

OUSTING GADDAFI:
WEIGHING THE OUTCOMES
OF OPERATION UNIFIED PROTECTOR

by

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A THESIS

Presented to the University of Oregon Department of Political Science
in fulfillment of the requirements for
Political Science Departmental Honors

2020

An Abstract of the Thesis of

Elena Y Johnson Lafferty for Departmental Honors
in the Department of Political Science to be taken 2020

Ousting Gaddafi: Weighing the Outcomes of Operation Unified Protector

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This thesis compiles and evaluates arguments for and against the success of Operation Unified Protector. In addition to investigating claims about the intervention, this study collects existing data on relevant issues such as the number of deaths and human rights abuses in Libya during and after the intervention to determine whether claims about the intervention are accurate. This thesis finds that supporters of the intervention were correct in arguing that the intervention was both justified and upheld its commitment to protecting human life and human rights. While this thesis finds the intervention to be a qualified success, it also suggests how states may better prepare for security issues in future interventions. Ultimately, this thesis finds that Operation Unified Protector was both warranted and mitigated violence perpetrated by the Gaddafi regime, thus upholding the international community's goal of protecting human life and human rights.

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I. Was UN/NATO Intervention Justified and Did it Do More Harm Than Good?

Was the 2011 NATO intervention in Libya, Operation Unified Protector, a success or failure? Initially, actors in the global community championed the intervention as a success, citing the unprecedented multilateral effort to protect civilians in their demand for human rights and autonomy. However, years after the intervention, as the situation in Libya deteriorated, opinions shifted drastically and today many condemn Operation Unified Protector as an abject failure. In years after the intervention, authors continue to criticize the intervention as a destabilizing force that plummeted Libya into chaos, increased threats of terrorism and war, and halted the growth of a new democracy—a sharp rebuke to authors who supported the intervention as a successful humanitarian cause. Today, a full assessment of Operation Unified Protector is unavailable. This study compiles and then investigates a range of criticism of an intervention that was once largely considered to be both necessary and successful. This thesis also discusses security issues after the intervention in Libya and what lessons the international community can learn from subsequent issues. Ultimately, after a full evaluation, it can be determined that Operation Unified Protector was a qualified success and can inform future decisions in regard to humanitarian intervention.

On March 17th, 2011 the United Nations (UN) Security Council authorized the use of force in protecting the Libyan people from state perpetrated violence with UN Resolution 1973.¹ On March 23rd, 2011 the North Atlantic Treaty Organization (NATO) assumed control over the intervention, Operation Unified Protector, and led a seven month long military intervention that included an air campaign as well as the deployment of 21 naval assets as the international

¹United Nations, Security Council, *Security Council Approves 'No-Fly Zone' over Libya, Authorizing 'All Necessary Measures' to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions.*

community sided with rebels in opposition to the government of the then dictator Muammar Gaddafi.²

In the third section, this thesis compiles and reviews the arguments for the necessity of intervention and arguments for the operation's success in meeting humanitarian goals. Some supporters maintain that the intervention was both necessary and successful, some find it was only necessary and did not constitute an overwhelming success.³ The primary justification these supporters agree on emphasizes state-perpetrated violence as evidence of an impending bloodbath, arguing that international intervention was necessary to protect human life and human rights. Additionally, some supporters argue that a Libya without an intervention would have been a much bloodier state and thus the intervention succeeded in its primary goal of protecting the Libyan people. However, this view of the intervention is not without opposition.

The fourth section of this thesis collects and evaluates the most comprehensive criticisms of the intervention. While various authors have criticized the intervention, this thesis addresses the most comprehensive criticisms of the operation and its impacts on Libya.⁴ Leading critics argue that the intervention was both unwarranted and led to various devastating consequences by plummeting Libya into chaos.⁵ Primary criticisms include the notion that intervention worsened

²NATO. "Operation UNIFIED PROTECTOR Final Mission Stats."

³Bellamy, Alex J., "Libya and the Responsibility to Protect: The Exception and the Norm," *Ethics & International Affairs* 25, no. 3 (2011); Daadler, Ivo and Stavridis, James, "NATO's Success in Libya." *New York Times*; Hamid, Shadi, "Everyone says the Libya intervention was a failure. They're wrong." Brookings Institute, April 12, 2016; Kristof, Nicholas, "Thank You, America!" *The New Yorker*, September 1, 2011.

⁴Carpenter, Ted Galen, "Paved with Good Intentions." *Mediterranean Quarterly* 29, no. 4 (2018); Friedman, Benjamin, "No, the Libya Intervention Wasn't a Humanitarian Success," *Cato Institute*, April 7, 2016; Kuperman, Alan, "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign," *Belfer Center for Science and International Affairs*, 2013; Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September 2013; Kuperman, Alan J., "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

⁵Carpenter, Ted Galen, "Paved with Good Intentions." *Mediterranean Quarterly* 29, no. 4 (2018); Friedman, Benjamin, "No, the Libya Intervention Wasn't a Humanitarian Success," *Cato Institute*, April 7, 2016; Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September

violence in Libya, intervention led to increased terrorist activity, intervention caused the loss of Libyan weapons, and that the intervention harmed nuclear non-proliferation efforts. However, critics must minimize the threat Gaddafi posed to civilians to make their case and often blame the intervention for consequences that were not connected to the operation. While these criticisms highlight potentially very serious issues, upon close evaluation, these strong criticisms do not completely dismiss the case for intervention and this study ultimately finds that the case for intervention outweighs unintended consequences.

In the fifth section, this thesis investigates death figures as well as tabulations of human rights violations that ultimately prove supporter arguments that there was a significant humanitarian threat to the people of Libya. Both Gaddafi's threatening rhetoric as well as violence against Libyan civilians illustrate that Muammar Gaddafi was determined to maintain power by any means necessary, thus posing a severe threat to those who opposed him. By proving that there was a major threat to human life present, this thesis also argues that the intervention succeeded in upholding its stated goal of protecting human life and human rights. This is not to overlook the deaths of those who perished in Libya, but to argue that the intervention prevented Gaddafi from inflicting further harm. As this section is primarily a response to criticism, the next step is addressing criticisms of the intervention.

The next section examines individual criticisms regarding an alleged increase in violence, increased terrorist presence, weapons proliferation, and harm to nuclear nonproliferation efforts. This section ultimately finds that there is a lack of evidence to prove that the intervention caused significant harm in any of these areas. While violence has continued in Libya post-2011, there is

2013;" Kuperman, Alan J., "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," Foreign Affairs, August 14, 2019.

little evidence to suggest that Operation Unified Protector directly worsened violence in the state, thus the intervention cannot be blamed for an increase in violence. Similarly, due to weak links between the intervention and increases in terrorist activity as well as the relatively small harms that terrorist activity caused in this region, terrorism does not provide sufficient grounds for condemning the entire intervention. Likewise, intervention is associated with some conventional weapons proliferation. Further, the intervention perhaps damaged nuclear nonproliferation efforts. However, neither issue clearly outweighs the dire humanitarian situation in Libya and it is unclear that potential nuclear state behavior was conditioned by the lessons in Libya. Therefore, this section establishes that there is no clear causal link between Operation Unified Protector and a significant amount of the turmoil in Libya post-intervention.

In the concluding section, this thesis finds that the intervention was justified and was a qualified success. However, security issues such as increased terrorist activity, conventional weapons proliferation, and hindered nuclear non-proliferation efforts revealed lessons to be learned and applied to future humanitarian crises. Lessons to be applied in the future include the necessity of preemptively preventing terrorist activity and the importance of securing weapons, both issues that can inform future decisions regarding intervention. Ultimately, this thesis finds that Operation Unified Protector was both warranted and successful in upholding its commitment to protecting human life and human rights.

This thesis uses a qualitative case study method, examining a mix of primary and secondary sources to determine whether Operation Unified Protector was justified and successful, and investigates to what extent the intervention caused subsequent events in Libya. A primary aspect of this thesis is the analysis of the counterfactual scenario in Libya in which the

international community did not intervene. The accuracy of the counterfactual scenario based on available evidence is critical in weighing whether or not no intervention would have been better or worse for the Libyan people. Overall, the analysis is broken into, first, the scrutinization of conditions before and after the intervention, and second, the interrogation of links between international intervention and further removed strife in Libya.

To determine whether or not the intervention was warranted, this thesis involves a thorough examination of violence and the disputed but clear potential for violence in Libya as justification for foreign intervention to prevent further deaths and human rights abuses. In investigating the situation, this thesis considers both the critic's perspective that there was no outstanding threat to human life and human rights in Libya as well as primary and secondary sources regarding the actual situation on the ground at the time. This examination also requires consideration of the counterfactual scenario, one with no intervention, to determine whether or not intervention was truly necessary to prevent further harm to the Libyan people.

The most potent criticisms focus on the supposed role the intervention had in destabilizing Libya. To assess these criticisms, this thesis utilizes close process tracing to determine whether or not there is a clear causal link between the intervention and subsequent issues including increased death and violence; conventional weapons proliferation; impacts on nuclear proliferation; and increased terrorist activity. For instance, investigating whether or not there is a clear causal link between the intervention and the appearance of Libyan weapons in Mali, and, whether or not their appearance was inevitable. This process is applied to these four key areas: increased death and violence; increased terrorist activity; conventional weapons proliferation; and consequences for nuclear non-proliferation efforts, as they are the the most

pressing criticisms and potentially the biggest harms to international security. Therefore, by scrutinizing this intervention and the proposed connections from the intervention to each particular issue, this thesis determines whether or not NATO can truly be held accountable for these breakdowns in security.

II. Background to the 2011 International Intervention in Libya

In 1951, Libya gained its independence from France and Britain under King Idris al-Sanusi and shortly after discovered oil reserves, beginning a new age of autonomy.⁶ King Idris al-Sanusi sought ties with the US and Britain but gradually increased Libyan autonomy as the state began to profit from oil revenue.⁷ The king maintained socially conservative policies and strong control over state affairs, provoking criticism from the Libyan people.⁸ In 1969, Muammar Gaddafi won power through a non-violent coup, beginning his 42-year rule.⁹

Muammar al-Gaddafi was born in 1942 in the Sirte region to poor parents and rose to power through his military career.¹⁰ Despite humble beginnings, Gaddafi's parents arranged for his education and he eventually attended the University of Benghazi, then known as the University of Libya.¹¹ He later left the school to join the military and in 1965, graduated from the Libyan military academy.¹² Gaddafi was an admirer of Gamal Abdel Nasser both for his Arab nationalism as well as socialist programs.¹³ With a vision of political upheaval and military support, Gaddafi embarked on his quest to transform Libya.

On September 1st, 1969, a group of revolutionaries took control of the government and, with no military resistance, took King Idris and his appointed heir into custody.¹⁴ Shortly after,

⁶Encyclopædia Britannica, "Muammar Al-Qaddafi," Encyclopædia Britannica, January 1, 2020.

⁷Al Jazeera. "Libya's Forgotten King." Al Jazeera, November 19, 2015.

⁸Encyclopædia Britannica. "Idris I." Encyclopædia Britannica, May 21 2019.

⁹Encyclopædia Britannica, "Muammar Al-Qaddafi," Encyclopædia Britannica, January 1, 2020.

¹⁰Al Jazeera, "Profile: Muammar Gaddafi." Al Jazeera, August 22, 2011.

¹¹Encyclopædia Britannica, "Muammar Al-Qaddafi," Encyclopædia Britannica, January 1, 2020.

¹²Encyclopædia Britannica, "Muammar Al-Qaddafi," Encyclopædia Britannica, January 1, 2020.

¹³ "The Twentieth Century: Muammar Al-Qaddafi," *Dictionary of World Biography: The 20th Century, O-Z*, ed. Frank Magill (Routledge, 1999), 3,098.

¹⁴Library of Congress, *Libya: A Country Study*, ed. Helen Chapin Metz (Federal Research Division Library of Congress, 1989), 42.

the king left Libya, indicating that he would not return.¹⁵ Muammar Gaddafi was then appointed as the head of state, as Alison Pargeter puts it, “there was no doubt that the enigmatic Qaddafi would lead the way.”¹⁶

In 1973, Gaddafi declared the beginning of a new revolution, leading to significant changes to Libyan government.¹⁷ The new revolution involved a complete governmental upheaval, weakening previous leaders such as local mayors and instead creating people’s militias to uphold the principles of the regime and eliminate any opposition.¹⁸ Gaddafi also championed a new “Third Theory” rooted in Islam as the true means of achieving success as opposed to other systems such as capitalism or communism.¹⁹ Gaddafi’s *The Green Book*, which was published in 1975, codified his teachings on the importance of direct democracy, advocated for socialism as preferable to capitalism, and emphasized the importance of nationalism as a driving force in history.²⁰ In an unexpected escalation, a 1976 government response to student protests involved the arrest of students and later, the public hanging of dissenters.²¹ Gaddafi also created a “revolutionary authority” and divested the people’s authority of power, controlling power behind the scenes behind a facade of popular authority.²² Additionally, Gaddafi began deploying paramilitary groups to control populations throughout the state, beginning in 1976 and officially taking form in 1979.²³ Even more sinister, Gaddafi prohibited media other than government-approved propaganda and sought to eliminate any individual leaders who might

¹⁵Library of Congress, *Libya: A Country Study*, ed. Helen Chapin Metz (Federal Research Division Library of Congress, 1989), 42.

¹⁶Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 67.

¹⁷Vandewalle, Dirk, *A History of Modern Libya* (New York: Cambridge University Press, 2012), 83.

¹⁸Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 79.

¹⁹Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 80-81.

²⁰*Libya - The Green Book*, countrystudies.us/libya/80.htm.

²¹Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi*, (London: Yale University Press, 2012), 94.

²²Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 95-96.

²³Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 97.

disrupt the movement by employing committees that created a McCarthy-esque era as they tried and executed those suspected of treason.²⁴

Under the new regime, the Libyan economy and people suffered as the state prohibited private business, leaving the population in a state of panic and scarcity.²⁵ No one was safe, as Gaddafi imposed stringent restrictions on the economy, government, and even the practice of religion in Libya.²⁶ Growing resentment manifested in failed attempts to stage a coup against Gaddafi, indicating a build up of tensions.²⁷ In response, Gaddafi infiltrated local leadership in an effort to extinguish opposition in Libyan tribal factions.²⁸ However, several opposition groups remained in exile, biding their time as they sought to overthrow Gaddafi.²⁹ Efforts became increasingly aggressive, resulting in Gaddafi's crackdown on opposition in the late 90s and authorization of governing bodies to seek out and eliminate opposition.³⁰ Gaddafi did not stop there. As he noticed that a primary source of opposition lay in the east, he punished cities such as Benghazi by cutting off investments, leaving Benghazi in a state of utter disrepair.³¹ Thus, Gaddafi inadvertently created the breeding grounds for his final opposition.

Some reform came to Libya, but to no avail. Gaddafi's son Saif al-Islam, who supported free-markets and modernization, brought about some reform by supporting the appointment of

²⁴Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 101-102; Library of Congress, *Libya: A Country Study*, ed. Helen Chapin Metz (Federal Research Division Library of Congress, 1989), 50.

²⁵Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 107-108.

²⁶Vandewalle, Dirk, *A History of Modern Libya* (New York: Cambridge University Press, 2012), 108.

²⁷Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 159.

²⁸Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 162.

²⁹Library of Congress, *Libya: A Country Study*, ed. Helen Chapin Metz (Federal Research Division Library of Congress, 1989), 49.

³⁰Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 169; Library of Congress, *Libya: A Country Study*, ed. Helen Chapin Metz (Federal Research Division Library of Congress, 1989), 50.

³¹Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 170-171.

foreign oil economist Shukri Ghanem as General Secretary of the General People's Committee in 2003.³² However, Ghanem's policies angered many Libyans as they viewed his reforms as a threat to tradition and their own livelihoods.³³ Despite some progress, Ghanem was removed from power in 2006, significantly slowing economic reform.³⁴ Thus, while the Libyan people endured many supposed reforms, they received no real economic progress. This resentment at the lack of progress culminated in conflict as war broke out in February of 2011.

In response to continued oppression and lack of resources, the Libyan people began organizing. Fethi Tarbel, an activist and lawyer representing victims of the Gaddafi regime was arrested on February 15th, 2011 for his involvement in organizing anti-government demonstrations planned for February 17th.³⁵ In addition to Tarbel, Libyan forces arrested at least 14 more activists with connections to the planned demonstration, triggering a wave of protests.³⁶ Peaceful protests began in Benghazi and were met with teargas and physical attacks, resulting in at least one reported death.³⁷ Thereafter, protests spread to cities including al Bayda, Quba, Ajdabiya, Darnah and Zintan.³⁸ Once more, government forces attacked protestors, firing live rounds and reportedly killing at least 12 protestors by February 17th.³⁹ Violence raged on and, by February 23rd, the most conservative mortality estimate was 300 dead, a number Human Rights

³²Vandewalle, Dirk, *A History of Modern Libya* (New York: Cambridge University Press, 2012), 183.

³³Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 194-196.

³⁴Vandewalle, Dirk, *A History of Modern Libya* (New York: Cambridge University Press, 2012), 191.

³⁵Vandewalle, Dirk, *A History of Modern Libya* (New York: Cambridge University Press, 2012), 204; Shuaib, Ali, "Libyan Who Sparked Revolution Sworn in as Minister," *Reuters*, December 4, 2011.

³⁶Human Rights Watch, "Libya: Arrests, Assaults in Advance of Planned Protests," *Human Rights Watch*, April 17, 2015.

³⁷Human Rights Watch, "Libya: Arrests, Assaults in Advance of Planned Protests," *Human Rights Watch*, April 17, 2015, Al Jazeera, "Battle for Libya: Key Moments," *Al Jazeera*, April 30 2017.

³⁸Al Jazeera, "Battle for Libya: Key Moments," *Al Jazeera*, April 30 2017;" The Telegraph, "Libyan Uprising One-Year Anniversary: Timeline." *Telegraph Media Group*, February 17 2012.

³⁹Al Jazeera, "Battle for Libya: Key Moments," *Al Jazeera*, April 30 2017;" Human Rights Watch, "Libya: Arrests, Assaults in Advance of Planned Protests," *Human Rights Watch*, April 17, 2015; Pargeter, Alison, *Libya: The Rise and Fall of Gaddafi* (London: Yale University Press, 2012), 195.

Watch acknowledged as conservative and the highest estimate was 1,000 people dead.⁴⁰ As rebels took hold of cities including Baida, Tobruk, Benghazi, and then Misrata, conflict showed no signs of slowing.⁴¹ In return, on February 22nd, Gaddafi vowed to “fight to the last drop of my blood,” clearly indicating that he has no plans to appease the opposition and/or relinquish power.⁴²

In light of widespread human rights abuses, Gaddafi’s brutal tactics drew criticism from other world leaders. On February 23rd, 2011, President Barack Obama condemned violence in Libya, stating "suffering and bloodshed is outrageous, and it is unacceptable;" President Nicolas Sarkozy called for sanctions in response to human rights violations; and U.N. Secretary General Ban Ki-moon indicated the beginning of an investigation into the Libyan regime.⁴³ Thereafter on February 24th, David Cameron renewed his February 21st criticism of Gaddafi’s response to protests, calling violence unacceptable and urging a stop to the violence.⁴⁴ As Gaddafi paid no mind to international condemnation, world leaders took action.

On February 26th, international actors began the implementation of sanctions against authorities, freezing leader assets, instating an arms embargo, and prohibiting travel by Gaddafi and those close to him and the regime.⁴⁵ Thereafter, on March 5th, the National Transitional Council declared itself the sole representative of Libya, defying Gaddafi’s call for a halt to the

⁴⁰Donadio, Rachel, “Italy Says Death Toll in Libya Is Likely Over 1,000.” *The New York Times*, February 23, 2011;” Bowen, Jeremy, “Libya: Anti-Gaddafi Protesters 'under Fire' in Tripoli,” BBC News, February 25, 2011.

⁴¹Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2017;” BBC, “Rebel-Held Areas in Libya.” *BBC News*, March 19, 2011; Chorin, Ethan, *Exit the Colonel: The Hidden History of the Libyan Revolution* (New York: PublicAffairs, 2012), 196.

⁴²Blomfield, Adrian, “Libya: Col Gaddafi Threatens to Unleash Mob Rule,” *Telegraph Media Group*, February 22, 2011; Reuters, “Britain's Cameron Says Libya Violence Unacceptable,” *Reuters*, February 22, 2011.

⁴³Wilson, Scott, “Obama Condemns Gaddafi's Crackdown, Sends Clinton for Talks on Libya,” *The Washington Post*, February 24, 2011.

⁴⁴The Telegraph, “Libyan Uprising One-Year Anniversary: Timeline,” *Telegraph Media Group*, February 17 2012.

⁴⁵United Nations, Department of Public Information, *Security Council imposes sanctions on Libyan authorities in bid to stem violent repression*, February 26, 2011.

revolution.⁴⁶ However, violence did not let up. As warnings of an assault on Benghazi arose, the UN sprung into action.⁴⁷ On March 17th, 2011, the UN Security Council authorized the use of force in protecting Libyan citizens with UN Resolution 1973.⁴⁸ Resolution 1973 expressed significant concern about the “deterioration” of the situation in Libya, strongly condemned the Libyan state’s use of violence, and authorized the use of “all necessary measures” to protect civilians in Libya, including Benghazi.⁴⁹

On March 19th, 13 international actors began combat missions, with primary operations including the US Operation Odyssey Dawn, Canadian Operation Mobile, French Operation Harmattan, and British Operation Ellamy working to enforce Resolution 1973.⁵⁰ After initial foreign involvement, NATO assumed control of the arms embargo on March 23rd, on March 25th, NATO took control over enforcing the no-fly zone and then on March 31st, NATO began “protection of civilians.”⁵¹ In total, NATO deployed 21 naval crafts, more than 260 air crafts, and approximately 8,000 troops.⁵²

⁴⁶The Telegraph, “Libyan Uprising One-Year Anniversary: Timeline,” *Telegraph Media Group*, February 17 2012.

⁴⁷United Nations, Department of Public Information, *Assault on Benghazi would endanger masses of Libyan civilians, Ban warns*, March 16, 2011.

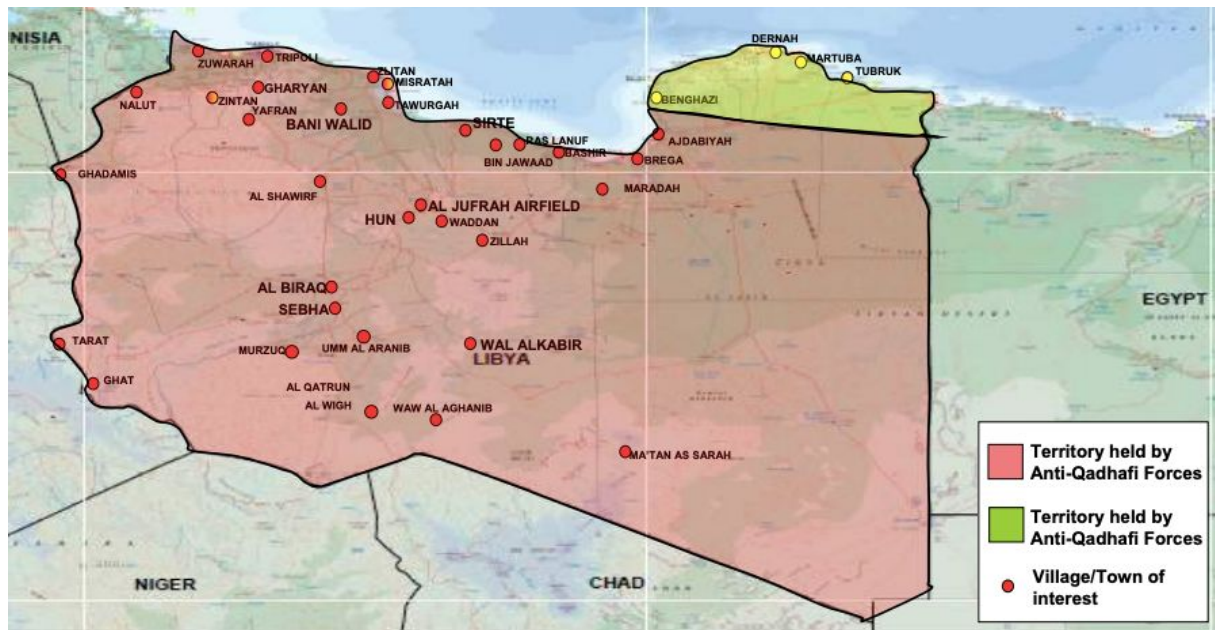
⁴⁸United Nations, Security Council, *Security Council Approves ‘No-Fly Zone’ over Libya, Authorizing ‘All Necessary Measures’ to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions*, SC/10200, March 17, 2011.

⁴⁹United Nations, Security Council, *Security Council Approves ‘No-Fly Zone’ over Libya, Authorizing ‘All Necessary Measures’ to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions*, SC/10200, March 17, 2011.

⁵⁰Government of Canada, “Operation MOBILE,” *Government of Canada*, Last Modified January 22, 2014.” Gertler, Jeremiah, “Operation Odyssey Dawn (Libya): Background and Issues for Congress,” *Congressional Research Service*, March 30, 2011;” “APPENDIX A.: Timeline of Events in Libya.” *In Precision and Purpose: Airpower in the Libyan Civil War*.

⁵¹“APPENDIX A.: Timeline of Events in Libya.” *In Precision and Purpose: Airpower in the Libyan Civil War*; NATO, “Operation UNIFIED PROTECTOR Final Mission Stats.,” *NATO*, November 2, 2011.

⁵²NATO, “Operation UNIFIED PROTECTOR Final Mission Stats.,” *NATO*, November 2, 2011.



NATO Frontline, March, 2011⁵³

Despite losing ground to state forces in early March, rebels held their positions in Misrata and Eastern Libya. On March 18th, there were clashes in Nalut, Zintan, Misrata, and Ajdabiya, with rebels holding several cities in the east.⁵⁴ Beginning on March 19th, NATO began attacking state troops with air strikes, forcing state troops to retreat west, away from Benghazi.⁵⁵ On March 27th, rebels made significant progress in pushing state forces west past Brega but were forced to retreat by the end of the month, losing previous progress.⁵⁶ Following a brief stalemate, state forces pushed conflict further east to Ajdabiya and were met with NATO fire on April 9th.⁵⁷ Rebels took control of Ajdabiya by April 10th, with major conflicts occurring in Nalut, Misrata, and Brega on April 14th as rebels continued to hold many western cities.⁵⁸ Conflict intensified in

⁵³NATO, “Evolution of the frontlines in Libya- March–September 2011.”

⁵⁴The New York Times, “Map of the Rebellion in Libya, Day by Day,” *The New York Times*, February 25, 2011.

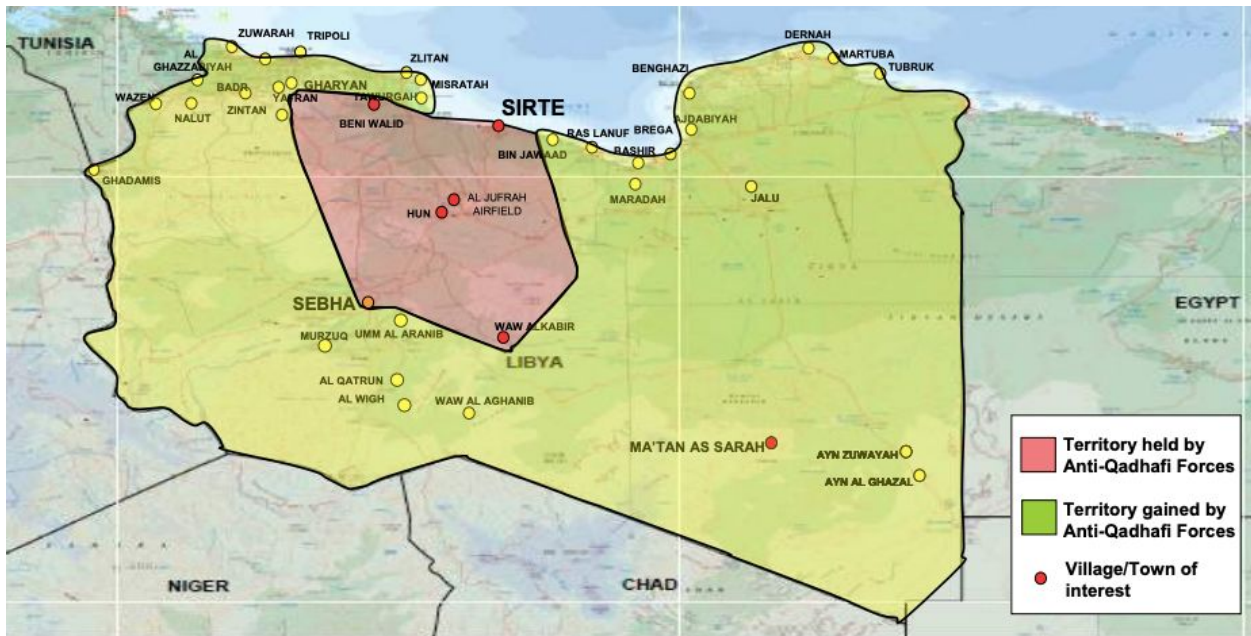
⁵⁵Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2011.

⁵⁶The New York Times, “Map of the Rebellion in Libya, Day by Day,” *The New York Times*, February 25, 2011.

⁵⁷The New York Times, “Map of the Rebellion in Libya, Day by Day,” *The New York Times*, February 25, 2011.

⁵⁸The New York Times, “Map of the Rebellion in Libya, Day by Day,” *The New York Times*, February 25, 2011.

the west on April 29th, with rebels holding the majority of Eastern Libya and several towns in the west, including Misrata.⁵⁹ After much conflict, state troops withdrew from Misrata on May 15th, and by July 28th, rebels began to encircle Gaddafi in Tripoli.⁶⁰ As rebels won over smaller cities, they steadily gained control over the majority of the state. By August, 2011, rebels had state troops completely surrounded.⁶¹



NATO Frontline, August, 2011⁶²

After significant fighting, Tripoli fell to rebel forces in early September.⁶³ On October 13th, rebel forces gained control of Gaddafi’s home city, Sirte—with the exception of the neighborhood Gaddafi was hiding in.⁶⁴ Sirte fell on October 20th, resulting in the execution of Muammar Gaddafi.⁶⁵ Libya is declared liberated on October 23rd.⁶⁶ On October 31st, NATO

⁵⁹The New York Times, “Map of the Rebellion in Libya, Day by Day,” *The New York Times*, February 25, 2011.

⁶⁰Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2011.

⁶¹ NATO, “Evolution of the frontlines in Libya- March–September 2011.”

⁶²NATO, “Evolution of the frontlines in Libya- March–September 2011.”

⁶³Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2011.

⁶⁴Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2011.

⁶⁵Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2011.

⁶⁶Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2011.

Secretary General Anders Fogh Rasmussen made a historic visit to Tripoli and declared “When the United Nations took the historic decision to protect you, NATO answered the call. We launched our operation faster than ever before... We were effective, flexible and precise.”⁶⁷

While the intervention was initially celebrated, praise turned to condemnation and critics now call the intervention a failure—this thesis investigates if they are right.

⁶⁷NATO, “We answered the call- the end of Operation Unified Protector,” NATO, November 7, 2011.

III. Justifications for the Intervention

This section delves into justifications for the intervention presented by supporters of the intervention. The case for the intervention primarily hinges on two assertions: That Gaddafi's rhetoric and troop behavior were a humanitarian threat and that Operation Unified Protector accomplished its primary goal of protecting human life and rights. All supporters included support the notion that there was a humanitarian threat to the people of Libya. However, only some leverage the counterfactual scenario without intervention to argue that a Libya without intervention would have been far bloodier and thus the intervention succeeded in its goal of protecting human life and human rights. While authors recognize existing turmoil in Libya, many argue that the intervention was not designed to build a fully functioning democracy but to prevent humanitarian catastrophe. Thus, evidence primarily concerns Gaddafi's actions, violence against civilians, and brief success immediately following Operation Unified Protector.

	Humanitarian Threat	Operation Protected Human Rights
Alex Bellamy	X	
Ivo Daalder & James Stavridis	X	X
Shadi Hamid	X	X
Stewart Patrick	X	

Supporters Outline a Major Threat to Benghazi

At a national security council meeting, President Obama was informed of the possibility of a military assault on the 700,000 people in Benghazi within the next 48 hours.⁶⁸ As supporters of the intervention argue that Operation Unified Protector saved thousands of civilian lives in Benghazi, it is critical to investigate if there was in fact a humanitarian threat in Libya. Thus, one must determine whether or not Gaddafi's behavior and the actions of his troops indicated an impending threat to Libyan civilians in Benghazi and throughout Libya.

As authors such as Shadi Hamid and Alex Bellamy point out, Muammar Gaddafi publicly threatened violence in response to the revolt against him, indicating that there was more violence to come.⁶⁹ On the 22nd of February, 2011, Gaddafi addressed the Libyan people, sharply condemning those responsible for inspiring the revolt against him. Notably, Gaddafi makes numerous threats including calling upon the Libyan people to cleanse Libya of "the greasy rats," and vowing to purify Libya "house by house, home by home, alley by alley, person by person."⁷⁰ Throughout his speech, Gaddafi directs criticism at those responsible for the rebellion, but he does not clarify what level of engagement in opposition makes people "rats in their dens."⁷¹ Even more sinister, Gaddafi also stated that any Libyan who took up arms against the Libyan government would be executed, indicating his view of opposition as a crime punishable by death.⁷² While Gaddafi often speaks of a supposed desire to protect the people of Libya from the harms

⁶⁸ Power, Samantha, *The Education of an Idealist* (Dey Street Books, 2019), 297.

⁶⁹ Bellamy, Alex J., "Libya and the Responsibility to Protect: The Exception and the Norm," *Ethics & International Affairs* 25, no. 3 (2011); Hamid, Shadi, "Everyone says the Libya intervention was a failure. They're wrong," *Brookings Institute*, April 12, 2016.

⁷⁰ Al Jazeera English, "Muammar Gaddafi addresses the nation," *YouTube*, February 22, 2011; SLOBE, "Muammar Gaddafi speech TRANSLATED (2011 Feb 22)," *YouTube*, February 23, 2011.

⁷¹ Channel 4 News, "Libya: Gaddafi vows 'I will not leave this land,'" *YouTube*, February 21, 2011.

⁷² Miller, Barbara, "Defiant Gaddafi Issues Chilling Threat," *The World Today*, February 23, 2011.

of rebellion, he also speaks of the necessity of completely eliminating the opposition.⁷³ In light of Gaddafi's history of violence, recent use of violence against peaceful protestors, and commitment to maintaining power, the dictator's claim to be with the people falls flat. Additionally, there is no telling what actions or words would constitute a punishable offense. As in the case of Fethi Tarbel, the activist arrested on February 15th, and protestors in Benghazi, even association with peaceful protests was met with arrests and deadly force.⁷⁴ Alex Bellamy encapsulates this argument well: "In the face of Qaddafi's record and his public utterances, however, states could not plausibly argue that the threat of mass atrocities was not real."⁷⁵ Thus, the case for the intervention begins with Gaddafi himself as both his authorization of and advocacy for the use of lethal force in quelling uprisings is arguably indicative of a pattern of violence that would have continued had NATO not intervened to protect civilians.

Similarly, subsequent statements by Gaddafi serve as indictments of his sinister intentions for Benghazi. In a March 17th radio address, Gaddafi warned that "we will clean Benghazi, all of Benghazi..."⁷⁶ This threat was particularly salient as protests began in Benghazi and the self-declared people's government, the Libyan National Council, maintained headquarters in the city.⁷⁷ Admittedly, Gaddafi ordered troops not to hurt those who surrendered and fled, but this statement sharply contrasts his statement that "We will show no mercy to

⁷³Miller, Barbara, "Defiant Gaddafi Issues Chilling Threat," *The World Today*, February 23, 2011.

⁷⁴Vandewalle, Dirk, *A History of Modern Libya* (New York: Cambridge University Press, 2012), 204; Shuaib, Ali, "Libyan Who Sparked Revolution Sworn in as Minister," *Reuters*, December 4, 2011.

⁷⁵Bellamy, Alex J., "Libya and the Responsibility to Protect: The Exception and the Norm," *Ethics & International Affairs* 25, no. 3 (2011).

⁷⁶Raghavan, Sudarsan, "Libyans Brace for Gaddafi Offensive in Rebel Stronghold of Benghazi," *The Washington Post*, March 17, 2011.

⁷⁷Brown, L. Carl, and Nevill Barbour, "Emergence of the Transitional National Council in Benghazi," *Encyclopædia Britannica*, March 5, 2020.

collaborators” as well as his orders for the use of force against peaceful protestors.⁷⁸ Therefore, Gaddafi’s own words and actions triggered the movement to counter him with military force.

⁷⁸Heneghan, Tom, “UPDATE 1-Gaddafi Tells Benghazi His Army Is Coming Tonight,” *Reuters*, March 17, 2011.

Conflict Was Inevitable—NATO Simply Minimized Harm

In contrast with Gaddafi's invitation to end conflict, rebels showed no sign of giving in. Thus, conflict between the state and rebels was inevitable and the international community ultimately chose to defend both those at risk of violence and those fighting for autonomy.⁷⁹ Had the international community not intervened, then Muammar Gaddafi would have been free to crush the opposition, an option that would have allowed for further deaths and denied Libyans the freedoms they demanded. This situation was made even more dire by the widespread nature of opposition. While past acts of rebellion had been limited to small factions of the Libyan population, within the first ten days of conflict, rebellions had occurred in as many as ten cities. Thus, unlike past oppositions, this rebellion would have required state crackdown on cities throughout Libya. Therefore, NATO rightfully chose to minimize harm in an inevitable conflict.

Rebel and civilian behavior in February and March illustrated that Libyans would no longer tolerate Gaddafi's totalitarian regime, making conflict inevitable. On February 19th, a citizen of Benghazi reportedly said "It is too late for dialogue now," in response to the government use of force against protestors.⁸⁰ In response to Gaddafi's February 22nd televised speech, protestors reportedly threw shoes at his image, despite the leader's stated goal of eliminating the supposed enemy of the people, the opposition.⁸¹ Therefore, even if Gaddafi was earnest in his appeals to unifying Libya, the rebel response indicates that they had no intention of submitting to the dictator. Similarly, in response to Gaddafi's March 17th address, protestors were seen flying the pre-Gaddafi Libyan flag in acts of defiance in Benghazi, casting extreme

⁷⁹Samantha Power briefly alludes to this argument in *The Education of an Idealist* but this section is my own analysis.

⁸⁰The New York Times, "Map of the Rebellion in Libya, Day by Day," *The New York Times*, February 25, 2011.

⁸¹Black, Ian, "Gaddafi Urges Violent Showdown and Tells Libya 'I'll Die a Martyr,'" *The Guardian*, February 22, 2011; Channel 4 News, "Libya: Gaddafi vows 'I will not leave this land,'" *YouTube*, February 21, 2011.

doubt on the case for a peaceful unification under Gaddafi's leadership.⁸² Even more telling, from the outbreak of violence in mid-February until the end of the conflict in October, rebel forces continued to resist militarily, despite both threats and peace offerings by Gaddafi. For instance, in April of 2011, the African Union attempted to form a peace plan between the Gaddafi regime and rebel leaders.⁸³ Whereas Gaddafi is reported to have accepted the terms of the peace plan, rebels rejected the plan on the grounds that the plan did not mandate that Gaddafi and his sons exit Libyan politics.⁸⁴ This refusal reveals that rebels viewed the conflict as a zero-sum game, it was them or Gaddafi. While some may argue that there was no threat to Benghazi as Gaddafi was open to peace, the rebel refusal to compromise over his departure indicates that conflict was looming on the horizon as both sides sought to eliminate the other.

Even if Gaddafi was the merciful ruler he claimed to be, it would not have been enough. Rebels showed no signs of a desire to compromise and openly challenged the state. Thus, rebel refusal to back down would likely have led to try-or-die battles in which rebel fighters truly had nothing to lose and thus fought accordingly.⁸⁵ In this scenario, Gaddafi would then have to make good on his promise to eliminate opposition and would thus meet challenge with force, prolonging and intensifying conflict. As stated previously, Gaddafi vowed to eliminate collaborators to the resistance, thus those close to the rebels, or even merely perceived as close to the rebels, would be subject to Gaddafi's wrath as well. Thereby, conflict would endanger not only rebels seeking freedom but those accused of being too close with the resistance, worsening an already bloody conflict.

⁸²Heneghan, Tom, "UPDATE 1-Gaddafi Tells Benghazi His Army Is Coming Tonight," *Reuters*, March 17, 2011.

⁸³Al Jazeera, "Libyan Rebels Reject African Union Peace Plan," *Al Jazeera*, April 11, 2011.

⁸⁴Al Jazeera, "Libyan Rebels Reject African Union Peace Plan," *Al Jazeera*, April 11, 2011.

⁸⁵Samantha Power briefly mentions this concept in her book *The Education of an Idealist*.

In a conflict between an unyielding dictator and those rebelling against state violence, the international community chose to protect the people. In light of the violent crackdown on peaceful protests and thus use of violence against civilians in conflict, to side with Gaddafi would have been to support violent suppression and to abstain from intervention would fail to uphold humanitarian doctrines such as the Responsibility to Protect. Thus, intervening to protect human life and human rights was the option both legally in alignment with humanitarian law and ethically in alignment with respect to human life and dignity.

Libyan State Violence as Justification for Intervention

Whereas 2011 was not the first time Gaddafi utilized violence to quell rebellion, the uprising was unprecedentedly widespread and thus threatened extreme violence. Supporters of the Operation Unified Protector argue that violence prior to the intervention was severe enough to warrant intervention and that, had NATO not intervened, the results would have been catastrophic for Libyan civilians.

Violence in Libya began on February 15th, 2011 and quickly spread to cities throughout the state. Peaceful civilian protests began in Benghazi on February 15th in response to the arrest of a human rights activist and were met with teargas and physical attacks, resulting in “a number” of deaths.⁸⁶ Thereafter, protests spread to cities including al Bayda, Quba, Ajdabiya, Darnah and Zintan and many resulted in violent conflict, with more than a dozen casualties.⁸⁷ By February 23rd, the most conservative mortality estimate was 300 dead across Libya, a number Human Rights Watch acknowledged as conservative and the highest estimate was 1,000 people dead.⁸⁸ In response to the increasing violence, the international community began to put pressure on the Libyan government.

Despite international pressure, Gaddafi did not cease violence. The UN adopted Resolution 1970 on February 26th, urging the Libyan government to cease violent action against protestors.⁸⁹ The resolution also instated an arms embargo, travel ban, and asset freeze on those

⁸⁶Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2017.

⁸⁷Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2017; The Telegraph, “Libyan Uprising One-Year Anniversary: Timeline,” *Telegraph Media Group*, February 17 2012.

⁸⁸Donadio, Rachel, “Italy Says Death Toll in Libya Is Likely Over 1,000,” *The New York Times*, February 23, 2011; Bowen, Jeremy, “Libya: Anti-Gaddafi Protesters 'under Fire' in Tripoli,” *BBC News*, February 25, 2011.

⁸⁹United Nations, Security Council Resolution 1970 (2011), *Imposes an arms embargo, a travel ban and an assets freeze in connection with the situation in the Libyan Arab Jamahiriya*, S/RES/1970 (26 February 2011).

close to the Libyan regime.⁹⁰ In a further attempt to discourage violence, UN Secretary General Ban Ki-moon personally called Gaddafi on February 21st to implore him to cease attacks, to no avail.⁹¹

Conflict raged on, including reported violence against civilians. The UN High Commissioner for Human Rights, Navi Pillay, reported that Libyan forces were blocking ambulances, allowing the injured to die as troops sealed off neighborhoods.⁹² Reports of violence in Zawiya, a coastal town to the west of Tripoli, told of a “partially destroyed ghost town,” in which government forces targeted doctors, medics, and vulnerable civilians, an affront tantamount to a “wholesale killing of civilians” as state forces indiscriminately fired on noncombatants.⁹³ As the stated goal of the intervention was to protect human life and human rights, analyses of violence leading up to the intervention is important to establishing whether or not the intervention was truly necessary.

Supporters emphasize initial violence as evidence of the necessity of intervention while critics either minimize or do not address initial violence. Authors argue that, given the fact that even peaceful protests were met with deadly force, it was clear that continued rebellion would be met with violence.⁹⁴ In addition, as protests began in Benghazi and as rebels maintained strongholds in the city, Benghazi was by all then accounts, a target of the Libyan government.

⁹⁰United Nations, Security Council Resolution 1970 (2011), *Imposes an arms embargo, a travel ban and an assets freeze in connection with the situation in the Libyan Arab Jamahiriya*, S/RES/1970 (26 February 2011).

⁹¹United Nations, Department of Public Information, *Ban strongly condemns Qadhafi's actions against protesters, calls for punishment*, February 23, 2011.

⁹²Specific neighborhoods are not identified. Power, Samantha, *The Education of an Idealist* (Dey Street Books, 2019), 294.

⁹³Power, Samantha, *The Education of an Idealist* (Dey Street Books, 2019), 300.

⁹⁴Bellamy, Alex J., "Libya and the Responsibility to Protect: The Exception and the Norm," *Ethics & International Affairs* 25, no. 3 (2011); Hamid, Shadi, "Everyone says the Libya intervention was a failure. They're wrong," *Brookings Institute*, April 12, 2016.

Therefore, supporters argue that, not only did initial violence result in human rights abuses and death, initial conflict was indicative of further harm to come to Libyan civilians.

Under Gaddafi's orders, Libyan troops moved across the state, leaving carnage in their wake. If Gaddafi's forces were harming civilians in initial battles, then one can presumably make the case that treatment of those in Benghazi would be equally as violent, if not worse. Benghazi was the headquarters of the rebel government and the site of the revolution's beginning after the arrest of Fethi Tarbel. Thus, it is highly possible that the city would have faced a severe punishment for its primary role in challenging Gaddafi. As supporters of Operation Unified Protector frequently cite a threat to Benghazi in support of the intervention, establishing a pattern of violence will provide the foundation for a claim about the threat to Benghazi.



February 20th, 2011⁹⁵

Using both firsthand and secondhand reports of violence, particularly violence against civilians, one can conclude that there was indeed a risk posed to human life and rights during conflicts in Libya. While reports were sporadic and noncomprehensive, it is apparent that violence was indiscriminate and showed no sign of slowing.⁹⁶

⁹⁵The New York Times, "Map of the Rebellion in Libya, Day by Day," *The New York Times*, February 25, 2011.

⁹⁶Appendix A compiles reported death statistics.

The first major clash occurred in Benghazi, with rebels taking hold of the city on February 20th.⁹⁷ During February 17th and 18th, reports of paid mercenaries harming civilians were rampant.⁹⁸ In one instance, soldiers are reported to have opened fire on a funeral procession as it passed a military compound.⁹⁹ One surgeon at the Benghazi Medical Center reported that they saw more than 2,000 patients from February 17th to 20th and that nearly 20% of admitted patients died.¹⁰⁰ Another doctor reported seeing an eight year old boy die from a gunshot wound to the head, adding that all casualties he witnessed were young civilians.¹⁰¹ Upon taking control of the Katiba, a state military compound, rebels declared victory in taking control of Benghazi. However, the government had done its damage.

Death counts are unclear, a problem exacerbated by the government shutdown of the internet.¹⁰² Human Rights Watch reported that government forces killed 84 people, 35 of whom died in Benghazi, in three days of combat and rebels reported more than 100 deaths in six days of violence.¹⁰³ Despite different numbers and time periods, it is clear that government violence resulted in numerous casualties, including civilian deaths. Thus, initial clashes in Benghazi were very telling of what was to come. Military targeting of civilians undermines Gaddafi's claim that

⁹⁷Al Jazeera, "Battle for Libya: Key Moments," *Al Jazeera*, April 30 2017.

⁹⁸Chorin, Ethan, *Exit the Colonel: The Hidden History of the Libyan Revolution* (2012), 195.

⁹⁹Chorin, Ethan, *Exit the Colonel: The Hidden History of the Libyan Revolution* (2012), 195.

¹⁰⁰Al Jazeera, "Many Killed' in Libya's Benghazi," Chorin, Ethan, *Exit the Colonel: The Hidden History of the Libyan Revolution*, 195.

¹⁰¹Al Jazeera, "Many Killed' in Libya's Benghazi," Chorin, Ethan, *Exit the Colonel: The Hidden History of the Libyan Revolution*, 195.

¹⁰²Al Jazeera, "Many Killed' in Libya's Benghazi," *Al Jazeera*, February 20, 2011.

¹⁰³Human Rights Watch reported deaths spanning from February 17th to 19th across several cities and rebels reported. Rebel reports of fatalities were published on February 19th and thus the six days referred to were presumably February 14th to 19th. Therefore, these two figures could potentially overlap in counting those killed. Al Jazeera, "Many Killed' in Libya's Benghazi," *Al Jazeera*, February 20, 2011; Human Rights Watch, "Libya: Security Forces Kill 84 Over Three Days," *Human Rights Watch*, February 18, 2011.

he would only pursue action against active rebels, an appeal made even more uncertain by Gaddafi's defiance in the face of international condemnation.



March 19th, 2011¹⁰⁴

Violence also wracked Misrata as rebels fought the state for control of the city. When snipers arrived in the city on March 19th, they were reported to have fired at both rebels and civilians as well as launching missiles into non-combatant areas.¹⁰⁵ Rebels claimed that they found graffiti in a sniper's den reading "We will not forgive anybody from Misrata. We will fuck your daughters and your wives," indicating that government forces would not be merciful in the event of victory.¹⁰⁶ While unverifiable due to a prohibition on foreign journalism, by March 23rd, rebels reported 16 people killed by snipers and reported that state troops were preventing rebels from entering a hospital to treat the wounded.¹⁰⁷ On April 11th, 2011 UNICEF reported the deaths of 20 children, one as young as nine months old, and urged a stop to the siege of Misrata.¹⁰⁸ The Guardian reported that, on the same day, soldiers opened fire on a family seeking refuge,

¹⁰⁴The New York Times, "Map of the Rebellion in Libya, Day by Day," *The New York Times*, February 25, 2011.

¹⁰⁵Rice, Xan, "Misrata Rebels Strike Back Against Gaddafi Snipers," April 22, 2011.

¹⁰⁶Rice, Xan, "Misrata Rebels Strike Back Against Gaddafi Snipers," April 22, 2011.

¹⁰⁷Ahmed, Hamid Ould, "Rebels Say 16 Dead in Misrata, Hospital Attacked." March 23, 2011.

¹⁰⁸United Nations Children's Fund, "UNICEF Calls for an Immediate End to the Siege of Misrata," April 11, 2011.

killing a four year old boy and two older relatives.¹⁰⁹ On April 20th, Human Rights Watch confirmed the deaths of photographer and film-maker Tim Hetherington and photojournalist Chris Hondros, both killed by a mortar round while covering the battle.¹¹⁰ Thereafter, in May, a BBC article included reports that troops sexually assaulted women, killed civilians, and released cluster bombs indiscriminately.¹¹¹ In the same month, Misratan doctors reported 1,000 dead and civilians reported surviving with scarce sustenance, little electricity, and dwindling medical supplies.¹¹² By May 15th, government troops left Misrata, leaving carnage in their wake. As violence continued into the summer, the situation did not improve for civilians.

Once more, reports of violence against civilians are damning for the Gaddafi regime.¹¹³ In June 2011, the World Health Organization reported 630 deaths in Misrata and 600 more people were wounded.¹¹⁴ In a 2014 report, the UN determined that the state had used weapons indiscriminately, with shelling persisting until August 2011; targeted the only means of civilian escape, the port; and attacked medical personnel and facilities.¹¹⁵ Despite international outrage and intervention, government troops attacked the city for nearly three months, killing civilians and placing thousands more in danger. While Gaddafi may have claimed to be a merciful leader, body counts and wreckage say otherwise. Therefore, as Daadler, Stravis, and Hamid argue, there

¹⁰⁹Sherwood, Harriet. "Libya Unrest: Thousands of Children Caught in the Crossfire in Misrata." April 11, 2011.

¹¹⁰Human Rights Watch, "Libya: Journalists Killed in Misrata," *Human Rights Watch*, April 20, 2011

¹¹¹Lewis, Aidan. "Misrata: Libya's City Under Siege." *BBC News*, May 10, 2011.

¹¹²Taylor, Alan, "Three Months of Civil War in Libya," *The Atlantic*, May 25, 2011; Al Jazeera, "Battle for Libya: Key Moments," *Al Jazeera*, April 30 2017.

¹¹³Reports are compiled in Appendix A.

¹¹⁴World Health Organization, "Libya crisis: August 2011 Update," *World Health Organization*, August, 2011.

¹¹⁵United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 14-15.

is little evidence to suggest that Gaddafi would not have been extremely violent in his treatment of civilians in upcoming conflicts and thus preventing further violence was necessary.¹¹⁶



February 20th, 2011¹¹⁷

Conflict persisted in Tripoli as well. By February 20th, forces cracked down on dissidents, with reports of rounds fired at those collecting bodies and the use of tear gas and live ammunition on mosque-goers after prayer.¹¹⁸ This is a particularly alarming occurrence as Gaddafi was a fervent supporter of religion, but set aside religious beliefs to maintain power over the state. Thus, across Libya, the number of civilian fatalities and human rights abuses illustrates a clear threat to human life and human rights.

¹¹⁶Daadler, Ivo and Stavridis, James, “NATO’s Success in Libya,” *New York Times*, October 30, 2011; Hamid, Shadi, “Everyone says the Libya intervention was a failure. They’re wrong,” *Brookings Institute*, April 12, 2016.

¹¹⁷The New York Times, “Map of the Rebellion in Libya, Day by Day,” *The New York Times*, February 25, 2011.

¹¹⁸Chorin, Ethan, *Exit the Colonel: The Hidden History of the Libyan Revolution* (New York: PublicAffairs, 2012), 199.

UN Investigation Further Reveals State Violence

A 2014 UN report on violence throughout Libya sheds further light on the situation on the ground, revealing numerous human rights abuses and killings by state forces.¹¹⁹ The UN investigation determined that between February 20th and 21st, more than 200 people died in Tripoli.¹²⁰ In August, the UN confirmed that state troops had thrown grenades and fired arms into prisoner quarters, killing 106 of 157 people, by using the testimony of former prisoners, confessions by Gaddafi soldiers, and the identification of human remains.¹²¹ The investigation also found that troops shot three doctors and three prisoners before Tripoli fell to rebels in August.¹²² Reports from this detention center in Yarmouk, Tripoli also included the routine use of torture against prisoners.¹²³ In another detention center, former prisoners testified that guards shot at prisoners as the city fell on August 23rd, killing 21 detainees.¹²⁴ The same UN report confirmed that Gaddafi's troops would attack medical personnel attempting to treat wounded rebels and would launch attacks on medical facilities.¹²⁵ Additional evidence of the Gaddafi regime's brutality included the arbitrary arrests of people in Tripoli and forced disappearances.¹²⁶

¹¹⁹Neither supporters nor critics reference this report, in part because many pieces were written before its publication. However, the report provides one of the most comprehensive accounts of the conflict in Libya to date.

¹²⁰United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 6.

¹²¹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

¹²²United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

¹²³United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

¹²⁴United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

¹²⁵United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 15.

¹²⁶United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 9.

Additional conflicts raged across the state. In Bani Walid, the UN reported mass executions perpetrated by Gaddafi's forces.¹²⁷ Beginning on February 23rd in Zawiyah, government troops shot at unarmed protesters, killing seven people.¹²⁸ The UN also confirmed arbitrary arrests, forced disappearances, and attacks on medical personnel and medical facilities in Zawiyah.¹²⁹ While many prisoners were rebels, reports found that government forces also arrested rebel family members and peaceful demonstrators, holding many without access to legal aid such as an attorney.¹³⁰ On June 6th, 2011 in Al Khums, 18 people died from being held in metal containers with poor ventilation by Gaddafi's troops, UN researchers confirmed the deaths with interviews and by observing remains.¹³¹ In Al Qalaa during the month of July, the UN identified the remains of 34 men and boys who had been killed while blindfolded with their hands behind their backs at a former boy's camp.¹³² Additional reports referenced the torture of prisoners formerly held at the camp.¹³³ In Bab al Azizia, the UN used photographs of human remains to confirm the deaths of 15 men in civilian clothing.¹³⁴ Reports of torture were widespread, with many confirmed cases, some including the sexual assault of both male and

¹²⁷United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 8.

¹²⁸United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 6.

¹²⁹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 9,15.

¹³⁰United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 10.

¹³¹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

¹³²United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

¹³³United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

¹³⁴United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

female prisoners by government forces.¹³⁵ Government forces also raped women in their homes and abducted and then raped others.¹³⁶ While some rapes were committed without apparent reason, many were in an apparent attempt to scare revolutionaries.¹³⁷ In Zintan, the UN confirmed the deaths of 55 civilians, including women and children by the end of the conflict.¹³⁸

In sum, the UN report concluded that the Gaddafi regime had perpetrated crimes against humanity and war crimes throughout the state.¹³⁹ Notably, the UN also confirmed the interim government's commitment to human rights and its actions to improve fact-finding and justice processes, with some reservations about the unequal enforcement of the law as victorious rebels were not always held accountable for acts of retribution against government loyalists.¹⁴⁰ While the rebels were not wholly innocent actors, NATO ultimately sought to protect human life and rights, which primarily meant preventing state troops from advancing. Therefore, this UN report solidifies evidence to support the notion that NATO did in fact "side" with the rebels against widespread state violence.

The human rights abuses and murders perpetrated by Gaddafi's troops indicate that state troops were on a warpath. The pervasive civilian deaths and human rights abuses indicate that Gaddafi was not keeping his word to protect civilians and would harm those even suspected of treason. As some reports of violence were not linked to a clear motive, it becomes increasingly

¹³⁵United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 10-11.

¹³⁶United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 13.

¹³⁷United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 13.

¹³⁸United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 15.

¹³⁹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 21.

¹⁴⁰United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 22.

clear that troops exercised little restraint in using violence against civilians. Thus, the pattern of systemic violence and death indicates that there was cause for concern that, had Gaddafi reached Benghazi, then a bloodbath would have ensued. However, even if Gaddafi was not on his way to Benghazi, then there would still be cause for intervention. As neither international condemnation nor military intervention stopped Gaddafi on the warpath, it is clear that the dictator viewed the conflict as a zero-sum game—rebels needed to be eliminated. Therefore, without intervention, Gaddafi would have been free to exterminate all opposition, likely resulting in even more brutal repression and retaliatory violence against suspected traitors. Thus, intervention served as the sole defense against the dictator and was necessary to protect all cities, including Benghazi.

Some Supporters Claim Intervention Accomplished its Primary Goal

Some supporters of the intervention applaud its success in achieving its limited goal of protecting human life and human rights.¹⁴¹ Authors argue that, even if the intervention did not lead to total success, NATO was not in Libya to build a fully functioning state, and thus cannot have been expected to construct a full-fledged democracy.¹⁴² Thus, supporters seek to judge Operation Unified Protector based on a narrower scope and ultimately find that the intervention was successful in its specific goal of protecting people and their rights.

Several authors voice their support for the intervention's success in its narrow goal. Shadi Hamid of the Brookings Institute argues that the goal of the intervention was not to establish a full democracy but to stop a "massacre;" Stewart Patrick states that the intervention was an "unambiguous" case for the Responsibility to Protect Doctrine; and Alex Bellamy argues that the threat of mass atrocity was clear.¹⁴³ President Barack Obama himself spoke to the operation's humanitarian success, stating in an interview that "We averted large-scale civilian casualties, we prevented what almost surely would have been a prolonged and bloody civil conflict."¹⁴⁴ Thus, based on Gaddafi's immediate use of violence, the unprecedentedly widespread protests, and the zero-sum mindset of both sides, intervention was necessary to prevent increasingly brutal battles. One may argue that the scope of the intervention should have been wider so as to include assistance in rebuilding the state. However there was a major barrier to state-building: rebels

¹⁴¹Daadler, Ivo and Stavridis, James, "NATO's Success in Libya," *New York Times*, October 30, 2011; Hamid, Shadi, "Everyone says the Libya intervention was a failure. They're wrong," *Brookings Institute*, April 12, 2016.

¹⁴²Daadler, Ivo and Stavridis, James, "NATO's Success in Libya," *New York Times*, October 30, 2011; Hamid, Shadi, "Everyone says the Libya intervention was a failure. They're wrong," *Brookings Institute*, April 12, 2016.

¹⁴³Hamid, Shadi, "Everyone says the Libya intervention was a failure. They're wrong," *Brookings Institute*, April 12, 2016; Bellamy, Alex J., "Libya and the Responsibility to Protect: The Exception and the Norm," *Ethics & International Affairs* 25, no. 3 (2011); Patrick, Stewart. "Libya and the Future of Humanitarian Intervention," *Foreign Affairs*, September 12, 2012.

¹⁴⁴Goldberg, Jeffrey, "The Obama Doctrine," *The Atlantic*, June 25, 2018.

flatly refused military oversight.¹⁴⁵ While the United Nations Support Mission in Libya, created in September of 2011, allowed for some international oversight, the international community was extremely limited in its options for rebuilding Libya.¹⁴⁶ Therefore, while it is fair to argue that the intervention would have ideally included rebuilding Libya, doing so was ultimately infeasible.

Supporters of the intervention also argue that NATO cannot be held accountable for fallout, including the current civil war, that occurred years after the intervention. Shadi Hamid argues that the current civil war began in 2014, three years after intervention.¹⁴⁷ Thus, the significant number of variables affecting the state over the three year gap are too confounding to prove a convincing link from the NATO intervention to a war that began three years later. In fact, one study by RAND found that many rebel militias were peaceful after the intervention and some even offered to disarm, that there were low levels of damage to the state, that there was not a significant terrorist presence in the state after conflict, and that oil production survived immediately after the intervention—all factors that point to the intervention as non-detrimental to Libya.¹⁴⁸ Furthermore, in 2012, Libya held its first free and fair elections, a milestone in the state's history, indicating some progress.¹⁴⁹ Brian McQuinn and Nicholas Kristoff corroborate the fact that militias were largely nonviolent, and, according to McQuinn, many militias established treaties during the conflict.¹⁵⁰ Kristoff adds that the Libyan people were actively

¹⁴⁵BBC, "Libya's Interim Leaders Reject UN Military Personnel," BBC News, August 31, 2011.

¹⁴⁶United Nations, Security Council Resolution 2009 (2011), *Eases, or lifts, some of the measures in connection with the situation in Libya*, S/RES/2009 (September 16, 2011).

¹⁴⁷Hamid, Shadi, "Everyone says the Libya intervention was a failure. They're wrong," *Brookings Institute*, April 12, 2016.

¹⁴⁸Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 15, 26, 53, 55.

¹⁴⁹Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 2, 41.

¹⁵⁰McQuinn, Brian, "Assessing (In)Security after the Arab Spring: The Case of Libya," *PS: Political Science & Politics* 46, no. 4 (2013): 2; Kristof, Nicholas, "Thank You, America!" *The New York Times*, September 1, 2011,

grateful to NATO and that it is in full alignment with historical precedent that new regimes face transition difficulties, and thus governmental strife is not unique to Libya and has been exacerbated by rebel refusal of aid, not by NATO's intervention.¹⁵¹

¹⁵¹Kristof, Nicholas, "Thank You, America!" *The New York Times*, September 1, 2011,

Summary

The case for Operation Unified Protector argues that the intervention set out to protect human rights and human lives and that it accomplished just that. As the violence inflicted by the Gaddafi regime before and during the intervention is clear and his rhetoric was often quite violent, it is difficult to argue that Gaddafi would not use extreme violence to crush dissent. However, it is also troubling that rebels have engaged in violence in Libya as well. Thus it is a question of whether or not Libyan civilians would have been safer without intervention. This also involves asking whether or not the violence perpetrated by rebels is a reflection of the intervention as a whole.

IV. Critics Say Intervention Both Unnecessary and Harmful

Critics of the intervention argue both that the intervention was unnecessary and that Operation Unified Protector ultimately did more harm than good for the Libyan people. Authors argue that state violence was exaggerated and thus intervention was unnecessary and actually worsened the humanitarian situation in Libya.¹⁵² Critics place responsibility for increased violence in Libya both during and after the intervention on NATO, arguing that a Libya without intervention would not be as destabilized as it is today.¹⁵³ Additional criticisms include the loss of weapons in Libya, increased terrorist activity in Libya and surrounding states, and a fractured without a fully functioning government.

	Intervention Increased Violence	No Threat to Benghazi	Intervention Increased Terrorism	Intervention Increased Weapons Proliferation
Alan Kuperman	X	X	X	X
Dominic Tierney	X		X	
Seumas Milne	X			
Thomas Friedman	X	X		
Ted Carpenter	X			
Stephen Walt		X		
Micah Zenko		X		

¹⁵²Carpenter, Ted Galen, "Paved with Good Intentions." *Mediterranean Quarterly* 29, no. 4 (2018); Friedman, Benjamin, "No, the Libya Intervention Wasn't a Humanitarian Success," *Cato Institute*, April 7, 2016; Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019; Walt, Stephen, "That 'massacre' in Benghazi: A response to David Bosco," *Foreign Policy*, April 8, 2011.

¹⁵³Carpenter, Ted Galen, "Paved with Good Intentions." *Mediterranean Quarterly* 29, no. 4 (2018); Friedman, Benjamin, "No, the Libya Intervention Wasn't a Humanitarian Success," *Cato Institute*, April 7, 2016; Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14; Milne, Seumas, "If the Libyan war was about saving lives, it was a catastrophic failure," *The Guardian*, October 26, 2011; Tierney, Dominic, "The Legacy of Obama's 'Worst Mistake,'" *The Atlantic*, April 15, 2016.

Critics Say No Major Threat to Benghazi

Critics of the intervention reject the notion that Benghazi was at risk of a massacre, thus arguing that the intervention was wholly unnecessary.¹⁵⁴ Alan Kuperman argues that Gaddafi's rhetoric was not indicative of bloodlust as, during his March 17th speech, Gaddafi promised to protect civilians and leave an exit for rebels fleeing Benghazi, thus indicating that he was not going to massacre civilians.¹⁵⁵ It is true that Gaddafi stated "they can go to Egypt or wherever they want to go," and that "those who surrender their weapons... we will forgive them and we will have amnesty for those who surrender their weapons... anyone who throws his arms away and stays at home will be protected."¹⁵⁶ In the midst of a speech about cleansing Libya, Gaddafi does appear to offer a way out for the people of Benghazi who abandon their weapons and potentially indicates that an advancement across the state toward Benghazi would pose no risk to noncombatants. Kuperman also argues that warnings of genocide were manufactured by Libyan expatriots in Switzerland in an attempt to invoke the Responsibility to Protect.¹⁵⁷ However, Kuperman's source is unclear and likely did not vastly influence world leaders as various leaders individually condemned government violence without mentioning a threat of genocide.¹⁵⁸

Kuperman argues that, in the first seven weeks of battle in Misrata, of the 400,000 residents, only 257 killed, and that only 30 of the wounded were women or children, indicating

¹⁵⁴Friedman, Benjamin, "No, the Libya Intervention Wasn't a Humanitarian Success," *Cato Institute*, April 7, 2016; Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019; Walt, Stephen, "That 'massacre' in Benghazi: A response to David Bosco," *Foreign Policy*, April 8, 2011.

¹⁵⁵Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

¹⁵⁶Al Jazeera English, "Muammar Gaddafi addresses the nation," *YouTube*, February 22, 2011.

¹⁵⁷Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

¹⁵⁸Wilson, Scott, "Obama Condemns Gaddafi's Crackdown, Sends Clinton for Talks on Libya" *The Washington Post*, February 24, 2011; The Telegraph, "Libyan Uprising One-Year Anniversary: Timeline," *Telegraph Media Group*, February 17 2012.

that violence was not as extreme as perceived.¹⁵⁹ Human Rights Watch confirms that the population of Misrata in 2011 was more than 300,000 people and that one doctor reported that 22 women and 8 children had been injured.¹⁶⁰ Similarly, Kuperman cites Hugh Roberts's analysis of the Libya intervention to prove that there was no threat to Benghazi.¹⁶¹ However, Roberts merely states that reports of initial violence were untrue, without deeper analysis of body counts and/or additional warning signs.¹⁶² Kuperman also claims that, as the state had recaptured all but one major city between March 5th and March 15th and had not engaged in retaliatory violence, then there was proof that a bloodbath would not ensue.¹⁶³ While there were no reports of retaliatory killing during these dates, rebels were still in control of several states in Eastern Libya as well as Benghazi, indicating that there were still battles to come.¹⁶⁴ Kuperman's claim also does not account for people who had died in battling for control over Libyan cities, thus the absence of retaliatory violence did not mean a complete absence of violence. Benjamin Friedman echoes this sentiment, stating that, while the regime perpetrated some war crimes, it did not engage in a wholesale slaughter of civilians and thus there was not a significant threat to Benghazi.¹⁶⁵ Thus, critics of the intervention make the case that, as the government engaged in proportionally little violence, there was no meaningful threat to Benghazi and thus intervention was unwarranted.

¹⁵⁹Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September 2013.

¹⁶⁰A second doctor reported 250 deaths in a month, many of whom were civilians. These could be the same deaths but the shorter time period may indicate that more deaths occurred than Kuperman reported. Human Rights Watch. "Libya: Government Attacks in Misrata Kill Civilians." *Human Rights Watch*, November 2, 2015.

¹⁶¹Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

¹⁶²Roberts, Hugh. "Who Said Gaddafi Had to Go?" *London Review of Books*, November 17, 2011.

¹⁶³Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

¹⁶⁴The New York Times, "Map of the Rebellion in Libya, Day by Day," *The New York Times*, February 25, 2011.

¹⁶⁵Friedman, Benjamin, "No, the Libya Intervention Wasn't a Humanitarian Success," *Cato Institute*, April 7, 2016.

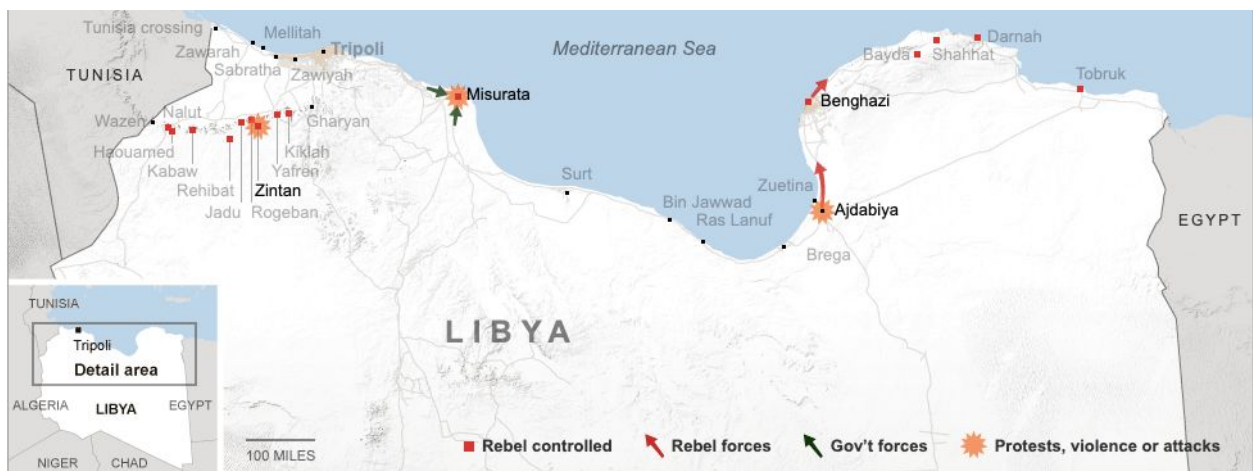
Critics argue that this evidence disproves an eminent threat to Benghazi; however, even if true, this may miss the potential for conflicts in other Libyan cities. While some supporters include Benghazi as a critical factor, authors such as Shadi Hamid argue that the intervention was done to protect human rights and human life as a whole, not just in Benghazi. It is also important to keep in mind the text of Resolution 1973 that orders respondents “to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi...”¹⁶⁶ As the resolution did not specify human rights in Benghazi only and instead ordered the protection of human rights as a whole, in addition to expressing general alarm at violence perpetrated by the Gaddafi regime, this intervention cannot be labeled as unnecessary protection for Benghazi as the goal of the intervention was much broader.

¹⁶⁶United Nations, Security Council Resolution 1973 (2011), *Imposes additional measures in connection with the situation in the Libyan Arab Jamahiriya; establishes a Panel of Experts to assist in monitoring the relevant measures*, S/RES/1973 (March 17, 2011), 3.

Critics Argue Intervention Increased Deaths and Violence

In addition to arguing that the intervention was unwarranted due to the limited threat to Benghazi, critics also argue that intervention increased fatalities and violence. Authors argue that due to the extended, intensified nature of conflict as well as the resulting fallout, the NATO intervention in Libya multiplied human rights violations and increased death tolls. Critics also pose their own counterfactual scenario in which they allege that Gaddafi's troops would have quickly regained power, resulting in fewer casualties than seen with the intervention.

Alan Kuperman argues that, had NATO not intervened, then the conflict would have been over in six weeks rather than eight months.¹⁶⁷ According to the New York Times map of troop movements, it is true that some rebel forces were retreating.¹⁶⁸ However, conflict raged on in Western Libya.¹⁶⁹ Thus, it may be true that part of the conflict would have died out after six weeks, it is questionable whether or not the rebellion as a whole would have ended.



March 16th, 2011¹⁷⁰

¹⁶⁷Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September, 2013.

¹⁶⁸The New York Times, "Map of the Rebellion in Libya, Day by Day," *The New York Times*, February 25, 2011.

¹⁶⁹The New York Times, "Map of the Rebellion in Libya, Day by Day," *The New York Times*, February 25, 2011.

¹⁷⁰The New York Times, "Map of the Rebellion in Libya, Day by Day," *The New York Times*, February 25, 2011.

Extending this argument, Kuperman argues that, due to the prolonged nature of conflict, the death toll increased as many as ten times what it would have been if NATO had not gotten involved.¹⁷¹ As death counts vary from the hundreds to the tens of thousands, it is almost impossible to prove this claim. In March 2011, one Human Rights Watch member said that the only number he could confirm was between 420 and 430 people dead from 16th to the 25th of February.¹⁷² A 2011 UN report issued on February 25th, estimated that more than 1,000 people had been killed in conflict.¹⁷³ On February 22nd, 2011, another non-governmental organization, the International Coalition Against War Criminals, estimated that 519 people had died by the end of February.¹⁷⁴ Thus as these estimates encompass at most half of the time before NATO intervened, then it can be assumed that death tolls before Operation Unified Protector were higher than any existing estimate of fatalities. Additionally, as seen in initial conflicts, government troops attacked civilians in several cities before the intervention began. Thus, it is likely that this pattern would have continued and thereby death tolls would not have plateaued as Kuperman assumes. If anything, deaths would likely have increased without intervention as there would not have been any entity preventing Gaddafi from completely eliminating dissent.

Calculating known deaths is extremely difficult, making it equally difficult to prove Kuperman's claim that the intervention multiplied deaths by a factor of ten. Kuperman cites three different estimates of the total number of fatalities by October 2011. First, 8,000 deaths estimated by a US official in a private meeting; then, 9,400 total deaths assuming the same

¹⁷¹Kuperman, Alan, "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign," *Belfer Center for Science and International Affairs*, 2013.

¹⁷²Downie, James. "When Numbers Lie." *The New Republic*, March 31, 2011.

¹⁷³United Nations, Security Council, 6490th mtg., UN Doc. S/PV.6490 (February 15, 2011), 2.

¹⁷⁴Vilmer, Jean-Baptiste Jeangène. "Ten Myths About the 2011 Intervention in Libya." *The Washington Quarterly* 39, no. 2 (2016): 23-43.

number of rebels and state troops died; and, 11,500 total deaths, assuming both sides saw an equal number of deaths and assuming missing people are dead.¹⁷⁵ Contrastingly, Rod Nordland of the New York Times reports that the number of people in morgues was in the hundreds on both the rebel and state side.¹⁷⁶ Not only are these figures extremely different, high-end death counts are also contested, further complicating the ability to determine how many fatalities occurred.

Rod Nordland of the New York Times argued that high-end death counts were based on the assumption that most prisoners died; however, the total number of prisoners in Libya was unknown and it is unknown how many died.¹⁷⁷ While this may cast doubt on high-end death counts, it is insufficient to dismiss high numbers, given the lack of information. With final death estimates ranging from “hundreds” in morgues to 11,500, it is nearly impossible to establish an official tally without literally counting bodies. Thus, Kuperman’s claim that intervention drastically increased mortalities is not provable and thus cannot be heavily weighted against the intervention without making significant assumptions about how many people would have died under Gaddafi.

An additional claim argues that rebels purposely engaged in violent conflict. Kuperman argues that rebels engaged in violence as a means of winning support from the international community.¹⁷⁸ While this argument explains one plausible motive for engaging in conflict,

¹⁷⁵Kuperman, Alan, “Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure,” *Foreign Affairs*, August 14, 2019.

¹⁷⁶Nordland, Rod, “Libya counts more martyrs than bodies,” *New York Times*, September 17, 2011.

¹⁷⁷Nordland, Rod, “Libya counts more martyrs than bodies,” *New York Times*, September 17, 2011.

¹⁷⁸Essentially he describes the alleged rebel thought process that “if there is a lot of violence and it appears that civilians are at risk, the world will help us.” Kuperman, Alan, “Lessons from Libya: How Not to Intervene,” *Belfer Center for Science and International Affairs*, September 2013.

Kuperman does not offer evidence of an increase in violence linked to pleas for international intervention and thus this argument carries little weight.

Authors also argue that NATO indiscriminately killed and harmed civilians during the intervention, building a case about the intervention as harmful to the people themselves. Alan Kuperman and Ted Carpenter argue that NATO attacked civilians indiscriminately with airstrikes, pointing to the intervention's harms.¹⁷⁹ A 2014 Human Rights Watch report confirmed that NATO airstrikes killed at least 72 civilians.¹⁸⁰

Critics also argue that the intervention increased human rights abuses and deaths in Libya and thus civilians would have fared better without the intervention. Kuperman generally states that intervention led to increased human rights abuses whereas Friedman claims in a 2016 article that, had NATO not intervened, then the death toll of conflict in Libya would have been ⅓ the number of casualties in the Syrian Civil War.¹⁸¹ These claims are not measurable as there is no agreed upon total death count or number of human rights abuses for the conflict in Libya. Thus, one cannot draw conclusions about numbers that are unknown themselves. It is also unreasonable to weigh Friedman's argument in particular. This is because it is unfair to compare the eight months of conflict in Libya to the Syrian Civil War which had been raging for five years when Friedman made his claim. Thus, blanket claims about increases in violence or death cannot be weighed heavily as the numbers are unknown.

¹⁷⁹Carpenter, Ted Galen, "Paved with Good Intentions." *Mediterranean Quarterly* 29, no. 4 (2018); Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September 2013.

¹⁸⁰Human Rights Watch, "NATO: Investigate Civilian Deaths in Libya," *Human Rights Watch*, May 14, 2012.

¹⁸¹These claims are grouped together as neither can be weighted heavily due to the lack of information about the Libyan conflict. Friedman, Benjamin, "No, the Libya Intervention Wasn't a Humanitarian Success," *Cato Institute*, April 7, 2016; Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

In addition to criticisms of violence that occurred during the conflict, several critics use violence in Libya that occurred from 2012 to as late as 2017 as proof that the intervention was detrimental to Libya. While later violence is not negligible, it is disconnected from the intervention due to the significant lapse in time and other confounding variables such as a new regime.

Alan Kuperman and Ted Carpenter both cite violence in Libya after the intervention as evidence that the operation led to an increase in death and violence. Kuperman describes the deaths of 40 women and 9 children from January to August 2014 in Tripoli and the use of a rocket in an attack on a hospital in September 2014 as evidence of a fragmented state.¹⁸² While there has not been verification of the 49 deaths, the UN included the figure in a 2014 report, granting the claim some legitimacy.¹⁸³ In addition, while Amnesty International reports attacks on hospitals in October and December of 2014, there are no reports of a rocket attack on a hospital in September of 2014.¹⁸⁴ Kuperman also cites the 93 attacks on Libyan journalists in 2014 as evidence of a violent aftermath caused by intervention.¹⁸⁵ As this figure originated with Reporters without Borders and was reported by Amnesty International, both reputable organizations, then one can presume that it is accurate.¹⁸⁶ Ted Carpenter cites the number of internally displaced people in 2016 and a 2017 airstrike that killed several civilians as evidence

¹⁸²Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

¹⁸³United Nations, Office of the High Commissioner, *Overview of Violations of International Human Rights and International humanitarian Law During the Ongoing Violence in Libya* (September 4, 2014).

¹⁸⁴Amnesty International, "Benghazi's Descent into Chaos: Abductions, Summary Killings and Other Abuses," Amnesty International, 2015; Office of the Commissioner General for Refugees and Stateless Persons (CGRS) in Belgium et. al, *Libya: Security Situation*, November, 2014.

¹⁸⁵Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

¹⁸⁶Amnesty International, "Libya: 'Rule of the Gun' amid Mounting War Crimes by Rival Militias," Amnesty International, October 30, 2014.

of Libya's state of disarray after the intervention.¹⁸⁷ While there may be a link from the intervention to the number of displaced people, Carpenter states that it is unknown who executed the airstrike and thus a causal relationship is unknown. The underlying theme to these claims is that the rebel use of violence and violence by others that occurred in Libya after the intervention illustrate the harmful effects of the intervention. While violence perpetrated by rebels may prove that they are highly imperfect actors, it is impossible to prove that all violence by rebels and other actors after the intervention was a product of the intervention. Thus, while it is important to interrogate rebel violence, critics allow the timeline to continue for too long as there were too many confounding variables to prove a convincing link to the intervention.

¹⁸⁷Carpenter, Ted Galen, "Paved with Good Intentions." *Mediterranean Quarterly* 29, no. 4 (2018).

Additional Investigations Further Reveal Rebel Violence

In addition to evidence put forth by critics, subsequent investigations have revealed additional violence perpetrated by rebel fighters. One must weigh the violence perpetrated by rebels to ultimately determine whether or not they were more harmful than the Gaddafi regime.

A 2014 UN investigation revealed additional violence perpetrated by rebels during the war. The investigation determined that revolutionary forces killed an unknown number of Chadian nationals in Benghazi during late February and in Zawiyah, one Gaddafi soldier was beaten to death and another hanged.¹⁸⁸ More than a dozen additional killings were reported between February 22nd and 23rd of February as well.¹⁸⁹ In October of 2011, between 65 and 78 soldiers and alleged Gaddafi supporters were executed with their hands behind their backs in Sirte, Gaddafi's home region.¹⁹⁰ The UN also confirmed the torture and killings of 12 prisoners, including Tawerghans, a Libyan minority.¹⁹¹ A Human Rights Watch report corroborates the violence perpetrated against the people of Tawergha, reporting that the city is now a ghost town and many civilian Tawerghans faced violence both during and after the intervention in apparent acts of retribution for the Tawerghan's role in defending the Gaddafi regime.¹⁹²

UN findings also included evidence of the use of torture by rebels. The UN confirmed that when rebels took control, they arrested former soldiers, officers, and loyalists, torturing

¹⁸⁸United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

¹⁸⁹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

¹⁹⁰United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

¹⁹¹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

¹⁹²Human Rights Watch, "Libya: Militias Terrorizing Residents of 'Loyalist' Town," *Human Rights Watch*, October 30, 2011.

many and holding many without due process¹⁹³ Torture was frequently used, often to extract confessions for alleged crimes.¹⁹⁴ The UN reported targeting of Tawerghans persisting into February, 2012, with deaths including an elderly man, a woman, and three children in Tripoli.¹⁹⁵ Rebels also targeted those perceived as foreigners in towns including Tiji, Badr, and Abu Kammesh, with at least six deaths confirmed amongst the cities by August, 2011 and reported evidence of the burning of buildings.¹⁹⁶ The report also referenced beatings and an unspecified number of killings of Sub-Saharan Africans in Libya.¹⁹⁷ The UN confirmed two instances of the sexual assault of two known Gaddafi loyalists, but further evidence of rebel use of sexual assault as a weapon was limited.¹⁹⁸ Findings also included indiscriminate attacks on Sirte, as almost no building was left untouched by rebel attacks.¹⁹⁹ Rebels also engaged in widespread pillaging during later phases of the conflict.²⁰⁰ In its survey of violence, the UN report also expresses concern at the lack of investigation into violence perpetrated by rebels after the conflict.²⁰¹ The report describes the underlying notion that “now it’s their turn,” often used to justify acts of

¹⁹³United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 9.

¹⁹⁴ United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 11.

¹⁹⁵United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 12.

¹⁹⁶United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 12-13.

¹⁹⁷United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 12-13.

¹⁹⁸United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 14.

¹⁹⁹The report found that buildings showed signs of attacks by weapons including small arms, heavy machine guns, anti-aircraft guns, tube and rocket artillery, tank rounds, mortars, rockets, rocket-propelled grenades, and recoilless rifles. United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 15.

²⁰⁰United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 18.

²⁰¹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 18.

retribution against those deemed loyal to Gaddafi and used to justify the lack of investigations.²⁰² Thus, there is significant evidence to support the fact that rebels engaged in violence that violated humanitarian law. While the UN found evidence for rebel violence, the human rights abuses and deaths inflicted by the Gaddafi regime were far more widespread and indiscriminate, ultimately pointing toward Gaddafi as the more harmful actor.

A 2014 report by RAND found additional evidence of violence as well. Authors argue that due to the lack of a centralized authority, a “heavily armed populace,” and a slow rebuilding process, conflict increased in Libya in the months after the intervention.²⁰³ Additional problems arose in 2012 as the new government incorporated questionable actors into government such as the radical Islamist Abu Salim Martyrs Brigade, known for their extremist views and harsh adherence to religious law.²⁰⁴ Although members of the brigade were acting autonomously when they destroyed Sufi shrines in 2012 and attacked state ministries in 2013, the acts eroded government credibility as its members were engaging in violent acts.²⁰⁵ Brian McQuinn adds to this criticism, arguing that the militia’s lack of strong ties to the community made them more prone to conflict.²⁰⁶ The RAND report also references violent acts of retribution against both current and former government officials and rebels perpetrated by extremist groups.²⁰⁷ Violence

²⁰²United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 18 and 21.

²⁰³Chivvis, Christopher, and Jeffery Martini, “Libya After Qaddafi: Lessons and Implications for the Future,” *RAND Corporation*, 2014, 20.

²⁰⁴Chivvis, Christopher, and Jeffery Martini, “Libya After Qaddafi: Lessons and Implications for the Future,” *RAND Corporation*, 2014, 18; Soufan Group, *LIBYA, EXTREMISM, & THE CONSEQUENCES OF COLLAPSE*, Report, Soufan Group, 2016.

²⁰⁵Chivvis, Christopher, and Jeffery Martini, “Libya After Qaddafi: Lessons and Implications for the Future,” *RAND Corporation*, 2014, 18.

²⁰⁶McQuinn, Brian, “Assessing (In)Security after the Arab Spring: The Case of Libya,” *PS: Political Science & Politics* 46, no. 4 (2013): 2.

²⁰⁷Chivvis, Christopher, and Jeffery Martini, “Libya After Qaddafi: Lessons and Implications for the Future,” *RAND Corporation*, 2014, 29.

persisted in 2012, as sporadic conflicts arose between rebels and loyalists to the old regime, resulting in at least 147 reported deaths.²⁰⁸ RAND authors point out that, not only was violence damaging to the people, it interfered with other government action and eroded legitimacy of the government as it was unable to prevent violence.²⁰⁹ While additional findings of rebel violence reveal legitimate concerns about human rights abuses and killings, proportionally the amount of violence inflicted by rebels is far less than that inflicted by the Gaddafi regime. Thus, reports of rebel violence should be taken into account, but do not outweigh the crimes of the Gaddafi regime.

²⁰⁸Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 23.

²⁰⁹Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 23.

Assessing Criticisms of Unintended Consequences

Additional criticisms of the intervention are varied but reveal legitimate security issues in Libya. While these criticisms have potentially very serious implications, due to the lack of evidence, they are too difficult to assess. In addition, due to the lack of significant harms caused by Operation Unified Protector, security issues are not proven to be more harmful than the Gaddafi regime. Thus, due to the lack of evidence and significant impacts, these criticisms are not central but warrant consideration.

Intervention Increased Terrorist Activity

Kuperman and Tierney both argue that instability and lack of central authority in Libya provided a safe haven for terrorist groups in the state.²¹⁰ Kuperman goes as far as to argue that the exacerbation of radicalism led to the attack on the US embassy in Benghazi in 2012 that resulted in the death of four US personnel.²¹¹ Kuperman may have some ground as those who launched the attack were also those who NATO supported in 2011.²¹² However, he does not prove that the attack was in response to the 2011 intervention. In addition, while a tragic loss, the 2012 attack did not significantly destabilize Libya or the surrounding area and thus does not outweigh the large humanitarian threat in Libya. Kuperman also argues that the April 2013 bombing of a French embassy in Tripoli by extremists was a result of the intervention.²¹³ As this attack is alleged to have been done by extremists, it is entirely plausible that foreign intervention prompted backlash and is thus at least partially responsible.²¹⁴ However, once more, this attack was not significantly destabilizing and is therefore not a game-changing issue. This is not to dismiss the losses in Libya but to ultimately argue that the losses would have been far more numerous without intervention.

²¹⁰Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019; Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September 2013; Tierney, Dominic, "The Legacy of Obama's 'Worst Mistake,'" *The Atlantic*, April 15, 2016.

²¹¹Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019; Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September 2013.

²¹²Kirpatrick, David, "A Deadly Mix in Benghazi," *The New York Times*, December 28, 2013.

²¹³Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September 2013.

²¹⁴Kirpatrick, David, "Car Explodes Outside French Embassy in Libya," *The New York Times*, April 23, 2013.

Additional Findings of Increased Terrorist Activity

There is evidence to suggest that terrorists took advantage of the 2011 conflict; however there is little evidence that the intervention directly lead to widespread, destabilizing terrorist activity. RAND corroborates the notion that terrorist groups took advantage of instability during the war, claiming that an al Qaeda operative traveled to Libya in search of new recruits in the midst of conflict.²¹⁵ RAND findings also conclude that terrorists hoped to assert control during the war and used conflict to promote their own agendas, including engaging in violence.²¹⁶ The report also includes the concern that terrorist groups resist authority, thus making reconstruction increasingly difficult.²¹⁷ Notably, however, RAND reports that the total number of terrorists in Libya was not large and should not be exaggerated and that even more conservative Islamic groups in Libya did not support the extremist groups.²¹⁸ Thus, it is true that there was terrorist activity during Operation Unified Protector but it is unclear that the operation is directly responsible for an increase in widespread, destabilizing terrorist activity.

²¹⁵Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 28.

²¹⁶Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 26.

²¹⁷Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 26.

²¹⁸Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 26.

Intervention Led to Conventional Weapons Proliferation

Findings that some Libyan weapons went missing during the conflict raise additional concern about the harms of Operation Unified Protector. Unfortunately there is little information about how many weapons Gaddafi owned and what exactly went missing. In addition, Libyan weapons have not been proven to be major factors in additional conflicts. Therefore, while lost weapons reveal a security issue, they have not been associated with significant harms.

Additional concerns about the loss of weapons in conflict raises questions about the intervention's outcome. Kuperman claims that "up to 15,000 man-portable, surface-to-air missiles [were] leaked to radical Islamists throughout the region" and cites Peter Bouckaert, emergencies director at Human Rights Watch, stating "Peter Bouckaert of Human Rights Watch estimates that ten times as many weapons went loose in Libya as in Somalia, Afghanistan, or Iraq."²¹⁹ Kuperman accurately represents Bouckaert's words; however, there is little evidence to support the notion that as many as 15,000 missiles were leaked to terrorists.²²⁰ Kuperman also cites statistic stating that 5,000 man-portable defense systems (MANPADs) were lost in Libya.²²¹ However, he cites Peter Bouckaert, who himself along with Human Rights Watch has invalidated the claim.²²² Interestingly, Benjamin Friedman also published an article with the Cato Institute, dispelling myths about the 20,000 SA-7 missiles rumored to be on the loose in Libya.²²³

²¹⁹Kuperman refers to man-portable air-defense systems (MANPADs), portable weapons capable of eliminating aircrafts. Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

²²⁰Speculations about a Libyan stockpile pile of 20,000 MANPADs have floated around but even this number is unconfirmed. As even the total number of MANPADs in Libya is unknown, there is little ground to claim that 15,000 weapons went missing.

²²¹Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019.

²²²Chivers, C.J., "Confronting a False Meme: Libya's Deadly 'Stinger Equivalents,'" *The New York Times*, May 24, 2012.

²²³Friedman, Benjamin, "MANPADS Myths in Libya," *Cato Institute*, May 29, 2012.

Friedman states that that figure was not based on actual evidence, is significantly higher than existing estimates, and, even if Libya did have 20,000 SA-7 missiles, many would likely be inoperable due to missing parts.²²⁴ Thus, there is concrete evidence of rebels in possession of MANPADs but it is likely untrue that thousands were lost in conflict.²²⁵ In addition, some photographs depict only partially-built weapons which Eric Berman of the Small Arms Survey in Geneva stated could be inoperable due to missing parts, a lack of knowledge, or degradation over time.²²⁶



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²²⁴Friedman, Benjamin, "MANPADS Myths in Libya," *Cato Institute*, May 29, 2012.

²²⁵Chivers, C.J., "Experts Fear Looted Libyan Arms May Find Way to Terrorists," *The New York Times*, March 3, 2011.

²²⁶Chivers, C.J., "Experts Fear Looted Libyan Arms May Find Way to Terrorists," *The New York Times*, March 3, 2011.

²²⁷Tyler Hicks, *A Libyan rebel carrying an SA-7, a shoulder-fired missile. Such missiles were part of the Libyan military's supply of weapons*, in C.J. Chivers, *Experts Fear Looted Libyan Arms May Find Way to Terrorists*, (New York Times, 2011).

Further analysis by the New York Times found that 20 weapons including SA-7b Grails, were unaccounted for in Tripoli, with reports of rebels carrying weapons as well.²²⁸ The Washington Post reports findings of Libyan weapons in Mali, Egypt, and Syria, complicating other conflicts.²²⁹ It is not clear how many weapons went missing in Libya. However, it is clear that, while some did in fact disappear from Gaddafi's arsenal, claims about disastrous numbers of weapons on the loose are likely inaccurate. Thus, this may be a factor detrimental to the intervention's ability to be labeled as a total success but is likely not a game-changing issue.

²²⁸Nordland, Rod, and C. J. Chivers, "Heat-Seeking Missiles Are Missing From Libyan Arms Stockpile," *The New York Times*, September 7, 2011.

²²⁹Hauslohner, Abigail, "Algerian Hostage Crisis Throws Spotlight on Spillover of Libyan War," *The Washington Post*, January 18, 2013.

Intervention Hurt Nuclear Non-Proliferation Efforts

Concerns also arise over Operation Unified Protector's effect on nuclear proliferation. Consequences for nuclear non-proliferation efforts are critical to consider; however, the limited consequences for nuclear non-proliferation efforts ultimately do not outweigh the human need in Libya. As Muammar Gaddafi renounced Libya's nuclear program in 2003, he became an example of international efforts to prevent nuclear proliferation. However, his rule still ended in death. Critics argue that the Gaddafi example was one that threatened other rulers such as Ayatollah Ali Khamenei, Kim Jong-il, and Kim Jong-un, thus hindering non-proliferation efforts. While this is a very serious issue, it does not overshadow the immediate, dangerous threat that the Gaddafi regime posed to Libyan civilians.

Alan Kuperman rightfully highlights North Korea's publication stating "The Saddam Hussein regime in Iraq and the Qaddafi regime in Libya could not escape the fate of destruction after being deprived of their foundations for nuclear development and giving up nuclear programs of their own accord," as representative of the negative implications of the NATO intervention on international security.²³⁰ Likewise, Kuperman references Ayatollah Ali Khamenei's statement echoing North Korea's view of Libya as an example of the dangers of nuclear concessions to the West.²³¹ While lamentable that the overthrow of a dictator who had denuclearized hindered nuclear non-proliferation efforts, it is not clear that state behavior would be solely informed by the lessons in Libya. In addition, neither the situation in North Korea nor

²³⁰Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019; Specia, Megan, and David E. Sanger. "How the 'Libya Model' Became a Sticking Point in North Korea Nuclear Talks." *The New York Times*, May 16, 2018.

²³¹Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019; Thakur, Ramesh, "Capping North Korea's Weapons and Iran's Capability," *Nuclear Weapons and International Security Collected Essays*, Routledge, 2015, 148.

the situation in Iran clearly outweighs the immediate threat to human life and human rights in Libya. Therefore, while important to consider, the issue of the effects on nuclear non-proliferation is not sufficient to dismiss the entire intervention.

Summary

Arguments against the intervention are strong in some areas but ask readers to make significant assumptions about the intervention's effects, cite evidence that is ineffective, and include analysis of events that are disconnected from the intervention. Firstly, critics do not prove that the intervention increased human rights abuses and fatalities or that the rebels inflicted more damage than the Libyan government. This significantly weakens the case against intervention as it cannot be argued that Operation Unified Protector made things proportionally worse for the Libyan people. Secondly, while the case against intervention exposes potential security issues, it is overall ineffective in proving Operation Unified Protector to have been an overwhelmingly harmful intervention. As the impacts of terrorist activity and conventional weapons proliferation have not been significantly harmful or destabilizing in Libya or the surrounding states, these issues are not sufficient to label the intervention as a failure. Similarly, while the impact on non-proliferation efforts was regrettable, it was not sufficient enough to outweigh the intervention's aim of protecting human life and human rights. While relevant security issues, neither terrorist activity nor weapons issues are sufficient to outweigh human life and human rights. Thus it cannot be argued that the intervention worsened the humanitarian situation in Libya. Therefore, the next step is to reexamine the case for intervention.

V. Supporters Prove Urgent Humanitarian Threat in Libya

Clear Threat to Benghazi

While Gaddafi did make one statement promising the humane treatment of civilians and a path out of the country, this statement must be viewed in the context of his past actions and other statements. Inflammatory statements such as Gaddafi's vow to cleanse Libya and to "show no mercy to collaborators," highlight the fact that there was indeed a grim fate awaiting those who defied the regime.²³² Not only are Gaddafi's words highly threatening, graffiti by government forces stating that troops would not forgive rebels and threatening women affiliated with the rebel side warn that, even if Gaddafi won, his supporters may have continued to inflict violence on the Libyan people.²³³ Gaddafi did state that he would show mercy to those who laid down their weapons. However his statements about completely eliminating the opposition and his extensive history of killing those who even conspired against him heavily weigh on the side that he would have sought to eliminate even those slightly connected to the revolution.²³⁴ As Gaddafi's use of violence against rebels dates back to 1976 and as he used violence against peaceful protestors in February 2011, there is little to no evidence to suggest that he had had a change of heart and chose 2011 to be the time to allow challengers to live. Thus to take Gaddafi at his word that he would be merciful while ignoring his threats and history of violence seems unwarranted.

Even if Gaddafi was merciful, rebels still would not have given in and thus conflict was inevitable and the West was faced with a choice to intervene or not. As rebels turned down peace proposals it appears that the conflict either had to end with the ousting of Gaddafi or the

²³²Heneghan, Tom, "UPDATE 1-Gaddafi Tells Benghazi His Army Is Coming Tonight," *Reuters*, March 17, 2011.

²³³Rice, Xan, "Misrata Rebels Strike Back Against Gaddafi Snipers," *The Guardian*, April 22, 2011.

²³⁴Al Jazeera English, "Gaddafi addresses Benghazi residents," *YouTube*, March 17, 2011.

complete, violent subdual of rebel forces. Thus, Gaddafi would have been forced to defend his regime against attacks and thus would likely have responded in kind.²³⁵ Therefore, even if it is true that Gaddafi sought a peaceful resolution, he would have been forced to return to his old ways.

²³⁵Samantha Power briefly addresses this theory in her book *The Education of an Idealist*.

Libyan State Violence Indicative of Harm to Come

Whereas critics claim that Gaddafi did not leave a path of destruction in his wake, death figures and reported human rights abuses indicate otherwise. Confirmation of violence against civilians, including indiscriminate killings, reveal that, despite Gaddafi's claim to be merciful, state troops were actively harming and killing the civilian population. These findings ultimately prove that there was a humanitarian threat to the Libyan people and thus the intervention was warranted to prevent further harm.

Even before intervention, violence wracked the state. Initial violence is undisputed by critics and telling of what was to come. As the Libyan state reacted to peaceful protests with violence it became clear that the Gaddafi would use force to quell any uprising. Thus, even initial violence was colored by a "win at all costs" mentality. While casualty reports from March to October vary greatly, confirmed reports of deaths are still sufficient to highlight a pattern of violence in Benghazi. Other offenses reported were arbitrary detainments, torture, sexual violence, and general violence against civilians, further demonstrating a pattern of indiscriminate violence.²³⁶ In the face of verified violence, it is exceedingly difficult to argue that the Gaddafi regime was on a path to peaceful reconciliation and/or that troops were merciful in their treatment of noncombatants.

Opponents of the intervention offer their own proof but it is not sufficient to disprove the humanitarian threat posed by the Gaddafi regime. Kuperman argues that in the first seven weeks of conflict in Misrata, of the 257 civilians killed, only 30 were women or children.²³⁷ However,

²³⁶United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 14-15.

²³⁷Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September, 2013.

the total of 630 deaths reported by WHO in June is more than double Kuperman's figure; a second doctor reported that out of 250 deaths, many were civilians; and the UN received a statement from a senior military figure that the 32nd brigade gave instructions to shoot civilians.²³⁸ Thus, not only was there significantly more violence than Kuperman referenced but state troops were literally ordered to shoot noncombatants. Kuperman also argues that there was little retaliatory violence in all but one major city between March 5th and 15th once the state reclaimed power.²³⁹ However, conflict was still raging across the state on March 16th and thus, retaliatory violence or not, violence was likely still continuing with the same patterns of harm inflicted on the Libyan people. The evidence supports the notion that conflict in Libya truly was harming civilians and that there was little proof to support the idea that state troops were merciful in their treatment of civilians. Therefore, there was a true humanitarian threat posed by Gaddafi.

The final argument for intervention appears to be at least partially true, Operation Unified Protector sought to protect human life and rights from infringement by the Gaddafi regime and thus is accomplished its goal. As stated in Resolution 1973, the mandate was to “to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack...”²⁴⁰ As NATO took steps to disarm the Gaddafi regime and supported rebels, it is clear that the operation made an effort to protect

²³⁸Human Rights Watch, “Libya: Government Attacks in Misrata Kill Civilians,” *Human Rights Watch*, November 2, 2015.; United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 6; World Health Organization, “Libya crisis: August 2011 Update,” *World Health Organization*, August, 2011.

²³⁹Kuperman, Alan, “Obama's Libya Debacle,” *Foreign Affairs*, August 14, 2019.

²⁴⁰United Nations, Security Council Resolution 1973 (2011), *Imposes additional measures in connection with the situation in the Libyan Arab Jamahiriya; establishes a Panel of Experts to assist in monitoring the relevant measures*, S/RES/1973 (March 17, 2011), 3.

civilians and civilian populated areas that were threatened. However, if it is true that the intervention led to increased human rights abuses and deaths, then it follows that the intervention not only failed in its humanitarian goal but made the situation worse for the people of Libya. Thus, the final step is to determine if any violence can be linked to NATO and, if so, then if the harm done is worse than that done by Gaddafi.

VI. Criticisms of Unintended Consequences Insufficient to Condemn Entire Intervention

Intervention Did Not Significantly Worsen Violence

While authors claim that conflict would have died out quickly and that intervention instead increased violence, evidence indicates that conflict was inevitable and the damage done by Gaddafi was far worse than that done by the rebels. While conflict had tempered in some areas in the east after six weeks, battles continued in other locations and therefore it is not provable, and even unlikely, that violence would have completely stopped without intervention. In addition, given the use of violence before the intervention and Gaddafi's threats of violence, had the rebellion been crushed, then it likely would have been a bloody outcome for those in Gaddafi's path. Authors also argue that prolonging the conflict led to an increase in death by as many as ten times. However, this claim is not provable due to a lack of information. This claim also does not recognize that the Gaddafi regime would more than likely have continued attacks had NATO not intervened. Thus, it cannot be proven that NATO prolonged the conflict and/or resulted in ten times the number of deaths that would have otherwise occurred and it is even likely that violence would have been as bad or worse without intervention.

Evidence also indicates that rebels inflicted violence and death on some in Libya; however, their crimes were significantly less widespread than Gaddafi's and they caused comparatively less harm overall. Confirmed rebel crimes include the killing of 115 people plus an unknown number of Chadian nationals and Sub-Saharan Africans from February 2011 through 2012; the use of torture continuing into 2012; targeting of perceived loyalists and foreigners; two confirmed rapes; and looting.²⁴¹ These instances of violence mount perhaps the

²⁴¹Human Rights Watch, "Libya: Apparent Execution of 53 Gaddafi Supporters," *Human Rights Watch*, October 24, 2011; United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

strongest case against rebels as the episodes are directly attributable to the rebels. By comparison, the most conservative estimate of government-perpetrated killings was 300 by February 23rd, 2011.²⁴² Thus, as the Gaddafi regime was so overwhelmingly violent throughout the conflict, NATO intervention in opposition to the state was indeed a humanitarian mission.

Despite some criticisms of NATO airstrikes, NATO was ultimately vindicated of any accusations of improper, violent conduct. Kuperman argues that NATO was indiscriminate in its attacks and Carpenter cited deaths as evidence of the intervention's harm.²⁴³ While on a humanitarian level it is important to recognize the 72 deaths that occurred, with the exceptions of a few attacks on which there was no sufficient information to draw conclusions, the 2014 UN investigation determined that NATO did not target civilians and took all necessary precautions to prevent civilian casualties.²⁴⁴ Thus it does not appear that criticisms of NATO as an irresponsible or even violent actor are accurate.

Criticisms of violence in Libya occurring during and after 2012 are more questionable in their utility as evidence against the intervention. RAND's findings of attacks perpetrated by extremist groups in 2012 and 2013 can certainly be used as evidence of strife in Libya, but holding NATO accountable for the actions of a group that was not initially part of the rebel government does not seem to be a reasonable criticism given the timeline and initial government structure.²⁴⁵ The report also cites sporadic violence between rebels and loyalists that resulted in numerous deaths; however, as both parties engaged in conflict and underlying tensions would

²⁴²Donadio, Rachel, "Italy Says Death Toll in Libya Is Likely Over 1,000," *The New York Times*, February 23, 2011.

²⁴³Carpenter, Ted Galen, "Paved with Good Intentions." *Mediterranean Quarterly* 29, no. 4 (2018); Kuperman, Alan, "Lessons from Libya: How Not to Intervene," *Belfer Center for Science and International Affairs*, September, 2013.

²⁴⁴United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 17.

²⁴⁵Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 18.

likely exist without NATO, then these conflicts do not significantly affect either side's standing as responsible for violence.²⁴⁶ Reports of violence in 2014 and attacks on journalists also do little to support criticism of the intervention. As the composition of the Libyan government changed drastically during and after 2011 and reported episodes were three years after NATO intervention, it is difficult to argue that the intervention directly caused these instances of violence due to the significant number of confounding variables. Further reports of violence in 2016 and 2017 also appear far too distant from the intervention to serve as evidence of its harm. In sum, due to the number of confounding variables and lack of direct links from late violence to the 2011 intervention, it does not seem reasonable to hold NATO to hold accountable for other actors' actions several years after the intervention.

²⁴⁶Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 23.

No Significant Increase in Terrorism

Efforts to establish a link between the intervention and subsequent terrorist activity reveal a real security issue but fail to establish a causal relationship and fail to prove that this break in security led to significant harms in Libya or other states. The strongest claim is that an al Qaeda operative took advantage of conflict to recruit members and even engaged in violence. However, to claim that this is NATO's fault ignores the fact that conflict began and continued without intervention. Thus it is entirely possible that terrorists would have arrived in Libya with or without the intervention as war was already raging throughout the state. There is not a clear, provable conclusion about NATO's effect on terrorist activity during the conflict. International presence during the intervention could have served as a deterrent against terrorist activity due to increased scrutiny of the area and more resources available to combat extremism, or, the lack of international troops on the ground could have negated the international presence in the sky, as no one was actively combatting extremists on the ground in Libya.

Contrastingly, the lack of a strong authority, beginning in November 2011, absolutely made it more opportune for terrorists to grow their ranks. However, as the new government rejected international offers of military support, it is difficult to fault NATO for not doing more to prevent terrorist activity.²⁴⁷ In addition, the terrorist attacks that did occur in 2012 and 2013 were not significantly destabilizing and thus do not provide adequate ground to call the entire intervention a failure. Furthermore, RAND found that the number of extremists in Libya was not overwhelming and that the groups did not enjoy the support of even the most conservative Islamic political parties in Libya.²⁴⁸ Therefore, there is little evidence that NATO was

²⁴⁷BBC, "Libya's Interim Leaders Reject UN Military Personnel," *BBC News*, August 31, 2011.

²⁴⁸Chivvis, Christopher, and Jeffery Martini, "Libya After Qaddafi: Lessons and Implications for the Future," *RAND Corporation*, 2014, 28.

responsible for a significant increase in terrorist activity or that the Libyan people even accepted radical ideologies.

Insufficient Evidence of Significant Conventional Weapons Proliferation

Lost weapons present a thornier problem as the threat is unknown due to a lack of knowledge about what weapons went missing. However, as the threat is unknown, one cannot make assumptions either way about this impact of the intervention. Firstly, the notion that weapons went straight into the hands of terrorists is unsubstantiated. It is possible and even likely that terrorists would attempt to obtain weapons during conflict but the claim that weapons were leaked to terrorists is a misrepresentation of the situation. While the threat of MANPADs is real as rebels have been photographed with partially-assembled weapons, the notion that Libya lost nearly 20,000 weapons to terrorists is completely unsubstantiated.²⁴⁹ Thus it would be inaccurate to claim that lost MANPADs were a significant, harmful outcome of intervention. Further concerns arose over Gaddafi's stockpile of weapons of mass destruction, including 9.5 tons of mustard gas; however, in August of 2011, Reuters reported speaking with a US official who stated that the UN and NATO had kept track of the stockpile of mustard gas and that the stock was well guarded.²⁵⁰ In sum, it is unknown which weapons went missing in Libya and therefore one cannot make claims about what was lost or whether or not weapons went straight into the hands of terrorists.

The spillover of weapons to other states is also cause for concern as it indicates that some weapons did in fact slip through the cracks. Despite spillover, lost weapons have not been linked to significant increases in violence and thus have not had a substantially negative impact in other states. Reports of ethnic Tuaregs who served in Gaddafi's forces returning to Mali with

²⁴⁹Chivers, C.J., "Confronting a False Meme: Libya's Deadly 'Stinger Equivalents.'" *The New York Times*, May 24, 2012; Chivers, C.J., "Experts Fear Looted Libyan Arms May Find Way to Terrorists." *The New York Times*, March 3, 2011.

²⁵⁰Zakaria, Tabassum, and Phil Stewart, "After the Fall, U.S. Concerned about Libyan Weapons," *Reuters*, August 22, 2011.

weapons looted from Gaddafi's stock highlight the spread of arms.²⁵¹ However, as Gaddafi armed these fighters, one cannot blame NATO for the weapons proliferation. Then, in October 2011, an Egyptian official also reported the arrest of five groups attempting to smuggle arms from Libya into Egypt, including weapons described as antiaircraft weapons.²⁵² While this is a clear break in security, there is not proof of significant harm. The New York times also reported the Qatari orchestration of arms transfers from Libyan militias to Syria rebel fighters, including weapons such as rifles, machineguns, rocket-propelled grenades, small arms ammunition, and mortar rounds.²⁵³ However, as Qatar was responsible for the transfer then the blame rests on the state, not NATO. It is unknown how many weapons may have been leaked to other actors as Gaddafi hid much of his stock from the international community. However, Libyan weapons have not been proven to be the cause of new conflicts and have not been proven to have significantly worsened existing conflicts. While the fact that Libyan weapons have arrived in other states in cause for concern, there is not sufficient evidence to prove that this security issue led to harms significant enough to condemn the entire operation.

²⁵¹Walt, Vivienne, "War in Mali: France Can Bomb Militants, but Not Arms Routes," *Time*, January 14, 2013.

²⁵²Kirkpatrick, David. "Egypt's Arrests of Smugglers Show Threat of Libya Arms." *The New York Times*, October 13, 2011.

²⁵³Chivers, C.J., et al. "In Turnabout, Syria Rebels Get Libyan Weapons." *The New York Times*, June, 21 2013.

Impacts on Nuclear Proliferation Do Not Outweigh Intervention's Aims

The threat of nuclear proliferation is a critical security issue but the intervention's impact on non-proliferation efforts do not outweigh the immediate humanitarian threat in Libya. It is also unclear that Operation Unified Protector alone conditioned the behavior of North Korea and Iran. North Korea and Iran's prior decisions to pursue nuclear ambitions indicate that this intervention was not the sole cause of state behavior. In addition, North Korea's indication of some willingness to cooperate with non-proliferation efforts and Iran's compliance with the Iran Deal indicate that Operation Unified Protector was not the only factor informing decisions. Finally, the impacts the intervention had on non-proliferation efforts do not outweigh the real threat to human life and rights in Libya. While unfortunate that the intervention had negative implications for nuclear proliferation, the widespread threat to human life was both more immediate and had tangible impacts for many in Libya. Thus, the issue of nuclear proliferation is important to consider but does not outweigh the case for intervention.

Summary

As Operation Unified Protector has not been linked to significant terrorist activity and/or significant harms resulting from lost weapons, one cannot dismiss the intervention on either of these grounds. The lack of causal links between the intervention and severe, destabilizing terrorist activity reveals that this issue, while a security threat, did not result in violence worse than that inflicted by the Gaddafi regime. Thus, Libya with the intervention remains preferable to one without, despite lost weapons. Similarly, while weapons proliferation reveals a lapse in security, this lapse did not cause significant harm and thus this issue is not severe enough to warrant condemnation of the entire operation. Finally, while the negative impacts the intervention had on nuclear non-proliferation efforts are lamentable, the issue does not clearly outweigh the humanitarian situation in Libya. These issues shed light on problems with intervention that states ought to anticipate but do not prove that Operation Unified Protector caused significant damage in terms of terrorism or weapons proliferation. Thus, Operation Unified Protector remains the more preferable choice as opposed to no intervention.

VII. Final Assessments of Operation Unified Protector and Lessons for the Future

Supporters of Operation Unified Protector were correct. The weight of the evidence shows that Gaddafi was extremely likely to be violent and thus intervention did not allow him the opportunity to act. In contrast, critics lean on the most benign reading of Gaddafi's words and of the evidence to paint a counterfactual that demonstratively downplays the deadly threat to the Libyan people. The dictator's few statements promising to spare those who laid down their weapons pale in comparison to his threats of destruction of those who dared oppose him, his history of violently oppressing rebels, and the actions of his troops which showed little differentiation between noncombatants and enemies. The threat to Benghazi, while not the only humanitarian threat in Libya, was also particularly salient as Gaddafi singled out the city, protests began there, and it was home to the original rebel government. Thus it was extremely likely that Gaddafi would have inflicted extreme violence on the people in crushing dissent in Benghazi. In addition to Gaddafi's violent rhetoric, the reports, testimony, and physical evidence of violence against civilians confirm that state troops endangered and harmed noncombatants across the state. Furthermore, the rebel refusal to accept any Libyan government that included Gaddafi indicates that the rebellion would not have ended quickly and thus would have resulted in conflict with or without NATO. Due to the inevitability of conflict, the intervention ultimately mitigated and prevented further harm from coming to the Libyan people. Given the unavoidable conflict, Gaddafi's violent history, and state violence in early 2011, it is undeniable that civilians were at risk of harm by state troops.

As human rights violations and casualties inflicted by rebels during the conflict were far less numerous than the violence of the Gaddafi regime and as subsequent violations have

occurred after the rejection of international oversight by the new Libyan government, supporting rebels over Gaddafi resulted in less harm to the Libyan people. While rebels cannot be considered to be completely peaceful, humanitarian actors, the number of reported murders and human rights abuses are far fewer than those committed by Gaddafi. It is also important to recall that the rebels were not all thugs, many were simply civilians protesting Gaddafi's totalitarian regime. Thus, violent rebels should be held accountable for their crimes but the actions of comparatively few bad actors do not diminish the fact that the rebellion was one based on the populus's desire for freedom and the rebels were less harmful for the people of Libya during the conflict. Ideally, NATO would have withdrawn support for and/or forced the prosecution of those rebels who violated human rights, but the few, albeit serious, violations do not mean that the entire intervention failed.

Libya is currently in a state of disarray, but current strife is not clearly tied to Operation Unified Protector. As the rebel government unequivocally rejected UN offers to put boots on the ground, it cannot be argued that NATO allowed for further harm of the Libyan people as the international community quite literally had no sway. In sum, despite human rights violations which should have been better addressed, NATO support of rebels was still the better path to peace due to proportionally less damage done and the only means of upholding the Responsibility to Protect as Gaddafi was the initial and primary violent actor.

While terrorist activity was not NATO's fault, NATO should have done more to combat terrorism in Libya. As the conflict began without NATO and would have continued on, likely until Gaddafi crushed opposition, it cannot be argued that NATO created the breeding grounds for terrorism as the breeding ground were already there. However, NATO should have done

more to prevent the spread of extremist ideology. Granted, options were limited as the interim government rejected foreign troops, but NATO could have put conditions on aid and/or launched/supported attacks on known extremist actors.

Similarly, NATO did not cause weapons proliferation but also should have done more to limit weapons proliferation. As Gaddafi hid much of his stock, it would be unreasonable to fault NATO for not securing the entirety of Libya's arsenal, but more precautions should have been taken such as preemptively coordinating with rebels on the ground to secure weapons. However, as the US authorized Qatari arms shipments to Libya, the US is at fault for not doing more to secure the safe delivery of arms to approved actors. The fact that in December of 2012, there were no reported leaks from Qatar to unapproved actors was pure luck and indicates that the US should have done more to ensure secure delivery to approved actors.²⁵⁴

The issue that Libyan weapons have surfaced in at least three other countries is greater cause for concern. While the spread of weapons in Mali by Tuaregs is regrettable, as they were Gaddafi's fighters, NATO cannot be faulted as they were already in possession of the weapons. As the rebellion very likely would have continued with or without NATO, then it is highly possible that that same group of fighters would have been armed and then returned to Mali when Gaddafi no longer needed them. Similarly, as Qatar was the state responsible for the transfer of weapons from Libya to Syria, one cannot hold NATO accountable for the actions of the Qatari state.²⁵⁵ If anything, as the US was the actor that authorized arms transfers, it should have done more to ensure that Qatar transferred weapons responsibly. This still does not make the entire

²⁵⁴Risen, James, et al., "U.S.-Approved Arms for Libya Rebels Fell Into Jihadis' Hands," *The New York Times*, December 5, 2012.

²⁵⁵Chivers, C.J., et al, "In Turnabout, Syria Rebels Get Libyan Weapons," *The New York Times*, June 21, 2013; Risen, James, et al, "U.S.-Approved Arms for Libya Rebels Fell Into Jihadis' Hands," *The New York Times*, December 5, 2012.

intervention as a failure. The weapons that illustrate a lack of security are those that were found being smuggled into Egypt. Once more, it is difficult to argue that NATO created the conditions for weapons loss as conflict very likely would have continued without NATO, given the stated rebel refusal to give in. However, the smuggling of weapons indicates that they were not secured and that they were not tracked, despite prior lessons learned from conflicts such as Iraq. Therefore, NATO should not be held accountable for all weapons lost but it can be held accountable for its efforts to prepare for the fallout. But, as Libyan weapons have not been directly linked to increased violence as a causal factor, this issue does not make Operation Unified Protector a failure.

It is undeniable that Libya is currently in a state of disarray, but that is not due to Operation Unified Protector. The international community pursued its stated goal of protecting human life and human rights, contributed to the disarmament and end of the Gaddafi regime, and offered international oversight to the new leaders. Current issues are largely due to a fragmented government and a decline in economic prosperity due to said lack of solid government. It would be remiss to dismiss existing problems in Libya, but one cannot hold NATO responsible for every bad thing that happened in Libya post-2011. The alternative would have been allowing the Gaddafi regime to continue terrorizing the Libyan people, likely allow for opposition purges similar to those he executed in the past, and the refortification of a dictatorship. Thus, there is work to be done in improving intervention tactics but Operation Unified Protector was not the abject failure that some claim it was.

Ideally, the international community would do more to ensure a smooth transition of power, but when the domestic actors refuse military assistance, then it is hard to blame the world

for not enforcing change. Should the international community have had more sway, then following the Department of State's blueprint for reconstruction in Iraq post-Saddam Hussein would have been helpful. The blueprint calls for addressing the old regime's crimes through open reconciliation processes, victim compensation, reviewing old laws and removing ones that violate human rights, the rebuilding of trust and integrity in institutions, the re-education and training of professionals to promote values of public service and individual rights, and the promotion of civil society in various spheres such as education and the media.²⁵⁶ Through the reconfiguration of the state and civil society, then the transition from a self-serving, violent regime to one that truly serves citizens may have been smoother. While the United Nations mandate in Libya has had a role in reconstruction, limited enforcement capabilities severely detract from international oversight abilities. Thus it is difficult to blame NATO, but mirroring the plan formulated for Iraq likely would have been beneficial for reconstruction in Libya.

Major areas of possible improvement include increased efforts to combat terrorism and increased efforts to minimize weapons proliferation. Regarding terrorism during the conflict, international actors should have done more in combatting extremist actors. This could have been in a manner similar to the Iraq plan, tasking domestic groups with combatting terrorism in the post-Gaddafi regime.²⁵⁷ Post-conflict, the Libyan government has cooperated with international actors in coordinating anti-terrorist efforts and, while there is always more to be done, the global community cannot be faulted for not trying to prevent terrorism as it was actively trying to do just that.²⁵⁸ Regarding weapons proliferation during the conflict, the international community

²⁵⁶United States of America, Department of State, "The Road to Re-Establishing Rule of Law and Restoring Civil Society," *The Future of Iraq Project*, 2002.

²⁵⁷United States of America, Department of State, "The Road to Re-Establishing Rule of Law and Restoring Civil Society," *The Future of Iraq Project*, 2002, 45.

²⁵⁸United States of America, US Embassy in Libya, "Country Report on Terrorism 2013– Libya." 2013.

should have taken further steps to identify and secure weapons, secure borders, and perhaps even task domestic actors with securing arms. Following the Iraq outline, this would have involved assembling a list of groups known to have weapons, the collection of arms, and the safe storage and/or destruction of collected weapons.²⁵⁹ NATO has been lucky that Libyan weapons have not been tied to starting new conflicts but the international community cannot afford to be careless with its interventions in the future. The issue of reconstruction was particularly challenging in Libya as the new government did not allow for international enforcement. However, NATO could have at least put in motion efforts to combat terrorism and weapons proliferation. Despite some issues, these are still not damaging enough shortcomings to warrant labeling the intervention a failure.

Ultimately, Operation Unified Protector was justified in its goal of countering state violence against Libyan civilians and future interventions should not be ruled out based on Libya. In the wake of the Arab Spring, conflict was inevitable as rebels fought back against state violence. Thus, the international community made the decision to uphold a commitment to human life and rights by opposing the overwhelmingly violent state. The intervention also protected human life as Gaddafi was not able to “cleanse” Libya city by city. Given the fatalities and human rights abuses throughout the conflict perpetrated by the Gaddafi regime, it is clear that a grim fate awaited rebels had Gaddafi been allowed to reach them. Thus, the intervention was both necessary and beneficial to the Libyan people.

Admittedly, the intervention was not without fault. Significant issues include rebel-perpetrated violence, increased terrorist activity, weapons proliferation, and Libya’s current

²⁵⁹United States of America, Department of State, “The Road to Re-Establishing Rule of Law and Restoring Civil Society,” *The Future of Iraq Project*, 2002, 35.

state of disarray. While rebel-perpetrated violence is not negligible, rebel groups inflicted significantly less harm on the Libyan people than the Gaddafi regime. In addition, rebels were ultimately the side fighting on behalf of human life and rights in opposition to the violent dictator. Thus, supporting rebels was both a means of mitigating state violence and supporting the Libyan people in their demands for autonomy and security. Terrorist activity and weapons proliferation are also important issues that revealed breakdowns in security. However, no significant harm came from either the increase in terrorist activity or the proliferation of weapons. Therefore, these issues reveal areas that require scrutiny but do not prove that Operation Unified Protector did more harm than good. Instead, the international community can apply lessons learned in Libya to anticipate and prevent security issues in future humanitarian crises.

As Operation Unified Protector both prevented state troop advancement and assisted rebels in combatting state forces, the intervention upheld its commitment to human life and rights. The intervention was imperfect but ultimately prevented Gaddafi from unleashing violence on the Libyan people. Had NATO not intervened, there would not have been anything in the way of state troops continuing their pattern of violence against armed rebels and civilians alike. Thus, NATO did truly prevent further violence by halting the Gaddafi regime. Therefore, Operation Unified Protector ultimately upheld its goal and supported civilians in their battle for independence and safety.

VIII. Appendix A

As more data on the number of deaths during the conflict has become available, patterns of state violence against civilians become increasingly clear. The disparity in killings done by rebels versus those done by the Libyan government clearly illustrates the enormous threat that the Libyan people faced. Despite significant variation in numbers, the total number of people who died at the hands of the state is enormous in comparison to confirmed killings by rebels. While rebels crimes are by no means excusable, it is clear that the rebels were not terrorizing the Libyan people to the extent that state troops were. Critics rightfully shed light on the violence and killings perpetrated by rebel forces, but the numbers clearly illustrate that claims of the rebels as comparably violent and/or deadly to the Gaddafi regime greatly exaggerated rebel violence. Not only do deaths illustrate immense state violence, they also indicate that the state was killing significant numbers of people across Libya. Thus, posing a threat to Libyan civilians statewide. Ultimately, the number of deaths both illustrates that civilians were at extreme risk of harm and that the Gaddafi regime was a far greater threat than the rebels were to Libyans.

Statewide Deaths

Date	Source	Deaths
2/14/11–2/19/11	Libyan Rebels, Reported by Al Jazeera ²⁶⁰	100+
02/16/11–2/25/11	Human Rights Watch Employee ²⁶¹	420-430
2/17/11	Al Jazeera ²⁶²	12+
2/17/11–2/19/11	Human Rights Watch ²⁶³	49

²⁶⁰Al Jazeera, “Many Killed’ in Libya’s Benghazi,” *Al Jazeera*, February 20, 2011

²⁶¹Downie, James. “When Numbers Lie.” *The New Republic*, March 31, 2011.

²⁶²Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2011.

²⁶³Human Rights Watch, “Libya: Security Forces Kill 84 Over Three Days,” *Human Rights Watch*, February 18, 2011.

2/22/11	International Coalition Against War Criminals ²⁶⁴	519
2/22/11–2/23/11	United Nations ²⁶⁵	12+*
2/23/11	Human Rights Watch ²⁶⁶	300
2/23/11	Franco Frattini, Italian Foreign Minister ²⁶⁷	1,000
2/25/11	United Nations ²⁶⁸	1,000
August, 2011	United Nations ²⁶⁹	6*
End of Conflict	US Official, Reported by Alan Kuperman ²⁷⁰	8,000 total
End of Conflict	Libyan Ministry of Martyrs and Missing Persons ²⁷¹	9,400 total
End of Conflict	Libyan Ministry of Martyrs and Missing Persons ²⁷²	11, 500 total, including people missing
End of Conflict	Human Rights Watch ²⁷³	72+**
End of Conflict	United Nations ²⁷⁴	Unspecified Number*
2012	RAND Corporation ²⁷⁵	147+***

²⁶⁴Vilmer, Jean-Baptiste Jeangène. “Ten Myths About the 2011 Intervention in Libya.” *The Washington Quarterly* 39, no. 2 (2016): 23-43.

²⁶⁵United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

²⁶⁶Donadio, Rachel, “Italy Says Death Toll in Libya Is Likely Over 1,000.” *The New York Times*, February 23, 2011.

²⁶⁷Donadio, Rachel, “Italy Says Death Toll in Libya Is Likely Over 1,000.” *The New York Times*, February 23, 2011.

²⁶⁸United Nations, Security Council, 6490th mtg., UN Doc. S/PV.6490 (February 15, 2011), 2.

²⁶⁹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 12-13.

²⁷⁰Kuperman, Alan, “Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure,” *Foreign Affairs*, August 14, 2019.

²⁷¹Kuperman, Alan, “Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure,” *Foreign Affairs*, August 14, 2019.

²⁷²Kuperman, Alan, “Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure,” *Foreign Affairs*, August 14, 2019.

²⁷³Human Rights Watch, “NATO: Investigate Civilian Deaths in Libya,” *Human Rights Watch*, May 14, 2012.

²⁷⁴United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

²⁷⁵Chivvis, Christopher, and Jeffery Martini, “Libya After Qaddafi: Lessons and Implications for the Future,” *RAND Corporation*, 2014, 23.

2014	Alan Kuperman ²⁷⁶	49***
2017	Ted Carpenter ²⁷⁷	15+***

*Rebel Perpetrated | **Result of UN airstrikes | ***Perpetrator Unknown | Total: Rebel & State

Al Khums Deaths

Date	Source	Deaths
6/6/11	United Nations ²⁷⁸	18

Al Qalaa Deaths

Date	Source	Deaths
July, 2011	United Nations ²⁷⁹	34

Bab al Azizia Deaths

Date	Source	Deaths
2/23/11	United Nations ²⁸⁰	15

Benghazi Deaths

Date	Source	Deaths
2/15/11	Al Jazeera ²⁸¹	1
2/15/11	Human Rights Watch ²⁸²	1

²⁷⁶Kuperman, Alan, "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure," *Foreign Affairs*, August 14, 2019. Corroborated by the UN: United Nations, Office of the High Commissioner, *Overview of Violations of International Human Rights and International humanitarian Law During the Ongoing Violence in Libya* (September 4, 2014).

²⁷⁷Carpenter, Ted Galen, "Paved with Good Intentions." *Mediterranean Quarterly* 29, no. 4 (2018).

²⁷⁸United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

²⁷⁹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

²⁸⁰United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

²⁸¹ Al Jazeera, "Battle for Libya: Key Moments," *Al Jazeera*, April 30 2017.

²⁸²Human Rights Watch, "Libya: Arrests, Assaults in Advance of Planned Protests," *Human Rights Watch*, April 17, 2015.

2/17/11–2/20/11	Al Jazeera ²⁸³	400
2/17/11–2/19/11	Human Rights Watch ²⁸⁴	35
Late February	United Nations ²⁸⁵	Unspecified Number*
9/11/12–9/12/12	Alan Kuperman ²⁸⁶	4**

*Rebel Perpetrated | **Terrorists, Formerly Rebels

Misrata Deaths

Date	Source	Deaths
3/23/11	Libyan Rebels ²⁸⁷	16
4/11/11	United Nations Children’s Fund ²⁸⁸	20
4/11/11	The Guardian ²⁸⁹	4
4/20/11	Human Rights Watch ²⁹⁰	2
May, 2011	Misratan Doctors ²⁹¹	1,000
May, 2011	Alan Kuperman ²⁹²	257
June, 2011	World Health Organization ²⁹³	630

²⁸³Al Jazeera, “Many Killed’ in Libya’s Benghazi,” *Al Jazeera*, February 19, 2011.

²⁸⁴Human Rights Watch, “Libya: Security Forces Kill 84 Over Three Days,” *Human Rights Watch*, February 18, 2011.

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²⁸⁶Kuperman, Alan, “Obama’s Libya Debacle: How a Well-Meaning Intervention Ended in Failure,” *Foreign Affairs*, August 14, 2019; Kuperman, Alan, “Lessons from Libya: How Not to Intervene,” *Belfer Center for Science and International Affairs*, September 2013.

²⁸⁷Ahmed, Hamid Ould, “Rebels Say 16 Dead in Misrata, Hospital Attacked.” March 23, 2011.

²⁸⁸United Nations Children’s Fund, “UNICEF Calls for an Immediate End to the Siege of Misrata,” April 11, 2011.

²⁸⁹Sherwood, Harriet. “Libya Unrest: Thousands of Children Caught in the Crossfire in Misrata.” April 11, 2011.

²⁹⁰Human Rights Watch, “Libya: Journalists Killed in Misrata,” *Human Rights Watch*, April 20, 2011.

²⁹¹Taylor, Alan, “Three Months of Civil War in Libya,” *The Atlantic*, May 25, 2011; Al Jazeera, “Battle for Libya: Key Moments,” *Al Jazeera*, April 30 2017.

²⁹²Kuperman, Alan, “Lessons from Libya: How Not to Intervene,” *Belfer Center for Science and International Affairs*, September 2013.

²⁹³World Health Organization, “Libya crisis: August 2011 Update,” *World Health Organization*, August, 2011.

Sirte Deaths

Date	Source	Deaths
October, 2011	United Nations ²⁹⁴	65-78*

*Rebel Perpetrated

Tripoli Deaths

Date	Source	Deaths
2/20/11–2/21/11	United Nations ²⁹⁵	200+
August, 2011	United Nations ²⁹⁶	133
February, 2012	United Nations ²⁹⁷	5*

*Rebel Perpetrated

Unspecified Location Deaths

Date	Source	Deaths
February, 2011	United Nations ²⁹⁸	12+*

*Rebel Perpetrated

Zawiya Deaths

Date	Source	Deaths
2/23/11	United Nations ²⁹⁹	7
February	United Nations ³⁰⁰	2*

*Rebel Perpetrated

²⁹⁴United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

²⁹⁵United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 6.

²⁹⁶United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 7.

²⁹⁷United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 12.

²⁹⁸United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

²⁹⁹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 6.

³⁰⁰United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28, 2014), 8.

Zintan Deaths

Date	Source	Deaths
End of Conflict	United Nations ³⁰¹	55

³⁰¹United Nations, General Assembly, *Report of the International Commission of Inquiry on Libya*, A/HRC/19/68 (January 28 2014), 15.

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