

**HUMANITARIAN INTERVENTION AND REGIME CHANGE: A CASE OF  
NORTH ATLANTIC TREATY ORGANIZATION MILITARY OPERATION IN  
LIBYA, 2011-2022**

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**OCTOBER, 2024**

## DECLARATION

I declare that this thesis is my original work and has not been presented for degree in any other university or institution.

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## **DEDICATION**

I dedicate this work to my lovely spouse Caroline Kainda and my children Ramirez and Madison for encouragement and the immeasurable support accorded throughout the entire study.

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## OPERATIONAL DEFINITION OF TERMS

<b>Foreign Military Intervention</b>	Refers to a country or a collection of states' use of military force against or in another state with the objective of bringing to an end the violation of human rights or to restore stability in a war-torn state.
<b>Imposed regime change</b>	Refers to the practice of foreign powers ousting existing leaders in weak states and installing new leaders in those countries. Usually, the ousted regime is perceived to be at odd with Western democratic values thus challenging the status quo in the international system while the imposed regime will promote intervening power's interest and provide a quick fix to problems bedeviling the state in question.
<b>Supplanting of Democracy</b>	Refers to the process in which liberal democracies in the world substitute elected democracy with its desired values of democracy usually modeled in the Western values.
<b>International Sanctions</b>	Refers to political and economic decisions taken against taken against states or organizations by the international community.
<b>People democratic aspiration</b>	Refers generally to nationalistic desires of the people of particular country, in this case, Libya, to demand for change and be ruled by sovereign power of their choice, capable of increasing access to political goods including: public services, crippling corruption, build infrastructure, feed population, provide health care and

education, more jobs and faster development as a path to prosperity.

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

<b>AU</b>	African Union
<b>ECOWAS</b>	Economic Commission of West African States
<b>EU</b>	European Union
<b>IMF</b>	International Monetary Fund
<b>KU</b>	Kenyatta University
<b>NACOSTI</b>	National Commission for Science, Technology and Innovation
<b>NATO</b>	North Atlantic Treaty Organization
<b>NTC</b>	National Transitional Council of Libya
<b>OAU</b>	Organization of African Unity
<b>OPEC</b>	Organization of Petroleum Exporting Countries
<b>UN</b>	United Nations
<b>UNHRC</b>	United Nations High Commission for Refugees
<b>USSR</b>	United Soviet Socialist Republic
<b>WB</b>	World Bank
<b>WHO</b>	World Health Organization

## ABSTRACT

This study examined two controversial topics of international relations, namely humanitarian intervention and regime change using the case study of North Atlantic Treaty Organization (NATO) military intervention in Libya between 2011 and 2022. It begins by first exploring the long term and immediate causes of the Libya's civil conflict leading to the intervention by the NATO. Secondly, the rationale of the NATO perspective on regime change in Libya is examined. Thirdly, a critique of the role of international community in precipitating regime change in Libya through NATO military intervention is offered. Finally, the effectiveness of the UN imposed transitional regime in meeting the aspirations of the people in post-Gadhafi Libya is assessed. This study was anchored on two classical complementary theories namely; realism and liberalism. On one hand, realism argues that humanitarian intervention by the NATO was motivated by the need to promote NATO's geopolitical interests while liberalism on the other hand argues that the military intervention by NATO was a long-term process of extending the democratic project in Libya. The divergent views of these two theories have been used to explain the controversy surrounding NATO military intervention and regime change in Libya. The research blended a case study with explanatory research design. The study employed purposive sampling to select 70 informants for interviews including: Libyan citizens, Diplomats in the Libyan Embassy, experts in diplomacy and international relations, NATO officials and Military Attachés. Data was collected using key informant interviews and library research. Collected data was analyzed thematically in line with study objectives. The findings of this study aver that while it is evident that the NATO played a major military role in forestalling the Libyan insurrection, the use of force in supplanting democratically elected government by forcing a regime change was unwarranted. The regime change demonstrates Western powers (NATO) drive in international community to sanction humanitarian intervention against states purported to violate fundamental human rights of their citizens in order to achieve hidden interest of intervening states rather than proclaim state self-preservation and sovereignty of the host nation or state in question. Moreover, the imposed regime and government has been unable to restore political stability in post-Gadhafi Libya. This study recommends that before sanctioning any humanitarian interventions, the UN must clearly spell out the mandate of the intervening regional body. Besides, future intervention measures sanctioned to end human rights violations and abuse should never yield a regime change but restore political stability necessary in humanitarian interventions.

# CHAPTER ONE

## INTRODUCTION

### 1.1 Background to the Study

Increased humanitarian intervention and regime change remain to be subjects great controversy in international relations and diplomacy (Welsh, 2024). Despite the long debate on complexities of humanitarian intervention in the New World Order, the use of intervention diplomacy continues (Falk, 1996). Whelan (2021) argues that the United Nations has continued to sanction humanitarian intervention against states purported to violate vital human rights of their populaces. Some of these interventions in their changing faces have yielded desirable outcomes while others have not (Bellamy, 2015). In most cases, the interventions have transcended to destabilizing regime change (Mullerson, 2013, Howe, 2020). Thus, resulting in a sort liberated occupation where democratically elected leaders are ousted and replaced with imposed leaders preferred by the interveners (Chestman, 2004). This process may present dilemma as well as an irony in that the humanitarian response is urgently required by the affected people but the resulting change in regime may be undesired. Moreover, the ousted leaders are perceived as to be at odd with Western values and imposed leaders are expected to provide quick fix solution to problems that bedeviling the state in humanitarian crisis, the imposed regime may be at odd with people's aspirations.

Walzer (2011), proclaims that the application of force by powerful foreign powers to oust existing leaders and imposing new leaders in weak states is not a new phenomenon. The author adds that the application of force begins under the guise of humanitarian

intervention which in most cases is sanctioned by the international community through a resolution of the United Nations Security Council (UNSEC). Intervention on humanitarian grounds occurs in different forms. At times humanitarian intervention may come in the form of material assistance such as relief aid and sanctions. Force becomes a last resort to stop human rights atrocities. Humanitarian intervention may constitute, deploying military troops and provision of military equipment to rival armies. In other cases, it may take the form of providing military aid, offering strategic advice, observer missions and enforcement of peace.

Humanitarian intervention in the form of economic aid cannot be dismissed. They are very essential for the course of humanity. Humanitarian economic interventions may occur in terms of provision of loans, economic grants and slapping of economic sanctions (Regan, 2002). A number of motives have been identified for humanitarian intervention. Morgenthau (1967) on one hand note that military intervention may be initiated to maintain a status quo among powerful international actors for the purpose of expanding their markets or with the emotive of accessing resources that are not found within their boundaries. On the other hand, Sang Ki (2012) adds that powerful countries may intervene militarily to shape the outcome of a conflict with the aim of geopolitically strengthening their influence in a particular region through regime change. In this case regime change comes in the form of replacing uncooperative political leaders or changing existing political structures. Thirdly military intervention may be used to give an advantage to a particular country or state when it comes to strategic competition with rivals (Gibbs, 2009).

Periods of regime change are replete throughout history. There is evidence of regime change throughout Southern Europe, Latin America, East Asia, as well as Africa. This has taken the form of forceful replacement of the so-called unfriendly regimes with those that are deemed to be cooperative (Kitschelt, 1992). Historically regime change has been induced by foreign powers notably; the Nazi Germany, Fascist Italy, and Imperial Japan. In some cases, countries readily accepted sanctioned regime change in order to ensure they get international support and benefits induced by the interveners. Some of the benefits were promises of improving economic welfare of the host states.

Scholars have documented military interventions in a number of countries by the US and its allies in post-World War II era. Sullivan (2008), notes that after the overthrow of the Empire of Japan by the Allied forces at the end of World War II, General Douglas MacArthur from the US ruled the country until 1946 when the Japanese constitution was ratified. Bueno and Downs (2003) notes that in 1965, the US military invaded the Dominican Republic with the claim of restoration of law and order. In 1983 the US in collaboration with Organization of Eastern Caribbean States' (OECS) invaded the republic of Grenada following civil unrest (Canyon et al, 2020). Simma (1989), documents that in 1989 the US military invaded Panama, an invasion that was carried out in the absence of any internal conflict. Whelan (2021) examines the Gulf war of 1990 in which the UN sanctioned military intervention after Iraq invaded its neighbor Kuwait. A similar intervention by US and NATO on Iraq was sanctioned in 2003 on allegation of harboring weapons of mass destruction. The operation considered as illegality led to the ouster and killing of Iraq leader Saddam Husien (Simuziya, 2023).

Several military intervention measures been recorded globally in the Post-Cold War. During this period the UNSC sanctioned intervention in Haiti and Sierra Leone in 1991 and 1997 respectively where it authorized collective action to reinstate democratically elected governments (Roth, 1999; Simma, 1989). Woodward (1995) and Malcolm (1998) analyzed the events of the March 1999 NATO military operation in Yugoslavia which resulted in the overthrowing of President Slobodan Milosevic and his subsequent arrest by the International Criminal Court (ICC). In the aftermath of the 9<sup>th</sup> September 2001 terrorist attack of the World Trade Centre, the US engaged in military operations in Afghanistan and Iraq. These military interventions led to regime change in both countries (Escribà-Folch & Wright, 2015).

In another case subject to this study, Libya was in February 2011 embroiled in a civil war aimed at disposing the long serving ruler Muammar Gadhafi. This followed a wave of Arab revolutions that aimed to install democratic regimes in the Middle East and North Africa (Landen, 2011; Gelvin, 2012). The one-month civil war in Libya created a humanitarian crisis with cases of human rights violations being reported. The situation in Libya prompted the UNSC through NATO to move in and restore civility. Beginning March 2011 the NATO commenced a military intervention to stop human rights violations by restoring law and order in Libya. This followed UNSC vote for immediate ceasefire and containing the humanitarian crisis that had become an international concern (Forte, 2012).

The NATO military intervention in Libya generated intense debate among scholars. Green (2019) draws attention to the conflicting activities of the NATO in the intervention process questioning the success of the operation. Despite the fact that it is generally

agreed that NATO's military engagement in 2011 was crucial in putting an end to the insurgency there, some have argued that NATO's implementation of UNSC 1970 and 1973 in Libya was an instance of how humanitarian intervention led to regime change (Green, 2019). It is against this background that this study examined NATO's military intervention and regime change in Libya. The role of the NATO military intervention in precipitating regime change is questioned.

## **1.2 Statement of the Problem**

Continued use of humanitarian intervention amid controversies remains an area of great interest in international relations and intervention diplomacy. A multi-state NATO led coalition humanitarian intervention in Libya began on 19<sup>th</sup> March 2011 after vote by the Security Council. While the rapid ceasefire and containment of the humanitarian crisis served as the justification for the dire need of military action, the NATO intervention in Libya generated considerable controversy. This was fundamentally due to the contradictory rationale and outcomes of the operation. On one hand the NATO operation was instrumental in putting to an end the uprising and human rights abuses reported in Libya by invoking the application of the resolutions of the UN Security Council 1970 and 1973. On the other hand NATO intervention in Libya led to regime change in which the Libyan leader Colonel Muammar Gadhafi was deposed.

Although humanitarian interventions have historically been justified in the protection of civilians, the cessation of human rights abuses, and containing a humanitarian catastrophe, the use of force should not be employed in violation of state sovereignty. Lately, some international interventions have been criticized for interfering in domestic

affairs of states. It has been argued that such intervention supplant democratically elected regimes. This has been the case when intervening forces support rebels to oust existing regimes. In the case of Libya, foreign military intervention by the NATO engaged in the conflict militarily by supporting rebel groups against the Colonel Muammar Gadhafi's regime. The use of force for regime change has become contestable and controversial. The involvement of foreign forces in the Libyan was premised on the protection of civilians but the outcome became regime change.

After one decade, the intention of the intervention remains suspicious and subject to academic discourse. Many scholars have written on this but the discussion is inconclusive. Therefore, the Libyan intervention calls for further nuanced explanations on the justification for military intervention in Libya, the function of foreign military intervention, and criticism of the use of military intervention to overthrow a democratically elected government in Libya. Libya military intervention had the objective of restoring stability and protection of human rights. It however, resulted in regime change. Unless issues relating to this are interrogated, humanitarian intervention will remain contentious and continue to receive condemnation owing to perception that there was a hidden motive, where, the self-serving interests of France, Britain, the United States and some Arab league member states played a center stage in the intervention in order to rid the former Libyan leader Colonel Muammar Gadhafi, the humanitarian intervention shall remain unresolved puzzle. This study addressed these issues within this environment.

### **1.3 General Objective**

The general objective of the study was to examine the NATO military intervention and peoples' democratic aspiration on regime change in Libya between 2011 and 2022.

#### **1.3.1 Specific Objectives**

This study;

- i. Explored the long term and immediate causes of the Libyan civil conflict leading to the intervention by the NATO.
- ii. Examined the rationale of the North Atlantic Treaty Organization perspective on regime change in Libya.
- iii. Critiqued the role of international community in precipitating regime change in Libya through NATO military intervention.
- iv. Assessed the effectiveness of the UN imposed transitional regime in meeting the aspirations of the people in post-Gadhafi Libya

### **1.4 Research Questions**

This study raised the following four research questions from the stated objectives.

- i. What were the long term and immediate causes of the Libyan civil conflict leading to the intervention of the NATO?
- ii. On what grounds was the North Atlantic Treaty Organization perspective on regime change in Libya rationalized?
- iii. Was the international community justified in supplanting democracy in Libya by fostering regime change through NATO military intervention? If so how and why?

- iv. How effective was the NATO imposed regime in meeting the aspirations of the people in post-Gadhafi Libya?

### **1.5 Research Assumptions**

This study was premised on the following assumptions;

- i. The Libyan civil conflict leading to the intervention of NATO was precipitated by a number of internal and external factors.
- ii. The rationale behind NATO military intervention in Libya was regime change as opposed to stopping human rights violations by restoring stability, law and order.
- iii. The international community was unjustified in supplanting democracy in Libya by fostering regime change through NATO military intervention.
- iv. The NATO imposed regime has been ineffective in meeting the aspirations of the people of Libya.

### **1.6 Justification and Significance of the Study**

The NATO has often employed military force to halt humanitarian violations as well as to ouster autocratic regimes across the globe. With the backing of the UNSEC resolutions, the intervention diplomacy has been justified and sanctioned against states purported to violate fundamental human rights of their citizens thus marking humanitarian intervention an acceptable norm for various intervenors. Though rooted on pacific means of conflict resolution, the UN Charter also specifies the prerequisites and justifications for using force in international affairs in certain instances. Chapter VII Article 42 of the United Nations Charter permits the use of force to achieve this goal when necessary to maintain peace and stability and put an end to violations of human rights. The UNSEC

was able to Christine the case of Colonel Muammar Gaddafi as dictatorship and violation of human rights that poised a great threat to world peace and security. There are however, arguments against the existence of any threat to internal peace and security which asserts that the local populace was not truly under any threat given the overwhelming support Colonel Muammar Gadhafi enjoyed in Libya before the insurrection.

Libya has since the 19<sup>th</sup> Century been a controversial and strategic territory. As a former colony of the Ottoman Empire, Libya attracted the attention of Turkey, Italy, Great Britain and France. The strategic importance of Libya since the pre-colonial time cannot be underestimated. In the reign of Colonel Muammar Gadhafi Libya's foreign policy was anti-west and leaned towards the Arab world. This made Colonel Muammar Gadhafi to be unpopular with the west creating tensions. Lastly, Libya was one of the economic giants of Africa with Gadhafi playing a key role in fighting for united African states.

This study will be helpful to international organizations by improving policies towards intervention measures by interrogation present policies. This study will also be helpful to scholars and students of diplomacy and international relations. The challenges that face international intervention measures in spite of its importance will be helpful to scholars and student in understanding the nature of international intervention measures.

### **1.7 Scope of the Study**

This general scope of this study was on NATO's humanitarian intervention in Libya between 2011 and 2022. Whether this intervention resulted in regime change in Libya has been examined. This study began by exploring the long term and immediate causes of the Libyan civil conflict leading to the intervention by the NATO. Secondly the

rationale of the North Atlantic Treaty Organization perspective on regime change in Libya was examined. Thirdly a critique of the role of international community in precipitating regime change in Libya through NATO military intervention was offered. Finally the effectiveness of the UN imposed transitional regime in meeting the aspirations of the people in post-Gadhafi Libya was assessed. This study sourced information through interviews schedules. Respondents interviewed included diplomats, professionals in diplomacy and international relations and Libyans residing in Kenya.

### **1.8 Limitations of the Study**

Due to the security situation the researcher was not in a position to personally travel to Libya. However, this did not affect the research as Libyan nationals living in Kenya provided adequate data to the study. Although language barrier was a limitation it was overcome through the use of a translator from Arabic to English.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter reviewed related, pertinent, and material that is in line with the study's stated objectives. Attempt have been made to explore theoretical and practical problems concerning humanitarian and by extension military interventions. Generally critical reviews, previous studies have been summarized in the study's conceptual framework.

#### **2.2 Literature Review**

##### **2.2.1 Causes of the Civil War in Libya Leading to the intervention of NATO**

Ahmida (2005) and Catherwood (2006) argue that the Second World War had a major historical influence on Libya. To begin with the defeat of Italy in the war technically ended its colonization of Libya. Secondly it increased the value of Libya at the international scene. Italy's loss of control over its empire during World War II led to new worries about Libya's identity. The mentioned scholars help shed light on the strategic significance of Libya, a factor that prompted the international community to focus its attention on post-World War two Libya after the defeat of Italians. The assertion demonstrated here that the future of Libya became a subject of concern to the international community even before it gained independence in 1957. This study investigates Libya strategic significance as cause of the civil war.

Louis (2006) asserts that after the end of Italian colonial rule, Libya was placed under British--French administration in an arrangement in which King Idris of the Sanusi dynasty was allowed to internally rule Libya as it prepared for independence. After

independence Libya was ruled under a constitutional monarchy headed by King Muhammed Idris as-Senussi of the Sanusi dynasty. King Idris ruled Libya between 1949 and 1969 when the monarchy was overthrown by Colonel Muammar Gadhafi. Gadhafi reigned over Libya for four decades receiving condemnation from the West. This study looks at the personality of the man Gadhafi to establish the link between the purported dictatorship and the rise of civil war in Libya.

Segre (1974) addresses the reasons as to why the monarchy under King Idris was overthrown in the 1969 revolution. The scholar notes the monarchy led by King Muhammed Idris erected an extremely centralized, aristocratic and oligarchy. Under Idris, the Monarch had total control over the army and a disproportionate amount of power over the parliament. Strong tribal leaders and residents of wealthy metropolitan towns came together to form an oligarchy that supported the king by sharing the top government positions. However with the assistance of Western nations and the domestic military support of his committed tribesmen, Mohammed Idris was able to keep power over the central government. This work helped this study in bringing to fore the interests of foreign powers from the west in the internal affairs of Libya from an early period. Perhaps these were the reasons that made Gadhafi formulate an anti-west foreign policy upon ascending to power. In the thesis, the researcher seeks to establish a link between Gadhafi anti-west foreign policy and the NATO intervention and subsequent regime change

Abdo (2017), notes that beginning 1969 Colonel Muammar Gaddafi established Libya's foreign policy. Colonel Gadhafi's foreign policy revolved around the unification of Arabs, the destruction of Israel, the spread of Islam, the support of the Palestinians,

bringing to an end of foreign interference in the Middle East and Africa, and the promotion of a number of "revolutionary" causes. To achieve his objectives, Colonel Gadhafi began by nationalizing foreign oil and business interests in Libya. The thesis investigates how Colonel Gadhafi's foreign policy revolved around the unification of Arabs, the destruction of Israel, the spread of Islam and the support of the Palestinians warranted his ouster and regime change in Libya.

Martínez (2007) traces the genesis of souring relations between the west and Libya under President Gadhafi. Accordingly it is argued that both the US and Britain supported the Monarchy under King Mohammed Idris in Libya. This changed after the 1969 coup by Colonel Muammar Gaddafi. The revolutionary Colonel Muammar Gadhafi government did not hide its anti-west feelings which were clearly articulated in its foreign policy. Colonel Muammar Gaddafi openly expressed his support to insurgent groups such as the Eastern Bloc, Polisario Front, Yasser Arafat's PLO, and the IRA alongside Fidel Castro's Cuba. Such actions deteriorated Libya's relations with the west who termed Gadhafi a terrorist (Davies, 1990). The above studies helped in understanding Muammar Gaddafi's historical relations with Western Europe and the US. The UN and the US subsequently imposed sanctions on the Gadhafi led government in Libya.

Hisham (2012) notes wave Arabic protests beginning early 2011 caused by popular unrest in the Middle East and North Africa resulted in the overthrow of regimes in Tunisia and Egypt. The Arabic spring protests as they were popularly referred to spread to Libya resulting in a civil war beginning February 2011. The protests were directed against Colonel Muammar Gaddafi, one of Africa's longest-reigning despots, who ruled Libya for 42 years without indicating any intention of stepping down until the ensuing violent

upheavals ultimately cost his life (Manfreda 2012). The uprising eventually led to the death of Colonel Muammar Gadhafi and the overthrow of his government. This study interrogated the factors that led to the overthrow of Colonel Muammar Gadhafi in 2011.

Scholars have considerably documented on the causes of the civil war in Libya. Cafiero & Wagner (2015) and El-Gamaty (2016) attribute the Libyan civil war both internal and external causes. Chulov (2011) argues that the Libyan civil strife was a complex phenomenon. Its causes were also complex pitting European and Arabic states competing for dominance. The above work was instrumental in understanding the geopolitical struggles and interests involved not only on the Libyan crisis but generally in the developing world. True to say events don't just happen, they have causes. The causes of the Libya insurrection are the concerns of this study.

In the Third World, historical factors have been found to be the main contributors to civil unrest. In reference to this Steward (2002) suggests that there is need to solve the problem by interrogating historical factors. The author blames Cold War politics for the majority of conflicts and wars in Third World nations. He gives examples of cold war proxies in Afghanistan, Angola, Nicaragua and Congo. Steward raises a very important point. For this study to fully capture geopolitical interests of the two superpowers and their ideological priorities, one cannot escape from examining the proxy wars between the US and the USSR in the countries that have been mentioned above. This study singled out Libya and examined the extent to which different ideologies between USSR and USA between 1945 and 1989 contributed to the building of tensions between Libya and the West that eventually led to a civil strife and the overthrow of the Gadhafi regime.

Reno (1998) offers solutions to war and civil unrest in the Third World. Accordingly change in economic and social policies can reduce conflict and civil unrest. The policies identified here that can reduce imbalances and inequalities include policies towards education, social services and those that would provide investment opportunities to citizens. The arguments by Reno on reducing imbalances and inequalities that contribute to war and civil unrest in the third world are valid. However, it is worthwhile to note such policies as suggested by Reno have to be instituted carefully as in some cases; they can trigger conflict as opposed to the intended purpose. In some cases, reforms in the political, economic and social sectors could be a benefit to one group but an imbalance to another group. This study questioned the reluctance of Third World countries to institute political and social and economic reforms as mentioned above.

In conclusion, these reviews indicate that there are multifaceted historical and immediate factors linked to the Libya civil conflict of 2011. The 21<sup>st</sup> century has been dominated by civil unrests in the developing world with the North, West, East and Central African states bearing the greatest brunt. The humanitarian crisis created by civil strife has forced the international community to intervene using force. International intervention is undertaken principally for protection of human lives through humanitarian intervention. This study limited its scope to the use of military forms in restoring stability and civility in a war-torn country.

### **2.2.2 Rationale of the North Atlantic Treaty Organization Perspective on Regime Change in Libya**

Scholars have raised two major justifications of intervention by third parties in civil conflicts. These are intervening party self-interest and humanitarian goals. According to

Morgenthau (1967) and Gibbs (2009), the intervention has been undertaken for the sole purpose of maintenance of status quo of powerful actors. Powerful actors do intervene in order to or access natural resources or expand their market access (Morgenthau, 1967 and Gibbs, 2009). Morgenthau (1967) and Gibbs (2009) further argue that interventions are meant to increase strategic competition among major powers. The expansion of bilateral relations between the host nation and the intervening forces through the colonial ties has been identified (Rostand & Greig 2011). According to Ikenberry, (2000), diffusion of democracy and free market has triggered military intervention. This intended study examined the NATO states' interest in Libya.

Ramuhala (2010), notes that the second motive for intervention diplomacy has mostly been reflected in third party humanitarian interventions after the cold war era. In this case humanitarian intervention was aimed at the restoration of peace rather than pursuing strategic interests. Most of the current third-party interventions which have taken place during the mentioned era largely reflected on the second reason and ground of humanitarian goals and promotion of peace rather than pursuit of strategic interest. According to Canyon, Ryan and Burke (2020), the use of military in humanitarian and relief operation increased from the 1990s. Today, the military assistance encompasses many aspects beyond traditional methods of intervention. This study investigated the mandate of the NATO forces in the Libyan intervention. This study thus sheds light on the expanded mandate of intervention by military today.

A resolution was adopted in 1973 by the UNSC in the instance of Libya. The Colonel Muammar Gaddafi dictatorship was denounced as being a global security threat. The UNSC resolved to take necessary measure to restore civility in Libya. The occupying

army was given instructions to impose an arms embargo, forbid Libyan airlines from operating flights, and order the freezing of Libyan financial assets (Pommier, 2011). Everything was done in accordance with the Duty to Protect (R2P). The R2P reason for the intervention was examined in this study, but no specific mention of the R2P idea was made during the discussions that resulted in the passage of the resolutions.

According to Berdal (2013), NATO forces occasionally often launched indiscriminate rocket, mortar, and artillery shells into residential areas, along with cluster bombs, killing dozens of citizens and injuring many more. Furthermore, according to Berdal (2013), NATO frequently fired live ordnance, including as rocket-propelled grenades (RPGs) and tank shells, at civilians fleeing the conflict. In light of the above, this study evaluating the veracity of allegations of human rights violations that NATO initially used to justify its intervention in the name of humanitarian aid. This study interrogated interveners' interest and justification for ultimate regime change over humanitarian intervention. Green's assertion offered this study the basis to analyze whether NATO sanctioned regime change amounts to United States-backed imperialism.

Although military interventions have the objective of restoration of peace and stability, they can be used to pursue regime change. The US under a number of regimes has for decades championed such moves. For examples, during the Woodrow Wilson's regime, the US foreign policy advocated for "self-determination" of colonized states. A second example is the George W. Bush's administration that invaded and ousted Saddam Hussein in Iraq installed a regime based on Western values of democracy (Pearson, et. al., 2006). The above sentiments deepened the understanding on the real objectives of the use of military force in restoration of stability and containing the humanitarian crisis.

Borneman, (2003) notes that there were two motives for the US intervention in Iraq. The author identifies prevention, elimination and destruction of weapons that pose a danger to global security and imposition of new system rule. The interventions are usually conceived under the US National Security Strategy to promote freedom and security as well as maintain permanent military superiority over all earthly powers. Borneman (2003) ends by underscoring that although the US hegemony has always prevailed, the external military intervention has had a chilling history for the US. This assertion by Borneman offered the intended study the basis for understanding the motives of humanitarian intervention.

Mark Peceny (1999) notes military intervention in some cases have ushered in new and resilient democracies regarded in this study as regime change. This is supported by Frederic et al (2006) who documents a number of liberalizing interventions that successfully imposed democracy on a number of dictatorial regimes across the world. These analyses will benefit the study by offering the grounds under which to assess the performance of imposed regime in Africa such as the case in Libya. Pearson (2006) criticises the US role in imposing democratic principles in other states by merely imposing leftist regimes. These assertions will offer the study the basis of such intervention that seems to present a dichotomy of either imposition of democratic or non-democratic regimes. Levin and Lutmar 2022 notes that the military uses both covert and overt force in imposing regime change. Thus, regime change is characterised by violence. These reviews aided the study in analysing the role of the military in imposing democracy in failed states. This study raised the debate on State sovereignty and meddling with a state's

internal affairs of an independent state. This study also questioned the use of military force in initiating a regime change.

### **2.2.3 Role of International Community in Precipitating Regime Change in Libya through NATO Military Intervention.**

Welsh (2004) problematizes on the universal definition of international humanitarian intervention. He points out that different contexts necessitate different definitions. International intervention has dominated scholarly discussions in the post-Cold war period. Debates have revolved around two contesting perspectives. The first perspective holds the realist view of the state's sovereignty and respect for state internal affairs. It is argued here that state sovereignty takes precedence and that it is only self-defense that justifies one state to take arms against another. In the second perspective takes a liberal approach. It is argued here that international intervention is justified on the principles of restoring stability and protection of human lives (Rashid, 2012). The above sentiments will help this study answer questions that had been raised in the background to this study; notably; the primary justification for the military intervention in Libya, existence of a hidden motive. Whether there was a masked motive? This study felt the need to interrogate the geopolitical struggles involved.

Beckman (1992) argues that international intervention is considered to be legally and politically unacceptable in the Westphalia state. This scholar adds that but for the case of conflict and civil war justifies the moral obligation to intervene and address issues of humanitarian crises by restoring stability. Civil war situation contribute to the violation of human rights which cannot be tolerated. Consequently, international intervention is authorized by the UN or other regional organizations. The need to restore stability gives

legitimacy to the international community to intervene. Protection of human life comes above state sovereignty and the non-interference principle morally and ethically. However, this should not be taken for granted as mentioned by Beckman (1992) above “international intervention is considered to be legally and politically unacceptable in the Westphalia state.” This study endeavored to understand whether international intervention in Libya was legally and politically acceptable or not.

Many regimes change in Africa and Asia have been triggered when the international community sanctions military intervention to contain civil unrest and popular uprising to challenge existing authoritarian rule in countries. The Arab spring revolution in North Africa was a good example of regime changes seeking to promote Western values and the maintenance of international community status quo (Elharathi, 2014). The preceding sentiments show the relevance of state responsibility to citizens. As John Locke argued in the 17<sup>th</sup> C, the primary objective of entering into a social contract is for citizens to surrender their rights to state sovereignty in return for protection of life and property.

International military intervention in war torn countries in the developing world has been variously criticized. Surprisingly criticism has come mainly from scholars as inter-governmental organizations and reports by commissions dominated by persons linked to governmental and international careers have been silent and have kept a deaf ear on the geopolitical struggles and hidden motives if any behind humanitarian intervention (Marko, 2011). It is the civil society and scholars from the academia who have been on the forefront in the criticism against international humanitarian intervention. The reluctance by international non-governmental organizations to point out at the weaknesses and failures on international intervention measures must be put to test. This

study will equally critic international intervention in Libya by showing the extent of its failures. From the above sentiments this study argued that humanitarian intervention should be treated not with suspicion but with caution. Data from the field guided the study in making informed decisions.

Giovani (2004) addresses the tendency by the US and Russia to influence what qualifies to be a humanitarian crisis and where. Kissinger (2001) is especially critical of the Clinton administration in The US which he accused of approving a military onslaught against Serbia while setting a blind eye on the massacre in Rwanda in 1994, but criticizing the Russian invasion of Chechnya in 1994. A clear indication was that the US was guided by its geopolitical goals in making such international decisions. Kissinger raises serious concerns on what qualifies to be a humanitarian crisis and which one does not. Who defines a humanitarian crisis and how? The Rwandan massacre in 1994 will be specifically important to this study in understanding what qualifies to be a humanitarian crisis. The Russian invasion of Chechnya and Ukraine in 1994 and 2022 respectively helped this study understand geopolitical interests involved in the global arena.

#### **2.2.4 The Effectiveness of the NATO Imposed Regime in Meeting the Aspirations of the People of Libya**

The extent to which foreign imposed regimes satisfy people's aspiration in post conflict societies is still debatable. A number of scholars who have interrogated this phenomenon have made several deductions. According to Alexander Downes and Rourke (2016), states that witness regime change sanctioned by foreign military intervention hardly benefit from the intervention. These authors assert that the states don't get what they want after the imposed change. The purpose of the regime change is to pursue foreign policy

interest rather than those of the people of the host country. Regime change cannot automatically bring to an end a civil conflict as in some cases it makes the situation worse.

As observed above by Downes and Rourke (2016), this is likely to happen when imposed leaders change once in power and begin focus on ensuring their political survival rather than pursuing the policies and interests of interveners that installed them. Leaders change because implementation of foreign imposed policies attracts the rage among the citizens and other political actors in the country. This study raised the question as to whether newly foreign imposed leaders can be able to pursue people's local aspirations and at the same time accommodate the foreign interests.

Reiter (2011) based on the US imposed Taliban regime in Afghanistan (2001) and overthrow of Saddam Hussein in Iraq (2003) argues that imposed regime changes though embraced by the respective populations, they do not answer the aspiration of the people. He offers example where in Iraq oil wealth did not ensure rapid return to economic prosperity. More so, religious differences between the interveners and the Iraqi society endangered peace and stability. This study investigated whether the NATO intervention and imposed regime change in Libya was able to increase or decrease the economic prosperity.

According to Denison (2020) the more state interest stays the worse the imposed regimes become. Denison cites the several US interventions that resulted in regime change to show that there is general agreement that these operations frequently fail and have fatal unintended consequences. He discovered that attempts to enact regime change rarely go as planned. Instead, they cause civil wars to spring out, undermining democratic goals.

The newly imposed regimes become tools of repression (Denison, 2020). This may require extend mandate of the intervention. Prolonged stay of interveners is usually unwelcomed as foreign domination. This study examined the relevance of these assertions in the context of Libya's lengthy peace building process. When political institutions and state infrastructure are damaged, civil war is more likely to be ignited. This study examined whether events leading to Libyan insurrection were because of institutional failure or occasioned by intended regime change.

Eisay (2023) has argued that post-Gadhafi Libya is yet to meet her aspirations. The author notes that the Libya's political landscape has been tumultuous in recent years, with conflicts, violence, and instability leaving a significant impact on the country and its people. Amidst this backdrop, it becomes pertinent to understand what the Libyan people truly desire and whether the regime change had clear vision for once a flourishing state. This study examines the eager and expectation of the citizen in the post-Gadhafi Libya. This study seeks to argue that the Libyan population, like any other, aspires for peace, stability, and the opportunity to provide a decent living for themselves and their families.

### **2.3 Theoretical Framework**

Theories are devices used in explaining reality. This study therefore applies two complementary theories namely realism and liberalism theories to analyze the humanitarian intervention and regime change in Africa with specific focus on Libya. Realism emphasizes the anarchical and competitive nature of the international scene. Thucydides' writings on the history of Peloponnesian War (431 - 404 BC) offers the earliest attempts to use the realist theory to explain why war occurs between nations. Although Thucydides was not a realist in the real sense considering that international

relations did not exist until the twentieth century, we can draw similarities from his writings and those of modern study of the discipline.

One of the major pillars of realism as a theoretical approach is that nation-states constitute the primary actors in international relations. Other actors including people, multinational corporations, and international non-governmental organizations do exist, but their strength in comparison to the state is incomparable. The second is that states as unified actors speak as single entities for the preservation of the nation, particularly during times of crisis like war. Security, national interests, and power struggles are the core concerns of states, which are regarded as the key actors in the international sphere. Thirdly, decisions-makers in the state are rational actors making rational decisions motivated by the pursuit of national objectives, goals and interests. Decisions made must be rational for the state to survive in a competitive environment. Lastly, the argument that states live in anarchy, they live by themselves and rely on themselves. According to realism the main goal and objective of the state as an international actor is its survival and self-preservation in a global scene dominated by anarchy.

Based on realism as a theoretical approach, this study will argue although humanitarian intervention is founded on the liberal understanding of a moral obligation to restore stability and protect human rights, a political objective by the leading western powers cannot be ruled out. The role of political interests and objectives of regime change in superseding humanitarian considerations was tested in the case of Libya. This study endeavored to analyze the process by which national interests are formulated to understand why the NATO led military operation in Libya resulted in regime change.

Liberalism was the second theory that informed this study. Liberalism as a political theory can be traced to the Enlightenment intellectual movement beginning the 17th Century. The emergence of liberalism as a theory can be attributed to deep intellectual and philosophical roots. Early liberalism in the 17<sup>th</sup> and 18<sup>th</sup> centuries began with the ideas of thinkers notably Voltaire, John Locke, Adam Smith, and Immanuel Kant (Van De Haar, 2018).

According to Liberals international organizations are play a significant role in improving cooperation and interdependence among states at the international scene. Meiser, (2018) notes that state cooperation and interdependence occurs economically, financially and culturally. In this case security and the employment of military force do not play out in the cooperation and interdependence. In liberal thinking foreign diplomacy becomes a powerful strategy in promoting peace through engaging states in constant communication. Consequently state cooperation and interdependence has the potential to create wealth through international trade and reduce conflict through diplomatic channels. Core principles of liberalism in international relations are international cooperation and peace.

Liberals find moral justification on protection of individual rights to life, liberty and property ownership. This are rights that each state should strive to provide. Liberals are against dictatorial forms of governance such as monarchies, communist, single party regimes and any other system of governance with unchecked power since they do not guarantee fundamental human rights and freedoms. According to liberals the states' guarantee of human rights is only possible through the adoption of Western political culture that provides for democracy and constitutionalism (Shirayev, 2014).

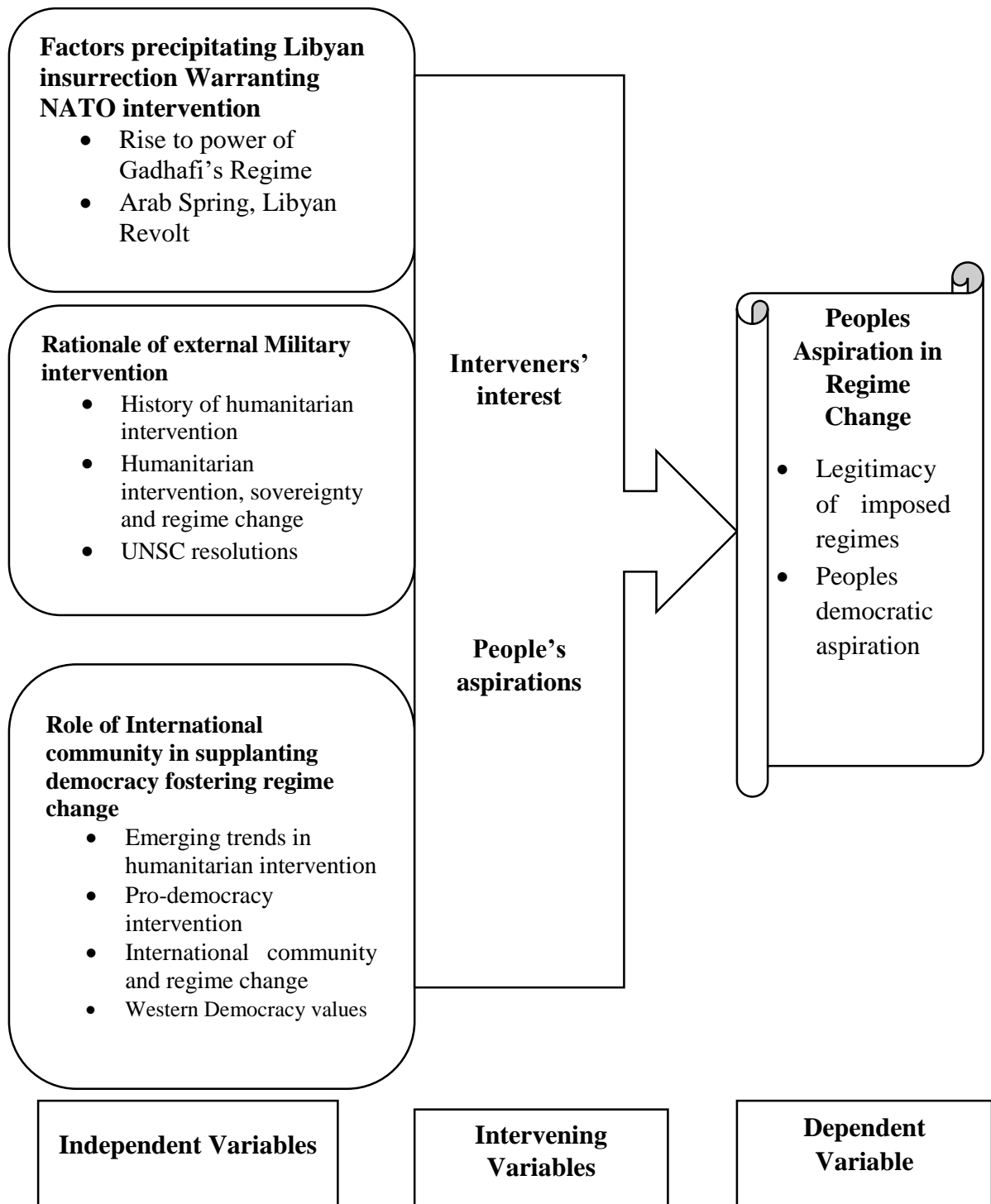
Anchored on liberalism this study argued that in the post-Cold War period has witnessed a new trend in international humanitarian intervention to stop violation of human rights. This has in essence changed the politics of humanitarian intervention and the manner in which the international community responds to war and conflict situations that endanger human lives. International humanitarian intervention in war and conflict situations to protect human lives therefore overrides the Westphalian principle of state sovereignty and non-interference.

Consequently the US and other Western European states prompted by a strong belief in liberalism have rooted for the establishment of Western designed democratic governments as the sure way to guarantee human rights and the rule of law. This study demonstrates that it was in the pursuit of extending the democratic project through liberalism that the NATO embarked on a mission of regime change in Libya in the guise of international humanitarian intervention. As a consequence the “authoritarian” regime of Colonel Muammar Gadhafi was overthrown and replaced by the foreign supported National Transitional Council which is modeled along western democratic ideals.

#### **2.4 Conceptual Framework**

Figure 2.1 below shows the conceptual framework adopted by this study. In the figure, the independent variables are four and reflect the objectives of this study. They are: the rationale of the North Atlantic Treaty Organization humanitarian intervention in Libya, the role of international community supplanting democratic elected government in Libya through foreign military intervention and the perception of the people on whether or not the North Atlantic Treaty Organization humanitarian intervention-imposed regime meets the aspirations of the people of Libya. These are investigated to ascertain their influence

on the dependent variable which is regime change. The intervening factors this influence are the concepts of humanitarianism and people's aspirations.



**Figure 2.1: Conceptual Framework**  
**Source: Researcher 2022**

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

This chapter captures the following in detail; research design to be used, the area or locale under study, the population to be targeted by the researcher, techniques to be used in sampling, the size of the sample and the instruments to be used in data collection. Others captured is how reliability and validity were established, analysis of data and finally how issues of ethics were handled.

#### **3.2 Research Design**

The research blended a case study with explanatory research design. The case study design was significant in addressing the Libya insurrection, the NATO intervention and subsequent regime change in detail. Studying one case over time gives insight on finer details of the case under review. This also include the assessment on whether the NATO imposed regime change meets people's aspirations in post-Gadhafi Libya. The primary use for explanatory research is problem-solving by finding the overlooked data that was or had never investigated before. The interrogation of humanitarian intervention and regime change has never been given the attention it deserves. Explanatory research allowed the researcher to become familiar with the topic to be examined and design theories to test them. Exploratory design gave room for investigating new phenomenon such as regime change and democratization therefore enabling the researcher hypothesis study thesis.

### **3.3 Study Locale**

Whereas it was very important to carry out this study in Libya, the study was conducted in Nairobi due to limitation stated in Chapter one. This did not however impact on the data collected since there was sufficient number of targeted population categories in Nairobi. Nairobi was chosen for a number of reasons. Nairobi City is home to the Libyan Embassy which is located in Jamahiriya house along Loita Street. Nairobi is also home to sizeable Libyan population. A number of UN agencies are also housed in Nairobi. Therefore, all the targeted population were available in Nairobi as explained in the subsequent section.

### **3.4 Target Population**

The targeted population in this study comprised of; Libyan citizens residing in Kenya, Employees of the Libyan Embassy, Former Employees of the Kenyan Embassy in Libya, Employees of the United Nations Working in Kenya and Experts in Diplomacy and International Relations. NATO officials and Libya military attaches also formed part of the sample population. Information from Libyans residing in Nairobi Kenya and that from the Libyan Embassy was found to be representative; adequate and objective hence there was no need of travelling to Libya.

### **3.5 Sampling Techniques and Procedure**

This study employed purposive and snow balling sampling procedures. To begin with, this study stratified the target population into Libyan Citizens residing in Kenya, Diplomats in the Libyan Embassy, Experts in international relations and diplomacy, United Nations officials in Kenya and military attaches in Kenya. Purposive and snowballing sampling techniques were then used to identify the respective categories of

respondents. For purposes of confidentiality and security of the respondents, the researcher used pseudo names in reference to those interviewed.

### **3.6 Sample Size**

There is no consensus among authors over the sample size for qualitative research or the number of informants that need be interviewed before a theoretical saturation is reached. However the sample size should not be too small to prevent realization of data saturation. Equally, it should not be too large to make deep case analysis difficult. (Onwuegbuzie & Collins, 2007; Bryman 2012).The researcher in this case interviewed 70 respondents. Although the 70 respondents was the sample size, the researcher was contented with data collected when the saturation point was reached. The saturation point was reached where information begun to repeat itself hence no need for further data collection. The sample size of 70 respondents is distributed in table 3.1 below:

**Table 3.1: Sample Size**

<b>Category of Respondent</b>	<b>Size</b>
Libyan Citizens	40
Employees of the Libyan Embassy	15
Experts in Diplomacy and International Relations	5
UN Officials	5
Military attaches	5
Total	70

**Source: Researcher 2022**

### **3.7 Instruments of Data Collection**

In the process of collection of data, the researcher used instruments for collecting both primary and secondary sources of data. Primary data was obtained from the informants from the selected sample size. Research instruments used included interview schedules with open ended questions. This provided an opportunity for respondents to give out their views freely without feeling restricted. The informants were interviewed in either English or Arabic, depending on their mastery of the two languages. It was crucial that the questions produced consistently correlate with the aims and the research questions for the instruments to give the required reliability and validity. Primary data was supplemented by empirical results from secondary data. Content analysis schedule was used to collect secondary data. Secondary data comprised magazines, books, unpublished theses and articles, journals, periodical reports, seminar papers and pamphlets on civil unrest and humanitarian intervention.

### **3.8 Reliability and Validity**

#### **3.8.1 Validity**

Validity, according to Orodho (2008), establishes the connection between the data and the relevant variable or concept. The degree to which the test's sample corresponds to the material it is intended to measure is referred to as content validity in this context. Based on the above, the researcher pre-tested the questionnaires, analyzed the findings, and made modifications to the unclear questions in order to guarantee the correctness of the data. This guaranteed that the data collected was accurate. The shortcomings of primary data were taken into account, particularly in relation to their degree of subjectivity and reliability. Bias was removed by using secondary data to verify data from filed interviews.

### **3.8.2 Reliability**

According to Golafshani (2003), dependability is the constancy that an instrument procedure exhibits. The reliability of a given measure is measured by how reliably the researcher distributed the questionnaires to the respondents, gathered the responses, and reviewed the results. In this case the questionnaires were retested after two weeks by being given to the same respondents once more. This guaranteed the questionnaire's internal consistency and validated the answers provided by the chosen sample.

### **3.9 Data Analysis and Interpretation**

The data gathered for this study was analyzed and interpreted qualitatively. Inferences and interpretations were made by utilizing qualitative methods of content analysis. The research findings had the requisite legitimacy thanks to the documentary analysis of secondary data that was done as part of the data analysis. To arrive at a logical conclusion, the researcher questioned the author's legitimacy and the language employed as much as possible. Data analysis techniques like theoretical probing were used. The data was continuously theoretically probed for reliability and authenticity. Primary data was used to support or reinforce secondary data.

### **3.10 Ethical Consideration**

To undertake this study, the researcher sought the necessary authorizations from the National Commission for Science, Technology, and Innovation (NACOSTI) as well as Kenyatta University's (KU) graduate school and other pertinent authorities. To ensure accuracy, the research was conducted with honesty and neutrality. Since the study involved human subjects, respondents were provided with confidentiality and given the opportunity to give their informed consent before participating. The researcher used

pseudo names in reference to the respondents interviewed. The study unwaveringly upheld participants' right to privacy and provided them with assurances about the security of the data they provided. The value of the study was explained to the respondents, and the researcher reassured them that the study's findings were to be utilized for academic purposes.

## **CHAPTER FOUR**

### **ANALYSIS, INTERPRETATION AND PRESENTATION OF FINDINGS**

#### **4.1 Introduction**

This chapter is a presentation of findings. The findings of this study were analyzed and interpreted to give meaning. This study examined the NATO humanitarian intervention and the people's democratic aspirations on regime change in Libya between 2011 and 2022. This study began by exploring the long term and immediate causes of the Libyan civil conflict leading to the intervention by the NATO. Secondly the rationale of the North Atlantic Treaty Organization perspective on regime change in Libya was examined. Thirdly a critique of the role of international community in precipitating regime change in Libya through NATO military intervention was offered. Finally the effectiveness of the UN imposed transitional regime in meeting the aspirations of the people in post-Gadhafi Libya was assessed.

#### **4.2 Long Term and Immediate Causes of the Libyan Civil Conflict Leading to the Intervention by the NATO**

##### **4.2.1 Ascension of Muammar Gaddafi and the Rise of Authoritarianism in Libya**

Colonel Muammar Gadhafi rose to power in September of 1969. The events and circumstances leading to the rise to power of Colonel Muammar Gadhafi have been well documented. According to Ahmed (2012) the "Free Officer's Movement" launched an attack while Libyan King Idris was away, gaining control of Benghazi. The 12-member Revolutionary Command Council was led by Colonel Muammar Gaddafi as its new

supreme commander (RCC). The revolution of 1969 consequently suspended the country's constitution (Ahmida, 2005).

Colonel Muammar Gaddafi, according to Alison (2012), established Libya's foreign policy beginning in 1969. His principal goals in terms of foreign policy included the union of the Arab world, the destruction of Israel, the spread of Islam, the support of the Palestinians, the eradication of western interference in the Africa and the Arabic world. Colonel Gadhafi also advocated for promotion of revolutionary causes against western influence. In June 1973 President Muammar Gaddafi developed his International theory, a political philosophy, as the foundation for the Popular Revolution (Abdo, 2017).

Gadhafi leadership strategy rejected both Western capitalism and the atheism of Eastern Bloc communism. Colonel Muammar Gaddafi promoted the construction of a pan-Arab state in his opposition to western imperialism. Gaddafi believed that Islam had a significant role in this philosophy. He called for a revival of Islam that went back to the Qur'anic text's original meaning and rejected academic interpretations and the Hadith, infuriating many Libyan clergy in the process. Colonel Gaddafi's foreign policy was contained in his Green Book released in 1975 (Cole and McQuinn (2015).

The above is supported by Mohammed Aden who states that;

*“The revolutionary Gaddafi regime did not hide its anti-west feelings which were clearly articulated in its foreign policy. This was demonstrated the 1980s and 1990s where Colonel Gaddafi openly supported rebel groups such namely the Palestine Liberation Organization, (PLO) and the Irish Republican Army (IRA) led by Yaser Arafat and Gerry Adams respectively. He also openly showed support for the Socialist East and Fidel Castro's Cuba. This led to the terming of Gadhafi as a terrorist by the West”* (Mohammed Aden, O.I. Nairobi, 28<sup>th</sup> October, 2022).

According to Mohammed Aden, the Gaddafi's revolutionary was very open in its anti-west policy. The Gadhafi regime openly supported listed leftist groups including PLO, IRA, which were against Western sponsored government in Israel and Ireland. Gadhafi also openly showed support for the Socialist East and Fidel Castro's Cuba. This led to the terming of Gadhafi as a terrorist by the West.

Martínez (2007) takes a historical investigation of the genesis of the souring relations between the west and Libya. He takes a history account of the cordial relations between the West and the monarchial regime of King Mohammed Idris. Martinez argues that both the US and Britain supported the Monarchy under King Mohammed Idris in Libya. This changed after the 1969 coup by Colonel Muammar Gaddafi. According to Altman (2011) with the ascendancy to power by Gadhafi in 1969, the US and Britain had to withdraw their troops from the naval bases of Tobruk and El Adem respectively. Libya's anti-imperialist and anti-West foreign policy under Gadhafi attracted strong tensions and mistrust between Libya and the West, particularly the United States. Such frosty relations led to the imposition of international sanctions by the West on Libya during Gadhafi's reign.

The Colonel Muammar Gadhafi regime in Libya openly backed insurgent organizations like the Eastern Bloc, Polisario Front, the PLO and the IRA thriving in the Middle East. Allegations were made by the West that Gaddafi's administration participated in or was suspected of attacks by such groups. In the 1970s and 1980s, Colonel Muammar Gaddafi also invaded several of his neighbors in Africa, most notably Chad. All of this resulted in the US bombing of Libya in 1986, which worsened Libya's relations with a number of countries, especially Western governments (Davies, 1990).

Aharon Ahsan a Libyan reiterated that;

*“The anti-imperialist and anti-colonial sentiments in Gaddafi’s foreign policy were supported by the Soviet Union and some separatists’ movements. The Soviets provided the Gaddafi regime with financial and technical help. Although his policies were anti-West Gaddafi still courted Western oil companies with promises of access to Libya’s abundant petroleum industry”.* (Aharon Ahsan, O.I. Nairobi, 22<sup>nd</sup> November, 2022).

In the above except, Aharon Ahsan a Libyan citizen reiterates that Libya under Gaddafi was opposed to all sorts of imperialism and colonialism in Africa and Middle East. His ideology was interpreted to be with resonance to socialism and communism under the Soviet Union. In reciprocity, the Soviets provided the Gaddafi regime with financial and technical help. This rattled the Western.

The steady rise of dictatorship and authoritarianism in Libya has been addressed by scholars. Escribà-Folch and Wright (2015) note that beginning the mid-1970s Colonel Muammar Gaddafi began to progressively consolidate his hold on power by firing civilian and military staff from the government positions and replacing them with tribes men the Qadhadhfa. Davis (1990), documents that under the Gaddafi regime it was against the law to form political parties, independent trade unions, and other non-governmental groups. De Waal (2004) on his part notes of founding of the Islamic Legion in 1972 as a means of unifying and ‘Arabizing’ society as part of reforming the Libyan society. The Islamic Legion was militant group used by the Gadhafi regime to deal with opponents of the state. Colonel Muammar Gaddafi also developed a system of tribal chiefs and other powerful individuals called People’s Social Leadership Committees (PSLC) in 1993 (Gelvin (2012)).

After consolidating power Colonel Muammar Gaddafi quickly started eliminating monarchists and members of the King's Senussi dynasty because he saw them as intrinsically unreliable, especially because the new administration was off to a shaky start and another counter-coup attempt was expected to happen within three months. By May 1970, trade unions had been outlawed, the press had been swiftly suppressed, and the government had gained direct control. This study examined the rise of authoritarianism and dictatorship in Libya under Colonel Muammar Gadhafi. Zacharia Adham a former resident of Tripoli argued that;

*“Although Colonel Gaddafi rose to power on the platform of reforming the country he slowly consolidated power over the years and finally presiding over a highly centralized and autocratic state. The respondent notes of the expelling of civilian and military employees from government in the 1970s, the Gadhafi regime was also insensitive to criticism and banned political parties, independent trade unions, and other non-governmental groups. Government opponents were ruthlessly dealt with during Gadhafi’s reign with hundreds fleeing to exile to avoid arrests and assassinations”* (Zacharia Adham, O.I. Nairobi, 28<sup>th</sup> November 2022).

Zacharia Adham in the excerpt above notes that although the Colonel Muammar Gaddafi regime was accused of being highly autocratic, He was able to reform the Libyan economy after consolidating power and expelling all those opposed to his regime. He created a welfare state that provided free housing, healthcare and education to Libyans. Scholarly contributions abound on the creation of a welfare state in Libya under Colonel Muammar Gaddafi.

Genugten (2016) documents that upon assumption to power The RCC government under Gaddafi engaged in an ambitious plan of allocating funds for universal access to housing, healthcare, and education after assuming power. Primary education became required for

both sexes and public education in the nation became free. Bearman (1986) and Escribà-Folch and Wright (2015), note that the People's Social Leadership Committees (PSLCs) established by the revolutionary government was charged with distribution of state benefits like school loans and subsidized housing, but they are also required to punish any members of their local tribes who disagreed with Colonel Muammar Gaddafi. Under Colonel Muammar Gaddafi, the Libyan state assumed responsibility for citizens' most fundamental daily economic requirements in exchange for their political apathy. Colonel Muammar Gaddafi came up with generous social policies and infrastructure policies that helped him garner popularity among Libyans.

This was supported by Hosman Adham who argued that;

*“The Gaddafi administration was able to provide housing subsidies, healthcare services, and educational opportunities despite the intensifying persecution because of Libya's considerable oil revenue. During the reign of Gadhafi the economy was one of the best in Africa. A contentious foreign policy and internal political repression accompanied a rise in prosperity economic prosperity”* (Hosman Adham, O.I. 22<sup>nd</sup> November, 2022).

From the assertion of the interviews, it can be argued that despite the reform agenda of the Gaddafi administration in ensuring stability in Libya, the Western Powers created an autocratic leader in him. Gaddafi was able to provide housing subsidies, healthcare services, and educational opportunities despite the intensifying persecution because of Libya's considerable oil revenue. During the reign of Gadhafi, the economy was one of the best in Africa. Gaddafi had a contentious foreign policy and internal political repression accompanied by a rise in economic prosperity.

#### **4.2.2 The Arab Spring, Libyan Uprising and the fall of the Gaddafi Regime**

The uprising in Libya is best understood in the context of the North Africa Arab Spring. Early in 2011, amid a wave of popular unrest across the Middle East and North Africa, generally peaceful protests against long-standing governments resulted in swift changes of power in Egypt and Tunisia. In February 2011, Libya, one of the noteworthy African nations, had a political crisis. The protests were directed against Colonel Muammar Gaddafi, one of Africa's longest-reigning despots, who ruled Libya for 42 years without indicating any intention of stepping down until the ensuing violent upheavals ultimately cost his life.

To compressively understand the civil war in Libya, it is important that one begins by analyzing the Arab uprising that began in Tunisia late in 2010 before spreading to other Arabic states in early 2011. Ashour, (2012) documents that the political instability in the Arabic world beginning late 2010 was attributed to a number of domestic, regional, and international arrangements including a distant byproduct of the post-World War II international order. Although the League of Arab Governments was founded with support from the region's former superpower, it did not represent the wishes of the Arab people at large, but rather those of their elites in the newly independent states.

According to Gelvin (2012) and Hisham (2012) numerous calls for Arab unification were sidetracked and repressed by the authoritarian state using all available tactics. In the 1950s and 1960s, the declining influence of European powers in particular France and Britain encouraged more Arab republics to develop and achieve independence. The majority of the newly established governments were plagued by military coups for years, and it wasn't

until the late 1960s and early 1970s that the structure of the Arab state system began to take shape more clearly

Barnes (2013) attributes a number of factors that could have sparked public protests and ignited the Arab uprising beginning 2011. First, there had been systemic pervasive corruption, fraud, and nepotism to the point that the rule of law was nonexistent. For instance, in most elections held in the Arab world, the winner often received over 90% of the vote. Rather than passing legislation or imposing restrictions on the executive branch, parliaments and peoples' assemblies worked to support and legitimize the head of state. Second, a one-party system was adopted by practically all Arab nations to serve as the primary form of government in the newly established Arab republics. Attempts to form political parties or movements that were independent of the governing dictatorship were met with systematic persecution and other harsh measures. Strict regulations were enacted in order to thwart all political democratic attempts in the event of strong opposition, which would be subject to blackmail and be seen as a threat to national security (Martinez, 2007).

Third, despite the fact that most Arab nations were created as a consequence of independence wars, their new leaders worked relentlessly to squash any kind of dissent while also abusing human rights and demeaning the dignity of Arab citizens. Those opponents who were not slain or imprisoned were made to flee their nations and a brutal prison system was put in place. As a result, while foreign ideas of freedom, democracy, and equality were theoretically pretended to be in use in their governance, Arab citizens could not proudly test liberty or justice. Fourth, Arab heads of state equally blame foreign powers for their own failings. They argued that any demonstrations were a result of plans

to undermine their unchallengeable power. The way Arab leaders handled dissent was where their unwillingness to accept blame was most obvious. Opponents and protesters were termed as traitors and an agent of foreign powers especially the West (Ibid, 2013).

Substantial documented literature exists on the Libyan uprising and the fall of the Gaddafi regime in 2011. Welsh (2011), notes that the rebellion in Libya against Colonel Muammar Gaddafi's four-decade Qaddafi's dictatorship sparked a civil war and international military involvement. The 2011 Libyan Civil War, often referred to as the Libyan Revolution, was an armed conflict in Libya, a country in North Africa, between troops loyal to Colonel Muammar Gaddafi and those who wanted to topple his government. Before the war, there were planned demonstrations in Benghazi that started on February 15, 2011, which resulted in fights with the security forces, who then opened fire on the crowd that had assembled there (Ross, 2011)

Cole and McQuinn (2015) address both internal and external factors to the civil war in Libya. Accordingly historical factors have been noted to have greatly contributed to the civil unrest. To demonstrate how historical factor contributed to the Libyan civil uprising Cole and McQuinn note that the region that makes up the modern state of Libya has been divided between the north and the south for thousands of years. The nomadic tribes namely the Tuaregs and the Tubu that live in pastoral economies have had little interaction with those in the north, Invaders from other regions of the Mediterranean have controlled city-states in the northern coastal region. Before Colonel Muammar Gaddafi, Libyans attempted and failed to forge national unity under governments based on pan-Islamism and pan-Arabism. In 1951 King Idris founded the nation as an independent federalist state with an ineffective national government (Ibid, 2015).

Bearman (1986), documents that following the September Revolution of 1969, Colonel Muammar Gaddafi progressively constructed an authoritarian state dominated by the elite members of historically significant families, including his own Qadhadhfa tribe. The majority of Libya's oil riches were produced in Cyrenaica, which lies east of Benghazi. Other have-nots included the inhabitants of the Saharan interior and Islamists who were angry with Gaddafi's exclusively secular rule. Additionally, they started incorporating commercial and academic seminars in Libya's economically well-off cities notably Misrata and Benghazi, whose elites felt politically marginalized despite the wealth they controlled (Alison, 2012). This was supported by Abdul-Baaqi who noted that;

*“Citizens in Libya were persuaded that throughout Gaddafi's 42-year leadership, power resided in the people's hands under a system he dubbed Jamahiriya, or the so-called "state of the masses." Theoretically, it was meant to promote social fairness, high production, the abolition of all forms of exploitation, and a fair division of the nation's riches. Libya was intended to have direct democracy in place of parliaments. Self-government carried out by the people through popular committees, without any form of mediator. In truth, Gaddafi was the one who decided everything”* (Abdul-Baaqi, 16<sup>th</sup> November, 2022).

According to Abdul-Baaqi quoted above, the Arab Spring spread to Libya because of the purported autocracy. However, the citizens in Libya were persuaded that throughout Gaddafi's 42-year leadership was not autocratic as such. Gaddafi administration resided power in the people's hands under a system he dubbed Jamahiriya, or the so-called "state of the masses." Theoretically, the system of administration was meant to promote social fairness, high production, the abolition of all forms of exploitation, and a fair division of the nation's riches as opposed to Western creation of autocratic regime marginalizing the peoples. Its is no wonder the regime was popular amongst some citizens of Libya.

Data collected by this study attributed the Libyan civil war to both internal and external causes. According to this study, a combination of factors contributed to the Arab Spring, including long-standing animosity toward the aging Arab dictatorships, outrage at the brutality of the security forces, unemployment, rising commodity prices, corruption brought on by the privatization of state assets in some countries, and a general lack of readiness for democratic change. These coalitions of activist reformers and regular people unexpectedly succeeded in toppling tyrants who had spent decades solidifying their hold on power. The new Arab heads of state regularly used a range of tactics to increase their hold on power, whether they were in charge of monarchies or republics, capitalist-communist or liberal economies. These methods were common throughout the Arab state system until the Arab street protests by citizens seeking to end decades of oppression.

Interviews from the field indicated that entrenched dictatorship and oppression from the Colonel Muammar Gadhafi state contributed to the civil strife in the country in February 2011. Hassan Abdulaziz noted that;

*“The political structures in Libya during the rule of Gaddafi lacked democratic maturity and was seriously sensitive to constructive criticism. He adds in the 1972 ban on political parties negatively impacted on democratic governance. The Libyan method of governance by the people was effectively restricted to local government. Gaddafi had stopped this from ever taking place on a national scale for fear that open deliberations would lead to resentment and rebellion against his government. He used this to maintain an oppressive regime throughout his rule” (Hassan Abdulaziz, O.I. Nairobi, 19<sup>th</sup> November, 2022).*

Abdul Abdalla on his part observed that

*“Gaddafi has long been estranged from other Arab leaders and was growing increasingly isolated from other nations in the area as a result of his erratic foreign policy. His repressive and arbitrary internal policies in Libya were greatly criticized. Even though he distributed enough wealth to satisfy the majority of Libyans’ most basic economic demands, Gaddafi’s regime developed a reputation as a corrupt kleptocracy that prioritized the needs of Gaddafi and his tribesmen who dominated senior government positions”* (Abdul Abdalla, O.I. Nairobi, 18<sup>th</sup> November, 2022).

To demonstrate how oppressive and autocratic the Gadhafi regime was, a Human Rights Watch report of 1996 noted of the 1996 massacre at Abu Salim Prison, which saw 1270 prisoners, including some of Libya’s best and brightest political activists, killed and buried there before having their bodies exhumed and then ground into dust to erase all evidence of what had happened. Influential families in Libya who lost dads, brothers, sons, and relatives as a result never forgave Gaddafi and his government (Human Rights Watch, 1996).

The Libyan uprising and subsequent overthrow of Colonel Muammar Gadhafi has been attributed to external factors. Landen (2011), notes that after assuming power, Colonel Muammar Gaddafi had a very negative attitude toward and mistrust towards the West. Although Colonel Muammar Gaddafi’s nationalist and protectionist posture prevented contracts from being negotiated, the West still desired access to Libya’s enormous oil reserves. Western nations were therefore interested in overthrowing the tyrant. In order to turn the American public and other international actors against Colonel Muammar Gaddafi and provide cover for a coup or attack, the Reagan administration made fictional stories about him throughout the 1980s. To undermine Colonel Muammar Gaddafi’s

regime, Britain went so far as to collaborate and coordinate with the Libyan Islamic Fighting Group (LIFG), a terrorist group affiliated with Al-Qaeda.

On the other hand Megan (2012) argues that in the beginning of the year 2000 Colonel Muammar Gaddafi started opening up Libya's oil markets to the West in by signing agreements with the US and other European nations. The relationship between the West and Gaddafi changed significantly as he warmed up to commercial ties between Libya and the West. Subsequently the West saw Libya as a crucial ally in defending its objectives in both the Middle East and Africa and a priority market for European arms manufacturers. The mutually beneficial partnership with the West was short-lived since Colonel Muammar Gaddafi's government retracted on its agreements. As the Libyan Civil War got underway the disgruntled West found an opportunity to get rid of the Colonel Muammar Gadhafi administration and finally gain access to Libyan oil as the Libyan Civil War got underway. International factors as a trigger to the Libyan conflict was supported by field interviews. Akhill Arafat opined that'

*"The Libyan civil war occurred at the perfect time for the West to overthrow Gaddafi whom they considered a tyrant and a dictator based on his anti-West foreign policy. NATO and its regional partners used their military to instigate Gadhafi's ouster and eventual murder by supporting the various rebel groups. NATO hid its intentions under humanitarian intervention. The West through NATO wanted to rid Libya of Gaddafi in order to finally access its oil reserves"* (Akhil Arafat, O.I. Nairobi, 12<sup>th</sup> November, 2022).

As argued by Akhil Arafat, the Libyan civil war was well timed during the general Arab Spring. This is the reason that led to collapse of a robust economy and deposing of Gaddafi. The Arab Spring was perfect time for the West to overthrow Gaddafi whom they considered a tyrant and a dictator based on his anti-West foreign policy. NATO and

its regional partners used the Arab Spring upheaval to militarily to instigate Gaddafi's ouster and eventual murder by supporting the various rebel groups.

This study observed that since the overthrow and death of Colonel Muammar Gadhafi peace, civility and stability has never been restored in Libya. Pierre (2012) documents that the Libyan Transitional government backed the UN under a compromise candidate Mustafa Abdul-Jalil was formed to run the country. Mustafa Abdul-Jalil, was to act as the Chairperson of the National Transition Council. However, gradually the Libya's interim administrations became weaker due to rivalry over resources and power in the absence of a neutral arbiter. Any candidate who emerged from conversations on who would serve in the transitional governments in Libya was obviously a compromise candidate, chosen specifically because they would be unlikely to alter the balance of power among the parties involved in the political process. It had to decide whether to go forward toward inclusive administration and mutual accommodation or return to civil unrest. Libyans have resisted having anyone, foreign or domestic to instruct them what to do since the revolution. Geography, tribe, philosophy, and history serve as division factors. They chose instead to hold authority locally while they had it, usually with the support of foreign allies, thwarting attempts by outsiders to help them in establishing national institutions (Ibid, 2012). The legitimacy of the transitional regime is discussed in detail in the subsequent sections of this study.

This study also examined the situation in Libya after the overthrow and death of Colonel Muammar Gadhafi. It was noted that after the death and overthrow of Colonel Muammar Gadhafi, there was no single legitimate leader who could hold Libya together. The leaders of criminal and terrorist organizations who financed the different militias also did not

command the mandate from the people to lead the united country. The subsidies and government supported free housing; education and health care came to an end making life even difficult for a country torn apart by war. According to Suni Omar Colonel Muammar Gaddafi uplifted the living standards of citizens during his 42 year rule in Libya. Colonel Muammar Gadhafi distributed the proceeds from the nation's oil production to the populace and for whatever he thought Libya could need, including for infrastructure, goods and services, and investment. When Colonel Muammar Gaddafi was ousted in 2011, Libya lost a great leader (Suni Omar, O.I. Nairobi, 14<sup>th</sup> November, 2022).

The forces opposed to Colonel Muammar Gaddafi established a coordinated front, an interim governing body known as the National Transitional Council (NTC) , as the protests ultimately turned into a full-blown uprising that extended throughout the entire country. The Colonel Muammar Gaddafi regime was replaced on September 16, 2011, when the National Transitional Council was acknowledged by the UN as the sole legitimate representative of the Libyan people. With this one-of-a-kind move, the UN made it abundantly obvious to Colonel Muammar Gaddafi and his allies that their time in power was indeed limited and that they were indeed surviving on borrowed time.

Despite of being profiled as a dictator and a financier of terrorist organizations by the West, Colonel Muammar Gaddafi used Libya's oil reserves to modernize the country and improve the living standards of his people. Colonel Muammar Gaddafi nationalized his country's oil riches and utilized the proceeds to construct infrastructure, including hospitals, universities, and schools. Cafiero and Wagner (2015) note that during the Colonel Muammar Gadhafi rule in Libya oil income from was deposited into the bank account of every citizen. He improved literacy rate in Libya from 20–83% of the

population. He constructed one of the best healthcare systems of care in the "Third World" where everyone has access to medical care, clinics, hospitals, and medications totally free. Colonel Muammar Gadhafi increased the average lifespan in Libya from 44 to 75 years old. Subsidies were given for staple foods and access to electricity was made all throughout the nation

Peic, and Reiter (2016) add that huge irrigation projects were built in Libya during the Colonel Muammar Gadhafi regime to support efforts to promote agricultural growth and achieve food self-sufficiency. Colonel Muammar Gaddafi started work on building the Great Man created river because he saw that in the future, water would be the most valuable resource, not oil. This river, which is regarded as a wonder of the contemporary world, transported millions of gallons of water per day from the Sahara desert's interior to the coast, where the terrain is suited for farming. Anyone in Libya who wished to start a farm was given free access to land, a home, farming supplies, animals, and seed. Colonel Muammar Gaddafi gave women full access to education and employment as well as the chance to enlist in the armed forces

#### **4.3 Rationale of the North Atlantic Treaty Organization Perspective on Regime Change in Libya.**

##### **4.3.1 Debates on State Sovereignty, Principle of Non-Interference and the Moral Duty to Protect Human Lives**

Since the end of World War II, humanitarian interventions have been carried out in different countries embroiled in civil conflict. In the Cold War era, the US undertook military operations in the Dominican Republic (1965), in Granda (1983) and in Panama (1989) (Schachter, 1984; Davidson, 1987; Keesing, 1989). Military intervention also

occurred in the post-Cold War period where the UNSC sanctioned military operations in Haiti and Sierra Leone in 1991 and 1997 respectively to reinstate democratically elected governments (UN-Doc, 26<sup>th</sup> February 1998; Simma, 1999). In the aftermath of the 9<sup>th</sup> September 2001 terrorist attack, the US engaged in military operations in Afghanistan and Iraq (UN-Doc, 12<sup>th</sup> September, 2001). In 1999 the UNSC sanctioned the military invasion by NATO in the civil conflict in Yugoslavia.

Debates have ranged over the rationale of intervention by third party intervention in civil conflicts within a state that claims sovereignty. Two opposing views emerge namely, state sovereignty and the principle of non-interferences and the moral right to protect human lives. Scholars (Welsh, 2004 and Rashid, 2012) have considerably contributed to debates surrounding on the politics of international humanitarian intervention as argued here. Welsh (2004), interrogates the definition and understanding of the term of international humanitarian intervention. Accordingly this scholar makes the point that various circumstances demand various definitions. Rashid (2012) opines that after the Cold War period scholarly debates on international humanitarian intervention centered on international law. Two opposing views emerged on humanitarian intervention. The first viewpoint viewed state' sovereignty and respect for its internal affairs from the realist perspective. From this perspective state sovereignty becomes paramount and only the need for self-defense entitles one state to use force against another. The second viewpoint adopts a liberal perspective where it is argued that the values of restoring stability and safeguarding human lives justify international intervention (Ibid, 2012)

According to Beckman (1992) international intervention is politically and legally unacceptable in the Westphalia state. The scholar adds that there is a moral need to assist,

establish peace and deal with humanitarian situations in war and conflict situations. In as much as international intervention is justified to bring to end atrocities towards humanity, questions should be raised over state sovereignty and international humanitarian action. The international community cannot accept civil wars or other conflicts that harm people and violate their rights. The UN or other regional organizations can only sanction intervention in cases where conflict and civil war harm people and violate their rights. The international community's ability to act is justified by the requirement to restore stability. Morally, the protection of human life takes precedence above state sovereignty and the non-interference principle.

The rationale for humanitarian action is entrained in the UN Charter of 1945 which stresses the importance of human rights, outlaws the use of force by one state against another and mandates third parties to intervene in conflict situations that endanger human lives. The UN Charter mandates the international body to intervene in conflicts within states even if this does not respect state sovereignty. The use of force across boundaries is only ever justified in exceptional circumstances. Despite its significance in contemporary international relations, sovereignty is not an unalienable right. A government loses its legitimacy and, hence, its right to sovereignty if it decides to put its own survival ahead of the security of its own people (Fiott, 2013).

Scholars have reacted to the UN Charter that justifies international intervention on humanitarian grounds. Walzer (2002) and Bergen (2002) offer the legal justification for humanitarian intervention during civil wars. Accordingly no state allows for the killing of a person based on their race, religion, or ethnicity. Consequently governments or rebel organizations cannot utilize the current legal system to justify their horrific actions. The

fact that genocidal forces never make an effort to defend their actions using the legal system of their state or a set of social principles, instead choosing to simply deny what they are doing is proof of this. The UN justification for international intervention on humanitarian grounds has subsequently faced opposition. This has happened in spite of in spite of the compelling moral and legal justifications for it. Holsti, (1996) argues the notion that humanitarian intervention is intrinsically damaging and immoral. Accordingly humanitarian intervention amounts to neo-colonialism, breaches the rights of sovereign states, and does more harm than good.

Although humanitarian intervention is justified there are still many practical obstacles that make it difficult to practice. A complete rejection of the justification of international intervention on humanitarian grounds due to its flaws would be throwing the baby out with the bathwater. Civil wars and conflicts compromise the ability of sovereign states to maintain political stability leading to the loss of lives and various forms of human rights violations. Despite various flaws international interventions on humanitarian ground have done more good than harm. The defects in humanitarian interventions are easily fixable and inconsequential. To reduce flaws in the practice of humanitarian intervention a clear framework for determining when humanitarian assistance is necessary should be adhered to. Intervention for humanitarian reasons is appropriate, but it's important to consider both state sovereignty and the need for global peace and security. Each state claims to stability and sovereignty must be evaluated against the obligation of outside parties to take appropriate action in the event of egregious human rights breaches.

Beginning the late 1980s new standards of humanitarian protection emerged as a consequence of the end of the Cold War. The manner in which the international

community reacted to armed civil conflicts was re-evaluated. Particularly, these evolving norms have aided in establishing common understandings of the obligation of global society to take reasonable precautions to protect populations. In the post-Cold War period, the politics around humanitarian intervention were influenced by three considerations; instances in which the UNSC went beyond critical political thresholds, significant changes in international responses to human rights abuses which entails use of military force and declining advocacy among states for interventions not sanctioned by the UNSC. The above changes had a significant impact on politics and practice of humanitarian intervention. This increased the likelihood that international responses to humanitarian crises would only require the use of military force in justified situations. In the post-Cold War period the norms and practices of humanitarian intervention changed creating new expectations on the international community.

Waltz (1979) and Bull (1984) contend that although the international system is anarchic, the basic assumption of state structure is that it is a political and legal entity made up of a population, sovereignty, and an efficient government. However, the post-Cold War age has come to be characterized by ethno-nationalism, and in the long run, this has resulted in war. Interventions in peacekeeping have therefore become necessary. The moral obligation to stop human rights violations forms the justification for humanitarian intervention.

The moral case for intervening is closely related to the legal considerations that justify that commitment. It would be erroneous, as many scholars have done, to separate the moral justification for humanitarian action from the legal case. This is because much of international law, which lays forth the moral foundation for humanitarian action, is moral

in nature. The fundamental human right to life, for instance, prohibits any government from participating in the killing of civilians. This study supported humanitarian intervention based on moral reasons.

#### **4.3.2 NATO Perspectives on Regime Change in the Military Intervention in Libya in 2011**

In examining NATO perspectives on regime change in the military intervention in Libya, this study raised four key questions. First, the question of the extent to which the Libyan civil conflict was a threat to global peace and security? Secondly, was the extent to which the UN resolution gave the interveners the authority to use only military force other than other options to restore civility and bring to an end violation of human rights? Thirdly, is whether a state's sovereignty can be violated by the international community when there is violation of the rights of its citizens through acts of killings? Lastly is the question whether the international community was answerable to the Libyan citizens whose rights were purportedly being protected regardless of the legitimacy of the state?

In answering the above questions, this study argues that the UN in collaboration with NATO has engaged in several instances of humanitarian interventions worldwide. Woodward (1995) and Malcolm (1998) note that one of the most significant NATO military operations was carried out in Yugoslavia in March 1999. The civil war in Yugoslavian conflict, which was probably made worse by local political concerns, tore apart members of the UNSC. NATO member countries of Western Europe were keen to demonstrate that they could handle a substantial political-security connection in Southern Europe as the Cold War drew to an end because they hoped that a powerful European

Union (EU) would be formed at that time (Bennett, 1995; Glitman, 1996). NATO military intervention in Yugoslavia resulted in regime change by overthrowing President Slobodan Milosevic leading to his subsequent arrest by the ICC.

The NATO military operation in Libya was the first of its kind in Africa. Resolution 1973, of the UN act was applied to allow for the use of force in Libya to protect the civilian populace (R2P). Accordingly this resolution gave NATO the power to take all necessary safeguards to protect human lives while forbidding any type of occupation of the territory of Libya. In accordance with the resolution, the occupying forces were to enforce a "No Fly Zone" over Libyan airspace. The resolution mandated the occupying forces to impose a freeze on the financial assets of Libya and an arms embargo.

Scholars have deliberated and given contesting view points on the intentions of NATO intervention in Libya. While some people are concerned with NATO's justification for the intervention, others concentrate on the intervention's legality, and yet others have concentrated on the methods, purposes, and results of these interventions. Pattison (2011) justifies the Libyan intervention from a constructivist perspective by referring to the just cause principle as it is stated in the ICISS declaration. The widespread killing of individuals mostly civilians by the Gadhafi regime justified the military intervention in Libya. This was made worse by Gadhafi's call to his supporters in Benghazi to attack demonstrators and carry out other atrocities (Ibid, 2011).

The liberalists and constructivist perspective is also supported by Stanglin (2011) who asserts that NATO's military operation in Libya acted in respect to the doctrine to protect lives. The NATO intervention in Libya signified justification on humanitarian grounds

and an affirmation of the commitment of world leaders to tackle crimes against humanity. Bellamy and Williams (2011), document of frequent and organized attacks by the Gadhafi regime against civilians. They add that in defiance the resolutions made by the UNSC, Colonel Muammar Gadhafi forces attacked the rebel stronghold of Benghazi killing innocent civilians. Accordingly it was only through the use of military force that such atrocities could be stopped.

From the above it can be argued that the post-cold war global arrangements seem to have arrogated the West the moral duty to meddle in the internal affairs in Africa by conveniently referring to specific UN conventions. This study raised the question of who has the right to intervene and the best way to intervene. Concerns were raised on the justification of the use of force in the NATO intervention in Libya.

This study focused on the justification behind the NATO use of military force in the humanitarian intervention in Libya. Three parameters were used to achieve this objective. These included NATO's justification for the intervention, legality of the intervention and the methods, purposes, and results of the intervention measures instituted. Whether a state's sovereignty must be violated in order to preserve human rights through armed force is the subject of this debate.

This study agreed that the 2011 humanitarian intervention by NATO and sanctioned by the UNSC was justified morally and legally. The sanctity of human life justifies humanitarian action. The right to life is acknowledged in every human civilization, whether formally or tacitly, whether through religion or a legal system founded on natural law. Because of this, the preservation of life is a goal that can be defended anywhere in

the world. Therefore, in the context of international relations, humanitarian action, which has the preservation of life as its primary purpose, is both morally needed and permitted.

This is supported by Yusuf Aziz observed that'

*“Had NATO not responded swiftly to the situation in Libya the situation could have been worse. The Gadhafi government and his loyalists were engaged in broad day murder and torture of opponents of the state. Thousands of people lost their lives through shootings by government forces. The decision by Gadhafi forces to head to recapture the city of Benghazi cost the loss of lives and untold suffering by the civilians”* (Yusuf Aziz Abdul, O.I. Nairobi, 22<sup>nd</sup> October, 2022).

According to Yusuf, NATO intervened due mass killing that occurred in Libya. The mass killings violated human right to life awakened the obligation and to intervene by third parties. There was a duty to intervene by the UN through NATO when a state which is supposed to protect lives violates human rights through killing. Governments are legally required by international laws to take action against pervasive human rights violations within their territories. International law also gives moral obligation to the international community to intervene in conflicts that endanger human rights.

However, NATO intervention in Libya beginning February 2011 raised a number of controversies. These debates emanate from the contradictory conduct by NATO and the doubts whether the operation recorded success. The rationale of NATO involvement in Libya will be examined by interrogation the UN justification on the responsibility to Protect (RZP). The international understanding of RZP came out of the UN world Summit meeting in 2005. The definition of RZP was stated as;

*Each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity . . . We accept that responsibility and will act in accordance with it . . . The international community, through the United Nations, also has the responsibility to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context we are prepared to take collective action, in a timely and decisive manner, through the Security Council... should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. (UN General Assembly, 2005).*

The UN definition captured in above excerpt provided a framework for the NATO military intervention in Libya. It also provided a justification for the use of military force in bringing to an end the violation of human rights. In the Libyan uprising it was reported that Colonel Muammar Gadhafi engaged in a massacre of hundreds of those who protested against his government. In a speech within a week into the protests Colonel Muammar Gaddafi had sworn to hunt those who protested his rule ‘inch by inch, room by room. Home by home, alleyway by alleyway, person by person’ (Gaddafi, 2011). Colonel Muammar Gadhafi’s pronouncements coupled with the high chances of a civil war in the country prompted the UN to rally behind the international community for action. Subsequently NATO launched the Operation Unified Protector with three objectives namely; enforcing an arms embargo, maintaining a no-fly zone and protection of civilians. However the focus on the mandate to protect lives resulted in contradictory result as will be examined later in this study.

The NATO intervention in Libya can only be justified on the basis of the protection of lives and stopping human rights violations. The inability of the Gadhafi state to maintain political stability and reported cases of mass killings and human rights abuses met the

threshold by the UN International Commission on Intervention and State sovereignty hence justifying the NATO intervention process. As earlier noted made clear his position on the protests by calling on supporters of the regime to attack and massacre protesters in the city of Benghazi' (Aljazeera, 2011) Following the pronouncements by Gadhafi, government troops conducted indiscriminate bombing of the city Misrata leading to death of hundreds of innocent civilians. According to a report by amnesty International;

*Gadhafi forces fired indiscriminate rockets, mortars and artillery shells as well as cluster of bombs into residential neighborhoods, killing and injuring scores of residents. On several occasions they fired live ammunition or heavy weapons, including tank shells and rocket-propelled grenades (RPGs), at residents who were fleeing – in what appeared at times to be a policy of “shoot anything that moves. (Amnesty International, 2011).*

As indicated by Amnesty report of 2011, Gaddafi's forces violated human rights by committing war crimes and crimes against humanity. The troops fired indiscriminate rockets, mortars and artillery shells as well as cluster of bombs into residential neighborhoods, killing and injuring scores of residents. On several occasions they fired live ammunition or heavy weapons, including tank shells and rocket-propelled grenades (RPGs), at residents who were fleeing – in what appeared at times to be a policy of “shoot anything that moves. Therefore, answering the question whether the military operations by Colonel Muammar Gadhafi in Misrata and Bengazi constitute crimes against genocide and crimes against humanity remains contestable.

In defining war crimes and crimes against humanity, the Rome Statue state that;

*War crimes are crimes against humanity are acts committed as part of a widespread or systematic attack directed against any civilian population, where the attack is part of a state or organizational policy, constitute*

*crimes against humanity if committed with knowledge of the attack.* (UN General Assembly, 1998)

This study cites the above Rome Statute definition because, the provisions in the Rome Statutes were invoked to give credibility to NATO intervention in Libya to protect human lives. To argue against the justification of the intervention in Libya under the disguise of commission of crimes against humanity, this study compares the events in Libya with those that occurred in Rwanda in 1994. This study therefore, raised the raised questions as what really constitutes genocide and crimes against humanity to warrant international intervention? In 1994 the United States sanctioned a military onslaught against Serbia while setting a blind eye on the massacre in Rwanda in 1994 where close to one million were killed in a genocide. The Clinton administration also justified the Russian bombing of Chechnya but hardly condemned events in Rwanda in similar magnitude. This was a clear indication was that the US was guided by its geopolitical goals in making international decisions. Kissinger raises serious concerns on two questions namely; what qualifies to be a humanitarian crisis and which one does not? Who defines a humanitarian crisis and how? Giovanni (2004) on his part criticizes the western media especially the CNN and the BBC on the reporting on what qualifies to be a humanitarian crisis and where. Response from oral interview confirmed the above by stating that;

*“Although the UN Charter classifies acts of genocide, ethnic cleansing and other crimes against humanity as grounds for intervention, the elasticity and imprecision of these acts have been stretched to justify interventions whose main objective is regime change. NATO’s humanitarian intervention in Libya represented a case in which powerful western nations meddle in the internal affairs of weak non-western nations to pursue imperialistic agendas to control other parts of the world.”* (Abdul Qahaar, 12<sup>th</sup> November, 2022).

As clarified in the above excerpt, the situation in Libya appeared to have been greatly exaggerated by the Western media which was used to defend the involvement of NATO in Libya. In reality, the situation in Libya wasn't worse than the definition of genocide as outlined. The Western media failed to give a true picture of the situation on the ground before the NATO intervention. While media coverage of crimes against humanity plays a significant role in drawing attention to them, experiences have also shown that some of this coverage is greatly overstated. Therefore, depending on such not only puts intervening governments at risk but also gives the responsibility a bad reputation.

Although NATO rationale to use force for the sole purpose of protection of lives. Population in this case included all citizens residing in Libya during the intervention period. NATO however failed in its duty to protect all citizens in Libya as reports emerged the torture of individuals based on their skin color by rebels opposing Colonel Muammar Gadhafi. This was especially the case for migrants from West Africa whom Gadhafi had denied citizenship status. Prior to the protests migrants from sub-Saharan African had been denied the right to seek asylum (Amnesty International, 2011). A large number of immigrants from sub-Saharan Africa were accused of being mercenaries and detained in rebel camps where they were tortured. It is reported that rebels wiped entire villages of black Libyan raping women. While NATO was fighting Colonel Muammar Gadhafi regime it failed to adequately protect lives as mandated under the Responsibility to Protect. The rebel forces which were backed by NATO were the main perpetrators of torture of minority ethnic groups including civilians. NATO also failed to protect civilian supporters of Colonel Muammar Gadhafi regime also targeted by rebel forces. This supported by reports from the New York Times that stated;

*The New York Times* quoted Hillary Clinton's former policy planning director Ms. Slaughter stating that "we did not try to protect civilians on Qaddafi's side. (The New York Times.2016)

A respondent stated that;

*"NATO inability to protect migrants greatly underlined its mission by contradicting the definition of the responsibility to protect lives. NATO failed to cover all the aspects of the Responsibility to Protect by discriminating Libyans who suffered under the rebel forces"* (Abbas Gullie, 28<sup>th</sup> October, 2022).

In interrogating the rationale of the use of force by NATO in Libya it is important to test the validity of human rights violations especially by the press in the West. What made news headlines concerning shooting at protesters were mostly exaggerations that turned out to be false. This was confirmed in a Pentagon press conference that stated;

*Do you see any evidence that he [Gaddafi] actually fired on his own people from the air?... if so to what extent?" U.S Secretary of Defence Robert Gates replied, "We've seen the press reports but have no confirmation of that", with Admiral Mullen adding "that's correct. We've seen no confirmation whatsoever. (New York Times, 2011).*

The above skewed reporting on the Libyan uprising by the Western press raise questions as to whether the justification by NATO in the intervention was to protect lives or regime change. Such exaggerated reporting provided justification for intervention by a foreign force whose mandate went beyond protection of civilians. From the above it is clear that NATO was more interested in regime change as opposed to stopping human rights atrocities.

Further evidence indicates that NATO intervention in Libya was focused on regime change. Take for instance the unwarranted bombing of Colonel Muammar Gadhafi forces in Sirte by NATO forces. Colonel Muammar Gadhafi army was not in any offensive as

they had retreated to his hometown of Sirte where they enjoyed the greatest support. This move was aimed at dismantling Colonel Muammar Gadhafi army rather than protecting the local people. In the NATO attack on the Gadhafi army in Sirte airstrikes were targeted on an army that was not advancing but stationery NATO forces were also reported to have gone beyond their mandate to protect lives by offering logistical and intelligence support to the rebel forces in Libya (Prince and Harnden, 2011).

It has been noted that NATO fired a total of 26,323 sorties, including 9,658 strike sorties with an average of 150 air strikes a day in its military operation in Libya' (Chivers & Schmitt, 2011). This magnitude of shelling was not warranted for a mission whose mandate was confined to protecting human lives. The magnitude of force used in terms of weaponry in the exercise is indicative of the fact that the main objective of the intervention was to bring down Colonel Muammar Gadhafi regime. The indiscriminate bombing also resulted in the death of thousands of civilians. The preference for regime change as opposed to protection of human lives was also illustrated by the refusal by both NATO and the rebel groups to enter a cease-fire agreement with Colonel Muammar Gadhafi regime. Suggestions by the AU to halt the military operation and explore peaceful negotiations were opposed. The AU had proposed a 'five-point plan that included an immediate ceasefire, negotiation between the two sides, and an end to the NATO bombing campaign. This suggestion was embraced by Colonel Muammar Gaddafi regime but rejected by the Transitional National Council (TNC) (O'Connell (2011: Cohn, 2011).

This study noted that there was a window of opportunity to solve the civil conflict before the military intervention by NATO. According to Mohammed Aden;

*“There was enough time to determine whether using peaceful methods would be effective before NATO bombs started dropping. Cohn (2011) adds that prior to military interventions by NATO, Colonel Gadhafi was ready to step down and accept a cease fire as demanded by the UN. However, the profiling of the Gadhafi regime and the imperial ambitions of the US and its allies could not allow such an offer to be considered.”*  
(Mohammed Aden, O.I, 6<sup>th</sup> November 2022)

The proposed ceasefire had the potential of opening negotiations between the parties in the conflict and halt violence against civilians. NATO regime change objective was supported by a statement by former US Secretary of State Hillary Clinton in response to the proposed ceasefire who states that;

*“The United States’ Secretary of State Hillary Clinton stated in response to the ceasefire offer, “We believe, too, that there needs to be a transition that reflects the will of the Libyan people and the departure of Qaddafi from power and from Libya”* (US Government, 2011).

It is could be true as the above excerpt that NATO intervention to some extent stopped an impending genocide in war torn Libya. Questions must be raised on how the operation was conducted. NATO's indiscriminate aircraft bombardments used during the intervention in Libya demonstrated a serious disregard for fundamental human rights and regulations. The question that ultimately arises is how do we justify the killing of more people in order to protect civilians? The NATO operation had disastrous effects on global security and only succeeded in making Colonel Muammar Gadhafi’s regime worse. There were previous cases of serious human rights violations as witnessed in Rwanda in 1994 and Darfur in 2003 where the UN did not sanction military intervention. Questions emerge as to why the Libyan case was unique and whether there existed special interests by the interveners.

It is important to highlight problematic ethics in analyzing the rationale of the NATO military intervention in Libya. Focus should be on the problematic ethics as opposed to arguments for or against the intervention. Here consideration is given to the implications of such action for humanitarian intervention. Welsh (2011) provide two examples indicating possible violations of the UN charter on humanitarian intervention. To begin with, the UN resolution of 1973 that formed the basis of the Libyan intervention stresses the obligation of sovereign states rather than the international community. Second, the NATO action in Libya contravened the concept of impartiality as stated in the UN resolution of 1973. This is supported by Dembinski & Reinold, (2011) who note that the international community showed open support for the rebels rather than remaining a neutral party to the conflict. The authors give an example of France which even delivered weapons on a formal basis in defiance of the UN arms embargo. They add that it is protests from Russia that put such a practice to an end.

The above sentiments were supported by this study. It was noted that from the start of NATO's engagement in Libya that the imperial powers were using civilian safety as a decoy for their true goal of overthrowing the Gadhafi regime. Imperial forces particularly France openly associated with the rebels forces through supply of weapons training, and media assistance. The military intervention was probably an imperial war to control Libyan abundant oil reserves. Numerous operatives from the imperial countries also trained the rebels and provided them with intelligence and logistical support in direct contravention of UN resolution of 1973.

To interrogate the rationale of the NATO intervention in Libya this study examined the nature of the Libyan conflict and the legitimacy of the Gadhafi regime. The assertion that

the west has a moral duty to intervene the Libyan conflict was questioned. This study noted that the NATO intervention sanctioned by the UN was based on ignorance of the causes of conflicts and the dynamics of the actors involved in the Libyan civil war.

It was noted that the NATO military operation in Libya was carried out without following important procedural implications. To begin with the UN resolution of 1973 states that sanctioned the intervention gives regional organizations the mandate to use all means to amicably settle conflicts within their localities. This was violated with the involvement of NATO in the Libyan conflict.

A majority of Libyan citizens noted that NATO was not justified in its international military intervention. Those who opposed NATO's intervention noted that the move amounted to interference in Libya's sovereignty. They added that the international community and especially the capitalist West had long standing grudges with Libya over Colonel Muammar Gadhafi's aggressive foreign policy approach towards the West. Those who supported the intervention by NATO noted that had the international community not intervened the violence could have escalated especially with Gadhafi's troops marching to the city of Benghazi.

Based on the above sentiments it is the position of this study that the sole motivation behind NATO's military intervention against Col. Gadhafi's regime was the country's oil interests. This study confronted the question of how fast oil companies' particular from Britain and the US were able to strike oil deals with the National Transition Council of Libya (NTC) even before the military operation began. The main motivation for the intervention in Libya was not to defend "defenseless people" but rather to punish Colonel

Muammar Gaddafi's regime for falling out with Western imperialists. Economic imperialism was used by proponents of intervention as the primary justification for government intervention. As noted by Agwu (2013) the core reason of the Africa union's conflicts with NATO was when the latter was accused of being obsessed with the overthrow of the Colonel Muammar Gadhafi regime in order to access the country's oil reserves.

#### **4.4 Role of Foreign Military Intervention in Precipitating Regime Change in Libya**

##### **4.4.1 Trends towards Pro-Democratic Foreign Military Intervention Measures and Regime Change**

In the post-Cold War era scholarly debates on international humanitarian intervention have centered on international law. Accordingly the post-Cold War period was defined two opposing viewpoints on international intervention. The first viewpoint viewed state' sovereignty and respect for its internal affairs from the realist perspective. Here, it is noted that state sovereignty is paramount and that only the need for self-defense entitles one state to use force against another. The second viewpoint adopts a liberal perspective where it is argued that the values of restoring stability and safeguarding human lives justify international intervention (Rashid, 2012). This two opposing perspectives are very important in analyzing the legality and moral justification of the international community involvement in the humanitarian intervention in Libya during the civil war in 2011.

Beckman (1992) opines that international intervention is politically and legally unacceptable in the Westphalia state. The scholar adds that there is a moral need to assist, establish peace and deal with humanitarian situations in war and conflict situations. In as much as international intervention is justified to bring to end atrocities towards humanity,

questions should not be raised above state sovereignty. From this argument the humanitarian intervention in Libya by the international community could have taken into account the fact that Libya was a sovereign state in the Westphalian definition. Libya as a sovereign state should have been consulted before any intervention measures were taken. In as much as the above sentiments give importance to the element of sovereignty and the principle of non-interference in the affairs of states, it should be underlined that the international community cannot accept civil wars or other conflicts that harm people and violate their rights to persist even in sovereign states. However the international community can only sanction intervention measures in cases where conflict and civil war harm people and violate their rights. The international community's ability to act is justified by the requirement to restore stability. Morally, the protection of human life takes precedence above state sovereignty and the non-interference principle. This is supported by Abdul Qahaar who notes that;

*“The human right abuses in Libya during the civil war justified the humanitarian intervention by the international community. People were being killed women raped and children suffered in the civil war. Had the international community not acted the outcome could have been worse”*  
(Abdul Qahaar. O.I. Nairobi, 12<sup>th</sup> November, 2022).

From the above citation, although international military interventions have the objective of restoration of peace and stability by stopping human rights abuses, they can be used to pursue regime change. Pearson, et al. (2006) note that the US has a history of supporting regime change through military operations in numerous nations throughout the world. They give an example of how the George W. Bush administration overthrew Saddam Hussein's tyranny in Iraq and built a western democracy-based government. Although international intervention is justified to stop atrocities against human populations

concerns have been raised as to its real motives. There have been instances whereby humanitarian intervention has resulted in regime change as in the case of Libya beginning 2011.

Borneman (2003) cites two explanations for why the US invaded Iraq. The author mentions new system regulations, as well as the prevention, elimination, and destruction of weapons of mass destruction. In this instance the US used its military superiority to guide and plan the intervention. Here, it is stressed that the history of foreign military intervention is worrisome since US hegemony has always prevailed. Pearson (2006) accuses the US of arrogating itself the role of installing democratic regimes in other states. Peceny (1999) attributes the emergence democracies in a number of countries to international intervention measures by the West. Levin and Lutmar (2012) add that international military intervention imposes regime change through both overt and covert means. Accordingly violence becomes a defining characteristic of regime change as was witnessed in the NATO military intervention in Libya. The NATO military intervention in Libya applied the use of violence to induce regime change. This is supported by the indiscriminate bombing of Gaddafi troops that led to the death of thousands of civilians. A good illustration of this was the unwarranted bombing of Gadhafi forces in Sirte by NATO forces. According to Suni Omar;

*“During the bombing of the forces loyal to Colonel Gaddafi by NATO, they had already retreated to their stronghold of Sirte. The army was not advancing or in any offensive to warrant the indiscriminate bombing by NATO. This action was targeted at wiping out the government forces as NATO prepared to install a puppet regime in the country. In this case NATO went beyond its mandate of protecting human lives” (Suni Omar, O.I. 14<sup>th</sup> November, 2022).*

The Gaddafi army was not in any offensive as they had retreated to his hometown of Sirte where they enjoyed the greatest support. This move was aimed at dismantling Colonel Muammar Gaddafi army rather than protecting the local people. In the NATO attack on the Colonel Muammar Gadhafi army in Sirte airstrikes were targeted on an army that was not advancing but stationery NATO forces were also reported to have gone beyond their mandate to protect lives by offering logistical and intelligence support to the rebel forces in Libya.

International military action on countries in conflict and war situations has not escaped criticism. Kissinger (2001) offers such strong criticism. The scholar accuses the US under Bill Clinton of sanctioning a military onslaught against Serbia while setting a blind eye on the massacre in Rwanda in 1994. The Clinton administration also justified the Russian bombing of Chechnya. This was a clear indication was that the US was guided by its geopolitical goals in making international decisions. Kissinger raises serious concerns on two questions namely; what qualifies to be a humanitarian crisis and which one does not? Who defines a humanitarian crisis and how? Giovani (2004) on his part criticizes the western media especially the CNN and the BBC on the reporting on what qualifies to be a humanitarian crisis and where.

This study deliberated on the question of what informs international intervention? The study used the example of the Rwanda civil war to understand what constitutes a humanitarian crisis for the international community to act. This study did note that the UNSC did not intervene to stop the genocide in Rwanda with the same energy used in Libya. It was the military victory of the Rwandan Patriotic Front, a Tutsi guerrilla army centered in the country's north, stopped a total holocaust. But what action, if any, should

have been taken to stop the slaughter by the global community? Did it have a moral obligation to step in? Was there a legal basis for it to do so? What ought to have been done if the UNSC had voted against approving a military intervention? How could it have overcome the political obstacles to involvement if it had a duty to do so? And perhaps most crucially, what steps should be made to avoid future disasters of a similar nature?

The US has embarked on military campaigns in in Afghanistan in 2001 and Iraq in 2003 under the guise of fundamental terrorism and global security threats. However pursuant of a democratic project seem to be the main objective the anti-terrorist strategy. The US military intervention in both Afghanistan and Iraq precipitated regime changes. Questions however emerge as to whether democracy can advanced through the use of military force.

The fact that interveners' interest of regime change was hidden in humanitarian intervention cannot be overlooked. The need to interrogate the real motives of NATO's intervention in Libya formed the basis of this study. NATO's sanctioning of the international intervention in Libya raises a lot of questions. To extent to which such intervention measures amounted to the US- backed imperialism was debated. The NATO led military onslaught on the Gaddafi regime left two main questions unanswered. What were the main objectives behind the intervention? What were the hidden geo-political interests of the interveners? The overthrowing 'autocratic' regime and replacement with democracies remain a contested debate on the justification of military intervention.

According to Sarai Ahmed;

*“The connection between aggressive regime change and humanitarian intervention in the NATO military intervention in Libya cannot be overlooked. The NATO military intervention in Libya was a pro-democratic project under the veil of humanitarian intervention. The assumption was that establishing a western model of democracy in a state deemed to be autocratic was the only way to guarantee the fundamental rights of citizens”* (Sarai Ahmed, O.I. 22<sup>nd</sup> October, 2022).

Proponents of pro-democratic actions note that the concept of sovereignty is derived from people rather than on the state. This means that it is first based on the rights of the people which give the state claims of international recognition. The basis on this argument is hinged on the Kantian definition of the state which places individuals rather than states as the ultimate ethical agents. This being the case then it is only democratic governments that have the authority to protect fundamental human rights (Teson, 2006).

On the contrary a blanket embracing of the above sentiments would give license to powerful nations of the West to pursue pro-democratic interventions to overthrow regimes they deem autocratic (Schachter, 1984). Such intervention campaigns disregard sovereignty and the principle of non-interference in the internal affairs of states.

Such actions violate the spirit of Article 2(4) that forbids unilateral use of force under the just war presumptions by designating the Security Council as the only body with the authority to use force in situations other than self-defense (Fox and Roth, 2000). The use of force to overthrow the government of another state may be viewed as an act of aggression as enshrined in the UN Charter. Although the notion of state sovereignty has changed in the post-Cold War era it remains unclear whether democracy has replaced human rights violations as the primary concern of humanitarian intervention.

Pro-democratic interventions in states deemed to be autocratic into two categories namely; unilateral and multilateral. The distinction between unilateral and multilateral intervention measures is that while the latter is sanctioned by the UNSC, the former is not as states or a group of states arrogate themselves the duty to intervene in target states to 'restore order'. In the height of Cold War politics unilateral military interventions for regime change was not generally accepted.

Examples have been given of instances where the US has unilaterally intervened in several countries during the Cold War period. In 1965 the US military invaded the Dominican Republic following the 1963 civil junta takeover of the freely elected government with the claim of restoration of law and order. The US move was subsequently denounced by a majority of UNSC members on grounds of interference in the internal affairs of a sovereign state. France termed the military invasion as going against a constitutionally elected government. A USSR resolution requesting the departure of US forces was defeated (UNSC, July, 1965). The reasons why the UNSC only denounced the US military intervention in the Dominican Republic but still voted for retention of US forces in the Dominican Republic raises questions of geo-political struggles within members of the UNSC.

In 1983 the US in collaboration with Organization of Eastern Caribbean States' (OECS) invaded the republic of Grenada at the invitation by the Governor General following widespread internal unrest. Unlike the Dominican case the internal political crisis in Grenada had not resulted in full-scale conflict but only a general unrest. The US justified the military invasion on grounds that they wanted to free citizens from an authoritarian military regime and restore democracy (Davidson, 1987).

The military intervention by the US in Grenada was condemned even by its close allies in the UNSC. For instance, while condemning the intervention, France emphasized that the UN Charter and international law only permitted involvement upon invitation by a legitimate government. The British government termed the move by the US illegal (Schachter, 1984). In the Grenada case the US justification of restoring peace and order were invalid and a clear case of aggression and violation of international law and the UN Charter of non-interference and the restoration of peace and order. The majority of states in the UNSC denounced the intervention on the basis of non-interference in the internal affairs of another country. However the US used its veto power to prevent discussions on the issue at the UNSC resolution which could have termed the move as a violation of international law and the independence of Granada.

Another example is the US military invasion of Panama in 1989 which was carried out in the absence of any internal conflict. The US claimed that they were supporting the sovereign will of the people of Panama to restore democracy. This act of aggression was subsequently criticized. The Soviet Union denounced the Panama incursion terming it as direct breach of the UN Charter. Majority of the countries in Latin America likewise spoke out against the involvement. Nevertheless the UNSC resolution failed despite widespread criticism by members (Keesing, 1989; Ikenberry, 2000)). From the aforementioned instances of interventions aimed at regime change this study noted that the professed goal of restoring democracy or order was shared by all instances of unilateral military intervention. In spite of the justifications by the US, the UN did not in any way support unilateral pro-democratic interventions during the Cold War period.

In the post-Cold War era the UNSC has sanctioned multi-lateral intervention in two instances namely; Haiti and Sierra Leone where it authorized collective action to reinstate democratically elected governments. In 1991 the UNSC adopted a resolution that gave its members a go ahead to invade Haiti and reinstated democratically elected President Jean-Bertrand Aristide who had been overthrown in a military coup (Roth, 1999). The UNSC sanctioned the invasion of Haiti to avoid setting a bad precedence. In May 1997 the Organization of African Unity (OAU) gave ECOWAS a go ahead to use military force Sierra Leone and restore to power the democratically elected government that had been overthrown by rebel fighters. Although, the action by ECOWAS was not sanctioned by the UNSC, it was subsequently endorsed and termed as a threat to international peace (UN-Doc, 26<sup>th</sup> February 1998; Simma, 1999).

From the above this study observed that the Haiti and Sierra Leone cases presented a dramatic shift in international legal rules pertaining to pro-democratic intervention. This study raised questions as to whether the UNSC's conclusion that a specific coup poses a threat to international peace and security is sufficient to change the UN Charter on non-interference. Although the Security Council took action in both cases specifically to uphold the democratic entitlement concept, its actions are far from being explicitly supportive of a right to foreign armed intervention to uphold democratic rule.

In the aftermath of the 9<sup>th</sup> September 2001 terrorist attack, the US engaged in military operations in Afghanistan and Iraq. These military interventions led to regime change in both countries. The UNSC approved military action in Afghanistan on grounds of collective self-defense. The UNSC stated its support for a new government broad-based,

multiethnic and representative government after the US-led military intervention. In contrast the UNSC did not sanction the military invasion of Iraq. In contrast to the Afghanistan situation, the Security Council did not approve military action against Iraq. However the UNSC welcomed Iraq's transition to a democratically elected government. (UN-Doc, 12<sup>th</sup> September, 2001).

This study observed that interventions whether unilateral or multi-lateral were in contravention of state sovereignty and amounted to interference in the internal affairs of independent nations. It is further argued that justification for such intervention measures was not warranted. The definition of what constituted a humanitarian crisis or genocide kept on shifting among the interveners.

#### **4.4.2 The Role of the NATO Military Operation on Regime Change in Libya**

The Libyan case which is the focus of this study presents a perfect example in which NATO through approval by the UN led a military intervention in the country. This action ultimately led to a regime change replacing the Gadhafi regime with a democratic government that was friendly and acceptable by the West. In February 2011 Colonel Muammar Gaddafi led government in Libya was engaged in a civil unrest. Following this many civilians died as a result of the violent battles that broke out between the security forces and the demonstrators. After Colonel Muammar Gaddafi administration brutally suppressed the revolutionaries, the Security Council adopted a resolution that established a no-fly zone over Libya in addition to other restrictions to prevent Gaddafi's forces from approaching the city of Benghazi.

Acting under Chapter VII, the Council determined that the situation posed a threat to international peace and security and gave all member states the go-ahead to "take all necessary measures, acting either directly or through regional organizations or arrangements, to enforce the no-fly zone and protect civilians (UN-Doc. 17<sup>th</sup> March 2011). NATO was subsequently authorized to undertake a military intervention to restore stability and stop atrocities against human rights.

This study found that International interventions measures in Third World countries have always had regime change as their main objective. It is noted that number of regime changes in Africa and Asia have been triggered when the international intervention is sanctioned are sanctioned to stop civil unrest and restore stability. A good example is the Arab uprising where citizens rose to challenge existing regimes that were deemed to be authoritarian. In the subsequent military interventions it was expected that regime change would result in a responsive and participatory government modeled in Western values of democracy. The Arab spring revolution in North Africa presented cases of regime change seeking to promote Western values and the maintenance of international community status quo. In Libya the overthrow of the Gadhafi regime did not in any case result in a stable internationally induced democratic regime.

Abdul-Baaqi observed that'

*The NATO led intervention and eventual overthrow of Colonel Gadhafi and the replacement of his regime by the National Transitional Council (NTC) which lacked strong political leadership or unifying idea led to chaos, instability and the continuation of civil war in Libya. The foreign imposed democratic NTC. The only objective that NATO had was the overthrow of Gadhafi and nothing else. No efforts were made to unite the various rebel groups or a commonly held vision for a post-Gadhafi stable regime (Abdul-Baaqi, O.I. Nairobi, 16<sup>th</sup> November 2022).*

In the post-cold war period the Security Council has started acting more proactive in circumstances that aren't often considered threats to international peace and security. However, it doesn't appear to be quite obvious that the mere disruption of democracy or the existence of a tyrannical regime qualifies as meeting the Chapter VII requirement. It is still unclear whether a collective right to use force has emerged to bring to an end human suffering of refugee flows by ensuring democratic governance in affected states (Ramuhala, 2010; Rostand & Greig, 2011).

Scholars have approached the question of international intervention and regime change from different fronts. Kegley and Hermann (1997) discuss the nature of the intervener in international humanitarian intervention. They debate whether it is a large multilateral coalition of democratic states, a single democratic state acting alone, or a force operating under the UN is engaged in the intervention process. Interveners include regional organizations, continental organizations or even mutual defense organizations such as NATO acting under the umbrella of the UN. They conclude that that even while democratic interveners brought about democratic transformation in the target states, these reforms would not ultimately result in stable political systems.

Lowenthal (1991), centers primarily on the effects of international military operations noting that such actions did not necessarily result in democratization. This is because such democracy did was not natured internally but imposed by outside forces. However in other instances the US has been successful and effective in promoting liberal and democratic systems (Hermann and Kegley, 1998). Bueno de Mesquita and Downs (2003) concentrate on how the intervener's objectives affect the establishment of institutions in the target state. The mentioned works zero down to the many facets of how military

intervention affects democratization. Despite the wide range of research on the link between intervention and democratization, there is still much debate over the legitimacy and legality of using force to overthrow governments.

This study takes the position that for a deeper analysis of the question of intervention and regime change demands that one goes beyond a consequential utility approach to addressing the problematic of supplanting democracy through the use of force. Focus should be on the legality of pro-democratic military operations overthrowing regimes deemed to be dictatorial. Debates here specifically revolved around whether international law permits military intervention to remove an authoritarian regime. The extent to which the international community allows an outside force to impose a democratic regime is assessed. The question as to whether the UN Security Council's history of promoting democracy by coercion points to a growing standard about the broad definition of humanitarian intervention.

Additionally it is noted that in international law, the concept of intervention is typically described as the violation of sovereignty and infringement on independence. As a result, the rule prohibiting interference in a state's internal affairs has come to be seen as the antithesis of the rule protecting sovereignty. This being the case then intervention is seen as a dictatorial involvement by a state in the affairs of another state. Further international intervention is seen as state's effort to influence the internal structure and external behavior of other states through varied degrees of force. According to Abdirahman Salim;

*“NATO military intervention in Libya was a coercive intrusion into the territory under the control of a sovereign and an independent state. The NATO military intervention interfered with Libya’s jurisdiction over its territory, its population, and its right to determine its internal affairs or to conduct its exterior relations. The Pro-democratic intervention by NATO used force against the state of Libya with the aim of changing its political and legal institutions. The physical crossing of recognized borders and interference in its internal affairs was a direct breach of the sovereignty of Libya”* (Abdirahman Salim, O.I. 10<sup>th</sup> November, 2022)

This study noted that for the case of Libya it was not about stopping humanitarian rights violation. The international community has already taken the position that Colonel Gadhafi’s regime had to go. Comparably the Syrian situation was worse compared to that in Libya. They should have first invaded in Syrian first where human rights abuses were worse. The intervention by the international community was based on hatred of Colonel Muammar Gadhafi who had taken an anti-West and an anti- capitalist position on international matters

Most of the respondents interviewed were of the opinion that NATO’s international military intervention had as its objective regime change. Those who concurred that NATO’s international humanitarian intervention had the objective of regime change based their arguments on Colonel Muammar Gadhafi’s anti-West foreign policy and his decision to deny the West access to Libyan oil fields which were the country’s main source of foreign exchange. The few who denied that regime change was the main objective of the intervention argued that Colonel Muammar Gadhafi has planted seeds of his own destruction by oppressing the people of Libya for close to Four decades. They add that the authoritarian regime of Colonel Muammar Gadhafi had denied the people freedoms and the right to engage in free competition for political power. To them regime

change was not in their agenda if regime change occurred it was an inevitable path of the civil unrest.

#### **4.5 Effectiveness of the NATO Imposed Regime in Meeting the Democratic Aspirations of the People of Libya**

This objective assessed the effectiveness of the UN foreign backed transitional regime in restoring political stability in post-Gadhafi Libya. This section questions the legitimacy of the UN backed transitional government. The extent to which the transitional regime has been able to restore political stability in post-Gadhafi Libya was examined.

##### **4.5.1 Legitimacy of NATO Foreign Imposed Regime in Libya**

Political legitimacy refers to legal and constitutional mandate to exercise government power. Political authority over citizens becomes problematic when authorities are not recognized as legitimate (Rawls, 1993). It is in this sense that Ripstein (2004) understood political legitimacy as a virtue of political institutions and of the decisions about laws, policies, and candidates for political office made within them. Political authority is justifiable when citizens have political obligation towards the state. According to Raz (1995) political entities like states are capable of acting as *de facto* authorities without having any legitimacy. It is asserted here that the authority to rule and to establish responsibilities that must be followed and as long as these assertions are satisfied with enough consent, they are enforceable. This perspective contends that legitimate authority differs from *de facto* authority in that it truly possesses the right to rule and establish political obligations.

Edmundson (1998) believes that even legitimate power is insufficient to establish political duties. The idea is that a political body like a state may be allowed to issue orders

that people are not required to follow. Those who hold this type of perspective claim that legitimate political authority only results in political obligations when extra moral requirements are met. Buchanan (2002) equates justice and the normative concept of legitimacy. Accordingly the standard of minimal justice is legitimacy. These arguments however tends to conflate the two ideas, which leads to a lot of misunderstanding. For instance, someone can assert that although if political entities like states are frequently unfair, only a just state is ethically acceptable and valid in this regard. The tendency to blur the distinction between legitimacy and justice has been criticized.

Although justice and legitimacy are related as they draw on the same set of political values, they have different domains. A state may be legitimate but unjust and vice versa. Consequently if a state imposes a social structure that encourages freedom as non-dominance for all of its citizens, it is just. If it establishes a social order in a proper manner, it is acceptable. No matter how simple the social order may be a state that fails to impose it in proper manner lacks legitimacy. In the same way a legitimate state may fail to impose a just social order. Any political system, whether democratic or representational, depends on the power of its leaders and officials to impose their will through coercion as well as the growth of political legitimacy.

Political legitimacy is the acknowledgment by the populace of the legality of the laws governing their whole political system and the rulings of their rulers. Therefore, political systems with a high degree of political legitimacy can be expected to do two things. First, these political systems will be better able to withstand times of crisis, and second, rulers and authorities will have access to essential resources needed to create and carry out effective policies. They will be able to make decisions and commit resources without

needing to obtain approval from the ruled and without resorting to coercion for every decision.

Political legitimacy is conferred to a regime through popular free and fair elections based on the principles of democracy. The creation of an electoral system that allows for effective and inclusive representation is paramount to an effective legitimacy of a regime. In this case legitimacy lies with the people through expression of their will in democratic elections.

Political legitimacy it can be argued is a basic requirement for any government to exercise authority over its people. A government that does not have popular legitimacy from its people suffers a legitimacy crisis that can lead to its collapse. The reason why unpopular regimes are able to hold on to power is because they derive legitimacy from a small group of influential political elite. The Gadhafi regime in Libya was able to survive for more than four decades due to its use of violence, threats and persecution of previewed opponents. The Islamic Legion was militant group used by the Gadhafi regime to deal with opponents of the state. Gadhafi exercised personal rule over Libya with political power being dominated by a small group of political elite from his inner circle. He developed a system of tribal chiefs and other powerful individuals called People's Social Leadership Committees to help in pursuing his policies.

This study examined the legitimacy of the UN backed Transitional National Council (TNC) in post-Gadhafi Libya. This study noted that a majority of citizens gave immense support to the TNC in being at the forefront in Libyan uprising. The organization was quickly accepted as the symbol of popular struggle for the establishment of a state defined

by freedom, equality and justice. After the toppling and subsequent death of Colonel Muammar Gadhafi, the TNC engaged in an ambitious plan to stabilize the country. This was done by developing strong diplomatic relations with the West and its Arabic allies especially Saudi Arabia. The US, the UK and France quickly gave recognition to the TNC as the representative of Libyan in international matters. The recognition given to the TNC by the West was an indication that its legitimacy lied with outside forces rather than by the people of Libya. According to Aharon Ahsan;

*“The declaration by outside forces mainly countries of the West of the NTC as the only legitimate representative of the people of Libya was done without consultation. There was no referendum to express the will of the people or no any form of public participation in the process. This happened despite warnings that the TNC could easily be infiltrated by rebels who would eventually destabilize it”* (Aharon Ahsan, O.I. 22<sup>nd</sup> November, 2022).

According to Ahsan the new Libya regime was immediately recognized by Western powers without absolute consultation. After international recognition the TNC struggled to establish functional and authoritative governing apparatus. However efforts by the TNC to effectively govern the country were frustrated by rebel groups that had fought separately in the civil War. Militia groups in western Libya that were fighting for autonomy refused to recognize the authority of the TNC with huge support in eastern Libya. There was feeling that the TNC did not draw support from rest of the country. Some sections of Libyans expressed suspicions of the past ties of some TNC officials and Colonel Muammar Gadhafi regime. Consequently militia groups declined to disarm leading to continuation of war in parts of Libya (Mohammed Akbar, O.I. 3<sup>rd</sup> November, 2022)

After failed efforts to establish a stable government the NTC formally handed over power to the General National Council (GNC). Like its predecessor the TNC, the GNC also faced difficulties in restoring political stability in the country. The GNC was unable to control disputes arising over governance issues. This was complicated by the deepening divisions and emerging hostilities between contesting armed rebel groups. The GNC also faced a legitimacy crisis as it has been unable to hold democratic elections based on universal suffrage.

In examining the legitimacy of the transitional regime in Libya this study considered the fundamental elements of democratic systems, such as the recognition of all citizens as political equals and the right of the people to self-rule, primarily through the election of their leaders.

This brings into question the relationship between political legitimacy and democracy. It is crucial to take into account some of the most significant issues and trends regarding the relationship between democracy and legitimacy given the current global legitimacy of democracy as a form of political regime, the spread of representative governments throughout the world in recent years, and the apparent contradiction between this and an apparent crisis of democratic legitimacy in both established and new democracies.

Democracy and not a specific administration, must be viewed as the best form of governance or at the very least as the least evil in order for democratic legitimacy to exist. This definition of democratic legitimacy has been used repeatedly. The primary issue with this definition is that it fails to acknowledge the equal importance of other political legitimacy-related items for the operation and future of a democratic regime. According

to extensive empirical research the durability and efficacy of democratic regimes are influenced by at least five significant political legitimacy characteristics. This include; one, support for the political community, two support for the fundamental regime values, norms, and practices, three, evaluation of the performance of the regime, four, support for the institutions of the regime and five support for the authorities.

This study concluded that most Libyans believed that the GNC is not legitimately in power. Those who do not support the legitimacy of the NTC argue that it had been imposed on Libyans by foreign western powers whose main objective is to exploit Libya's oil reserves. The few who supported the legitimacy of the NTC argued that it has been able to restore peace and stability in most parts of Libya. They also credit the NTC for reviving some of the collapsed government institutions that had collapsed during the civil war.

#### **4.5.2 The NATO Imposed Regime and the Aspirations of the People of Libya**

This study finds it necessary to trace the wave of democratization in African after the fall of the Berlin wall which marked the end of Communism. A new world order began to emerge at the end of the 1980s. The Cold War between the US and the USSR ended with the fall of communism. This gave the US the advantage of being the sole super-power to dominate world affairs. The fall of the Berlin Wall significantly tipped the scales in favor of the capitalist bloc with the unification of Germany in 1889. Since then, there have been important political and economic changes that have had a considerable impact on the world order. With Africa as a primary target, the post-Cold War era provided the West, especially the United States, with a rare historical chance to impose its political and economic principles around the world. When African nations requested loans and aid

from other nations, particularly from the International Monetary Fund (IMF) and the World Bank, to address their severe political and economic crises, Western democracy and democratization became the prerequisite.

The spread of western liberal democracy to other regions of the world was fervently promoted by the new global order, which was influenced by the United States. In the formerly communist Eastern Europe, Latin America, and Africa, liberal democracy was ferociously promoted as the fundamental element of successful administration. In general, this new world order gave the chance for the western liberal democracy to be strengthened. Western democracy was elevated to the standard of good governance hence making the west the undeniable forefront of the global democracy crusade.

Western nations, eager to exchange knowledge and insights, set out to replicate liberal democracy by overwhelmingly supporting the adoption of western liberal social principles. Western celebrated ideas of individualism, civil liberties, human rights, equality before the law, the rule of law, and electoral competition which served as the cornerstones of liberal democracy were ruthlessly pursued as indicators of sound government. Indigenous cultural values, behaviors, and beliefs were replaced by western liberal principles in non-western societies. The emergence of liberal democracy represented the pinnacle of humanity's sociocultural development and the last known manifestation of human government (Fukuyama 1992). This marked the era of political liberalization.

With end of the Cold-war the single-party authoritarian regimes in Africa were replaced by governments that embraced multiparty politics and western democracy. This was in

complete contrast in the cold war era where the capitalist West ignored the excesses of authoritarian regimes in sub-Saharan Africa during the Cold War, and in some cases actively supported some of them. During this time, rather than focusing on whether or not these regimes engaged in repression, human rights abuses, or corruption, relations between the West and the majority of autocratic rule regimes on the continent were typically determined by the positions these they took in the east-west ideological rivalry.

Interestingly, this wave of democratization in the late 1990s did not have significant effects on the Arab world in North Africa and the Middle East. This study attributed this to the internal structure of Arabic states and also to the strong allegiance to the Arab league and weak support to the capitalist states and especially the US for its support for Israel in the Middle East crisis. Arab countries in North Africa also depended less on western foreign aid from the IMF and the WB which were given on the basis of conditionality of embracing western democracy. According to Yusuf Aziz Abdul;

*“At the time the capitalist West and especially the US were forcing reforms on African countries based on political and economic reforms, Libya’s GDSP was growing in double figures hence the country did not in any way require foreign aid and especially from the West. Gaddafi’s foreign policy of look East was anti-west and anti-imperialism” (Yusuf Aziz Abdul, O.I. Nairobi, 22<sup>nd</sup> October 2022)*

According to Yusuf, the US extended its post-Cold War imperialism in Libya by forcing reforms and regime change. These changes have adversely affected people’s aspiration in Libya. This study found that it took close to two decades for the Arab North Africa to begin agitating for democratic rule and its associated freedoms and rights in the form of the Arab springs that began in early 2010 in Tunisia. The Arab spring was a wave of democratic reforms in the Arab dominated countries of North Africa and the Middle East.

This wave of democratization challenged some of the established authoritarian regimes in the region. The wave started when protests quickly overthrew the governments of Tunisia and Egypt, sparking similar initiatives in other Arab nations including Libya where it eventually led to the overthrow and death of Colonel Muammar Gadhafi.

There is a strong belief in Western European political thinking that it is only through western democracy that good governance can be achieved guaranteed in other countries. Democracy through a competitive party system and expansion of individual rights and freedoms has always been equated with good governance. This remains a big question. Whose democracy are we talking about? Does this democracy take into account the needs of the African people? What kind of individualism is western democracy promoting? In an attempt to examine the democratic consolidation by the UN foreign imposed government this study raised questions concerning the understanding of what western democracy is and how it works.

Western democracy is hinged on a number of basic principles which include; effective citizens involvement in decision making concerning governance, citizens being given a chance express their opinions about a policy, equal voting rights, equal treatment for all citizens, guarantee of fundamental human rights, inclusivity, having a multi-party system in place and competitive periodic elections. These are basically the main tenets of western liberal democracy. Whether liberal democracy fits within the Africa political thinking is a different question.

The issue of whether military force can be used to establish enduring democratic institutions has dominated intellectual debates in the post-Cold war. A more democratic

globe, according to popular western thought makes the world safer. The United States has benefited from the forced expansion of democratic governments throughout the world, as was the case during American operations in Grenada, Panama, and the occupations of Germany and Japan following World War II. Even after a number of significant failures, using military force to overthrow regimes they deem authoritarian, this thinking is still strong (Smith, 2012). The US justified their invasion of Afghanistan in 2001 and Iraq in 2003 on the premises of establishing democratic regimes in these countries. Likewise the NATO led humanitarian intervention in Libya led to the overthrow of Colonel Muammar Gaddafi's regime which they deemed dictatorial and replaced it with the NTC which was modeled on Western democratic principles and ideals.

The question as to whether intervention is a successful tool for advancing democracy has been addressed. Those who are optimistic about interventions cite examples of successful interventions, such as the American occupations of West Germany and Japan after World War II, which turned former enemies into reliable friends. Contrarily, intervention pessimists contend that regime change does not result in the promotion of democracy because interveners frequently have motivations other than those that advance democracy, the legitimacy of political institutions imposed by outsiders is frequently questioned, or outsiders do not have sufficient knowledge of or influence over local politics and actors (Dobbins, 2003).

Empirical evidence has however disapproved the argument of democratization through force. There are very few instances where regime-change missions have actually worked as anticipated. The argument that regime change is the best method for removing

authoritarian governments, boosting global security, and advancing humanitarian goals is refuted by empirical data. Historical record shows that armed regime-change efforts frequently result in unexpected effects such as humanitarian crises and weakened internal security within the targeted state. Supporting democratic institutions abroad by using force to remove authoritarian regimes has frequently been counterproductive.

If regime change is a useful weapon in the democratization process there ought to be more proof that such operations can accomplish specified, advantageous objectives. A survey of the scholarly literature, however, reveals that this is not always the case (Sullivan, 2007). For instance; improved interstate relations are one objective that officials seek to accomplish through regime change.

However, as Alexander Downes and Lindsey O'Rourke (2006) demonstrate, following a regime-change operation, there is rarely an appreciable decrease in future confrontations between the intervener and the targeted country or even improved ties. In order to demonstrate that their administration is legitimate and not just a foreign puppet, the newly installed regime tends to appease local concerns other than foreign concerns (Ibid, 2006). The domestic political audiences that new leaders must serve frequently have different political preferences from those of the foreign intervener. Domestic supporters of the newly elected leader may turn against the new regime if they exhibit an excessive amount of preference to the intervener's policies.

Hosman Adham argues that the same is facing the NTC in Libya. The elite politicians in the council are not sure whether to give in to the demands of foreigners who installed them or accommodate the demands of the citizens. Resentment is already building with

citizens having the feeling that the NTC is purely serving the demands of the interveners (Hosman Adham, O.I. Nairobi, November 22<sup>nd</sup> 2022).

Foreign interveners may use regime change to strengthen their economic ties with the target nation and benefit their own companies and industries, often at the expense of their international rivals. However, foreign-imposed regime change frequently results in the stagnation or worsening of trade relations between the intervener and the local area, rather than enhancing bilateral trade flows (Zachary and Deloughery et al, 2017). Trade declines as a result of businesses' reluctance to invest in the region due to the insecurity the regime change mission itself had produced. The same occurred in Libya where insecurity and civil war drove away investors leading to huge losses for the government. Gullet Mohammud notes that;

*“During the regime of Muammar Gaddafi, I lost billions as a result of the civil war and has not been able to recover and get to where he was before the civil war. I had heavily invested in the oils sector employing hundreds in my petrol stations across Tripoli. When the protests began my shops were looted and bombed. I lost everything and I have to start all over again”* (Gullet Mohammud, Nairobi, 24<sup>th</sup> October 2022)

According to Mohammud the economic losses incurred during the Libya civil conflict are yet to be recovered by the post-Gaddafi regimes. Massive citizens investment was lost and many were forced to begin their livelihood from a scratch. The losses in Libya can be compared to the events in the Dominican Republic in 1961. During the 1961 US regime change in the Dominican Republic, the uprising and intervention brought the nation's sugar-producing region to a standstill, forcing foreign companies to scale back and, in some cases, end operations completely (Calder, 1984). Similar concerns about instability after the 1994 operation to overthrow the government in Haiti led to a drop in

international investors in the country for many years ((Zachary and Deloughery et al, 2017). Regime-change operations frequently result in the targets being worse off and more prone to have future political, economic, and military issues, all of which increase the costs for both the intervener and the target country. One notable result of forced foreign regime change is the escalation of civil war. Forced regime change operations damage existing state institutions and leave a power vacuum which enables the emergence of resistance and rebel movements which in the long run escalate civil strife (Peic and Reiter, 2011).

A foreign force installing new rulers also stirs up opposition to the regime and undermines its legitimacy which undermines a country's stability. In most cases citizens are inclined to oppose the new leadership since it was chosen by a foreign force. Regime-change missions do not succeed as intended, whether they are attempting to achieve political, security, economic, or humanitarian aims. Instead, they are more prone to cause civil wars, undermine democracy, ratchet up repression, and ultimately pull foreign investors into protracted nation-building endeavors.

According to Bueno de Mesquita et al (2006) the least likely interventions to advance democracy are those that "decapitate" a regime by removing a single leader while leaving the larger political structures of the system in place. Only in states whose economic and social conditions are already conducive to democracy are interventions more likely to succeed when the intervener takes action to create new democratic political institutions, such as sponsoring elections. Weak or poor states are the most susceptible to imposed regime change, yet they are also the least likely to democratize after intervention.

The three conditions that increase the likelihood that a regime change will advance democracy are: when the intervening state actively works to establish new democratic political institutions, such as by sponsoring elections; when the political, social, and economic climate in the target state is already conducive to democracy; and when interventions return a previously democratic regime to power(Enterline,2005).

The least probable interventions to bring about long-lasting democratic change are those that depose the head of state while maintaining the regime's larger political structures. Foreign-intervention-installed leaders frequently lack a wide-ranging domestic support base, can grow reliant on outside support, or are more concerned with securing their own control than with democratization. Such foreign imposed leaders frequently don't want to take the chance of losing control through transparent elections. Notable examples include U.S.-backed coups in Iran and Chile in 1963 and 1973 respectively that both established dictatorships (Smith, 1994).

Downes 92011), document that enabling domestic circumstances can support democratic institutions established by interveners. Successful externally-led democratization in an a formerly autocratic state is influenced by the level of economic development, social and ethnic homogeneity, and a previous experience with democracy. Even with the greatest intentions by outside forces, governments lacking these prerequisites confront significant obstacles to democratization. A good example was the violent sectarian struggle between Iraq's Sunni and Shia ethnic nationalities sparked by the US initiated regime change in Iraq. The ethnic differences between the Sunni and Shia have made it impossible to agree on a power sharing formulae in the emergent democratic administration.

Since the ouster of Colonel Muammar Gadhafi significant in 2011 significant political, social and economic reforms have taken place in the process of the consolidation of democracy in Libya. Notable reforms include the introduction of free and fair elections, emergence of a competitive political system, and adoption of laws that respect civil liberties, increased accountability of government and the institution participatory governance within the political system. A dramatic shift in the country's foreign policy was also witnessed. In terms of diplomatic relations the interim TNC made closer ties with Western nations as well as increased cooperation with other regional and global players (Sprinborg, 2011).

Imad (2013), documents of four crucial aspects that must be altered to successful transit from autocratic to democratic governance. Accordingly for democracy to be established, fundamental adjustments must be made to country's politics, economy, security and international relations. On security changes King argues that a smooth shift from autocracy to democracy requires internal stability and security. Militias that emerge during the civil war can guarantee political stability by securing government buildings and safeguarding infrastructure while also protecting citizens. These same organizations, nevertheless, can also work to destabilize a nation by engaging in conflict with one another and impeding the creation of official power (Ibid, 2013)

Political changes also have a significant impact on the transition from authoritarianism to democracy. Krasner (1983) asserts that when a rebel group topples a government in power it initiates reforms in line with the demands that ignited the civil conflict. In the process of regime change reforms are undertaken in various organs of the state and the political environment. The nature of politics is directly impacted by the changes in the political

organization and operation of the state. Subsequently regime change from autocratic rule to democratic governance is accompanied by profound changes in all aspects of governance (Diamond and Morlino, 2004).

During the 42 years of autocratic rule of Muammar Gadhafi in Libya power consolidation and the domination of the political elite in governance was obvious. A small group of political elite from Gadhafi's inner circle controlled all aspects of political and social life. This included control over information and the press and freedoms and rights. Periodic elections during this period were under the direct control of the political elite who even determined who was eligible to contest and the outcome of elections. To firmly control social life, state ideology was reinforced in all learning institutions. There were concerted efforts by the regime to indoctrinate students in schools, colleges and other institutions of higher learning on Colonel Muammar Gadhafi's domestic and foreign policies. The governments' censorship and control of the media affected public knowledge on political, economic and international issues. This ultimately influenced public discourse and narratives over governance matters. Abdirahman Salim notes that;

*“In general during the reign of Muammar Gaddafi the political system was closed, corruption was widespread, there was no accountability and transparency and there was widespread use of illegitimate force. Political representation was low coupled with elections whose results were predetermined by the state. This factor contributed to the Libyan uprising and the subsequent fall of the Gadhafi regime” (Abdirahman Salim, 10<sup>th</sup> November, 2022)*

Griswold (2004) finds a correlation between liberal economics and democratic governance. Success in liberal economic change is a prerequisite for democratic transitions. Liberal economic principles increase employment opportunities, reduces

poverty and creates a favorable distribution of wealth. This in the long term leads to higher economic growth in terms of per capita income. People would meaningfully contribute to political and civic life when their survival and security requirements have been fulfilled. The attainment of human security objectives can be significantly catalyzed by changes in the political economy of the state (Barro, 1999). Human insecurity through the non-achievement of their economic ambitions ignites wrath, disillusionment and resentment among citizens. Access to greater income influences access to education, participation in civil society and other realms of human development.

Change in international relations is also a powerful factor that influences the change from authoritarianism to democracy. According to Halliday (2005) the international political environment has had profound influence on the political, economic and security aspects in the Arab dominated regions of the Middle East and North Africa. The super power rivalries that dominated Cold War politics created tensions between Arab countries aligned to either the US or the USSR. Many of these ties have persisted in the post-Cold War era. Countries such as Saudi Arabia have continued to have tight bilateral ties with the US. On the other hand countries such as Libya and continued to retain close bilateral ties with Russia.

This study examined whether the UN foreign imposed government met the aspirations of the people of Libya based on the four crucial changes mentioned above in the democratic transition in the country. This study noted that peace and stability were key expectations of the people of Libya with the transition from authoritarian to democracy. The overthrow of Colonel Muammar Gadhafi regime and its replacement by the interim NTC did not translate to peace and stability. The nature of the civil war itself and how the government

change occurred is one barrier to Libya's post-conflict transition. Bringing the militias under Tripoli's control and into a single security force with a single chain of command is one of the most worrying security concerns that Libya now faces. Coordination between militia groups has been challenging, and across the majority of the nation, there is no established central government authority over the militias and their weaponry.

At the beginning of the uprising in February 2011, the main driving forces behind the protestors and revolutionaries had some roots in earlier political processes that had historically formed the relationship between Colonel Muammar Gadhafi dictatorship and the Libyan people. Long-standing characteristics of Libya's political landscape included government brutality and repression, unlawful detentions, torture, restrictions on free speech, media censorship, and government corruption, a lack of accountability and transparency, and political persecution. Real democratic transition is yet to be realized.

Political anarchy resulted from the major political and governmental institutions' total collapse during the civil war. Politics in Libya has had to be almost fully "rebooted" due to this process of fragmentation and the country's already underdeveloped political institutions. However, there have been developments, such as the emergence of a political consciousness and participation culture, the plurality of political actors, the establishment of free media, freedom of speech, and association, free and transparent elections, as well as alterations to the legislative and judicial systems. Rashid notes that;

*“In spite of the changes introduced to involve people in governance, many Libyans still lack a solid understanding of political democracy, the nature of elections, how to vote, political party formation and behavior, the function of a constitution and the function of civil society foundations. There is need of many Libyans to become politically capable and educated so that they can participate in political processes” (Rashid Alhadji, O.I Nairobi, 22<sup>nd</sup> November 2022).*

Historical economic processes that created inequalities, poverty, underdevelopment and unemployment were also an important contributing factor to the uprising against Colonel Muammar Gadhafi regime in early 2011. In the four decades of Colonel Muammar Gadhafi rule there was significant growth in the country’s GDP while poverty and unemployment levels were high and income disparity was a record high. There were lots of expectations that this would be a thing of the past with the new democratic regime. This has not been the case as poverty, unemployment and living standards have escalated to unprecedented levels making life unbearable for the ordinary persons.

According to Ratib these issues have an impact on the worries of Libya's common citizens, who are crucial to how the current regime change will ultimately turn out. It is really concerning that citizens are not able to achieve their basic needs in terms of money, get some degree of financial security, and gather the resources they need (Ratib Ahmed, O.I. Nairobi, 14<sup>th</sup> November 2022).

After the overthrow of Colonel Muammar Gaddafi regime, significant adjustments have been made to Libya's foreign relations with other MENA countries and the West. It was expected by many Libyans that the new foreign policy by the NTC would bring benefits to the country which had been isolated for over four decades due to the anti-west foreign policy of Colonel Muammar Gadhafi. Tyhis has not been the case. Overall a majority

Libyans interviewed concurred that the aspirations of the Libyan people were never met with the installation of the foreign regime by the west. Some believed that given time the NTC would meet the aspirations of the people.

#### **4.6 Conclusion**

This study has made the following conclusions. To begin with it is concluded that the civil war in Libya was caused by both long-term internal and international factors. Internal factors included the increasing authoritarianism of Colonel Muammar Gadhafi regime. External factors were attributed to Colonel Muammar Gadhafi's anti-west foreign policies which led to souring relations with leading western countries notably the US, UK and France. The humanitarian crisis caused by the conflict led to military intervention in Libya beginning in February 2011.

Secondly this study concluded NATO had in mind regime change as its main objective under the guise of the protection of human lives and stopping human rights atrocities. Third it has been noted the international community has on several occasions through history instigated regime change through the guise of humanitarian interventions in different third world countries globally. Such endeavors have had negative repercussions leading to endless political instabilities. Lastly it has been observed that UN the foreign installed regime in Libya after the fall of Colonel Muammar Gadhafi has no legitimacy, is ineffective and has failed to meet the aspirations of the people of Libya.

## **CHAPTER FIVE**

### **SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

#### **5.1 Introduction**

This chapter concludes and makes recommendations for the study. The following conclusions were made;

##### **5.1.1 Factors that Precipitated the Libyan Civil Conflict leading to the Intervention of NATO**

This study noted that Colonel Muammar Gadhafi rose to power after the overthrow of King Muhammed Idris in September 1969. Consequently the Monarchy was replaced by a Socialist Republic allied to the USSR and based on strong anti-west foreign policy. The revolutionary Colonel Muammar Gadhafi regime did not hide its anti-west feelings which were clearly articulated in its foreign policy. This attracted fury and discomfort from the capitalist West. Although Colonel Muammar Gadhafi rose to power on the platform of reforming the country he slowly consolidated power over the years and finally presiding over a highly centralized dictatorial and autocratic state.

Early in 2011 a wave of popular unrest spread through Libya resulting in a serious political unrest. The rebellion in Libya against Colonel Muammar Gadhafi's four-decade Qaddafi's dictatorship sparked a civil war and international military involvement that ultimately led to the overthrow and subsequent murder of Colonel Muammar Gadhafi. Entrenched dictatorship and oppression from the Gadhafi state contributed to the civil strife in the country in February 2011. The West took advantage of the political instability in Libya to overthrow Gaddafi whom they considered a tyrant and a dictator based on his

anti-West foreign policy. Colonel Muammar Gadhafi dictatorship sparked a civil war and international military involvement that ultimately led to the overthrow and his subsequent murder.

### **5.1.2 Rationale of the NATO Perspective on Regime Change in Libya**

This study observed that in the post-cold war period there was an increase in both unilateral and multi-lateral interventions in several countries to restore stability and bring to end human rights atrocities. During this period the principles of sovereignty, non-intervention and non-use of force faced increased challenges. The principle non-interference in the internal affairs of states was no longer regarded as a protective barrier behind which human rights violations. Whether a state's sovereignty must be violated in order to preserve human rights through armed force was no longer a debate.

This study examined the rationale behind NATO humanitarian intervention in Libya. This study observed that the humanitarian intervention by NATO sanctioned by the UNSC was justified morally and legally. The rationale behind the adoption of Resolution 1973 was the obligation to protect the civilian populace (R2P). Accordingly this resolution gave NATO the power to take all necessary safeguards to protect people in accordance with Chapter VII of the UN Charter. This act forbade any type of occupation of Libyan territory by the interveners. However, physical occupation of Libya by NATO forces was breached with the occupying forces taking sides in the civil conflict. Numerous operatives from NATO allied countries were also present in Libya, training the rebels and providing them with intelligence and other forms of support, in violation of Resolution 1973 which forbade the use of an occupation force in any form.

This study established that intervention has been undertaken for the sole purpose of maintenance of status quo of powerful actors. It is noted that in the process of intervening, powerful actors do intervene in order to or access natural resources or expand their market access. Intervention in this case is geared towards increasing strategic competition among major powers. The military intervention was probably an imperial war to control Libyan abundant oil reserves. NATO also frequently fired live ordnance, including as rocket-propelled grenades (RPGs) and tank shells, at civilians fleeing the conflict. Under Article VII of the UN Charter such acts are categorically outside the mandate of the UNSC.

### **5.1.3 Role of Foreign Military Intervention in Supplanting the Democratic Elected Government in Libya.**

This study observed that in the post-Cold War period emerging new standards of human protection have altered the politics of humanitarian intervention by forcing a thorough re-evaluation of how the international community reacts to crises marked by violations of human rights in armed conflict. This new developments in the 21<sup>st</sup> have had three major effects on the politics of humanitarian intervention. These include instances several where the UN Security Council has gone beyond critical political thresholds, significant changes in international responses to human rights abuses which entails use of military force and declining advocacy among states for humanitarian intervention outside the framework of the UN Charter.

Although international intervention is justified to stop atrocities against human populations concerns have been raised as to its real motives. There have been instances whereby intervention by the international community in the guise of humanitarianism has

resulted in regime change in a number of countries in the third world. It has been noted that military interventions although have the objective of restoration of peace and stability can be used to pursue regime change.

This study identified a number of unilateral and multi-lateral humanitarian interventions whose real object was regime change. This included; the US military invasion of the Dominican Republic in 1965, the US and the OECS invasion of Grenada in 1983, US invasion of Haiti in 1991, ECOWAS invasion of Sierra Leon in 1997, US invasion of Afghanistan and Iraq in 2000 and 2002 respectively and NATYO invasion of Libya in 2011. This study addressed the connection between aggressive regime change and humanitarian intervention.

It was noted that the Libyan case which was the focus of this study presented a perfect example in which NATO pursued regime change in the guise of humanitarian intervention. The Colonel Muammar Gadhafi regime was replaced with a democratic government that was friendly and acceptable by the West. The international community has already taken the position that Colonel Muammar Gadhafi's regime had to go. The intervention by the international community was based on hatred of Colonel Muammar Gadhafi who had taken an anti-West and an anti- capitalist position on international matters. This study concluded that although NATOs humanitarian intervention was aimed at establishing a democratic government, that objective was not achieved.

#### **5.1.4 Effectiveness of the UN Imposed Regime in Meeting the Aspirations of the People of Libya**

In Libya citizens rose against and challenged the regime of Colonel Muammar Gadhafi which they termed as authoritarian. In the subsequent military interventions it was expected that regime change would result in a responsive and participatory government modeled in Western values of democracy. This did not in any case result in a stable internationally induced democratic regime.

The NATO led intervention and eventual overthrow of Colonel Muammar Gadhafi and the replacement of his regime by the National Transitional Council (NTC) which lacked strong political leadership or unifying idea led to chaos, instability and the continuation of civil war in Libya. The only objective that NATO had was the overthrow of Colonel Muammar Gadhafi and nothing else. No efforts were made to unite the various rebel groups or a commonly held vision for a post-Colonel Muammar Gadhafi stable regime. After the overthrow of Colonel Muammar Gadhafi regime various militia groups increased their onslaught threatening the legitimacy of the new National Transitional Council. The international community has been slow in helping the new administration in solving the problem of instability that it created. It was concluded that the NTC which is modeled along western democracy lacks legitimacy which has contributed in its inability to restore peace and stability in all parts of Libya. Lastly it has been observed that UN the foreign installed regime in Libya after the fall of Colonel Muammar Gadhafi has no legitimacy and has failed to meet the aspirations of the people of Libya.

## **5.2 Recommendations**

Based on the above findings, this study makes the following recommendations;

- (i) Before sanctioning any humanitarian interventions the United Nations must clearly spell out the mandate of the intervening regional body.
- (ii) Future UN sanctioned international interventions should stick to stopping human rights abuses through restoration of peace and stability in affected countries.
- (iii) Whatever the case international intervention should not be geared towards regime change.
- (iv) International interveners' interests should be kept away in future interventions.
- (v) State sovereignty and non-interference in the internal affairs of a country should be respected in future international intervention measures.

## **5.3 Suggestions for Further Research**

This study suggests that further research should be undertaken on United Nations sanctioned humanitarian intervention in African countries embroiled in civil wars.

## REFERENCES

### Published Books

- \_\_\_\_\_ (2013) *Themes and Perspectives on Contemporary Africa's International Relations*, University Press Plc, Ibadan.
- \_\_\_\_\_ (2013) *The Use of Force in Defence of Human Rights, a Conversation with Professor Mats Berdal*.
- Agwu, F. A. (2007). *World Peace through World Law; The Dilemma of the United Nations Security Council*, University Press Plc.
- Ahmida, A. A. (2005). *Forgotten Voices: Power and Agency in Colonial and Postcolonial Libya*. New York: Routledge.
- Alison, P. (2012). *Life Under Gaddafi and their Libyan Revolution: The rise and the Fall of Gaddafi*. Yale University Press
- Amnesty International (2011). *The Battle for Libya: Killings, Disappearances and Torture*, 13 September 2011, MDE 19/025/2011
- Ashour, O. (2012). *Libyan Islamists Unpacked*. Brookings Doha Center Policy Briefing
- Bearman, J. (1986). *Qadhafi's Libya*. London: Zed Books
- Bennett, C. (1995) *Yugoslavia's Bloody Collapse: Causes, Courses and Consequences*. New York, New York University Press.
- Benotman, N. (2013) "Islamists" in Jason Pack, ed., *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future*, New York: Palgrave
- Berdal, M., & Malone, D., (2000). *Greed and Grievance: Economic Agendas in Civil Wars*. Boulder CO: Lynne Rienner.

- Bergen, D. (2002). *War and Genocide: A Concise History of the Holocaust*. Paperback, Third Edition.
- Branch A 2011: The Irresponsibility of The Responsibility to Protect in Africa, in Philip Cunliffe (eds) *Critical Perspectives on the Responsibility to Protect: Interrogating Theory and Practice*. Routledge, New York. 269-304.
- Carpenter, T. G. (2013). *The Future of NATO*. London and New York: Routledge.
- Chesterman, S. (2004). Occupation as liberation: international humanitarian law and regime change. *Ethics & International Affairs*, 18(3), 51-64.
- Collier P, Hoeffler A. (2000) *Greed and grievance in civil war*. Washington DC: World Bank.
- Davis, B. L. (1990). *Qaddafi, Terrorism, and the Origins of the U.S. Attack on Libya*. p. 141
- Deng, F. (2012). *The slippery Slope to Genocide: Reducing Identity Conflicts and Preventing Mass Murders*. Oxford Publishers.
- Dobbins, J. et al., (2003) *America's Role in Nation-Building: From Germany to Iraq*. Washington, D.C.: RAND.
- Escribà-Folch, A., & Wright, J. (2015). *Foreign Pressure and the Politics of Autocratic Survival*. Oxford University Press.
- Falk, R. (1996). *The Complexities of Humanitarian Intervention: A New World Order Challenge*, 17 MICH. J. INT'L L. 491. Available at: <https://repository.law.umich.edu/mjil/vol17/iss2>.
- Ferguson, N. (2006). *The War of the World*, Allen Lane
- Forte, M. C. (2012). *Slouching towards Sirte: NATO's war on Libya and Africa*. Montreal: Baraka Books.

- Fox G. and Roth B. (2000). Intervention in International Law,” in *Democratic Governance and International Law*, ed. Cambridge; Cambridge University Press.
- Frederic S. et al. (2006) “Military Intervention and Prospects for Democratization. *International Journal of Peace Studies*, Volume 11, Number 2, Autumn/Winter 2006.
- Gaddafi, M. 2011. In. Koenig, A. (e.d.). *Hiding in plain sight – the pursuit of war criminals from Nuremberg to the*. Oakland: University of California Press, p.311.
- Gelvin, J. (2012). *The Arab Uprisings*. Oxford: Oxford Press.
- Genugten, S. (2016). *Libya in Western Foreign Policies, 1911–2011*. Springer. p. 139.
- Glitman, M. (1996) "United States Role in Bosnia: Rethinking a Flawed Approach," *Survival* 38, No.4. Winter.
- Green, M. (2019). To What Extent Was the NATO Intervention in Libya a Humanitarian intervention?
- Grotius, H. (1925). *The Law of War and Peace*. Washington, D.C.: Carnegie Institution of Washington.
- Gurr, T. R. (1993). *Minorities at Risk: A Global View of Ethno political Conflicts*. Washington DC: Institute of Peace Press.
- Halliday, Fred (2005) *The Middle East in International Relations: Power, Politics and Ideology*, Cambridge: Cambridge University Press.
- Hedley B. (1995). *The Anarchical Society: A Study of Order in World. Politics*, London: London. MacMillan, 2<sup>nd</sup> edition.
- Holsti, K. J. (1996). *The State, War, and the State of War*, New York Publishers

- Howe, R. L. (2020). *The Regime Destabilization Framework: Deconstructing the Relationship between Regime Change and Humanitarian Military Intervention*. The George Washington University.
- Kaldor, M. (2012). *New and Old Wars: Organized Violence in a Global Era* (Cambridge: Polity)
- Keene, E. (2002). *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics*, Cambridge University Press.
- King, S. (2009). *The New Authoritarianism in the Middle East and North Africa*, Bloomington, Indiana University Press.
- Kissinger, H. (2001). *Does America Need a New Foreign Policy?* New York: Simon and Schuster.
- Krasner, S. (1983) *International Regimes*, London, Cornell University Press.
- Landen G. (2011). *Libyan Civil War*. Delhi: White World Publications.
- Le Billon, et al. (2000). *The Political Economy of War: What Relief Agencies Need to Know*. London: Relief and Rehabilitation Network.
- Lindley-French, J. (2007). *The North Atlantic Treaty Organization: The Enduring Alliance*. London and New York: Routledge.
- Louden, R. (2011). *Kant's Human Being: Essays on His Theory of Human Nature*, Oxford University Press.
- Louis, Wm. R. (2006). *The British Empire in the Middle East, 1945 – 1951: Arab Nationalism, the United States, and the Postwar Imperialism*. Oxford: Oxford University Press.
- Lowenthal, A. (1991). *Exporting Democracy: The United States and Latin America- Themes and Issues*, Baltimore: Johns Hopkins University Press.
- Malanczuk, P. (1993). *Humanitarian Intervention and the Legitimacy of the Use of Force*. London, Macmillan
- Malcolm, N. (1998) *Kosovo: A Short History*. New York: New York University Press.

- Mandelbaum, M. (1996). *The Dawn of Peace in Europe*. New York: Twentieth Century Fund.
- Martínez, L. ((2007). *The Libyan Paradox*. Columbia University Press.
- Meiser J. (2018). *Introducing Liberalism in International Relations Theory*. University of Portland, USA.
- Müllerson, R. (2013). ‘Humanitarian Intervention, Civil Wars and Regime Change’, in *Regime Change* (pp. 179-232). Brill Nijhoff.
- Murphy, S. D. (1996). *Humanitarian intervention: the United Nations in an evolving world order*. University of Pennsylvania Press.
- Nafziger, E.W and Auvinen J. (2000). The economic causes of humanitarian emergencies, in: Nafziger EW, Stewart F, Vayrynen R, editors. *War, hunger and displacement: the origin of humanitarian emergencies*. Oxford: Oxford University Press; pp. 91–145.
- Ondrejcsák, R. (2014). How Russia has changed the European Security? Centre for European and North Atlantic Affairs.
- Onuma, Y., Ed. (1993). *A Normative Approach to War: Peace, War, and Justice in Hugo Grotius*. Oxford, Clarendon Press.
- Orford, A., (2003). *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*. Cambridge: Cambridge University Press.
- Rawls, John, (1993). *Political Liberalism*, New York: Columbia University Press.
- Raz, Joseph (1995). *Ethics in the Public Domain: Essays in the Morality of Law and Politics*, Oxford: Clarendon Press.
- Reno, W. (1998). ‘Introduction’ in *Warlord Politics and African States*, Lynne Rienner publications, London.
- Roth, B. R (1999). *Governmental Illegitimacy in International Law*. London, Macmillan.

- Shirayev, E. B. (2014). *International Relations*. New York: Oxford University Press.
- Smith, T. (1994). *America's Mission: The United States and the Worldwide Struggle for Democracy in the Twentieth Century*. Princeton, N.J.: Princeton University Press.
- Stewart F. and Fitzgerald V, (2001). *War and Underdevelopment: The Economic and Social Consequences of Conflict*. Ed. Oxford: Oxford University Press.
- Sullivan, M. (2008). *American adventurism abroad: Invasions, interventions, and regime changes since World War II*. Blackwell Publishers.
- Tesón, Fernando R. (2005). *Humanitarian Intervention: An Inquiry into Law and Morality*. Brill Nijhoff.
- UN General Assembly (1998) *Rome Statute of the International Criminal Court (last amended 2010)*, 17 July 1998,
- UN General Assembly (2005) *World Summit Outcome: resolution / adopted by the General Assembly*, 24 October 2005, A/RES/60/1.
- Van De Haar E. (2018). *Classical Liberalism and International Relations Theory*. Palgrave Macmillan
- Welsh, J. (2004) *Humanitarian Intervention and International Relations*. Ed. Jennifer M. Welsh. New York: Oxford University Press.
- Woodward, S. (1995). *Balkan Tragedy: Chaos and Dissolution after the Cold War*, Washington, DC: The Brookings Institution.

### **Journals Articles, Reports, Published Papers and Thesis**

African Union (2000) Constitutive Act of African Union, Lome; Togo. Article 4(h)

- Arbour, L. (2008) 'The responsibility to protect as a duty of care in international law and practice', *Review of International Studies*, 34/3.
- Barnes, J. (2013). Authoritarianism and Resilience in the Middle East: The legacy of the Arab Spring in Tunisia & Bahrain, *Queen's Political Review*, 1(1), 57-66.
- Barro, R. (1999) Determinants of Democracy, *Journal of Political Economy*, 107 (6) 158-83.
- Beckman, B. (1992). The Post-Colonial State: Crisis and Reconstruction, *IDS Bulletin*, 19 (4) 40-51.
- Bellamy A. J & Williams P D (2011). The new politics of protection? Cote d'Ivoire, Libya and the Responsibility to Protect, *International Affairs* 87(4): 825- 850.
- Bellamy, A. J. (2015). The Changing Face of Humanitarian Intervention. *St Antony's International Review*, 11(1), 15-43.
- Bert, W. (2011). Iraq—2003–2010. American Military Intervention in Unconventional War, 157-194. doi:10.1057/9780230337817\_ Buchanan, Allen, 2002. "Political Legitimacy and Democracy," *Ethics*, 112(4): 689–719.
- Borneman, J. (2003). Responsibility after Military Intervention: What is Regime Change? *Political and Legal Anthropology Review*, 26(1), 29–42. <http://www.jstor.org/stable/24498079>.
- Canyon, D., Ryan, B and Burkle F., (2020). Rationale for Military Involvement in Humanitarian Assistance and Disaster Relieve, *Prehospital and Disaster Medicine*, 35 (1), 92-97.
- Bueno de M. and Downs G. (2003). Intervention and Democracy, *International Organization*. – (60), 627-649.
- Cole, P. and McQuinn Brian (2015) *The Libyan Revolution and Its Aftermath*, *The Middle East Journal*, Summer 2015.

- Dembinski M. and Reinold, M. (2011) Libya and the Future of the Responsibility to Protect. African and European Perspectives, *PRIF-Report No. 107*, Peace Research Institute Frankfurt (PRIF).
- Denison, B. (2020). The More Things Change, the More They Stay the Same the Failure of Regime-Change Operations *Policy Analysis* 6 (883) -
- Diamond, L. and Morlino, L. (2004). The Quality of Democracy, *Journal of Democracy*, 15 (4), 20-31.
- Downes, A.B., & O'Rourke L. A. (2018); You Can't Always Get What You Want: Why Foreign-Imposed Regime Change Seldom Improves Interstate Relations. *International Security* 2016; 41 (2): 43–89
- Eisay, N. (2023) 'Op-Ed: The Libyan people's aspirations: Navigating political apathy amidst societal challenges' Libya Herald available at: <https://libyaherald.com/2023/07/op-ed-the-libyan-peoples-aspirations-navigating-political-apaty-amidst-societal-challenges/>
- El-Gamaty, G. (2016). The French connection in the West's scramble for Libya. *The New Arab*, 2 August.
- Enterline, Andrew J., and J. Michael Greig. (2005). Beacons of Hope? The Impact of Imposed Democracy on Regional Peace, Democracy, and Prosperity." *Journal of Politics*, 67 (4), 1075-1098.
- Eriksson, M. (2016). A fratricidal Libya: Making sense of a conflict complex. *Small War & Insurgencies*, 27(5), 817–36.
- Fearon, J. D. & Laitin, D. (2004). Neo trusteeship and the Problem of Weak States, *International Security*. 28 (4): 5–43.
- Fiott Daniels (2013) Realist Thought and Humanitarian Intervention. *International History Review*, Vol 35, 2013-Issue 4.

- Griswold, D. (2004). Trading Tyranny for Freedom: How Open markets Till the Soil for Democracy, *Trade Policy Analysis*, -(-), 1-16.
- Hermann M. and Kegley C. (1998). Democracy,” *Journal of Peace Research* 33 (1996), 391-402; and,
- Hermann M. and Kegley C. (1998). the US Use of Force to Promote Democracy: Evaluating the Record,” *International Interactions* 24 (1998): 91-114.
- Hirshleifer J. (1994). The dark side of the force. *Econ Inquiry*; 32:1–10.
- Hisham H. A. (2012). The Arab Spring, the West and Political Islam January/February 2012, ATC accessed at: <https://www.solidarity-us.org/node/3492>. 20 July 2022.
- Homer-Dixon T. (1994). Environmental scarcities and violent conflict: evidence from cases. *Int Secur*;19(1):5–40.
- Human Rights Watch, June 27, 2006 “Libya: June 1996 Killings at Abu Salim Prison.
- Kamel A. (2014). “The Libyan coup that never was,” *Al Ahram Weekly*, February 26, [Weekly.ahram.org.eg/News/5470](http://www.ahram.org.eg/News/5470).
- Kaplan R. (1994) The coming anarchy: how scarcity, crime, overpopulation and disease are threatening the social fabric of our planet. *Atlantic Monthly*, pp. 44-74.
- Kegley C. and Hermann, M. (1997). Putting Military Intervention into the Democratic Peace: A research Note, *Comparative Political Studies* 30 (1997): 78-107.
- Kinacioglu, M. (2012). Forcing Democracy: Is Military Intervention for Regime Change Permissible? *Hacettepe, University All Azimuth*, 1(1), 28-48.
- Kinacioğlu, M., (2012). Forcing Democracy: Is Military Intervention for Regime Change Permissible? *All Azimuth-A Journal Of Foreign Policy and Peace* , Vol.1, No.1, 28-48.

- Kinloch-Pichat (2004) A United Nations 'Legion': Between Utopia and reality. *Research Gates*
- Lawson, S.J. (1993). Conceptual Issues in the Comparative Study of Regime Change and Democratization. *Comparative politics*, 25, 183.
- Levin, D., and Lutmar, C. (2022). Violent Regime Change: Causes and Consequences, *Oxford Research Encyclopedia of Politics*
- Megan D. (2012) "Building a New Libya: Citizen Views on Libya's Electoral and Political Process," National Democratic Institute.
- Milne,S. (2011). The 'Arab spring' and the West: Seven lessons from history, *The Guardian*
- Pattison J. (2011). The ethics of Humanitarian Intervention in Libya. *Ethics & international affairs*, 25 (3), 271- 277
- Payandeh, M. (2011). The United Nations, military intervention, and regime change in Libya. *Va. J. Int'l L.*, 52, 355.
- Payandeh, M. (2012). The United Nations, Military Intervention, and Regime Change in Libya *Virginia Journal of International Law*, Vol. 52, No. 2
- Peceny, M., (1999). "Forcing them to be Free." *Political Research Quarterly*. 1 (52) 549-582.
- Peic, G., & Reiter, D., (2011). Foreign Imposed Regimes Change, State Power and Civil War Onset, 1920-2004. *British Journal of Political Science*, 41 (3), 453-475.
- Pierre, T.G., (2012). The Status and Future of International Law after the Libya Intervention, *Journal of International Law* 4 (1), 11-48
- Pommier, B., (2011). The Use of Force to Protect Civilians and Humanitarian Action. The Case of Libya and Beyond. *International Review of The Red Cross*. --

- Reisman, Michael W. (1994) "Humanitarian Intervention and Fledgling Democracies." *Fordham International Law Journal* 18: 794-805.
- Reiter, D. (2011). The Poisoned Chalice of Foreign Imposed Regime Change *E-International Relations* ISSN 2053-8626 Page 2-3.
- Ripstein, A. (2004). Authority and Coercion," *Philosophy and Public Affairs*, 32(1): 2–35.
- Ross Michael L. (2011). Will Oil Drown the Arab Spring? Democracy and the Resource Curse *Foreign Affairs* September/October 2011.
- Scheffer, D. J. (1992) "Towards a Modern Doctrine of Humanitarian Intervention." *University of Toledo Law Review*, 1 (23), 253-274.
- Simma, B. (1999). NATO, the UN and the use of force: Legal Aspects, *European Journal of International Law*, 10 (1) --.
- Simuziya, N. J. (2023). The (il)legality of the Iraq War of 2003: An Analytical Review of the Causes and Justifications for the US-led invasion. *Cogent Social Sciences*, 9(1). <https://doi.org/10.1080/23311886.2022.2163066>
- Sprinborg, Robert, (2011) "*The Political Economy of the Arab Spring*", *Mediterranean Politics*, Vol. 16, No. 3, 427-433.
- Sullivan, P. L (2007). War Aims and War Outcomes: Why Powerful States Lose Limited Wars, *Journal of Conflict Resolution* 51 (3), 496–524.
- Tesón, F. (2006). Eight Principles of Humanitarian Intervention, *Journal of Military Ethics* 5 (2): 94-116.
- Weigle, M. A. (2020). Political Liberalism in Post-communist Russia". *The Review of Politics*. 58 (3). 114-134.
- Welsh J M 2011, "Civilian Protection in Libya: Putting Coercion and Controversy Back into RtoP," *Ethics and International Affairs* 25 (3): 255 – 262.

Whelan, C. J. (2021). Military intervention in democratic societies. *Military Intervention in Democratic Societies*, 264-293. doi:10.4324/9781003150466-11

Williams, P. D., & Bellamy, A. J. (2012). Principles, politics, and prudence: Libya, and the responsibility to protect, and the use of military force. *Global Governance*, 18(3), 273 -297.

Zachary P., Deloughery, K. and Downes A. B. (2017). No Business Like FIRC Business: Foreign-Imposed Regime Change and Bilateral Trade, *British Journal of Political Science* 47 (4), 749–82.

### **Online Sources**

Aljazeera.com. (2011). *No let-up in Gaddafi offensive*. [online]

Becker, J. and Shane, S. (2016). *Hillary Clinton, 'Smart Power' and a Dictator's Fall*. [online] The New York Times.

Chivers, C. and Schmitt, E. (2011). *Scores of Unintended Casualties in NATO War in Libya*. [online] Nytimes.com.

Cohn, M. (2011). *The Responsibility to Protect. The Cases of Libya and Ivory Coast*. Accessed Sept 2022

De Waal, A. (2004). *Counter Insurgency on the Cheap* [London Review of Books](#). 26 (15). [Archived](#) from the original on 3 August 2004. Retrieved 26 August 2022.

ICISS (2001) *The Responsibility to Protect: Report of the International Commission on The Responsibility to Protect*, December 2001; at <http://www.iciss.ca/pdf/Commission-Report.pdf>.

- Manfreda, P. (2012). "How the Arab Spring Started" accessed at: <http://middleeast.about.com/od/tunisia/tp/How-The-Arab-Spring-Started.htm>. 25 July 2022.
- O' Connell M E (2011). "How to lose a Revolution", The-responsibility to protect challenges opportunities in light of Libya intervention. Accessed Sept, 2022.
- Prince, R. and Harnden, T. (2011). *Libya: coalition attacks Sirte for first time*. [online] Telegraph.co.uk.
- Puddington, A. (2012). Freedom in the World. The Arab Uprisings and Their Global Repercussions. Accessed at: [www.freedomhouse.org](http://www.freedomhouse.org) 21 August 2022.
- Rashid, K. (2012). 'Is humanitarian intervention ever morally justified?' available at: <https://www.e-ir.info/2012/03/13/is-humanitarian-intervention-ever-morally-justified/>
- Rijke, N. (2014). Intervention In Libya: A Crime Of Aggression?, ICD Brief 4 [www.internationalcrimesdatabase.org](http://www.internationalcrimesdatabase.org) March.
- Stanglin, D. 2011, Gaddafi Vows to Attack Benghazi and Show No Mercy, USA Today, March 17, (<http://tinyurl.com/6atpca3>), Accessed August 2022.
- Walzer, M. (2011). The Case against our Attack on Libya, Available at <https://newrepublic.com/article/85509/the-case-against-our-attack-libya>,
- Williams, L., and Masters, D. (2011). Assessing Military Intervention and Democratization: Supportive Versus Oppositional Military Interventions. *Democracy and Security*, 7(1), 18–37. <https://www.jstor.org/stable/48602680>.

## **APPENDICES**

### **Appendix I: Introductory Letter to Respondents**

**Date: 18<sup>th</sup> October, 2022**

**Dear Sir/Madam,**

**Ref: Introduction**

I am a post-graduate student from Kenyatta University currently researching on The North Atlantic Organization (NATO) military intervention in Libya between 2011 and 2022. You have been identified as one of the respondents to provide information on this research. Any information you give will be treated confidentially and will be used for academic purposes only. Your cooperation will be highly appreciated.

Thank you in advance.

**ISAAC MUTHAURA MURUNGI**

## Appendix II : Interview Schedule

### PERSONAL INFORMATION

Name: (Optional) \_\_\_\_\_

Profession \_\_\_\_\_

Education Level \_\_\_\_\_

Age \_\_\_\_\_

### Section ONE

#### Factors that Precipitated the Libyan Civil Conflict Leading to the Intervention of NATO

1. It has been noted that King Idris government was highly centralized autocratic and pursued the interests of the west at the expense of that of the local population.  
What do you think?
2. What were the reasons that led to the overthrow of King Idris by Colonel Gadhafi?  
What reforms did Colonel Gadhafi institute in his revolutionary regime?
3. Tell us more of Colonel Gadhafi's foreign policy.
4. Gadhafi's revolutionary government guaranteed provision of free education, housing and supply of basic commodities to the citizens. elaborate on this
5. To what extent was Gadhafi a dictator?
6. What were the reasons of the uprising that overthrew
7. What internal and external factors led to the overthrow of Colonel Gadhafi?

## **Section TWO**

### **Rationale of the North Atlantic Treaty Organization Perspective on Regime Change in Libya**

1. What were the moral justifications of NATO to intervene in the civil war in Libya
2. What of the political justifications?
3. How did the intervention of NATO in Libya amount to internal interference in the affairs of sovereign states?
4. What prompted the UN to sanction the NATO military operation in Libya?
5. Where there other ways of solving the humanitarian crisis in Libya without the use of force? Why were other options not employed?
6. NATO went against the UN provisions of the humanitarian intervention by showing open support for rebels who were fighting Colonel Gadhafi government. Tell more about this?
7. NATO strikes in Libya targeted against Gadhafi soldiers killed civilians mostly women and children. How true is this?
8. The real motive of the NATO military operation in Libya was regime change under the guise of humanitarian intervention. Deliberate on this
9. The civil war in Syria had worse consequences as compared to Libya. Why did NATO opt for Libya and not Syria?

### **Section THREE**

#### **The Role of International Community in Supplanting Democratically Elected Government in Libya through NATO Military Intervention.**

1. What are the instances in which countries take unilateral decisions to overthrow regimes they deem undemocratic?
2. How often has the UN condemned or sanctioned such military operations?
3. Is democracy the most ideal form of governance in Africa?
4. To what extent has the international community succeeded in replacing 'authoritarian' with western democracy?
5. How stable are such foreign imposed democratic regimes?

### **Section FOUR**

#### **Effectiveness of the UN Imposed Regime in Meeting the Aspirations of the People of Libya**

1. What do you understand by legitimacy? What gives legitimacy to a regime?
2. Where does the NTC derive legitimacy considering that it is foreign imposed.
3. To what extent is the UN imposed NTC legitimately in power?
4. Has the NTC been able to stabilize the country?
5. When Libyans went to the streets to oppose the authoritarian regime of Gadhafi, they wanted to replace with a democracy that allowed human freedoms to participate in politics. Have these expectations been met?
6. What is the future of the NTC in Libya?

### Appendix III: List of Informants

SNo	Name	Date of Interview	Place of Interview
1.	Yusuf Aziz Abdul	22 <sup>nd</sup> October	Nairobi
2.	Sarai Ahmed	22 <sup>nd</sup> October	Nairobi
3.	Omar Aaaqil	24 <sup>th</sup> October	Nairobi
4.	Abdu-Aziz Parker	26 <sup>th</sup> October	Nairobi
5.	Abbas Gullie	28 <sup>th</sup> October	Nairobi
6.	Mohammed Aden	28 <sup>th</sup> October	Nairobi
7	Mahmoud Jibril	29 <sup>th</sup> October	Nairobi
8	Abbud Ahmed	29 <sup>th</sup> October	Nairobi
9	Mohammed Akbar	3 <sup>rd</sup> November	Nairobi
10	Abdala Malik	4 <sup>th</sup> November	Nairobi
11	Omar Aaaqil	6 <sup>th</sup> November	Nairobi
12	Mohammed Aden	6 <sup>th</sup> November	Nairobi
13	Sheik Abdul-Malik	6 <sup>th</sup> November	Nairobi
14	Abdirahman Salim	10 <sup>th</sup> November	Nairobi
15	Mohammud Atfar	16 <sup>th</sup> November	Nairobi
16	Abdul Qahaar	12 <sup>th</sup> November	Nairobi
17	Akhill Arafat	12 <sup>th</sup> November	Nairobi
18	Abdul-Baaqi	16 <sup>th</sup> November	Nairobi
19	Abdul Abdalla	18 <sup>th</sup> November	Nairobi
20	Hassan Abdulaziz	19 <sup>th</sup> November	Nairobi
21	Abdul Qaiyoum	20 <sup>th</sup> November	Nairobi
22	Suni Omar	14 <sup>th</sup> November	Nairobi
23	Ratib Ahmed	14 <sup>th</sup> November	Nairobi
24	Muamar Abdullah	14 <sup>th</sup> November	Nairobi
25	Hosman Adham	22 <sup>nd</sup> November	Nairobi
26	Rashid Alhadji	22 <sup>nd</sup> November	Nairobi
27	Aharon Ahsan	22 <sup>nd</sup> November	Nairobi
28	Zacharia Adham	28 <sup>th</sup> November	Nairobi

29	Ahmed Ali	28 <sup>th</sup> Nov	Nairobi
30	Yusuf Aden	29 <sup>th</sup> November	Nairobi
31	Zamam Mihamed	29 <sup>th</sup> November	Nairobi
32	Muhamed Idris	29 <sup>th</sup> November	Nairobi
33	Gullie Ahmed	30 <sup>th</sup> November	Nairobi
34	Adbul Parker	30 <sup>th</sup> November	Nairobi
35	Mohammun Mossi	30 <sup>th</sup> November	Nairobi
36	Idris Yakub	30 <sup>th</sup> November	Nairobi
37	Salat Ahmed	1 <sup>st</sup> December	Nairobi
38	Abdul Aden	1 <sup>st</sup> December	Nairobi
39	Sarai Ahmed	1 <sup>st</sup> December	Nairobi
40	Zacharia Rashid	2 <sup>nd</sup> December	Nairobi
39	Omar Sadat	2 <sup>nd</sup> December	Nairobi
40	Gullet Mohammad	24 <sup>th</sup> October	Nairobi

## **Appendix IV: KU Research Authorization**



KENYATTA UNIVERSITY  
GRADUATE SCHOOL

E-mail: [dean-graduate@ku.ac.ke](mailto:dean-graduate@ku.ac.ke)

Website: [www.ku.ac.ke](http://www.ku.ac.ke)

P.O. Box 43844, 00100  
NAIROBI, KENYA  
Tel. 8710901 Ext. 57530

Our Ref: S205/CTY/PT/28300/2019

Date: 27<sup>th</sup> September, 2022

Director General,  
National Commission for Science, Technology  
and Innovation  
P.O. Box 30623-00100  
NAIROBI

Dear Sir/Madam,

RE: RESEARCH AUTHORIZATION FOR ISAAC MUTHAURA MURUNGI, REG. NO. S205/CTY/PT/28300/2019.

I write to introduce Isaac Muthaura Murungi who is a Postgraduate Student of this University. The student is registered for M.A degree programme in the Department of International Relations, Conflict and Strategic Studies.

Isaac intends to conduct research for a M.A Project Proposal entitled, "Humanitarian Intervention and Regime Change in Africa: A Case of North Atlantic Treaty Organization Operation in Libya, 2011 - 2021".

Any assistance given will be highly appreciated.

Yours faithfully,

PROF. ELISHIBA KIMANI  
DEAN, GRADUATE SCHOOL

*J/ku*



