had explained that the resolution fully authorizes States "to take all measures necessary, *over and above* the no-fly zone, to protect civilians and territories, *including* Benghazi, which are under the threat of attack by Colonel Al-Qadhafi's forces."²⁸ The resolution's scope was therefore clear at the time of the vote.

To pretend that the Russians and Chinese, along with the others, had the wool pulled over their eyes would be to take these states for fools. They knew that in UN language—something that Russian Foreign Minister Sergei Lavrov, ambassador to the UN for ten years, had mastered perfectly—authorizing "all necessary measures" essentially means authorizing the use of force. It is precisely for this reason that certain states (Brazil, China, Germany, India, Russia) abstained in the vote.

Furthermore, the UNSC members knew that the resolution could result in Gaddafi's fall. First, the language was ambiguous. Resolutions 1970 and 1973 specifically insisted on the need to find a solution that responded to "the legitimate demands of the population" (Res. 1970, para. 1), or "of the Libyan people" (Res. 1973, para. 2). Such demands could not possibly be satisfied while Gaddafi maintained absolute power, the only sort of power he would accept.

Furthermore, states had already made it clear that Gaddafi must step down. On March 3, 2011, Obama said that Gaddafi must “step down from power and leave,”²⁹ while on March 10 France recognized the National Transitional Council (NTC) as “the sole legitimate representative of the Libyan people.”³⁰ On March 17, the day of the vote, this demand was clearly repeated by the majority of UNSC members, who considered Gaddafi to have lost all legitimacy: France had placed the Libyan crisis in the context of a “democratic transition” in the Arab Spring, that France’s “duty and interest require us to support,” and had affirmed that with the resolution “the Security Council will have the distinction of having ensured that in Libya law prevails over force, democracy over dictatorship”; the United Kingdom declared that one of the resolution’s principal objectives was to “allow the people of Libya to determine their own future, free from the tyranny of the Al-Qadhafi regime”; Germany added that “Our intention is ... to send clear messages to Al-Qadhafi and his regime that their time is over. Muammar Al-Qadhafi must relinquish power immediately ... Our aim is to promote the political transformation of Libya”; Bosnia and Herzegovina considered the resolution to be for the benefit of the Libyan people’s “aspiration to peace and democracy”; and Portugal wished to allow the population “to fulfill its legitimate aspirations to build a democratic, modern State,” and decided that the resolution sought “the establishment of a democratic State.”³¹ In this light, it is clear that regime change was most UNSC members’ objective. Overtly.

Russia’s surprise is therefore entirely a pretense. Moscow did not veto the resolution first and foremost because—unlike in Syria—it had no strategic interest in Libya. It also did not want to appear against the tide of the Arab Spring, nor lose a token of goodwill in the context of the “reset” of relations between Washington and Moscow. Dmitry Medvedev, President of Russia at the time, also had domestic political reasons for the vote: not blocking the resolution was a way for him to distinguish himself from the Prime Minister, Vladimir Putin, who was against the intervention. Medvedev rebuked him when Putin said that the resolution resembled “medieval calls for crusades.”³² (On the other hand, letting Medvedev abstain allowed Putin to show that the president was too accommodating to the West and so blame him later for the result.) Overall, pretending that Russia was deceived on Resolution 1973 in Libya provided them with a useful argument for vetoing all draft resolutions on Syria in the subsequent years.

Moreover, those who accuse NATO of overstepping Resolution 1973’s mandate in Libya must consider how it would have been possible to “protect civilians” without toppling Gaddafi, when he constituted the main threat to the population. The military mission did not “inexplicably, and massively, [expand] beyond

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protecting civilians to regime change.”³³ The objectives and the means must be clearly distinguished: as an ultimate means—one of the “necessary measures”—to protect civilians, regime change was not an expansion but an application of Resolution 1973’s objective. The airstrikes aimed at weakening the regime, since it was the regime itself that threatened civilians. The fact that this led to Gaddafi’s downfall does not mean that the initial objective was to remove him all along.³⁴ Because Gaddafi turned down attempts to negotiate throughout the intervention, former Assistant Secretary of Defense for International Security Affairs Derek Chollet and former National Security Council official Ben Fishman are right to conclude that “as a result of his intransigence, it was Qaddafi himself, and not NATO, who turned the intervention from a mission to protect civilians into something that led to regime change.”³⁵ France, the United States, and the United Kingdom therefore did not overstep the mandate of Resolution 1973. This is also the opinion of UN Secretary-General Ban Ki-moon.³⁶

One can nevertheless question whether later actions, such as targeting loyalist forces so enfeebled that they no longer posed a threat to civilians, went outside the initial mandate. This question particularly concerns the NATO strikes that stopped a column of vehicles fleeing Sirte on October 20, 2011, which resulted in Gaddafi falling into the hands of rebels who executed him. Stopping the fleeing vehicles was arguably “unnecessary” to protect the population, although this is only a challenge to the legality of specific strikes, not the intervention itself.

The interveners could also have better explained their interpretation of the resolution³⁷ and responded to the objections at the time. This is partially a communication problem. Explicitly holding this debate in the UNSC during the intervention would have certainly not convinced the BRICS. However, it would have pulled the rug from under the feet of some of the critics who used Libya as a precedent to justify their opposition to an intervention in Syria between 2011 and 2014—before Daesh’s actions diverted the international community’s attention, which was previously fixed on Assad, and allowed the argument of self-defense to save the Syrian regime.

Myth 4: the Intervention’s Objective was to Kill Gaddafi

The scale of the military operation is enough to demonstrate that the objective was not to eliminate Gaddafi, but rather to oppose his armed forces in order to protect the population that they were targeting. It is not surprising that the operation led to Gaddafi’s end, given that he had assumed military and political command of his forces. In any confrontation, command and control centers are priority targets, as their destruction is the most direct way of compelling an end in hostilities. That is no proof of targeted killing, however. Gaddafi became a military target, on the

UNSC's authorization, because he was commanding armed operations against the population. Importantly, he was not killed by a foreign airstrike, but lynched by Libyan rebels.

His continued existence would have actually been preferable for the country, since a trial could have facilitated the transition to a new government. The fact that the exact circumstances of his death have not been explained does not help either, since it fuels a variety of conspiracy theories (on the involvement of French intelligence services, supposedly ordered to silence Gaddafi to prevent him from revealing details of his funding of Nicolas Sarkozy's 2007 presidential campaign; or the involvement of the CIA)³⁸ that cast doubt on the intervention's objective.

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Myth 5: The Intervention has Caused Tens of Thousands of Deaths

Wild figures have circulated on this point. For example, the former president of the African Union Commission, Jean Ping, claimed that the intervention alone has caused “over 50,000 deaths” and that “these are among the lowest estimates.”³⁹ In fact, this estimate is two times the highest of the tolls of the entire Libyan civil war, including all victims caused by loyalist forces, rebels, and the interveners. In 2013, the new Libyan government scaled down its previous tally of 25,000 victims and reached a result of 4,700 dead on the rebel side, probably the same or less for Gaddafi's forces, plus 2,100 missing persons from both.⁴⁰ Independent databases count between 2,000 and 6,000 deaths in total.⁴¹

Only a portion of these deaths are attributable to the coalition's forces. Even Gaddafi's government has not presented a figure as arbitrary as Jean Ping's, even though as the UN Human Rights Council established, he “deliberately misstated the extent of civilian casualties” and even indulged in obscene manipulations, such as placing the bodies of children taken from a hospital morgue on the site of a NATO airstrike.⁴²

NATO only used guided munitions,⁴³ theoretically lowering potential casualties from strikes, and the Human Rights Council recognized that the Alliance had taken numerous precautions to minimize collateral damage. While there is no definitive count of the intervention's toll, the UN and some NGOs investigated certain airstrikes and counted tens of civilian victims, not tens of thousands.⁴⁴

The Libyan death toll, even including the entire 2011–2016 period, is rather limited when compared with Syria. In April 2016, the UN Special Envoy for

Syria estimated that 400,000 people have been killed in the five-year civil war.⁴⁵ Although it is of course indemonstrable, this at least suggests that the non-intervention in Syria (2011–2014) has certainly caused many more victims than the intervention in Libya, even in proportion to the country's size.

Myth 6: Stabilization Operations were Straightforward but Ignored

The interveners in 2011 can be legitimately condemned for not having had any strategy for post-conflict stabilization. For the first time after a NATO intervention, no peacekeeping or stabilization forces were deployed. The failure to recon-

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struct is undoubtedly in part the fault of the international community. Its lack of political will to follow up can be explained—by division (of the UNSC and even NATO over that controversial intervention), fatigue (after the arduous Afghan and Iraqi post-conflict deployments), and diversion (economic crisis, electoral cycles). However, this failure also has endogenous causes, owing to sociopolitical constraints in Libya.

The first of these constraints is that the country could not emerge unscathed from 42 years of Gaddafism, with no public life, no

social fabric, no meaningful national institutions—essentially “no traditions there to build on, unlike Tunisia, where there was a civil society and that’s why they have been more successful in transitioning,” explained U.S. President Barack Obama.⁴⁶ Strong tribal and regional differences exacerbated Libya’s problems. This structural vacuum is likely to last at least for several years. As Shadi Hamid, Senior Fellow at the Brookings Institution, rightly points out, “to think that Libya wouldn’t have encountered at least *some* major instability over the course of transition from one-person rule to an uncertain ‘something else’ is to have a view of political development completely detached from both history and reality.”⁴⁷

The second constraint is the Libyans’ rejection of foreign interference. The main cause of the deteriorating situation in Libya since 2011 has been a lack of security that undermined efforts in all other sectors of reconstruction (governance, economy, justice). This insecurity primarily stemmed from the failure to disarm and demobilize rebel militias after the war, and to reintegrate them—either into civilian society or into the new security forces.⁴⁸ Doing so would have required an international presence in the country, to which the Libyan interim authorities

objected, “ignoring examples from Bosnia to East Timor,”⁴⁹ and rather with the precedent of Iraq in mind.

Very early on, even before Gaddafi’s death, the rebel leaders had rejected the UN’s August 2011 assistance plan that offered to send 200 military observers and 190 UN police to contribute to the country’s post-liberation stabilization.⁵⁰ Moreover, Resolution 1973 explicitly forbade the deployment of “a foreign occupation force of any form on any part of Libyan territory.”

With hindsight, it is easy to say that a ground force should have been deployed to ensure Libya’s smooth political transition, that “given Libya’s proximity, [Europeans should have been] invested in the follow-up,” as President Obama declared.⁵¹ This overlooks the Libyan government’s reluctance to welcome such foreign involvement. The truth is that Europeans and others tried, but “[w]hen leaders on Libya’s National Transitional Council (NTC) objected to post-conflict peacekeepers, discussion in NATO capitals fizzled,” as Christopher S. Chivvis and Jeffrey Martini of the RAND Corporation explain.⁵²

Of course, the so-called “international community” could have pressed the Libyans harder, but its leverage was limited. And in the context of the Arab Spring, which many viewed as a second, post-decolonization independence movement, any foreign post-crisis stabilization operations would have been perceived as neo-colonial interference. Moreover, there is no reason to believe it would have worked any better than it did in Iraq or in Afghanistan.

Having refused to demobilize their militia members with the external assistance, the Libyan authorities chose to pay them in the hope of controlling them. Of course, this did not work, fuelling insecurity instead. As Fishman explains, “the government became beholden to the militias instead of commanding their authority.”⁵³

Myth 7: The Intervention is Responsible for the Current Disorder in Libya

There is a widespread perception that “Libya’s descent into chaos began with a rushed decision to go to war,”⁵⁴ as journalists Jo Becker and Scott Shane wrote in the *New York Times*. While the current state of Libya is clearly the product of Muammar Gaddafi’s fall, whose authoritarianism somewhat gave the country a veneer of national identity, such descent did not begin with the foreign intervention, which only precipitated the regime’s end. Rather, it began with the revolutionary movement of February 2011 as part of the Arab Spring.

On March 17, 2011, Portugal, a temporary member of the UNSC, voted for Resolution 1973, which authorized the intervention. Its representative declared that “for the international community, the regime that has ruled Libya for more than 40 years has come to an end by the will of the Libyan people.”⁵⁵ Like the

majority of other UNSC members, Portugal considered Gaddafi's regime as having already lost any legitimacy. The end of the regime had begun before the intervention.

Furthermore, the current civil war started in May 2014, two-and-a-half years after the end of the intervention (October 2011). In between, it is often forgotten that the political situation in Libya was more stable most of the time than it is today. The Libyan state, while certainly fragile, did not vanish after Gaddafi's death; the country did not immediately disintegrate. On the contrary, the period after the war allowed for the country's first-ever democratic election to proceed relatively successfully on July 7, 2012. Many countries reopened their embassies. Libya still certainly faced increasingly significant challenges, stemming from tribal divisions and regional loyalties, and the elections certainly did not imply that the country had fully recovered. But Libya also enjoyed some promising prospects. Its future was in no way predetermined, and the ensuing civil war was not inevitable. Rather, its fate was in the hands of the Libyan people.

On the other hand, the damaging effects of Gaddafi's fall on the sub-region are better established. The country became a supermarket for weapons and a refuge for terrorists. It affected Egypt, Tunisia, Algeria, and Sahel, particularly Mali.⁵⁶ However, correlation alone is not causality—and the problems in North Mali (recurring Tuareg-rebellion, increased weapons trafficking, Islamist radicalization, and the impact of the Algerian Civil War) predate 2011. However, many of these regional consequences were directly caused by the collapse of the Libyan state, which the intervention did not cause but only hastened. Nothing proves that not intervening would have prevented identical consequences in the region.

Myth 8: It Would Have Been Better Not to Intervene

Amidst the current chaos, certain Libyans can be heard to say words to the effect of "it was better under Gaddafi."⁵⁷ This may be the case, but from this, one cannot deduce that it would have been better not to intervene. It is incorrect to compare life in Libya today with before 2011, pretending the revolution had never happened. Instead, the current situation should be compared with the situation that Libya would have been in if the civil war had been allowed to continue.

Syria provides one possible example of what a Libya sans intervention could resemble. With 400,000 deaths—about 100 times the death toll of the Libyan civil war—and millions of refugees, the comparison hardly sings the virtues of non-intervention. The comparison obviously has its limits: the countries differ in size, population, and wealth. Most importantly, Gaddafi, unlike Assad, did not have an ally willing to provide him with military support, and his forces were fragmented and under-equipped. However, there is nothing to prove that

the Libyan rebels would have rapidly defeated the dictator—or, contrary to Associate Professor of Public Affairs at the University of Texas Alan J. Kuperman’s assumption, that Gaddafi would have rapidly defeated them.⁵⁸ Shadi Hamid is right to observe that “he was not in a position to deal a decisive blow to the opposition. (Nowhere in the Arab Spring era has one side in a military conflict been able to claim a clear victory, even with massive advantages in manpower, equipment, and regional backing).”⁵⁹

In the most probable scenario, Gaddafi would still be in power today, in a country ravaged by five years of civil war. There would have been tens if not hundreds of thousands of deaths and refugees. Gaddafi, furthermore, would have been able to use migrants as a tool for blackmail against Europe, as he had already started to do, exploiting its fear of an ‘African invasion,’⁶⁰ and the current migration crisis would have hit Europe earlier and harder. Regionally, Gaddafi would not have allowed a democratic transition to take place on his doorstep, and so would undoubtedly have fomented trouble in Tunisia. Under civil war conditions and only controlling a fraction of his territory, like Assad in Syria, he would not have been able to impede the jihadist menace in the Sahel–Saharan belt, nor the arrival of Daesh, which would likely have occurred even earlier and on a larger scale than it has since 2014.

This counterfactual scenario is no less plausible than that of Gaddafi miraculously becoming calm and cooperative, or Kuperman’s scenario of Gaddafi defeating the uprising in a few weeks, then handing over power to “his relatively liberal, Western-educated” son Saif al-Islam, “who for many years had been preparing a reform agenda.”⁶¹ As Chollet and Fishman showed, such an “assertion that Qaddafi’s son Saif would have been a viable alternative is far-fetched,” his commitment to political reform being somewhat spurious.⁶²

The most likely alternative scenario of a prolonged Syrian-like civil war makes it difficult to pretend that the country and the region would be more stable without the intervention than they are today. More generally, much as there is a risk that interventionism might have perverse effects—the 2003 U.S. invasion of Iraq illustrates such unexpected consequences best—it could also prevent such consequences. Interventions have prevented the establishment of an Islamic state in Mali, genocide in the Central African Republic (CAR), or a Boko Haram caliphate straddling at least four countries.⁶³ While interventions have a cost, so does their absence.

Myth 9: Libya has Killed the ‘Responsibility to Protect’ Doctrine

The ‘Responsibility to Protect’ (R2P) is a doctrine that calls for intervention in the face of atrocities committed against civilians, and it was invoked to justify the

intervention in Libya. Given the intervention's alleged consequences, many claim that this doctrine is now defunct; that the notion of R2P is so toxic that no one will dare use it, leaving Syrians as the first collateral victims.⁶⁴

**Libya did not kill
R2P; it raised
questions.**

However, Libya did not kill R2P. Instead, it raised questions that come with all interventions: knowing when to start and when to stop, knowing if it will have a positive effect, analyzing true motivation, debating selectivity of targets and the inevitable charge of double standards, and questioning the transition

period (or winning the peace). In fact, the only relative failure of R2P in Libya has been abdicating the responsibility to rebuild.

With hindsight, neither the intervention in Libya nor that in Ivory Coast—which was accused of the same wrongs at the same time—has discredited the concept. The truth is that R2P continues to grow. It has been invoked in 40 UNSC resolutions since Resolutions 1970 and 1973 of 2011, compared to only four before then (between 2005 and 2011).⁶⁵ Citing it as justification is even easier than before: although it took long negotiations to include R2P in the first resolutions in which it was mentioned, “in none of the resolutions adopted since early 2011 was the inclusion of [R2P] difficult to negotiate,”⁶⁶ according to Alex Bellamy, Professor of Peace & Conflict Studies at the University of Queensland and a leading expert on R2P. Additionally, less than a year after Gaddafi's death, more states participated at the 2012 UN General Assembly Informal Interactive Dialogue on the R2P than the year before, and they almost unanimously renewed their support for R2P.

The “in-humanitarian non-intervention”⁶⁷ in Syria has come to tarnish this rather positive record, and R2P's gravediggers who could not bury it over Libya now pretend that Syria killed it. This is clearly incoherent: in one case it was the action which was reproached, and in the other it was the inaction. The simplistic cliché that Syrians paid the price for the abuse of R2P in Libya should be rejected.

Critics of the Libya intervention were not dissuaded to apply R2P in Syria. The UN Secretary-General, his special advisors, and the High Commissioner for Human Rights all accused Bashar al-Assad of having failed to fulfill his responsibility to protect his civilian population. The first resolution rejected by Chinese and Russian vetoes (October 4, 2011) explicitly mentioned R2P in its preamble. In total, Russia and China issued four vetoes between 2011 and 2014. The situation in Syria is clearly an R2P one—the Independent International Commission of Inquiry has notably proved that war crimes and crimes against humanity were committed.⁶⁸ However, the UNSC's blockage is not due to an alleged abuse of R2P in Libya, but rather due to Russian and Syrian interests.

Myth 10: The Intervention was Western Neo-Colonialism

An intervention is labeled ‘unilateral’ when it takes place without the authorization of the UNSC. Yet this one *was* authorized, and not just by Western members: China and Russia abstained, and the three African members of the UNSC voted in favor, despite the AU’s instructions which, only seven days earlier, rejected all foreign military intervention, whatever its form. Without these three African votes, the resolution could have been rejected, lacking the nine necessary votes. The intervention was therefore not unilateral: the authorization by the UNSC, and the support of the Arab League and a number of non-Western states, rendered it clearly multilateral. The intervening coalition itself included four non-Western states (Turkey, Jordan, Qatar, and the United Arab Emirates).

More generally, the post-colonialist critique overstates Western interventionism and understates other forms of interventionism, first of all African interventionism (by the African Union, the Economic Community of West African States (ECOWAS) and Ethiopia, for instance) but also Russian interventionism (in Georgia 2008, Ukraine 2014, and Syria 2015), Arab interventionism (in Libya 2011, Iraq 2014, and Yemen 2015) and Iranian interventionism (using Hezbollah as a proxy in the Syrian conflict). Generally, in recent years there has been a trend of “military emergence” as one of the many symptoms of global “de-Westernization”: if interventionism was ever the West’s preserve, this is certainly no longer the case.

The post-colonial critique also claims, without proof, that R2P conceals a policy of “recolonization.” Yet the tendency is rather to avoid long-term occupations, as one can see in Somalia (despite calls from the AU), in Sierra Leone, in the Democratic Republic of the Congo (DRC), in Darfur, and increasingly wherever Western states are inversely criticized for having failed to intervene or done so insufficiently. Moreover, “*none* of the coercive measures taken against governments in Africa after 2005 on more or less R2P grounds were imposed by the West against the wishes of Africa’s representatives,” Bellamy explains.⁶⁹ Each time, they have voted in favor of intervention, including in the case of Libya.

Should We Intervene Again?

The above arguments qualify the criticisms of the 2011 Libya intervention, but do not excuse mistakes that were made, especially the lack of a post-Gaddafi strategy. As President Obama acknowledged, intervening in Libya “was the right thing to do,” but “failing to plan for the day after” was probably the “worst mistake” of his presidency.⁷⁰ Such failure does not mean that it was wrong to intervene in the first place or that there should be no further interventions, in Libya or elsewhere. There is clearly a “distinction between doing the wrong thing and doing the right thing

in the wrong way,” explains Aidan Hehir, Reader in International Relations at the University of Westminster.⁷¹

Instead, debunking these myths explains why the West owes Libya further assistance—“after-sales service” to the 2011 intervention, which has so far been severely lacking. Libyan Prime Minister Serraj is right to remind the international community that it “has responsibilities towards Libya [because] after 2011, it simply let go.”⁷² We now have a “second chance in Libya” to “intervene better,” as scholar Mattia Toaldo puts it.⁷³

Winning the peace has become more urgent now that Daesh has found a new refuge in Libya.

Finally winning the peace, not just the war, has become all the more urgent now that Daesh has found a new refuge in Libya, even closer to Europe. However, this does not necessitate a full-fledged 2011-style military intervention: there is a different enemy, confined to certain zones. “Intervention” has a very broad meaning, and Western intervention is already underway in Libya in the form of Special Forces Operations.⁷⁴ Intervening

“better” means that any military action should only be part of a comprehensive approach involving political and civilian instruments—which in particular must include a robust post-conflict stabilization strategy. For instance, as Special Ops are often relying on local armed groups to fight Daesh, we must be aware that giving them political support in exchange for their cooperation would only accentuate the divisions and undermine our parallel efforts to promote national unity, i.e. the Serraj government and the UN agreement. Disconnecting counterterrorism from the political process is counterproductive for both.

The priorities should be enhancing political unity and fighting the economic as well as humanitarian crises. To this end, we can support the UN Special Mission in Libya (UNSMIL), as well as the European Union Naval Force operation in the Southern Central Mediterranean (EUNAVFOR MED) implementing the arms embargo to fight the maritime arms trafficking supplying Daesh, and launch an EU Common Security and Defense Policy mission to train and reform the security and judicial sectors. That is how we should “intervene” today in Libya. As much as myths about the 2011 intervention should be debunked, we still have lessons to learn.

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