

Letter in Response to Hugh Roberts, 'Who Said Gaddafi Had to Go?'

London Review of Books, Vol. 33 No. 24, 15 December 2011

Note: This is in reply to a long essay by Hugh Roberts, 'Who Said Gaddafi Had to Go?' in the *London Review of Books* 17 November 2011. The letter was edited for publication; the full text as submitted reads as follows:

My admiration for my former colleague Hugh Roberts as a North Africa scholar and analyst of Islamic activism remains unbounded. As President of the International Crisis Group from 2000-2009, I believe that its 2005 report on Understanding Islamism, of which he was primary author, was one of the finest, and most influential, Crisis Group ever produced. But I am deeply underwhelmed by his lengthy attempt [LRB, 17 November] to demonstrate that the Security Council mandated military intervention in Libya was nothing more than a re-run of the 'war-party's bombing for democracy in Iraq.

It was not 'democratic principles' that were invoked by the Security Council to justify the military intervention, but rather the principle of the 'responsibility to protect' – a phrase, and a concept, that is not mentioned even once in Roberts's article, despite being the subject of intense international debate for the last ten years. It was devised – by the Canadian-sponsored commission I co-chaired with the Algerian diplomat Mohamed Sahnoun in 2005 – to create the possibility for international consensus in overcoming decades, indeed centuries, of indifference and inaction in the face of mass atrocity crimes, which had reached a nadir in the awful sequence of events through the 1990s in Rwanda, Bosnia and Kosovo. The concept was embraced unanimously by more than 150 heads of state and government sitting as the UN General Assembly in the 2005 World Summit, has been overwhelmingly supported in subsequent General Assembly debates in 2009, 2010 and 2011, and has been utilised now by the Security Council on at least six occasions.

Whatever the distaste unquestionably felt for Gaddafi in both the West and the Arab League, it is inconceivable that the 'all necessary measures' resolution in the Security Council would have been pursued, let alone accepted, if there had not been at the time a widespread and absolutely genuine belief (shared by Russia, China and the other abstainers) that Gaddafi's regime had killed many civilian protesters and was about to, in Benghazi, kill a great many more – and that his behaviour over the three weeks since the preceding Council resolution had shown him to be determinedly resistant to the kind of negotiated political settlement that Roberts, then and now, argues was still possible. Counterfactuals can never be proven, but this was not an unreasonable judgement, given Gaddafi's past form – which shines through even your essayist's tortured case for the defence – and his talk at the time, eerily reminiscent of the Rwanda genocidaires, of showing "no mercy or pity" for the "cockroaches" who had risen against him.

Where Roberts is on much firmer ground is in arguing that the subsequent implementation by the NATO-led force grievously stretched the formal Security Council mandate, converting a clear and limited civilian protection mandate into an effectively unlimited regime change one. I acknowledge the force of the argument that the only way that the protection of civilians in areas like Tripoli under Gaddafi's control could be absolutely guaranteed was by removing him. But it would have been much preferable to conduct the operation on a much more restrained, watching-brief basis: maintaining a no-fly zone, and attacking any attackable concentration of forces clearly about to put civilians at risk, in Benghazi Misrata or anywhere else, but beyond that leaving it to the rebels to fight their own war. This would undoubtedly have led to more protracted, and probably messier, war with even more conflict casualties, and harder domestic politics to manage in the U.S. and Europe – but it would have better preserved the integrity of the responsibility to protect principle, and the consensual basis for its future application.

The lesson of Libya is not that cynical neo-imperialist Western adventurism is alive and well, but that in responding to actual or imminent mass atrocity crimes – as the international community must if our common humanity is to mean anything – there must be renewed attention to the stringent, limiting, prudential criteria (like last resort, proportionality, and balance of consequences) which should not only have to be satisfied before coercive military force is authorized by the Security Council, but which should govern its subsequent application. Such criteria were part and parcel of the responsibility to protect concept as originally formulated, but their formal adoption remains unfinished business.

Gareth Evans, The University of Melbourne