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A Model Humanitarian Intervention?

Alan J. Kuperman

Reassessing NATO's Libya Campaign

On March 17, 2011, the United Nations authorized military intervention in Libya to protect the country's civilians. The Security Council was reacting to violence between Libyan government forces and domestic opponents that had erupted the preceding month. Two days after the authorization, NATO initiated the intervention, including establishing a no-fly zone and launching aerial attacks on government forces. After seven months, Libyan rebel forces conquered the country and killed the former authoritarian ruler, Muammar al-Qaddafi, in October 2011. Western media and politicians praised the intervention as a humanitarian success for averting a bloodbath in Libya's second largest city, Benghazi, and helping replace the dictatorial Qaddafi regime with a transitional council pledged to democracy. Based on this ostensible success, many experts now cite Libya as a model for implementing the humanitarian principle known as the "responsibility to protect" (R2P). Before such conclusions are embraced, however, a more rigorous assessment of the net humanitarian impact of NATO's intervention in Libya is warranted.

The Libya intervention is the latest in a series of international military actions after the Cold War justified on the basis of protecting noncombatants. This renaissance of "humanitarian intervention" started in the early 1990s, with prominent deployments of United Nations-authorized air and ground forces to northern Iraq, Bosnia, and Somalia. After NATO intervened in Kosovo in 1999, U.S. President Bill Clinton declared, "If the world community has the power to stop it, we ought to stop genocide and ethnic cleansing."¹ The Kosovo intervention, however, had not been authorized by the United

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1. Bill Clinton, interview by Wolf Blitzer, *Late Edition*, Cable News Network (CNN), June 20, 1999, <http://www.cnn.com/ALLPOLITICS/stories/1999/06/20/clinton.transcript/>.

Nations, thereby calling into question its legality and legitimacy, so an international commission was formed to establish ground rules for future action. In 2001 this collective declared the existence of an international “responsibility to protect” endangered noncombatants.² In 2005 the UN General Assembly endorsed a version of R2P that emphasizes the responsibilities of states to protect their own citizens and of the international community to assist those efforts peacefully, while still requiring Security Council authorization prior to military intervention.³ In 2007 the United Nations appointed a special adviser on the responsibility to protect and another on the prevention of genocide.

Debate on whether and how to intervene to protect noncombatants can be divided into three broad schools. Advocates claim that intervention is beneficial and ethically required, even where outcomes are suboptimal.⁴ Opponents argue that intervention at best temporarily postpones the inevitable and, in any case, is an unethical waste of resources on goals outside the national interest.⁵ In between are those who believe that intervention is justified if it can do more good than harm, but that such cases are relatively rare in light of two factors.⁶ First, perpetrators of violence often act more quickly than interveners can respond.⁷ Second, intervention often rewards militants and thus encourages rebellion, which typically endangers noncombatants, thereby exacerbating the harm that it seeks to alleviate—a dynamic akin to “moral hazard.”⁸ To mitigate that problem, this school recommends that intervention be reserved

2. International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Centre, December 2001).

3. The UN resolution acknowledges the existence of an international “responsibility to use appropriate diplomatic, humanitarian, and other peaceful means . . . to help protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity” and to authorize force “on a case-by-case basis . . . should peaceful means be inadequate.” UN General Assembly, sixtieth session, *World Summit Outcome, 2005*, resolution adopted by the General Assembly, October 24, 2005, p. 30, par. 139. See also Alan J. Kuperman, “R2P: Catchy Name for a Fading Norm,” *Ethnopolitics*, Vol. 10, No. 1 (March 2011), pp. 127–130.

4. See, for example, Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All* (Washington, D.C.: Brookings Institution Press, 2008); and Ivo H. Daalder and Michael E. O’Hanlon, *Winning Ugly: NATO’s War to Save Kosovo* (Washington, D.C.: Brookings Institution Press, 2000).

5. See, for example, Ted Galen Carpenter, ed., *NATO’s Empty Victory: A Postmortem on the Balkan War* (Washington, D.C.: CATO Institute, 2000); Michael Mandelbaum, “A Perfect Failure: NATO’s War against Yugoslavia,” *Foreign Affairs*, Vol. 78, No. 5 (September/October 1999), pp. 2–8; and Michael Mandelbaum, “Foreign Policy as Social Work,” *Foreign Affairs*, Vol. 75, No. 1 (January/February 1996), pp. 16–32.

6. This school of thought is summarized in Alan J. Kuperman, “Rethinking the Responsibility to Protect,” *Whitehead Journal of Diplomacy and International Relations*, Vol. 10, No. 1 (Winter/Spring 2009), pp. 33–43.

7. Alan J. Kuperman, “Rwanda in Retrospect,” *Foreign Affairs*, Vol. 79, No. 1 (January/February 2000), pp. 94–118.

8. Alan J. Kuperman, “The Moral Hazard of Humanitarian Intervention: Lessons from the Balkans,” *International Studies Quarterly*, Vol. 52, No. 1 (March 2008), pp. 49–80.

for the rare cases where noncombatants are intentionally targeted, as opposed to where they are the collateral damage of counterinsurgency campaigns aimed at rebels.

Fundamentally, the R2P debate is about whether intervention can achieve its explicit humanitarian objective, which is the main focus of this article. Secondly, however, the debate extends to the impact of humanitarian intervention on other interests, including the security and prosperity of intervening states and the spread of democracy. The Libya case, as demonstrated below, sheds light on all of these aspects of the debate.

The following analysis starts by reciting the widely accepted Western narrative of Libya's 2011 conflict and intervention. Next, it documents two significant errors in this narrative: the nature of violence prior to NATO intervention and the goal of that intervention. Third, it conducts a counterfactual analysis to explore the likely outcome in Libya if NATO had not intervened. Fourth, it documents the actual outcome in Libya in the wake of NATO intervention. Fifth, it explores whether the prospect of NATO intervention in Libya fostered the rebellion that provoked the Libyan government's crack-down, via a moral hazard dynamic. Sixth, it examines the postwar situation in Libya and its neighbors to assess the longer-term costs and benefits of NATO intervention. Seventh, it summarizes the net impact of the intervention. Finally, the article draws lessons from the events in Libya to generate policy recommendations for future implementation of the responsibility to protect.

Conventional Wisdom: Success of R2P

The mainstream narrative of the Libya conflict and NATO intervention runs as follows. By early 2011, two successful, nonviolent, "Arab Spring" uprisings in Tunisia and Egypt had lifted the veil of fear in Libya. Accordingly, in mid-February 2011, the Libyan people rose up in analogous, nationwide, nonviolent protests against their dictator, Muammar Qaddafi, whose oppressive rule they universally detested. Qaddafi responded by ordering his forces to shoot the peaceful protesters, killing thousands of innocent civilians in the first three days, especially in the eastern city of Benghazi. Such brutal government violence compelled the peaceful protesters to take up arms in self-defense and launch a rebellion. These freedom fighters made progress for two weeks, gaining control over half of the country by early March. Qaddafi again retaliated in a criminally disproportionate manner, ordering his ground troops to fire heavy weapons indiscriminately into residential areas and his air force to bomb civilians. Over the next ten days, government forces pushed the liberation movement back to its last stronghold, Benghazi. There, Qaddafi explicitly

threatened to attack civilians, deployed his troops to the gates of the city, and prepared to engage in a “bloodbath.”

On March 17, 2011, the UN Security Council responded by authorizing a no-fly zone and all necessary means except occupation troops to protect Libya’s civilians from Qaddafi’s forces. This protection against criminal violence gradually enabled the freedom fighters, because of their nationwide support, to turn the tide of the conflict, overthrow Qaddafi, and pave the way for representative government. Overall, the NATO intervention—by protecting Benghazi and helping remove Qaddafi from power—averted a Rwanda-like genocide,⁹ restored human rights to the Libyan people, fostered democracy and the rule of law, and helped sustain momentum for the Arab Spring. It did so quickly and without deploying ground forces,¹⁰ thereby establishing a new model for successful implementation of the emerging norm of the responsibility to protect.

This conventional wisdom has been endorsed in the world’s most widely read journal of international affairs by no less than the top U.S. military and civilian representatives to the transatlantic alliance that led the intervention. The U.S. permanent representative to NATO and the Supreme Allied Commander Europe, writing in *Foreign Affairs*, concluded as follows: “NATO’s operation in Libya has rightly been hailed as a model intervention. The alliance responded rapidly to a deteriorating situation that threatened hundreds of thousands of civilians rebelling against an oppressive regime. It succeeded in protecting those civilians.”¹¹

Did Qaddafi Target Peaceful Civilians?

The first problem with the mainstream narrative is that it relies on two demonstrably false premises: that Qaddafi initiated the violence by targeting peaceful protesters and that NATO intervention aimed primarily to protect civilians. Contrary to most contemporaneous Western reporting, many Libyan protesters were armed and violent from the first day of the uprising, February 15,

9. For evidence that the intervention was motivated by a desire to prevent “another Rwanda,” see Paul D. Miller, “Libya Is Not Rwanda,” *Shadow Government, Foreign Policy*, blog, March 30, 2011, http://shadow.foreignpolicy.com/posts/2011/03/30/libya_is_not_rwanda. See also David Jackson, “One reason for Obama’s decision on Libya: Rwanda,” *USA Today*, March 24, 2011.

10. At the start of the intervention, President Barack Obama stated, “We are not putting any ground forces into Libya.” Barack Obama, “President Obama Says the Mission in Libya Is Succeeding,” weekly address, White House, March 26, 2011. After Qaddafi’s death, he reiterated, “Without putting a single U.S. service member on the ground, we achieved our objectives.” Barack Obama, “Bringing Home Our Troops,” weekly address, White House, October 22, 2011.

11. Ivo H. Daalder and James G. Stavridis, “NATO’s Victory in Libya: The Right Way to Run an Intervention,” *Foreign Affairs*, Vol. 91, No. 2 (March/April 2012), pp. 2–7, at p. 2.

2011, in Benghazi.¹² Government forces initially responded with nonlethal force: rubber bullets and water cannons. Western media on that first day incorrectly reported that Qaddafi's forces had fired live ammunition at peaceful protesters, citing video posted on the internet. The British Broadcasting Corporation, to its credit, admitted the next day that "subsequent inquiries suggested this was footage originally uploaded more than a year ago,"¹³ but few other Western media corrected the error or acknowledged that they had fallen victim to antigovernment propaganda. Qaddafi's security forces refrained from deadly force until the protesters' violence escalated and spread during the following days.

In Benghazi the protesters used firearms, Molotov cocktails, bulldozers, and bomb-laden vehicles to capture the army garrison in this, the biggest city in eastern Libya, on February 20, just three days after launching their "Day of Rage" on February 17. Indeed, in all four cities initially consumed by the conflict, large-scale violence was initiated not by government forces but rather by the protesters. In Benghazi, on February 15, protesters threw petrol bombs.¹⁴ In Al Bayda, on February 17, "[w]itnesses told Amnesty International that in the evening they saw police defectors shooting at al-Gaddafi forces. From then on, the protests quickly escalated into violent confrontations."¹⁵ In the capital, Tripoli, on February 20, protesters initiated the violence by burning government buildings, thereby prompting Qaddafi's forces to respond brutally. According to one eyewitness testimony, the protesters "kicked out the pro-Gaddafi people in the Square and burned the internal security center. They entered and burned it all, and I think the general security building overlooking the martyrs square too. . . . [Later], suddenly cars came, the land cruisers, with people. They were far away so I can't tell you if they were Africans or Libyans or from Sirte. They gave us no chance. Heavy fire, like it was a war."¹⁶ In Misurata, on February 21, protesters attacked and seized weapons from police and army bases, triggering a spiral of violence. As the UN reported, "Protests appeared to have escalated rapidly, however, with demonstrators attacking offices of the Revolutionary Committees, police stations and military barracks on February 21 and 22, 2011 and arming themselves with weapons found at

12. "Libya Protests: Second City Benghazi Hit by Violence," British Broadcasting Corporation (BBC), February 16, 2011, <http://www.bbc.co.uk/news/world-africa-12477275>.

13. *Ibid.*

14. *Ibid.*

15. Amnesty International, *The Battle for Libya: Killings, Disappearances, and Torture* (London: Amnesty International, September 8, 2011), p. 37.

16. "They Gave Us No Chance: Heavy Fire, Like It Was a War," *Alive in Libya*, February 20, 2011, <http://alive.in/libya/2011/02/20/they-gave-us-no-chance-heavy-fire-like-it-was-a-war/>.

these locations. The Qadhafi Government admitted to firing live ammunition at those who, it said, were involved in violent actions."¹⁷

Likewise, a former high-level Libyan military commander told a UN inquiry that "only after demonstrators acquired arms did the Qadhafi forces begin using live ammunition."¹⁸ Moreover, when government forces initially responded violently, notably on February 17 in Benghazi, they aimed to wound, not to kill. According to a French doctor working in a Benghazi hospital, on that day, "we had dozens of patients with bullet wounds in the abdominal area or in the legs."¹⁹ He explains that "at first, the security forces shot people in the legs and abdomen," and only "subsequently, in the chest and head."²⁰ The government's escalation was undoubtedly rapid—from rubber bullets, to wounding shots, to deadly force, in about three days—but the regime was responding to the protesters' escalation of violence. Not all or even most of the protesters in the crowds of this initial uprising were armed, so the government's retaliation unavoidably hit many unarmed protesters, who effectively were "human shields" for the rebels (whether intended as such or not). However, the image created by Western media of Qaddafi's forces initiating violence by attacking purely peaceful protesters was false.

After absorbing the first strike from armed protesters in these cities, government forces subsequently initiated violence in several other cities where protesters had been peaceful. The regime may have suspected, correctly, that the rebels aimed to militarize these protests, too. The government's belated resort to preemptive force, however, failed to stop the spread of rebellion. On February 23, for example, the Libyan army's 32nd Brigade, commanded by Qaddafi's son Khamis, arrived in Zawiya near the capital and shot at protesters who had been conducting sit-ins for four days.²¹ Despite this, the city fell to the rebels just three days later.

Although the government did respond forcefully to the rebels, it never targeted civilians or resorted to "indiscriminate" force, as Western media reported. Indeed, early press accounts exaggerated the death toll by a factor of ten. This error can be traced partly to the French physician in Benghazi, who

17. UN Human Rights Council, nineteenth session, "Report of the International Commission of Inquiry on Libya," A/HRC/19/68, advance unedited version, March 2, 2012, p. 53.

18. *Ibid.*, p. 52. The report correctly notes that government forces quickly escalated to deadly force.

19. Gérard Buffet, "French Doctor Recounts 'Apocalyptic' Scenes in Libya," interview, Agence France-Presse, February 2011, <http://www.youtube.com/watch?v=JwHUqPflEPs>.

20. Quoted in François Malye, "Libye: 'C'était un carnage absolu'" [Libya: "It was total carnage"], *Le Point*, February 23, 2011. The quote is my translation from the original: "Au début, les forces de répression tiraient sur les gens aux jambes et à l'abdomen. Ensuite, au thorax et à la tête."

21. UN Human Rights Council, "Report of the International Commission of Inquiry on Libya," p. 55.

extrapolated wildly from the tiny sample in his hospital. Shortly after returning home on February 21, he was quoted as estimating that “more than 2,000 deaths” had occurred in Benghazi and its surroundings during his stay.²² In reality, Human Rights Watch has documented only 233 deaths across all of Libya before this doctor left the country.²³ The international press also reported incorrectly, starting on February 21, that Qaddafi’s air force was indiscriminately strafing and bombing civilians in Benghazi and Tripoli.²⁴ Only after the war ended did a prominent article, by the International Crisis Group’s North Africa Project leader, reveal that “the story was untrue.”²⁵

The best evidence that Qaddafi did not use force indiscriminately, but rather targeted the rebels narrowly, comes from Libya’s third-largest city, Misurata, which had become the most intense theater of the civil war by March 2011. During the first seven weeks of fighting, according to Human Rights Watch, 949 people in Misurata were wounded, of whom only 22 were women and 8 children.²⁶ This means that less than 3 percent of the wounded were female, which is strong evidence that government forces strove to target only combatants. (Violence in Misurata at the time mainly comprised government attacks on buildings and firefights with militants, so the dearth of wounded females cannot be explained by the lack of women at peaceful protests, because those tapered off quickly and were not the major source of casualties.) If government forces had targeted civilian areas indiscriminately, as alleged, the female percentage of wounded should have approached 50 percent, rather than 3 percent.

Moreover, Human Rights Watch reports that during this initial period of fighting, Misurata’s medical facilities documented a total of 257 people killed—including rebels and government forces—in a city of 400,000. That means that the proportion of the population killed during nearly two months

22. Gérard Buffet, quoted in Malye, “Libye.” The article states that this doctor returned to France on Monday, meaning February 21, so his estimate of more than 2,000 deaths is presumably from the preceding day.

23. Human Rights Watch, “Libya: Governments Should Demand End to Unlawful Killings: Death Toll Up to at Least 233 over Four Days” (New York: Human Rights Watch, February 20, 2011), <http://www.hrw.org/news/2011/02/20/libya-governments-should-demand-end-unlawful-killings>.

24. One article quotes a protestor as follows, “Warplanes and helicopters are indiscriminately bombing one area after another. There are many, many dead.” “Fresh Violence Rages in Libya,” Al Jazeera, February 22, 2011, <http://www.aljazeera.com/news/africa/2011/02/201122261251456133.html>. See also Miret el Naggar, Jonathan S. Landay, and Margaret Talev, “Gadhafi Accused of Genocide against His Own People,” McClatchy, February 21 2011, <http://www.mcclatchydc.com/2011/02/21/109161/gadhafi-accused-of-genocide-against.html>, which reports U.S. officials confirming such attacks.

25. Hugh Roberts, “Who Said Gaddafi Had to Go?” *London Review of Books*, Vol. 33, No. 22 (November 2011), pp. 8–18.

26. Human Rights Watch, “Libya: Government Attacks in Misrata Kill Civilians: Unlawful Strikes on Medical Clinic” (New York: Human Rights Watch, April 4, 2011), www.hrw.org/news/2011/04/10/libya-government-attacks-misrata-kill-civilians.

of fighting in the war's most intense theater was less than 0.0006, which represents indisputable evidence that the government avoided using indiscriminate force. It should be noted that Human Rights Watch's report did accuse the government of "targeting civilians and civilian objects," in violation of international law. The organization's own data, however, demonstrate that any such use of force by the government was the exception, not the rule.

Similar evidence comes from Tripoli, where the government used significant force only during one two-day period prior to NATO intervention, to suppress violent protesters who were burning government buildings. Libyan doctors subsequently told an investigative commission of the UN Human Rights Council that they observed more than 200 corpses in the city's morgues on February 20–21. According to the UN council's report, however, "Almost all of the bodies received were male. [The doctors] could only recall the bodies of two women killed—one shot and one stabbed—during the period of the protests."²⁷ If women were only 1 percent of the victims in the capital, it again suggests strongly that the government targeted its force narrowly at violent protesters, who were virtually all male, rather than indiscriminately at the civilian populace.

Also contrary to conventional wisdom, Qaddafi's regime never threatened or perpetrated revenge killings against civilians in areas that it recaptured from the rebels. The government did attempt to intimidate the rebels by promising to be relentless in pursuing them. For example, on February 20, Qaddafi's son Saif al-Islam declared that "we will fight to the last man and woman and bullet." Two days later, Qaddafi warned that he would deploy forces to tribal regions to "sanitize Libya an inch at a time" and "clear them of these rats," as he referred to the rebels.²⁸ This rhetoric, however, never translated into reprisal targeting of civilians. From March 5 to March 15, Libyan government forces retook all but one of the major rebel-held cities, including Ajdabiya, Bani Walid, Brega, Ras Lanuf, Zawiyah, and most of Misurata. In none of those cities did the regime target civilians in revenge, let alone commit a bloodbath. When the regime was poised in mid-March to recapture the last rebel-held city, Benghazi, it again threatened ruthless violence against rebels who stayed to fight, as reported. International media, however, either failed to report or downplayed the regime's public reassurances that it would not target civilians, or rebels who laid down their arms, or rebels who fled, as the regime encouraged them

27. UN Human Rights Council, "Report of the International Commission of Inquiry on Libya," p. 54.

28. International Criminal Court (ICC), "Situation in the Libyan Arab Jamahiriya," ICC-01/11 (The Hague: ICC, June 27, 2011), p. 10.

to do. On March 17, Qaddafi directly addressed the rebels of Benghazi: "Throw away your weapons, exactly like your brothers in Ajdabiya and other places did. They laid down their arms and they are safe. We never pursued them at all."²⁹

Was NATO's Primary Goal to Protect Civilians?

NATO's intervention in Libya may have been borne mainly from a desire to protect civilians, consistent with the UN Security Council authorization. But within a few weeks of the operation's launch, the evidence shows that NATO's primary aim had evolved to overthrowing Qaddafi's regime, even at the expense of increasing harm to Libya's civilians.³⁰ If NATO had prioritized the protection of civilians, in accordance with its authorization, the transatlantic alliance would have enforced the no-fly zone, bombed forces that were threatening civilians, and attempted to forge a cease-fire.

Instead, NATO took actions that were unnecessary or inconsistent with protecting civilians, but which fostered regime change. Less than two weeks into the intervention, for example, NATO began attacking Libyan forces that were retreating and therefore not a threat to civilians, who were far away.³¹ At

29. "Qadhafi Promises 'No Mercy with Traitors' in Address to Benghazi, 17 Mar 2011," BBC Monitoring, March 19, 2011. His statement also included the following excerpts: "Whoever joins us, we the people, the liberator; whoever hands over his weapons, stays at home without any weapons, whatever he did previously, he will be pardoned, protected. We will pardon anyone in the streets. Throw away your rifle in the streets. Starting tomorrow, we will collect rifles from the streets—machine guns, ammunition. Anyone who throws away his weapon and stays at home peacefully will be pardoned no matter what he did in the past. He is protected. Throw away your rifle, you my son, and your family who are listening to me. I tell you get rid of your rifle, your automatic rifle and stay at home. But, if you enter any room with weapons, you'll be chased from room to room, and whoever is found with a weapon, it means he is an enemy. . . . We will search only for Al-Zanadiqah [ancient term for unbelievers] and the traitors. We will have no mercy on them. We will remove the walls around them one by one in search of them. [Words indistinct] unless they flee. We have left the way open to them. Escape. Let those who escape go forever. Let the dogs tear up their carcasses. Let them go to Egypt [words indistinct]. The search will be only for the traitors who [words indistinct] working for the United States and Britain, the colonialists."

30. UN Security Council Resolution, No. 1973, March 17, 2011, "authorizes Member States . . . to take all necessary measures . . . to protect civilians." See [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1973\(2011\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1973(2011)). Hugh Roberts states that the UN resolution was drafted deliberately to authorize regime change, because NATO had always viewed this as necessary to protect Libya's civilians: "It followed that effective protection required the elimination of the threat, which was Gaddafi himself." Roberts, "Who Said Gaddafi Had to Go?" My argument is slightly different—that soon after the intervention had started, NATO came to view the removal of Qaddafi as an end in itself, not a means, even if it undermined the original goal of protecting civilians.

31. The *New York Times* reported that "government forces were retreating south and west from Ajdabiya and, in some cases, had abandoned their vehicles and equipment, presumably to avoid being attacked by allied warplanes." Kareem Fahim and David D. Kirkpatrick, "Airstrikes Clear Way for Libyan Rebels' First Major Advance," *New York Times*, March 27, 2011.

the same time, NATO started bombing forces in Qaddafi's hometown of Sirte, where they represented no threat to civilians because the residents supported the regime.³² Government officials, the *New York Times* reported, immediately protested that "Western powers were now attacking the Libyan Army in retreat, a far cry from the United Nations mandate to establish a no-fly zone to protect civilians." To support this allegation, a Qaddafi spokesman noted that Libyan forces "were attacked as they were clearly moving westbound."³³

Rather than pursuing a cease-fire, NATO and its allies aided the rebels who rejected this peaceful path and who instead sought to overthrow Qaddafi. Such assistance to the rebels significantly extended the war and magnified the harm to civilians, contrary to the intent of the UN authorization. For example, on March 4, the United Kingdom announced that it would deploy military experts to advise the rebels in eastern Libya, a step characterized by the press as "a clear intervention on the ground to bolster the anti-Gaddafi uprising."³⁴ In the middle of that month, U.S. President Barack Obama signed an intelligence "finding" approving covert aid to the rebels.³⁵ When the Security Council authorized the intervention, on March 17, the United States already knew that Egypt was supplying arms to the rebels.³⁶ By April 6, British military and intelligence officials in Benghazi were helping the rebels establish a command structure and defense ministry.³⁷ By mid-April, Qatar was shipping French antitank missiles to rebels in eastern Libya,³⁸ and "the Obama administration secretly gave its blessing" to such arms transfers.³⁹ Early the next month, France started air-dropping weapons to opposition forces in western Libya, who were being trained by operatives from France, Italy, and the United Kingdom—as these countries later acknowledged to a UN panel.⁴⁰

32. Praveen Swami, Rosa Prince, and Toby Harnden, "Coalition Forces Strike Sirte; Leader's Home Town," *Daily Telegraph*, March 28, 2011.

33. David D. Kirkpatrick and Kareem Fahim, "Libyan Rebels March toward Qaddafi Stronghold," *New York Times*, March 28, 2011.

34. Patrick Wintour and Richard Norton-Taylor, "Libyan Opposition Leaders to Get Advice from UK Military," *Guardian*, March 4, 2011, <http://www.guardian.co.uk/world/2011/mar/04/libyan-opposition-leaders-advice>.

35. Mark Hosenball, "Obama Authorizes Secret Help for Libya Rebels," Reuters, March 30, 2011, <http://www.reuters.com/article/2011/03/30/us-libya-usa-order-idUSTRE72T6H220110330>.

36. A senior U.S. official confirmed, "This is something we have knowledge of." Charles Levinson and Matthew Rosenberg, "Egypt Said to Arm Libya Rebels," *Wall Street Journal*, March 17, 2011, <http://online.wsj.com/article/SB10001424052748704360404576206992835270906.html>.

37. Mark Urban, "SAS on Ground during Libya Crisis," *Newsnight*, BBC, January 18, 2012, <http://www.bbc.co.uk/news/world-africa-16624401>.

38. Ian Black, "Libyan Rebels Receiving Anti-Tank Weapons from Qatar," *Guardian*, April 14, 2011, <http://www.guardian.co.uk/world/2011/apr/14/libya-rebels-weapons-qatar>.

39. James Risen, Mark Mazzetti, and Michael S. Schmidt, "Militant Forces Got Arms Meant for Libya Rebels," *New York Times*, December 6, 2012.

40. Samnia Nakhoul, "Special Report: The Secret Plan to Take Tripoli," Reuters, September 6,

Qatar, a NATO ally, was the most egregious in pushing the boundaries of the UN authorization, which had been explicit in “excluding a foreign occupation force of any form on any part of Libyan territory.”⁴¹ Qatar’s military chief of staff subsequently revealed that “the numbers of Qataris on ground were hundreds in every region.” Qataris also were “running the training and communication operations” for the rebels, he said. The leader of the Libyan opposition’s umbrella National Transitional Council (NTC), Mustafa Abdel Jalil, concurred that Qataris had “planned” and were “a major partner in all the battles we fought.”⁴²

NATO and its allies kept providing such military aid even as the rebels repeatedly rejected the government’s cease-fire offers, which could have ended the violence and thereby spared civilians. As early as March 3, 2011, barely two weeks into the violence, Qaddafi had embraced Venezuela’s offer of mediation, but Jalil “totally rejected the concept of talks.”⁴³ On April 11, Qaddafi accepted an African Union proposal for an immediate cease-fire to be followed by a national dialogue, but the rebels said they refused to consider any cease-fire until the Libyan leader left power.⁴⁴ On May 26, Libya’s government offered not merely a cease-fire, but negotiations toward a constitutional government and compensation to victims, yet the rebels again demurred in favor of war.⁴⁵ It is impossible to know if Qaddafi would have honored a cease-fire or the promise to negotiate a political transition. But if NATO had sought primarily to protect civilians, it would have conditioned its aid to the rebels on their sincerely exploring the regime’s offers. There is no evidence that NATO ever sought to use its leverage in this manner. To the contrary, all available evidence indicates that NATO’s primary objective, starting early in the intervention, was to help the rebels overthrow Qaddafi, even if this escalated and extended the civil war and thereby magnified the threat to Libya’s civilians.

2011, <http://www.reuters.com/article/2011/09/06/us-libya-endgame-idUSTRE7853C520110906>; Colum Lynch, “U.N. Panel Documents Military Shopping List That Helped Topple Qaddafi,” *Turtle Bay, Foreign Policy*, blog, April 4, 2012, http://turtlebay.foreignpolicy.com/posts/2012/04/04/un_panel_documents_military_shopping_list_that_helped_topple_qaddafi; and Michael Birnbaum, “France Sent Arms to Libyan Rebels,” *Washington Post*, June 29, 2011.

41. UN Security Council Resolution, No. 1973, March 17, 2011. Roberts argues that even Yemen’s significant deployment of ground troops did not violate this provision, because “Article 42 of the 1907 Hague Regulations states that ‘territory is considered occupied when it is actually placed under the authority of the hostile army.’” Roberts, “Who Said Gaddafi Had to Go?”

42. Quoted in “Qatar Admits It Had Boots on the Ground in Libya,” *Al Arabiya*, October 26, 2011, <http://www.alarabiya.net/articles/2011/10/26/173833.html>.

43. “Gaddafi Accepts Chavez Talks Offer,” *Al Jazeera*, March 3, 2011, <http://www.aljazeera.com/news/africa/2011/03/20113365739369754.html>.

44. Peter Kenyon, “Libyan Rebels Reject AU Cease-Fire Plan,” *National Public Radio*, April 11, 2011, <http://www.npr.org/2011/04/11/135324882/libyan-rebels-reject-au-ceasefire-plan>.

45. Martin Chulov, “Libyan Regime Makes Peace Offer That Sidelines Gaddafi,” *Guardian*,

Figure 1. Rebellion in Eastern Libya, February 15–19, 2011



SOURCE: Adapted by author from Nations Online Project.

What If NATO Had Not Intervened?

To estimate the likely outcome if NATO had not intervened in Libya, it is essential to review the first month of the conflict, prior to intervention. Contrary to the portrayal by Western media of a nationwide peaceful protest against a dictatorial regime, the conflict started as an armed rebellion by regional, tribal, and Islamist opponents of the regime. The regional aspect is demonstrated by the fact that from February 15 to February 19, 2011, violent uprisings emerged only in eastern Libya—the historic, regional rival to Tripoli—in four cities: Ajdabiya, Al Bayda, Benghazi, and Darna (see figure 1). By contrast, near the capital, the protests originally were nonviolent and confined to one city, Zawiyah. The tribal element of the militancy emerged on February 20, when the rebellion spread to the first city beyond eastern Libya, Misurata, where the main “tribe has a rivalry going back generations with” the Warfalla tribe allied to Qaddafi.⁴⁶ Violent protest also erupted that day in the capital; but, without regional or tribal rivalry to sustain the Tripoli uprising, security forces crushed it in two days.

Initially benefiting from surprise, the rebels made rapid progress over the next two weeks. In the east, they captured Libya’s entire coastline, from Egypt to Ras Lanuf, the port used for most oil exports. On the central coast, they

May 26, 2011, <http://www.guardian.co.uk/world/2011/may/26/libyan-ceasefire-offer-sidelines-gaddafi>.

46. David D. Kirkpatrick, “Libya Results Seen to Break Islamist Wave,” *New York Times*, July 9, 2012. This tribal aspect is further illustrated by subsequent events. A *USA Today* article reports that, after the war, Misurata’s “militia used artillery to hammer” Bani Walid, a “city whose tribal chiefs have long been rivals of those in Misrata.” The article adds, “The Warfallas, the people of Bani Walid, viewed the attack as revenge for their support of Gadhafi.” Mathieu Galtier, “Militias Are Taking Over in Post-Gadhafi Libya,” *USA Today*, January 3, 2013. But tribal rivalry was likely not the only cause of rebellion in Misurata, given that tribal affiliations in Libyan cities are typically weaker than in the periphery.

Table 1. No Bloodbaths by Qaddafi Forces

Ranking by Size	City	Population	Date Captured by Rebels	Date Retaken by Government	Bloodbath When Retaken?
1	Tripoli	1,150,989	—	—	—
2	Benghazi	650,629	February 20	—	—
3	Misurata	386,120	February 23	March 20	no
4	Tarhuna	210,697	—	—	—
5	Al Bayda	206,180	February 23	—	—
6	Al Khums	201,943	—	—	—
7	Zawiyah	186,123	February 26	March 9	no
8	Zuwara	180,310	February 23	March 14	no
9	Ajdabiya	134,358	February 26	March 16	no

KEY: “—” city not captured by rebels or retaken by government prior to significant NATO intervention.

POPULATION SOURCES: http://www.worldcities.us/libya_cities/; and <http://population.mongabay.com/population/libya>.

NOTE: In Misurata, government forces entered the center on March 20 but failed to control the entire city before retreating after NATO intervened.

gained control of Misurata and its surrounding towns. Just west of the capital, they took the cities of Zawiya and Zuwara. As a result, they briefly controlled six of Libya’s nine biggest cities (see table 1). Moreover, in the Nafusa Mountains southwest of the capital, they claimed Gharyan, Yafran, and Nalut. By March 5, the high point of the initial violent uprising, the rebels thus controlled at least half of the country’s populated areas (see figure 2).

The rebels’ progress was short-lived, however, as Qaddafi’s forces commenced a massive counteroffensive on March 7. Within two days, government troops had retaken Ras Lanuf in the east, the biggest mountain town of Gharyan in the west, and Zawiya near the capital. Just one week later, Qaddafi had recaptured virtually all significantly populated areas west of the rebels’ final stronghold of Benghazi (see figure 3). A small part of Misurata remained contested, but the rebels there were doomed because they had no access to supplies, given that Qaddafi now controlled both the sea and land lines of communication to the city.

With the rebels in abject retreat, and the government poised to attack their last stronghold of Benghazi, Qaddafi’s son Saif al-Islam declared on March 16: “[E]verything will be over in 48 hours.”⁴⁷ Had the UN not authorized intervention the following day, enabling NATO to start bombing Libyan forces on March 19, his prediction likely would have proved correct—except for a slight

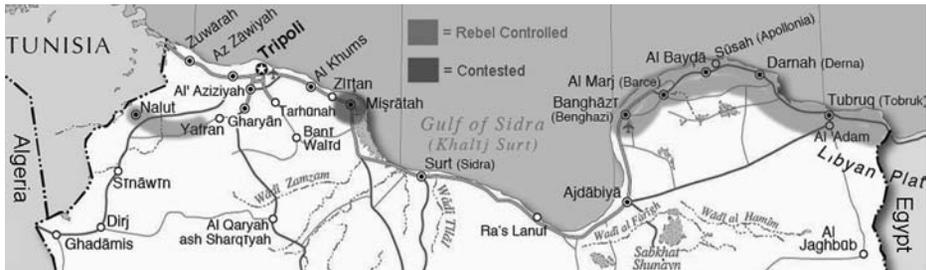
47. Quoted in “Libyan Army Calls for Benghazi to Surrender as Saif Gaddafi Says Town Will Fall within 48 Hours,” *Telegraph*, March 16, 2011, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8385250/Libyan-army-calls-for-Benghazi-to-surrender-as-Saif-Gaddafi-says-town-will-fall-within-48-hours.html>.

Figure 2. High Point of Initial Rebellion, March 5, 2011



SOURCE: Adapted by author from Nations Online Project.

Figure 3. Rebels Retreat to Benghazi, March 16, 2011



SOURCE: Adapted by author from Nations Online Project.

exaggeration on timing. In the preceding week, the rebels had not put up any real defense; they possessed only the rudimentary equipment and training needed to start a rebellion, not to win a war. They retreated, typically within two days, from each successive town that the army targeted on its eastward march: Ras Lanuf, Brega, and Ajdabiya. Based on this progression, government forces probably would have captured Benghazi by March 20. The remaining small towns farther east along the coast almost surely would have fallen the following week, prompting the rebels to flee to Egypt for refuge. Without NATO intervention, therefore, Libya’s rebellion and civil war—and resulting endangerment of civilians—likely would have ended by late March 2011, less than six weeks after the conflict had started.

Although it is impossible to know precisely how many Libyans would have perished from the violence if NATO had not intervened, estimates should be based on the conflict’s progression and trajectory. Starting with this evidence, the analysis below concludes that approximately 1,100 Libyans—including

government forces, rebels, and noncombatants—likely would have died without NATO intervention. Conflict-related deaths prior to the intervention were confined mainly to five areas of Libya, and likely would have remained so in the absence of NATO action. The bloodiest region was Benghazi and its surroundings in eastern Libya. In early March, a medical committee in the city reported, apparently based on counting corpses, that at least 228 residents had been killed since the start of the conflict.⁴⁸ From that moment until NATO intervened, however, the city remained under rebel control and thus suffered few if any additional casualties. In all of eastern Libya, including Benghazi, medics estimated that at least 400 people had been killed by March 9, though the basis of this estimate is unknown.⁴⁹ Additional war-related deaths, perhaps a dozen or two, likely occurred when Ajdabiya was retaken by the government in mid-March. Similarly, if not for the intervention, Benghazi and towns to the east probably would have suffered dozens of additional deaths when government forces recaptured them in late March. There is no reason to believe, however, that a bloodbath would have occurred in Benghazi, considering that Qaddafi had not threatened to attack civilians there and had not perpetrated such violence in any of the other cities that his forces recaptured from rebels (see table 1). Accordingly, the best estimate is that without NATO intervention, about 500 Libyans in Benghazi and surrounding areas of eastern Libya would have died as the result of a six-week conflict.

Three other Libyan cities reportedly suffered significant casualties prior to NATO intervention. In Misurata, as noted, 257 conflict-related deaths had been documented by April 10, after seven weeks of fighting that included three weeks of NATO intervention.⁵⁰ Interpolation suggests that if the war had ended earlier, in late March without NATO intervention, Misurata's death toll would have been somewhat lower, around 200, depending on when and how the rebels ceased fighting. In Tripoli, as noted, major violence during the early months of the conflict was confined to two days—February 20–21—when the government attacked violent protesters for burning government buildings, leaving at least 200 dead, according to doctors at city morgues.⁵¹ If the war

48. The count included "30 unidentified bodies," and 1,932 were reported wounded. See "Gaddafi Forces Retake Towns Near Capital," *Sydney Morning Herald*, March 2, 2011, <http://www.smh.com.au/world/gaddafi-forces-retake-towns-near-capital-20110302-1bejx.html>.

49. Antoine Lambroschini, "Kadhafi Says West after Libya's Oil as Rebels Pounded," *Sydney Morning Herald*, March 9, 2011, <http://news.smh.com.au/breaking-news-world/kadhafi-says-west-after-libyas-oil-as-rebels-pounded-20110309-1bmrr.html>. Two thousand were estimated to be wounded. The disparate ratios of killed-to-wounded in these two estimates suggest that at least one is inaccurate.

50. Human Rights Watch, "Libya: Government Attacks in Misrata Kill Civilians."

51. UN Human Rights Council, "Report of the International Commission of Inquiry on Libya," pp. 7, 54. Regarding the violence in Tripoli, the International Criminal Court prosecutor claimed a

had ended in late March, without intervention, the toll in Tripoli probably would have remained at that level, given that the capital was firmly under government control. In Zawiyah, after the rebels were defeated in mid-March, doctors in the town's hospital were reported to have "counted 175 people killed in battle."⁵²

The only other area that likely suffered a substantial number of conflict-related deaths prior to NATO intervention was Libya's central coast, where the cities of Brega and Ras Lanuf changed hands several times, between the government and rebels, from late February through mid-March. With each attack, the cities were subject to fire from artillery, mortars, rocket-propelled grenades, and additional small arms. Neither side, however, appears to have put up a strong defense, instead retreating when faced with superior firepower. This would explain why control initially switched frequently and why no large-scale casualties were reported. Nevertheless, dozens of deaths probably resulted from such fighting before NATO intervened. By mid-March, however, the government controlled these central-coast cities, so without intervention the death toll there likely would have been capped at this relatively low level.

In its June 2011 explanation of arrest warrants for Qaddafi and his inner circle, the International Criminal Court (ICC) alleged that the regime had targeted noncombatants, but only during a brief period that ended at least two weeks prior to NATO intervention. It stated, "There are reasonable grounds to believe that, as of 15 February 2011 and within a period of less than two weeks in February 2011, (i) hundreds of civilians were killed by the Security Forces."⁵³ The court separately cites more precise estimates, which it characterizes as credible, "that as the result of the shootings 500 to 700 persons died, only in February."⁵⁴ The ICC allegations are consistent with the numerical estimates in this article, although the prosecutor downplays the fact that many among the victims were armed and violent.

If NATO had not intervened in Libya, the above evidence suggests that the conflict would have lasted approximately six weeks and inflicted about 1,100 deaths. This toll includes 500 in Benghazi and the rest of eastern Libya; 200 in Misurata; 200 in Tripoli; 170 in Zawiyah; and a few dozen along the central

somewhat higher death toll for those two days, plus smaller-scale killing on the three preceding days. See ICC, "Situation in the Libyan Arab Jamahiriya," pp. 15–18. My thanks to Camille Sawak for this citation.

52. Vivienne Walt, "Gaddafi Gets His Revenge: The Price of Rebellion," *Time*, March 17, 2011, <http://www.time.com/time/world/article/0,8599,2059596,00.html>.

53. ICC, "Situation in the Libyan Arab Jamahiriya," p. 13.

54. ICC, "First Report of the Prosecutor of the International Criminal Court to the UN Security Council Pursuant to UNSCR 1970" (ICC: The Hague, May 4, 2011), p. 4, <http://www.amicc.org/docs/UNSCLibyaReportEng04052011.pdf>.

coast. Any such retrospective prediction necessarily has some margin of error. It should be noted, however, that none of the sources for casualty estimates cited in this article was sympathetic to Qaddafi's regime or had any other obvious reason to underestimate the death toll prior to intervention. Of course, it is impossible to rule out the possibility that Qaddafi, if permitted to quash the uprising, subsequently would have rounded up and summarily executed large numbers of suspected rebels. That scenario is unlikely, however, given that he had avoided such widespread retribution after previous rebellions.

The Outcome with NATO Intervention

When the UN authorized the intervention on March 17, 2011, and NATO started bombing two days later, Libyan government forces quickly halted their eastward offensive. As a result, Benghazi was not retaken by the government, the rebels did not flee to Egypt, and the war did not end in late March. Instead, the rebels in Benghazi reversed their retreat and launched a second westward offensive. Within barely a week, benefiting from NATO bombing of government forces, the rebels recaptured Brega and Ras Lanuf. In so doing, however, the ragtag rebels outran their supply lines, so the government again was able to retake the cities two days later. Over the next four months, such cities on the central coast changed hands several more times as the region became a primary theater of the war. Repeatedly, NATO would bomb Libyan forces, enabling the rebels to advance on populated areas, until the government counterattacked—with each round of combat inflicting casualties on both fighters and noncombatants.

In Misurata, too, intervention prolonged and escalated the fighting. On March 19, government forces were just retaking the city's center from the rebels who, without resupply routes, were doomed to fall within days, roughly one month after the fighting had started there. But when NATO attacked both the government's ground forces near the city and its naval vessels off the coast, the rebels gained breathing room and reopened their supply lines. As a result, fighting in Misurata continued for another four months until the rebels eventually prevailed in late July, by which time the city's death toll had grown substantially, as detailed below.

In Libya's western mountains, the rebellion also revived, fostered by an influx of weapons and trainers from NATO member states. Accordingly, by late August 2011, rebels had converged on Tripoli in a pincer from east and west (see figure 4). Not surprisingly, government forces staged a fierce defense of the capital—magnifying severalfold the death toll of soldiers, rebels, and civilians in an area that had been quiescent during the preceding five months—

Figure 4. Rebels Converge on Tripoli after Five Months of NATO Intervention



SOURCE: Adapted by author from Nations Online Project.

until the rebels captured it on August 28. Qaddafi and some loyalists retreated southward to pro-government areas, where they continued the battle for nearly two more months. On October 20, rebels discovered Qaddafi, and then tortured and summarily executed him. Three days later, on October 23, the regime's last remnants were defeated and the war ended.

As the result of NATO intervention, Libya's war lasted thirty-six weeks, rather than ending in about six weeks, as estimated above. There is no reliable count of the number killed, and claims have varied wildly.⁵⁵ At a closed-door conference in November 2011, one U.S. government official reportedly characterized the final death toll as "around 8,000."⁵⁶ By contrast, the rebels' interim health minister asserted in September 2011, before the war even had ended, that 30,000 Libyans already had died.⁵⁷ In January 2013, however, that figure was sharply reduced by Libya's Ministry of Martyrs and Missing Persons. The

55. Human Rights Watch has made no estimate. Fred Abrahams, email to author, April 15, 2012.

56. Clara M. O'Donnell and Justin Vaisse, "Is Libya NATO's Final Bow?" (Washington, D.C.: Brookings Institution, December 2, 2011), http://www.brookings.edu/opinions/2011/1202_libya_odonnell_vaisse.aspx. The conference was held on November 15, 2011. Justin Vaisse, email to author, April 15, 2012.

57. "At least 30,000 Killed, 50,000 Wounded in Libyan Conflict," *Tripoli Post*, September 8, 2011, <http://www.tripolipost.com/articledetail.asp?c=1&i=6862>. The report characterized this as the "first detailed estimate of the high cost in lives of ousting former Libyan leader Muammar Al Qathafi from power . . . based in part on reports from hospitals, local officials and former rebel commanders." The minister estimated that half of the dead were Qaddafi forces, while the rest were rebels and civilians. He reported that in Misurata at least 2,000 rebels and civilians had been killed, in addition to government forces, a toll roughly ten times higher than if NATO had not intervened, according to the analysis above. The minister estimated that the intense one-week battle for Tripoli in late August 2011 by itself killed 1,700 rebels and 100 civilians, in addition to government troops—making the death toll in the capital also about ten times higher than estimated without intervention. Given that the rebels' estimate of the overall death toll was later reduced by about two-thirds, the estimates for these cities may also have been exaggerated.

revised Libyan estimate is that 4,700 civilians and rebels (grouped together as “revolutionaries”) were killed, while the number of government forces killed “may be about the same as among revolutionaries, if not indeed less”⁵⁸—meaning at most another 4,700—in addition to 2,100 missing from both sides combined. Thus, in total, the Libyan government’s high-end estimate of the conflict’s death toll, as of January 2013, is 11,500.

These two estimates of 8,000 and 11,500—by the U.S. and Libyan governments, respectively—conceivably bound the actual number killed in the conflict. If so, and if the counterfactual analysis above is correct, then NATO intervention magnified the death toll in Libya by about seven to ten times. This would be consistent both with city-level data provided by the rebels, indicating that the intervention multiplied the number of deaths in Tripoli and Misurata, and with NATO’s broadening of the geographic scope of fighting within the country. It also would confirm the speculation of knowledgeable observers, such as Seumas Milne, who opined at the war’s end that “while the death toll in Libya when NATO intervened was perhaps around 1,000–2,000 (judging by UN estimates), eight months later it is probably more than ten times that figure.”⁵⁹

Did NATO Foster the Rebellion?

To measure the humanitarian impact of NATO intervention, the two most obvious metrics are those already discussed: the war’s duration and death toll. It is also important, however, to consider whether the expectation of such intervention prompted or initially sustained the Libyan rebellion, which provoked government retaliation and thereby endangered civilians in the first place. That potential dynamic is known as the “moral hazard of humanitarian intervention.”⁶⁰

It is not yet known whether the expectation of intervention triggered the rebellion, because the main agitators have yet to write or tell their story. A few weeks into the uprising, however, the rebel leaders clearly viewed prospective NATO intervention as vital, in light of the government’s superior military resources. During a television interview on February 28, for example, the head of the rebels’ political wing, Mustafa Abdul-Jalil, appealed for international im-

58. Umar Khan, “Casualty Figures Exaggerated, Says Ministry,” *Libya Herald*, January 7, 2013, <http://www.libyaherald.com/2013/01/07/casualty-figures-exaggerated-says-ministry/>.

59. Seumas Milne, “If the Libyan War Was about Saving Lives, It Was a Catastrophic Failure,” *Guardian*, October 26, 2011, <http://www.guardian.co.uk/commentisfree/2011/oct/26/libya-war-saving-lives-catastrophic-failure>.

60. See, for example, Kuperman, “The Moral Hazard of Humanitarian Intervention”; and Timothy W. Crawford and Alan J. Kuperman, eds., *Gambling on Humanitarian Intervention: Moral Hazard, Rebellion, and Civil War* (New York: Routledge, 2006).

position of a no-fly zone: "What we want is an air embargo to stop Gaddafi bringing in mercenaries."⁶¹

The rebels also had strong reason to believe that such intervention would be forthcoming. As early as February 22, 2011, former U.K. Foreign Minister Lord David Owen, while speaking to Al Jazeera, called for a no-fly zone.⁶² On March 2, the rebels' military commander spoke by telephone to Britain's foreign secretary "about planning for a No-Fly Zone," according to the U.K. government.⁶³ The next day, March 3, British Special Forces and intelligence agents clandestinely attempted to meet with rebels in eastern Libya.⁶⁴ On March 5, France formally praised the rebels' establishment of the National Transitional Council. Just five days later, France's president, Nicolas Sarkozy, agreed to recognize the rebel council as Libya's legitimate government during a meeting at his office with the rebels' top diplomat, Mahmoud Jibril.⁶⁵ This was remarkable considering that the rebellion was barely three weeks old and the rebels already had lost most of their initial territorial gains. On the same day, March 10, while the rebels were in abject retreat, their political leader appeared on CNN to plead again desperately for a no-fly zone: "It has to be immediate action."⁶⁶

This evidence demonstrates that, by the third week of the rebellion (if not sooner), the strategy of the rebels depended on forthcoming NATO intervention—which they had grounds to expect. Indeed, the early and significant signals of support from NATO countries help explain why the otherwise feeble rebels continued fighting the government's vastly superior forces. The remaining counterfactual question is whether these Libyan militants would have dared to challenge Qaddafi in the first place without the expectation of NATO support. If not, then NATO's willingness to intervene not only prolonged and escalated Libya's civil war and resultant civilian suffering, but

61. Quoted in Alex Rossi, "Libya: Rebels 'May Use Force to Take Tripoli,'" *Sky News*, February 28, 2011, <http://news.sky.com/story/838903/libya-rebels-may-use-force-to-take-tripoli>.

62. See "Live Blog—Libya Feb 22," *Africa*, Al Jazeera, blog, February 22, 2011, <http://blogs.aljazeera.com/blog/africa/live-blog-libya-feb-22>. He repeated the call on the BBC the next day. See Michael White, "Libya Crisis: Too Late for UN Military Intervention?" *Guardian*, February 23, 2011.

63. "Foreign Secretary Speaks to General Abdul Fattah Younis al Obidi," Foreign and Commonwealth Office, London, United Kingdom, March 2, 2011, <http://www.fco.gov.uk/en/news/latest-news/?view=News&id=559394982>.

64. Martin Chulov, Polly Curtis, and Amy Fallon, "'SAS Unit' Captured in Libya," *Guardian*, March 6, 2011, <http://www.guardian.co.uk/world/2011/mar/06/liam-fox-sas-unit-libya>. On March 3, some rebels initially captured the British officials, misunderstanding their intent.

65. Steven Erlanger, "By His Own Reckoning, One Man Made Libya a French Cause," *New York Times*, April 1, 2011, <http://www.nytimes.com/2011/04/02/world/africa/02levy.html>. Sarkozy made the recognition pledge at a meeting in his office with the rebels' chief foreign diplomat, Mahmoud Jibril.

66. "Rebel Leader Calls for 'Immediate Action' on No-Fly Zone," CNN, March 10, 2011, <http://edition.cnn.com/2011/WORLD/africa/03/09/libya.civil.war/index.html>.

triggered the initial rebellion that provoked Qaddafi's retaliation. To answer this question definitively, however, would require evidence not yet available.

Postwar Libya

Although NATO intervention was explicitly predicated on the short-term goal of protecting civilians, and apparently backfired in this regard, it is worth exploring whether the intervention produced any longer-term net benefit for Libyans. The most positive development in postwar Libya undoubtedly has been the democratic election of July 2012, which brought to power a moderate, secular coalition government—a stark change from Qaddafi's four decades of dictatorship.⁶⁷ Less encouraging, the country's first democratically elected prime minister failed to last even one month in office before being removed by a vote of no confidence, attributed to regional rivalries.⁶⁸ Other developments have been even more discouraging. In the immediate wake of victory, the rebels perpetrated scores of reprisal killings, in addition to torturing, beating, and arbitrarily detaining thousands of suspected Qaddafi supporters.⁶⁹ A Human Rights Watch official characterized this behavior as "a trend of killings, looting and other abuses committed by armed anti-Gaddafi fighters who consider themselves above the law."⁷⁰ Rebels also expelled 30,000 (mostly black) residents from Tawerga, and burned or looted their homes and shops, on grounds that some of them allegedly had been "mercenaries" in the government's attacks on nearby Misurata.⁷¹ The ramification of this racial violence has been nationwide: "For the more than one million African guest workers who came to oil-rich Libya seeking their fortunes, it has meant terror. . . . These innocent migrant laborers now find themselves singled out by ordinary Libyans and rebels who believe they are the enemy."⁷² Six months after the war, in April 2012, Human Rights Watch reported that abuses around Misurata

67. Kirkpatrick, "Libya Results Seen to Break Islamist Wave."

68. David D. Kirkpatrick, "Libya Dismisses Prime Minister, Widening a Power Vacuum," *New York Times*, October 8, 2012.

69. Maggie Michael, "Rights Group: Libyan Rebels Executed Gaddafi Loyalists," *Washington Post*, October 18, 2012.

70. John Lyons, "Libya's Rebels Take Revenge," *Weekend Australian*, November 5, 2011. See also UN Human Rights Council, "Report of the International Commission of Inquiry on Libya," pp. 76, 196–197; and Colum Lynch, "Report: Human Rights Abuses Continue in Libya," *Washington Post*, March 3, 2012, which summarizes the UN report as follows: "[A]nti-Gaddafi militias carried out reprisal killings of suspected regime loyalists and mercenaries, as well as the wide-scale torture of detainees. . . . Serious abuses continue to be carried out by militias aligned with Libya's new government."

71. Kareem Fahim, "Accused of Fighting for Qaddafi, a Libyan Town's Residents Face Reprisals," *New York Times*, September 24, 2011.

72. William Wheeler and Ayman Oghanna, "After Liberation, Nowhere to Run," *New York Times*, October 30, 2011.

still persisted and “appear to be so widespread and systematic that they may amount to crimes against humanity.”⁷³ Ironically, such racial or ethnic violence had never occurred in Qaddafi’s Libya.

Indeed, during his final decade in power, Qaddafi had significantly improved his overall human rights performance. Amnesty International’s 2010 annual report refers to major abuses only prior to 2000. Although the report acknowledges that the “Internal Security Agency (ISA), implicated in those [earlier] violations, continued to operate with impunity,” it does not allege any large-scale offenses in the decade of the 2000s.⁷⁴

Beyond humanitarian and human rights concerns, postwar Libya also has a weak record on security and democratization. The new government has failed to disarm or bring under its control the dozens of militias that arose during the revolution. This failure has resulted in deadly turf battles between rival tribes and commanders, as well as a growing threat from radical Islamists. In small signs of progress, the government has succeeded in removing most militia checkpoints in major cities, and has retaken control of seaports, airports, and border crossings. These steps, however, have not halted violence in the periphery or even in the capital. For example, in the southern city of Sabha, in March 2012, skirmishes between rival tribes left 147 dead. In April 2012, the *Washington Post* reported that “rival militiamen, some of them intoxicated and most of them unemployed, battle over turf in the capital.”⁷⁵ According to the June 2012 edition of the *Middle East Report*, “In the provinces, the *thuwwar* [former rebels] largely rule the roost. Many a militia can outgun the army. . . . Even in Tripoli, where the government’s grasp on security is most advanced, rogue militias continue to occupy key military installations in defiance of NTC demands that they leave.”⁷⁶ Indeed, in November 2012, militia rivalries in the capital exploded into violence entailing “machine-gun fire and rocket-propelled grenades.”⁷⁷

73. Human Rights Watch, “Libya: Wake-Up Call to Misrata’s Leaders: Torture, Killings May Amount to Crimes against Humanity” (New York: Human Rights Watch, April 8, 2012), <http://www.hrw.org/news/2012/04/08/libya-wake-call-misrata-s-leaders>.

74. As Amnesty International reports, “Hundreds of cases of enforced disappearance and other serious human rights violations committed in the 1970s, 1980s and 1990s remained unresolved.” Amnesty International, *Libya: Amnesty International Report 2010* (London: Amnesty International, 2010), <http://www.amnesty.org/en/region/libya/report-2010>.

75. Steve Hendrix, “Free from Gaddafi’s Uniting Grip, Libya Confronts Its Diversity,” *Washington Post*, April 1, 2012.

76. Nicolas Pelham, “Libya’s Restive Revolutionaries” (Washington, D.C.: Middle East Research and Information Project, June 1, 2012), <http://www.merip.org/mero/mero060112>. See also International Crisis Group (ICG), “Divided We Stand: Libya’s Enduring Conflicts,” *Middle East/North Africa Report*, No. 130 (Brussels: ICG, September 14, 2012), <http://www.crisisgroup.org/en/regions/middle-east-north-africa/north-africa/libya/130-divided-we-stand-libyas-enduring-conflicts.aspx>.

77. Abigail Hauslohner, “Clashes in Capital Highlight Libya’s Security Challenges,” *Washington Post*, November 5, 2012.

In oil-rich eastern Libya, also known as Cyrenaica or Barqa, persistent regional rivalry has prompted demands for secession and independence, or at least substantial autonomy within a federal system. Militants have attacked electoral offices on grounds that the region is underrepresented in the new government.⁷⁸ In September 2012, the *Washington Post* reported that “[i]n many cases, including in Benghazi and in the western mountain town of Zintan . . . the militias hold considerably more sway—and arms—than the Interior Ministry’s police force.” At that time, the chief of security in Benghazi conceded that “[t]here has been no strategy to contain these [militias] and to move them into either the police or the army.”⁷⁹

Radical Islamist groups, suppressed under Qaddafi, emerged during the revolution as some of the most competent rebels. They obtained weapons during the war from other countries (especially Qatar) and ever since have refused to disarm.⁸⁰ Their persistent threat was highlighted by the September 2012 attack on the U.S. consulate in Benghazi—reportedly by the Ansar al-Sharia militia—that killed Ambassador Christopher Stevens and three of his colleagues. Even prior to the consulate attack, the growing threat from Libya’s radical Islamists had compelled many Western diplomats and nongovernmental organizations to evacuate the country.⁸¹ According to a *New York Times* report on the attack, the militia “holds that democracy is incompatible with Islam. It has paraded the streets with weapons calling for an Islamic state, and a few months ago its leader boasted publicly that its fighters could flatten a foreign consulate.”⁸² Despite subsequent Libyan government pledges to address this threat, the *Washington Post* reported in October 2012 that “armed Islamist extremists are terrorizing the eastern Libyan city of Darna.”⁸³ In

78. David D. Kirkpatrick, “Election Commission Offices in Eastern Libya Are Sacked,” *New York Times*, July 2, 2012. See also Steve Hendrix, “Free from Gaddafi’s Uniting Grip,” which reports that “on March 6, a group of tribal leaders called for a return to the federal structure that governed Libya’s three regions in the 1950s: Tripolitania in the west, Fezzan in the south and Barqa in the east.” See also Felipe Umana, “Is Libya Dissolving?” (Washington, D.C.: Foreign Policy in Focus, March 30, 2012), http://www.fpif.org/articles/is_libya_dissolving.

79. Abigail Hauslohner, “Libya’s Weak Government Leaves Perilous Void in East,” *Washington Post*, September 20, 2012.

80. James Risen, Mark Mazzetti, and Michael S. Schmidt, “Militant Forces Got Arms Meant for Libya Rebels,” *New York Times*, December 6, 2012. For a brief summary of the various factions, see Daniel Wagner and Giorgio Cafiero, “Implications of the Rise of Radical Muslim Groups in Libya” (Dubai: Institute for Near East and Gulf Military Analysis, January 23, 2013), <http://www.inigma.com/reports/Islam-in-Libya/IslamInLibya-web.html>.

81. Abigail Hauslohner and Ernesto Londono, “Security at Libya Outpost Faulted,” *Washington Post*, September 30, 2012.

82. David D. Kirkpatrick, Suliman Ali Zway, and Kareem Fahim, “Attack by Fringe Group Highlights the Problem of Libya’s Militias,” *New York Times*, September 16, 2012.

83. Abigail Hauslohner, “Islamists Hold Sway in Eastern Libyan City,” *Washington Post*, October 27, 2012.

Benghazi itself, as of February 2013, Islamist militias had resumed control of the city's entrance and two main hospitals.⁸⁴ In Tripoli, in April 2013, a bomb-laden vehicle destroyed half of the French embassy.⁸⁵

In light of this ongoing instability and insecurity, it is perhaps understandable that many Libyans are nostalgic for a strong leader such as Qaddafi, who at minimum maintained order and provided basic social services. The country's first national survey after the war, conducted in late December 2011, reported that 54 percent of respondents "strongly agree" the country needs "a (single) strong Libyan leader."⁸⁶ Even when respondents were asked what kind of government Libya would need in the future—after one year, or after five years—this response remained the most popular.⁸⁷ These statistics may even underestimate Libyan support for a Qaddafi-like strong man, given that some respondents presumably were inhibited from expressing such an opinion in a country now controlled by the victorious rebels, and to interviewers perceived as pro-revolution. Indeed, the British organizations that conducted the survey downplayed these findings in their executive summary and presented the full survey results only on paper at a small public event, rather than posting them on the internet.⁸⁸

Regional Spillover

Other consequences that must be factored into any assessment of NATO intervention in Libya concern the effects on neighboring states and the wider region. The most obvious negative impact has been in Mali, which previously was viewed by many diplomats and scholars as the region's exceptional example of peace and democracy. When Qaddafi was defeated, however, Malian ethnic Tuareg fighters in his security forces fled home with their weapons and

84. Abigail Hauslohner, "Islamist Militia Is Edging Back into Benghazi," *Washington Post*, February 17, 2013.

85. David D. Kirkpatrick, "Blast Strikes French Embassy in Rare Attack in Libyan Capital," *New York Times*, April 24, 2013.

86. "First National Survey of Libya," Oxford Research International, in association with the Institute of Human Sciences, University of Oxford, and the University of Benghazi, based on fieldwork from December 13, 2011, to January 1, 2012, Q31A (parentheses in the original).

87. *Ibid.*, Q31B, Q31C.

88. The executive summary released at the public presentation on February 15, 2012, states that "in 12 months time 42% say they want a strong man (or men)." This statistic was widely reported six weeks later in David D. Kirkpatrick, "Libyan Militias Turn to Politics, a Volatile Mix," *New York Times*, April 3, 2012. Although the statistic is correct, it overshadows the 54 percent who strongly agreed that Libya needed a single strong man immediately. I obtained a copy of the executive summary and full survey results from someone who attended the public presentation, which was held exactly one year after the start of the rebellion at the Human Sciences Institute, the Pauling Centre, Oxford, United Kingdom.

launched a rebellion in their country's north, where they rapidly inflicted a series of defeats on government forces.⁸⁹ Malian army officers, frustrated by these losses, staged a coup on grounds that the government had under-equipped them. Making matters worse, the rebellion in the north was quickly hijacked by local Islamist forces (Ansar Dine) and elements of al-Qaida in the Islamic Maghreb, who defeated the Tuareg, imposed sharia, and declared the northern half of the country independent.⁹⁰ All of this fighting, and the imposition of strict Islamic law, spurred a massive displacement of hundreds of thousands of Malian civilians, creating a humanitarian emergency.⁹¹ Indeed, Amnesty International characterized it as "Mali's worst human rights situation in 50 years."⁹² In February 2013, a UN official reported that 200,000 children had missed school for more than a year, and nearly 600,000 people were "in need of immediate food assistance."⁹³

Beyond the humanitarian costs, NATO's intervention has exacerbated terrorist activity and other forms of violence in the region. By December 2012, the northern half of Mali had become "the largest territory controlled by Islamic extremists in the world," according to the chairman of the U.S. Senate subcommittee on Africa.⁹⁴ The regional U.S. military commander warned that "Al Qaeda's affiliate in North Africa is operating terrorist training camps in northern Mali and providing arms, explosives and financing to a militant Islamist organization in northern Nigeria."⁹⁵ Mali's chaos also spread to other neighbors, spurring deadly ethnic conflict in Burkina Faso and the growth of radical Islamism in Niger.⁹⁶

In early 2013, Mali's Islamist forces launched an offensive southward, appar-

89. Adam Nossiter, "Qaddafi's Weapons, Taken by Old Allies, Reinvigorate an Insurgent Army in Mali," *New York Times*, February 6, 2012; Abigail Hauslohner, "Weapons, Fighters from Libyan War May Be at Root of Regional Unrest," *Washington Post*, January 19, 2013; and C.J. Chivers, "Looted Libyan Arms in Mali May Have Shifted Conflict's Path," *New York Times*, February 8, 2013.

90. Ross Douthat, "Libya's Unintended Consequences," *New York Times*, July 8, 2012.

91. Adam Nossiter, "Jihadists' Fierce Justice Drives Thousands to Flee Mali," *New York Times*, July 18, 2012.

92. Amnesty International, "Mali's Worst Human Rights Situation in 50 Years, Warns Amnesty" (London: Amnesty International, May 16, 2012), http://www.amnesty.org.uk/news_details.asp?NewsID=20126.

93. Quoted in Rick Gladstone, "U.N. Official Sees Desperation, Hunger, and Fear on Visit to Mali," *New York Times*, February 27, 2013.

94. Edward Cody, "Restive Mali Is Ripe for al-Qaeda," *Washington Post*, June 8, 2012; Greg Miller and Craig Whitlock, "Al-Qaeda in Africa Is under Scrutiny," *Washington Post*, October 2, 2012; and Craig Whitlock, "Pentagon Helping Organize Multinational Operation in Mali," *Washington Post*, December 6, 2012.

95. Eric Schmitt, "American Commander Details Al Qaeda's Strength in Mali," *New York Times*, December 4, 2012.

96. "Burkina Faso: Deaths Reported in Clash," Associated Press, May 25, 2012. See also Yahia H. Zoubir, "Qaddafi's Spawn: What the Dictator's Demise Unleashed in the Middle East," *Foreign Affairs*, July 24, 2012, <http://www.foreignaffairs.com/articles/137796/yahia-h-zoubir/qaddafis>

ently intent on capturing the capital, Bamako. France responded by intervening militarily on January 11.⁹⁷ By early February, 4,000 French troops—assisted by French air power, African soldiers mainly from Chad, and U.S. airlift—had dislodged the Islamists from the main cities in northern Mali and started attacking them in rural hideouts.⁹⁸ The long-term prognosis, however, is problematic. By mid-February 2013, the militants had reinfilitrated the ostensibly liberated cities of northern Mali,⁹⁹ and France had signaled that it planned to withdraw its troops and transfer responsibility to UN peacekeepers.¹⁰⁰ Two months later, the UN Security Council authorized such a mission, but it is unlikely to possess the military capacity to hunt down all of the armed elements or to control large swaths of the country.¹⁰¹ Accordingly, northern Mali is likely to persist as a base, if not a haven, for radical Islamists.¹⁰²

Yet another negative regional impact has been the flow of weapons, liberated from Qaddafi's arsenal, to arms markets and radical Islamists beyond Mali, as documented in a 2013 UN Security Council report.¹⁰³ Of greatest concern are man-portable surface-to-air missiles, also known as MANPADs, which in capable hands can readily shoot down civilian airliners and military aircraft.¹⁰⁴ As many as 15,000 such missiles were still unaccounted for as of February 2012, according to a U.S. State Department official cited in the *Washington Post*, because a \$40 million buyback effort had secured only 5,000 of them. Western intelligence sources say that hundreds are loose in the region, including in Niger, where some have been obtained by Boko Haram, the radi-

spawn; and Sudarsan Raghavan, "Niger Becomes Crossroads in Battle against Militants," *Washington Post*, August 17, 2012.

97. Edward Cody, "France's Hollande Intervenes in Mali," *Washington Post*, January 12, 2013.

98. Lydia Polgreen and Scott Sayare, "Militants Pulling Back from French in Mali Fight," *New York Times*, January 31, 2013; and Cheikh Diouara, "Mali Fight Moves to Saharan Scrubland," *Washington Post*, February 7, 2013.

99. Peter Tinti and Adam Nossiter, "Militants Infiltrate Towns in Freed Areas of Mali, Raising Peril of Guerrilla War," *New York Times*, February 17, 2013.

100. Angela Charlton and Baba Ahmed, "France May Begin Troop Pullout from Mali in March," *Washington Post*, February 6, 2013; and Scott Sayare and Alan Cowell, "As Mali Fighting Persists, France Vows to Exit in Weeks," *New York Times*, February 7, 2013.

101. Neil MacFarquhar, "U.N. Votes to Establish Peacekeeping Force for Mali," *New York Times*, April 26, 2013.

102. According to Gen. Carter F. Ham, head of the Pentagon's Africa Command, "Realistically, probably the best you can get is containment and disruption so that Al Qaeda is no longer able to control territory." Adam Nossiter and Peter Tinti, "Mali War Shifts as Rebels Hide in High Sahara," *New York Times*, February 10, 2013.

103. UN Security Council, "Final Report of the Panel of Experts Established Pursuant to Resolution 1973 (2011) Concerning Libya," S/2013/99, February 15, 2013. See also Edith M. Lederer, "UN Panel: Libyan Weapons Spread at Alarming Rate," Associated Press, April 9, 2013, which reports that the illicit transfers "involve more than 12 countries and include heavy and light weapons such as portable air defense systems, explosives, mines, and small arms and ammunition."

104. Rod Nordland and C.J. Chivers, "Heat-Seeking Missiles Are Missing from Libyan Arms Stockpile," *New York Times*, September 8, 2011.

cal Islamic group based in northern Nigeria.¹⁰⁵ A few dozen missiles also have been found in Algeria and Egypt.¹⁰⁶ Al-Qaida's North African branch is said to be using its "money to stock up on weapons that have flowed out of Libya after dictator Moammar Gaddafi was overthrown."¹⁰⁷ In October 2012, militants in the Gaza Strip fired one such missile for the first time, reportedly aiming at an Israeli army helicopter, and "Israel believes that the weapons originated in Libya."¹⁰⁸ Illustrating the scope of the problem, Libyan MANPADs and sea mines have even surfaced in West African arms markets, where they reportedly have been snapped up by Somali buyers for use by Islamist rebels and pirates in northeast Africa.¹⁰⁹

It is also possible that Western intervention in Libya exacerbated civil conflict in Syria. When NATO started bombing Libyan forces, in March 2011, Syria's uprising was mainly nonviolent and its government's response—although criminally disproportionate—was relatively circumscribed, killing fewer than 100 Syrians per week. But after NATO intervention helped Libya's rebels turn the tide against Qaddafi in the summer of 2011, Syria's uprising turned violent, escalating that conflict and leading to at least 1,500 deaths per week by early 2013 (a fifteenfold increase in the killing rate).¹¹⁰ It is unknown whether NATO actions in the spring of 2011—intervening on behalf of rebels in Libya while ignoring nonviolent protesters in Syria—were decisive in transforming Syria's uprising from peaceful to violent, and thereby magnifying its death toll.¹¹¹ The counterfactual, however, is illuminating: if NATO had not in-

105. According to an opinion article in the *Washington Post*, a "State Department official said in February that Gaddafi had acquired 20,000 of these weapons, and that only 5,000 of them had been secured through a \$40 million U.S. program to buy up loose missiles." David Ignatius, "Libyan Missiles on the Loose," *Washington Post*, May 9, 2012.

106. Scott Stewart, "The Continuing Threat of Libyan Missiles," *Stratfor*, May 3, 2012.

107. Greg Miller, "Assessing al-Qaeda a Year after bin Laden," *Washington Post*, April 29, 2012.

108. "Antiaircraft Missile Is Fired from Gaza, Israeli Officials Say," *New York Times*, October 17, 2012.

109. "Analyst Says Somali Pirates Have New Weapons from Libya," Reuters, April 13, 2012. The report quotes Judith van der Merwe of the Algiers-based African Centre for the Study and Research on Terrorism as follows, "We found that Libyan weapons are being sold in what is the world's biggest black market for illegal gun smugglers, and Somali pirates are among those buying from sellers in Sierra Leone, Liberia and other countries."

110. An article in *Times of Israel* includes a chart illustrating the acceleration of killing after Syria's uprising turned violent. For example, in mid-2011, during the first twenty-two weeks of the uprising, when it was mainly nonviolent, about 2,000 were killed, or fewer than 100 per week. But in mid-2012, during the final nine weeks of their data and after the uprising had turned overwhelmingly violent, about 6,000 were killed, or nearly 700 per week. Tamar Pileggi and Elihu D. Richter, "Butchers and Bystanders in Syria," *Times of Israel*, July 26, 2012, <http://www.timesofisrael.com/butchers-and-bystanders-in-syria/>. See also Edith M. Lederer, "Syria Death Toll: UN Human Rights Chief Says Casualties 'Probably Approaching' 70,000," Associated Press, February 12, 2013, which reports that, by early 2013, the death rate had climbed further—to about 1,500 per week.

111. Some might argue that the NATO intervention in Libya helped to deter Syria's regime from perpetrating even greater brutality. That cannot be disproved, but most international observers

tervened in Libya, and instead had permitted Qaddafi to defeat the Libyan rebels in just six weeks, would Syria's peaceful protesters have been so eager to take up arms? At the least, NATO intervention in Libya encouraged the militarization of Syria's uprising. Therefore, a significant portion of Syria's death toll may be a consequence of NATO intervention in Libya. Ironically, advocates of intervention in Libya had claimed that such action was essential to sustain the momentum of the relatively peaceful Arab Spring revolutions in Tunisia and Egypt. In practice, NATO intervention not only failed to spread peaceful revolution, but it encouraged the militarization of Syria's uprising, which has exacerbated humanitarian suffering, sectarianism, and radical Islam in that country and its neighbors.

Some proponents of the Libya intervention claim that simply removing Qaddafi benefited the region and the world. This is questionable, however, because the former Libyan leader had evolved into a relatively benign figure during his last decade. He switched from supporting terrorists to providing intelligence against them following the September 11, 2001, al-Qaida attacks on the United States. He reduced aid to foreign rebels and instead sponsored peace initiatives, including for the Darfur region of Sudan. He dismantled and surrendered his weapons of mass destruction program after the U.S. invasion of Iraq in 2003. Indeed, NATO intervention against Qaddafi after he had voluntarily disarmed is likely to hinder future nonproliferation efforts elsewhere. Accordingly, it is difficult to identify any obvious benefit for the region or beyond from NATO's intervention in Libya.

Net Impact

Overall, NATO intervention significantly exacerbated humanitarian suffering in Libya and Mali, as well as security threats throughout the region. The only apparent benefit is that Libyans have been able to vote in democratic elections, but the elected government has little authority in a country now controlled by dozens of tribal and Islamist militias accountable to no one.¹¹² NATO intervention increased the duration of Libya's civil war by approximately six times, and its death toll by seven to ten times. Human rights conditions in post-intervention Libya, which include abuses "so widespread and systematic that

characterize the Syrian regime's violence as excessive, not restrained. Moreover, during the spring of 2011, Syrian security forces killed many more nonviolent protesters than had Libya's security forces prior to the NATO intervention. Accordingly, there is little evidence that Syria's government was attempting to stay beneath some threshold of violence that it expected to trigger foreign intervention.

112. Hauslohner, "Libya's Weak Government Leaves Perilous Void in East."

they may amount to crimes against humanity,”¹¹³ are considerably worse than in the decade preceding the war.¹¹⁴ Beyond Libya, NATO intervention destabilized the previously peaceful and democratic Mali—giving rise to civil war, a coup, secession, massive human displacement, a humanitarian emergency, the strengthening of radical Islamists, and “Mali’s worst human rights situation in 50 years.”¹¹⁵ Violence and Islamic radicalism have also spread to Niger and Burkina Faso, and thousands of weapons ideal for shooting down civilian airliners either have gone missing or are in the hands of rebels and terrorists. Syria’s peaceful protesters were encouraged to militarize, in hopes of attracting similar intervention, and that militant transformation has dramatically escalated Syria’s death toll.

Based on the humanitarian grounds originally invoked to justify it, NATO intervention in Libya has proved a disaster. It is possible that, in the long run, the intervention will turn out to have contributed indirectly to some beneficial consequences for Libya or its neighbors that cannot now be predicted. To date, however, the observable impacts on other interests—including human rights in Libya and its neighbors, regional stability, and international security—also have been decidedly negative. If this is a “model intervention,” as U.S. officials claim, it is a model of failure.

Conclusion

NATO’s experience in Libya offers important lessons for humanitarian intervention and the responsibility to protect. First, potential interveners should beware both misinformation—resulting from inaccurate reporting or their own biased perceptions—and disinformation from concerted propaganda campaigns.¹¹⁶ Libya’s initial uprising was not peaceful, nationwide, and democratic—as reported and perceived in the West—but violent, regional, and riven with tribalism and Islamist extremism. Qaddafi’s response was not to slaughter peaceful protesters or bombard civilian areas indiscriminately, as reported in the West, but rather to target rebels and violent protesters relatively narrowly, reducing collateral harm to noncombatants. By no means does this excuse the Libyan government’s response, which likely included criminal acts. The statistics, testi-

113. Human Rights Watch, “Libya: Wake-Up Call to Misrata’s Leaders.”

114. Amnesty International, *Libya*.

115. Amnesty International, “Mali’s Worst Human Rights Situation in 50 Years, Warns Amnesty.”

116. It is impossible to know definitively how Western governments perceived Libya’s violence at the time, because their contemporaneous assessments remain classified. Western intelligence likely mirrored media accounts, however, considering that press reports often cited the statements and views of top Western officials. Examples of such reports are cited in Miller, “Libya Is Not Rwanda.”

mony, and documentary evidence, however, indicate that the Qaddafi regime committed no bloodbaths during the war, and had no intention of doing so. When NATO intervened, it misperceived the situation, believing that government forces already had slaughtered thousands of peaceful protesters and were poised to perpetrate a bloodbath in Benghazi. If Western countries had accurately perceived Libya's conflict in late February and early March 2011, NATO would have been much less likely to launch an intervention that gravely exacerbated humanitarian suffering and security threats in Libya and its neighbors.

Such misperception had several causes, including an a priori bias against Qaddafi arising from his actions of more than a decade earlier—including support for terrorism—and from sensationalistic and sloppy journalistic reporting. The rebels' political wing, however, also engaged in a concerted propaganda campaign that successfully introduced the meme of "bloodbath." Most prominently, on March 14, 2011, as the rebels faced imminent defeat, Soliman Bouchuiguir warned reporters in Geneva that if Qaddafi's forces were permitted to attack Benghazi, "There will be a real bloodbath, a massacre like we saw in Rwanda."¹¹⁷ Bouchuiguir was the political representative of the Libyan opposition's National Transitional Council in Switzerland, where he also headed the Libyan League for Human Rights. In the week prior to his statement, Lexis/Nexis identifies only nineteen news articles in English containing the words "bloodbath" and "Benghazi." By contrast, during the week following his statement, the number of such articles jumps to 171.¹¹⁸ Bouchuiguir was rewarded after the war by being appointed Libya's ambassador to Switzerland.¹¹⁹

A second lesson is that humanitarian intervention risks backfiring by escalating rebellion, both in the country where it is conducted and beyond. This is because it encourages substate groups to believe that by violently provoking state retaliation, they can attract intervention to help achieve their political objectives, including regime change. The resulting escalation of rebellion, however, typically magnifies the threat to noncombatants before intervention can protect them, if it ever does. As a result, humanitarian intervention to protect civilians may perversely imperil them, via the moral hazard dynamic. NATO's action in Libya escalated and prolonged the violence, and its resulting humanitarian costs, not just there but probably also in Syria. This moral hazard problem

117. "Libya Jets Bomb Rebels, French Press for No-Fly Zone," Reuters, March 14, 2011.

118. The searches included all English-language news articles that contained both the words "bloodbath" and "Benghazi," comparing two time periods: March 7–13, 2011 versus March 15–21, 2011.

119. Mohamed Cherif, "We Have No Animosity towards the Swiss," International Service of the Swiss Broadcasting Corporation, October 13, 2011, http://www.swissinfo.ch/eng/specials/the_arab_spring/We_have_no_animosity_towards_the_Swiss.html?cid=31333628.

could be addressed by modifying implementation of the R2P in five previously identified ways.¹²⁰ Most important is to avoid intervening on humanitarian grounds in a manner that rewards rebels, unless the state is targeting noncombatants. Qaddafi was not targeting civilians, so NATO intervention actually increased the danger to them by escalating and perpetuating the civil war, which cannot be justified on humanitarian grounds. By contrast, in Rwanda during the genocide of 1994, noncombatants were targeted deliberately, so intervention could have saved many lives and would have been justified.

A third lesson is that intervention motivated by the desire to protect civilians is prone to expanding its objective to include regime change, even if that magnifies the danger to civilians, contrary to its original intent. This is partly because intervening states, when trying to justify their use of force to domestic and international audiences, tend to demonize the regime of the country they are targeting. Such demonization, however, later inhibits the intervening states from considering a negotiated settlement that would permit the regime or its leaders to retain some power, which typically would be the quickest way to end the violence and protect noncombatants.¹²¹ By demanding regime change, the interveners perversely encourage the regime to fight to the bitter end, thus escalating and prolonging the war, as well as increasing the harm to civilians.¹²² In the case of Libya, Qaddafi repeatedly expressed a willingness to negotiate a cease-fire, beginning barely two weeks into the conflict. But the rebels refused to consider negotiations unless Qaddafi first stepped down, and NATO supported that intransigence.¹²³ In this way, NATO's intervention, launched

120. See Kuperman, "Rethinking the Responsibility to Protect."

121. Demonization does not always inhibit such a deal. To end the war in Bosnia, for example, the United States negotiated the Dayton accords of 1995 with Serbian leader Slobodan Milošević, despite having previously demonized him. This was an exceptional case partly because Milošević was not an official in Bosnia, but merely a foreign sponsor, so the United States demanded instead the removal of the leader of the Bosnian Serbs, Radovan Karadžić. See Richard Holbrooke, *To End a War* (New York: Alfred A. Knopf, 1999). Another possible explanation of NATO's refusal to negotiate in Libya is that it sought to avoid a post-intervention peacekeeping role that might have been necessitated by a power-sharing deal. I thank an anonymous reviewer for this latter insight.

122. The goal of regime change, when combined with a reluctance to deploy ground forces, may compel interveners to ally with whatever local forces are willing to help, even radical Islamists, which can have subsequent blowback effects for local and international security, as demonstrated in both Libya and the earlier case of U.S. military assistance to the Afghan mujahideen in the 1980s. See Alan J. Kuperman, "The Stinger Missile and U.S. Intervention in Afghanistan," *Political Science Quarterly*, Vol. 114, No. 2 (Summer 1999), pp. 219–263.

123. Roberts argues that the causal relationship between demonization and the rejection of negotiations points in the opposite direction, claiming that NATO refused to negotiate because it wanted to demonize Qaddafi so that it could remove him from power. According to Roberts, "The moment he became once more someone people talked to and negotiated with, he would in effect have been rehabilitated. And that would have ruled out violent—revolutionary?—regime change and so denied the Western powers their chance of a major intervention in North Africa's Spring, and the whole interventionist scheme would have flopped." Roberts, "Who Said Gaddafi Had to Go?"

explicitly on humanitarian grounds, evolved within two weeks to pursuing the goal of regime change, thereby inhibiting even the exploration of a negotiated settlement that could have saved thousands of lives.¹²⁴

Such a dynamic poses a dilemma for those who support the principle of humanitarian intervention but oppose foreign-imposed regime change, given that one tends to evolve into the other. In 2011 this phenomenon occurred not just in Libya but also in Côte d'Ivoire, where a French-led intervention to protect civilians quickly expanded to assisting rebels to oust the president.¹²⁵ Likewise, in Syria, calls for humanitarian intervention in the spring of 2011 had evolved by the following August into a U.S. demand that President Bashar al-Assad step down. The United States then began coordinating with allies—Qatar, Saudi Arabia, and Turkey—to arm the rebels, who refused to negotiate with Assad and instead escalated the war in a manner that gravely magnified the danger to noncombatants.¹²⁶

This dilemma does not arise if the state explicitly targets civilians—as in Rwanda's 1994 genocide—because such egregious criminal behavior clearly justifies regime change. The deliberate killing of civilians, however, is relatively rare in civil conflicts that prompt calls for intervention. Typical cases more often resemble that of Libya, where noncombatants are caught in the crossfire, rather than being targeted. In such instances, international Samaritans may feel that intervention is justified to protect civilians—but not to topple the regime. If the former leads almost inevitably to the latter, however, this suggests yet another important reason for restraint when contemplating humanitarian military intervention.

124. A similar point is made in ICG, "Popular Protest in North Africa and the Middle East (V), Making Sense of Libya," *Middle East/North Africa Report*, No. 1076 (Brussels: ICG, June 2011), <http://www.crisisgroup.org/en/regions/middle-east-north-africa/north-africa/libya/107-popular-protest-in-north-africa-and-the-middle-east-v-making-sense-of-libya.aspx>.

125. The situation was not identical, because international observers claimed that the incumbent president had lost a recent disputed election, which reignited the civil war. But it was similar in that intervention was initially justified on humanitarian grounds, to protect civilians, yet quickly evolved into an alliance with rebels to pursue regime change. See Bruce Crumley, "Anatomy of an Intervention: Why France Joined the U.N. Action in Abidjan," *Time*, April 6, 2011, <http://www.time.com/time/world/article/0,8599,2063613,00.html>; and Colum Lynch and William Branigin, "Ivory Coast Strongman Arrested after French Forces Intervene," *Washington Post*, April 11, 2011, http://www.washingtonpost.com/world/ivory-coast-strongman-arrested-after-french-forces-intervene/2011/04/11/AFOBaeKD_story.html.

126. Chris McGreal and Martin Chulov, "Syria: Assad Must Resign, Says Obama," *Guardian*, August 18, 2011, <http://www.guardian.co.uk/world/2011/aug/18/syria-assad-must-resign-obama>. In early 2012, Russia accused Qatar, Saudi Arabia, and Turkey of supplying weapons to Syria's rebels. See Will Englund, "Russia Sends Mission to Syria," *Washington Post*, February 7, 2012. These accusations were later confirmed and documented in C.J. Chivers and Eric Schmitt, "Airlift to Rebels in Syria Expands with C.I.A.'s Help," *New York Times*, March 25, 2013.