

# Nato Intervention in Libya and its Consequences on Global Security

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## Abstract

Against its moral appeal as a framework for protection of civilians from humanitarian catastrophe, the responsibility to protect (RtoP) seems not to have escaped a wider political context. Thus, questions of why, when and how force should be applied have incessantly trailed several intervention operations NATO's intervention in Libya. While the political misgivings of the Libyan regime under Gaddafi were conspicuous, this study argues that the Libyan intervention was however executed without recourse to certain procedural implications; Resultantly, the Libyan debacle has not only contributed to global insecurity, but has equally hampered international consensus building, weakened regional bodies and heightened suspicion amongst world powers, which partly explains the current stalemate on the Syrian crisis. Hence, this study recommends that there is an urgent need to rethink NATO's strategy in conflict management in Africa, and the imperative of institutional synergy between the United Nations and the Africa Union so as to bridge the institutional gaps, engender political will, and by extension the growth of the RtoP.

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*Index terms*— NATO, humanitarian intervention,

## 1 I. Introduction

In the periods before and during the cold war, intervention in the affairs of a state by another state or group of states was strictly regarded as a violation of the non-intervention principle. Indeed, for Glanville ??, within this period, a "firmly on -interventionist conception of sovereignty prevailed". However, the beginning of the 1980s and 1990s heralded a shift in the traditional conception of sovereignty. Thus, scholarship on international diplomacy began to reflect on the limits of Westphalia thinking. Accordingly, international relation scholars like Krasner 2, Donnelly 3 are of the view that the greatest challenge posed to sovereignty stems from the globalization of human rights. The importance of the practice of human rights within the international arena has, no doubt, compromised the conventional wisdom of the notion of state sovereignty. The time of absolute sovereignty and exclusive sovereignty has passed; its theory was never matched by reality" 4 In particular, the huge tasks of effectively addressing the pervasive domestic conflicts of unregulated character that have remained protracted in Africa and the need to bring succor to humanity by preventing and terminating the gross violations of their Author ??: Department of Political Science, University of Ibadan. e-mails: erameherumiseh@yahoo.com, enemaku@yahoo.com fundamental rights, especially the vulnerable populations and 'minors' (i.e. sanctity of human life) has had considerable influence on the current thinking on security, sovereignty, and human rights discourses. Worried by this, the Security Council has, on several occasions, authorized the use of force with the aim of protecting civilians in humanitarian crises through armed humanitarian intervention. Kofi Annan 5 echoes that the rights of the individual affected the concept of sovereignty. It follows then that sovereignty is no longer looked upon as a sort of sacred cow. The violation of sovereignty is becoming more widely tolerated in situations where the rights of individuals are being trampled upon.

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Libya, geographically tucked between Tunisia and Egypt, did not stay immune from the political wildfires of the Arab Spring. In less than one week after the demise of Mubarak's regime, the embers of minor conflicts which had been visible in other towns broke into a conflagration of widespread demonstrations when on February 15, several hundred of citizens of the eastern city of Benghazi gathered in front of a police station to demand the release of a human rights lawyer. In two days the protests spread to a half dozen cities resulting in a heavy crackdown by government forces leading to the formation of the National Transitional Council by opposition forces. Many watchers of international relations expected the precedent set in Tunisia to be replicated in other places such as Libya just as the Libyans had started a revolt against their longtime leader Muammar Ghaddafi. However, Col Ghaddafi, in his usual manner, fumed at such a call and this dashed the hopes of those international relations scholars, as Ghaddafi's forces launched a massive attack on protesters on a massive scale. In a bid to justify the intervention in Libya, Engelbrekt et al 6 were of the view that some of the earliest distinguishing features of the Libyan crisis included the willingness of Ghaddafi's regime to employ deadly and unrelenting force including heavy artillery weaponry against demonstrators compelling the opposition to arm themselves in defense against the regime's belligerence. Also, Human Rights watch put the death toll at 84 People who had been killed by security forces in the first few days of peaceful protests against Gaddafi's regime 7 .

While the international community responded swiftly to the brutal killing of protesters in Libya and call for an end to the hostility in Libya, Ghaddafi's forces continued to unleash mayhem on the protesters with Ghaddafi calling them "Rats" and "cockroaches" while threatening to kill 'from alley to alley, from house to house, from room to room' and that he would show no mercy.' In his speeches in February 2011, Gaddafi used language reminiscent of the 1994 radio broadcasts calling for genocide in Rwanda; he referred to the protesters as "vermin" and publicly told his forces to show "no mercy" to rebels and to "cleanse Libya house by house" until they surrendered 8 . From the very beginning of the crisis, senior UN officials have predicted the imminent possibility of mass casualties and went about a response within the RtoP framework 9 . In response to Ghaddafi's threat, the United Nations Security Council adopted resolution 1970 which placed travel bans on Ghaddafi and key members of his cabinet, as well as the freezing of their assets, and later adopted resolution 1973 which authorized the "use of all means necessary" to protect civilians in Libya.

Although resolution 1970 seems to have enjoyed a wide acceptance even among regional organizations, resolution 1973 and its consequent application in the Libya crises has generated a lot of controversies and that is what this study interrogates. Apart from the fact the NATO intervention ended up in a disorder, the post-intervention Libya has not only slowed down the further application of the RtoP doctrine, it has also led to global insecurity as evident in the Syria crises and the huge refugee problem in Europe.

## 2 II. Responsibility to Protect in Libya: A Theoretical Consideration

Failure to intervene or slow intervention which occurred in the 1990s in internal armed conflicts despite complex humanitarian emergencies accompanying such conflicts led to the introduction of the African union constitutive act of 2000 on the part of African leaders, and the concept of the Responsibility to Protect (RtoP) at the international level. Even though Africa leaders did not use the concept of responsibility to protect, the language of Article 4 (h) and (j) suggests that the Africa union was also concerned about the move from noninterference to not in -the d the difference in member's states affairs. At a regional level, the African union constitutive act resonated in this regards. Specifically, Article 4 (h) 10 authorizes the AU to intervene in member states in pursuant to a decision of the Assembly in respect of grave circumstances, namely; war crimes, genocides, and crimes against humanity. While 4(j) 11 , gives the right of member states to request intervention from the union in order to restore peace and stability. Also, the responsibility to protect ushers in a new understanding that aims to transform the negatively perceived notion of the "right to intervene" into "responsibility to protect".

Though first muted in 2001, the concept of RtoP gained greater prominence in 2005 following the outcome of the UN World Summit Document. The Summit unanimously adopted the RtoP concept as a guiding principle to intervene in civil conflicts. It also empowers states, regional organization and international institutions to play a key role in the RtoP process, while the authority to employ last resort and intervene militarily rest solely on the UNSC and the general assembly 12 . The concept, was, however, adopted by large numbers of states in 2009. Since the adoption of the RtoP, it has been invoked in the Kenya post-election and Zimbabwe crises. However, Libya remains the real first case where the doctrine was fully invoked through Resolution 1970 and 1973 respectively.

The NATO intervention in Libya has sparked a lot of debate, especially among international relations scholars. Different positions have therefore been advanced in this regard. While some concern themselves with the justification for NATO's action, some focus on the legality of the intervention, others have focused on the means, intentions, and outcomes of these interventions. From a constructivist position, James Pattison draws from the just cause principle as contained in the ICISS document to justify the Libya intervention. As he puts it; "Ghaddafi regime had shown its readiness to massacre his people through the initial killing of 1,000 to 10,000 people. It had also made clear Ghaddafi's intent to commit further massacres when he enjoined his supporters to go out in Benghazi to attack protesters 13 . The Libya crisis remains unique as it represents the first case of humanitarian intervention for which the UNSC relied on the RtoP to justify its action. Taking a similar

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104 position, Weiss 14 Western & Goldstein 15 Stewart 16 concur that the NATO intervention in Libya represents  
105 the acknowledgment of the existence of the responsibility to protect doctrine, and that the international action  
106 in Libya sheds new light on the rationale for humanitarian intervention, and an attestation to the fact that world  
107 leaders seem to be committed to ending crimes against humanity.

108 Although those who have thrown their weight behind the justification for the NATO intervention might be  
109 right, at least, viewed on a short run perspective, the intervention seems to have been able to halt an "impending"  
110 genocide in Libya, and especially in Benghazi. Nevertheless, the way and manner NATO carried out the  
111 intervention in Libya, with indiscriminate aerial bombardments shows a high disregard for basic humanitarian laws  
112 and human rights. Ultimately, the questions that therefore arise are how do we rationalize killing more civilians  
113 to protect civilians? Also, what level of confidence was attributed to resolution 1970 before resolution 1973 was  
114 passed? And why is the international community still foot-dragging in halting the obvious and protracted killings  
115 in Syria?

116 For Bellamy and Williams 17 , there were reports of widespread and systematic attacks against civilian  
117 populations by the Ghaddafi regime. Also, the Ghaddafi forces had pushed fast to Benghazi (a rebel stronghold)  
118 making "overt threats to commit atrocities" against the civilian population in spite of resolution 1970. Citing  
119 "impending" massacre on the Libya people, especially members of the National Transition Council, they further  
120 argue that there was no other alternative to prevent Ghaddafi from killing his people. Hence, Bellamy and  
121 Williams conclude that it was apparent that the "decisive action" required in such situation would have to be  
122 nothing short of military force. ??8 In this regard, the UNSC consequently authorized resolution 1973 which  
123 called for the " all necessary means" to protect civilians, short of a "foreign occupation force", and, lastly,  
124 established a no-fly-zone. The problem with such position is a long standing problem between the North and the  
125 South, especially as it concerns how laws are made, who made them, how and why they are administered. There  
126 seems to be a serious western media hype of the situation in Libya which was used to justify the intervention  
127 in Libya, this does not justify the clamp down on rebels by the Ghaddafi regime. The lack of coherent and  
128 adequate number of those killed before NATO intervened in Libya by the various media outlets exposes the flaw  
129 in the position of these scholars. Also, NATO and its allies bypassed the International Criminal Court of Justice  
130 which has the power to establish if truly genocide had been committed by Ghaddafi.

131 On the contrary, studies such as O' Connell 19 , Cohn 20 have all rejected the justifications put forward by the  
132 pro-interventionist. For them, the periods between which the UNSC passed resolution 1970 and 1973 respectively  
133 shows that enough time was not given to test the efficacy of the peaceful means before NATO's bombs began to  
134 fly. Chon 21 further argues that after the passage of the resolution, the Libyan government offered to accept a  
135 cease-fire, while Ghaddafi offered to step down. However, the demonization of Ghaddafi, the imperial drive of  
136 the US, its allies and the fear of the members of the NTC made such offer not to be given a real thought. In  
137 Steven Groves article " Obama Wrongly Adopts U.N. "Responsibility to Protect" to Justify Libya Intervention",  
138 Groves argues that the President made the case for just cause, stating that "we were faced with the prospect of  
139 violence on a horrific scale" in Libya. Gaddafi was engaged in a "campaign of killing" and his forces were "bearing  
140 down on the city of Benghazi," and if not stopped would perpetrate "a massacre that would have reverberated  
141 across the region and stained the conscience of the world." ??? .

142 Evidently, the grounds upon which Obama used in calling for an intervention in Libya have been found not  
143 to be true. The NATO intervention only succeeded in removing Ghaddafi while leaving Libya worse than it was  
144 with dire security consequences around the world. Micheal Walzer raised skepticism about the situation in Libya  
145 and argues thus; "a military attack of the sort now in progress is defensible only in most extreme cases, Rwanda  
146 and Darfur, where we didn't intervene, would have qualified. Libya doesn't 23 . Also, the recent regret expressed  
147 by president Obama on the Libya intervention in an interview with Chris Wallace of the British Broadcasting  
148 Service (BBC) affirms this position. President Obama was quoted as saying "probably failing to plan for the day  
149 after that I think was the right thing to do in intervening in Libya. He went further to criticize France and the  
150 UK, in particular saying the British prime minister, David Cameron became "distracted" after the intervention  
151 24 . While media reportage plays a major role in bringing the world attention to crimes against humanity,  
152 experiences have equally shown that some of this reportage is highly exaggerated. Hence, relying on such is not  
153 only dangerous for intervening states; it also portrays the responsibility in a bad light. Hence, the importance of  
154 a sufficient judicial review cannot be underestimated given such situation.

155 Beyond the justification for or against, Jennifer Welsh focuses on the problematic ethics employed in the  
156 intervention process as well as the concerns of such action on humanitarian intervention and by extension  
157 RtoP. Welsh forwards two instances which suggest that the RtoP was abused during the intervention in Libya,  
158 Firstly, that resolution 1973 refers to the responsibility of the Libyan government to protect its citizens and  
159 not the international community. Secondly, the NATO intervention in Libya demonstrates that the principle of  
160 impartiality, advocated by the framers of the RtoP was not adhered to. Hence, instead of being a neutral actor  
161 in the conflict, the international community took sides with the rebels 25 . In violation of the arms embargo,  
162 France even provided weapons on an official basis before Russian protests stopped this practice 26 .

163 Jennifer Welsh, Dembinski, and Reinold are not left alone in the criticism leveled against NATO's misapplica-  
164 tion of the RtoP doctrine in Libya. In Maximilian Forte's book on the Libyan war, slouching towards Sirte, Forte  
165 27 also argues that from the onset of NATO's intervention in Libya, it was clear that the imperial-power-warriors  
166 were using civilian protection as a "fig leaf" cover for their real objective of regime change and the removal of

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167 Gaddafi. Thus, for him, the imperial war on Libya's abundant oil was however perfected through an alliance with  
168 the rebel forces, serving as their air arm, but also providing them with arms, training and propaganda support.  
169 The imperial powers, and Dubai, also had hundreds of operatives on the ground in Libya, training the rebels and  
170 giving them intelligence and other support, hence violating Res 1973's prohibition of an occupation force "in any  
171 form".

172 Attempts to equal justify the NATO interventions as having the right intentions have also been watered down  
173 by some scholars who make reference to the "prompt" intervention in Libya and almost inaction in Syria. For  
174 instance, Nuruzzaman 28 maintains that oil interest in Libya was the sole reason NATO embarked on a military  
175 invasion against the regime of Col Ghaddafi. He points to the fact that prior the invasion, some notable western  
176 countries like the US, France, and Britain had already entered into oil deals with the NTC. Also, Emadi 29 ,  
177 further affirms this position by insisting that the protection of "defenseless civilians" was not the major reason for  
178 the intervention in Libya; for him, it was a tactical move to punish Col Gaddafi's regime that has been at across  
179 road with Western imperialist. The point isn't just that western intervention in Libya is grossly hypocritical.  
180 It's that such double standards are an integral part of a mechanism of global power and domination that stifles  
181 hopes of any credible international system of human rights protection.

182 Similarly, Fred Agwu 30 , on his part argues that whereas Africa is in dire need of unpretentious concern for  
183 human security and other associated benefits, the West seems to be only concerned with the so-called stability  
184 of the region in a bid to secure easy and unhindered access to the continent abundant resources. In assessing  
185 the real intention of NATO in Libya, Agwu concludes that such was implicit at the heart of Africa union  
186 disagreements with NATO in Libya, having been indicted of being enamored of regime change and access to  
187 Libya's oil. Attempts to adduce economic imperialism as the main reasons state intervene does not keep faith  
188 with the interventionism debate. Though, economic reason plays a vital role, however, instances abound where  
189 western countries have intervened in countries where there seem to be many economic interests. Although, the  
190 UNSC remains the true authority to authorize the Libyan intervention, the way and manner Res 1970 and 1973  
191 were executed suggest nothing but a flawed intervention. In studying the lawfulness of the SCRC of 1970 and  
192 1973 in Libya, Niels Rijke 31 raises three fundamental observations; first, the question whether the situation in  
193 Libya really endangered international peace and security, Secondly, the resolution enabled the Member States  
194 to take all necessary measures to protect civilians, including the use of force, whilst not all other means were  
195 exhausted. And finally, the central question is whether the sovereignty of a state can be breached when its  
196 leadership threatens the lives of its citizens in order to protect these citizens.

197 The conventional wisdom that the adoption of the Responsibility to Protect (RtoP) in Africa would help  
198 promote the protection of civilians, but Adam Branch does not agree with such assertion. For him RtoP,  
199 especially as it is applied to Africa, does not make political power responsible, but rather allows those with  
200 power to act in a politically irresponsible manner, at the cost of democracy and, often, peace. RtoP for Branch  
201 can promote political irresponsibility because of two factors: first, it tends to reduce all politics in Africa to  
202 effective protection capacity; second, it makes the legitimacy of the African state subject to determination  
203 by the "international community" according to vague moral standards. Whether the African state is deemed  
204 legitimate and thus supported or deemed illegitimate and thus coerced, neither it nor those acting in the name  
205 of the "international community" are accountable to those whose rights are supposedly being protected-African  
206 citizenries. He argues further that the moralisation and externalization of African politics undermine democracy  
207 and set the stage for African and Western political actors to avoid having to justify their actions politically or  
208 to face the consequences of their actions. Branch concludes that political power will only be made responsible  
209 when it is held accountable by those who are subject to it. To this end, he proposes replacing sovereignty as  
210 responsibility with popular sovereignty as a way of democratizing the RtoP discourse-even if at the cost of RtoP  
211 itself.

212 Taking a tougher similar position, Zubarui Wai 33 interrogates the upsurge in humanitarian interventionism  
213 in Africa disagreeing with those who see it in altruistic terms. Though the UN resolution that adopts the RtoP  
214 specifies four grounds for intervention: genocide, war crime, ethnic cleansing and crimes against humanity, Wai  
215 however argues that the elasticity and imprecise nature of these concepts mean that they could, and have in  
216 fact been, stretched as well as been manipulated to justify interventions that have little or nothing to do with  
217 humanitarian agenda. Drawing from experience of NATO intervention in Libya, he goes on to argue on one hand  
218 that concerns about human rights and humanitarian disasters have become a disciplinary mechanism for the  
219 dominant and more powerful states to intervene in the affairs of southern societies in order to pursue their own  
220 imperialistic agendas, while on the other hand he posits that concerns about "terrorism" have equally meant  
221 that conflicts, as well as other forms of political unrest, have come to be defined as a security challenge to the  
222 west. Wai concludes that most of the recent interventions in Africa -Libya, Cote d' Ivoire, Mali, CAR and so  
223 forth combine these models.

224 In summary, applying the concept of RtoP within the African continent presents its own challenges. These  
225 challenges relate to the nature of conflicts in Africa and the legitimacy of the African State itself. African states  
226 have continued to grapple with the problems of the contemporary conflicts that have engulfed the continent.  
227 These conflicts have manifested themselves in intra-state nature, where groups (nonstate actors) find solace in  
228 ethnicity, religion, and so on as a rallying point to challenge the authority of the state in achieving parochial  
229 goals. As a result, African states have lost their status as the sole custodian of the legitimate use of physical

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230 force in the territory they claim to control and this has led to complexity in the application of humanitarian  
231 intervention and the responsibility to protect in Africa 34 . While the west claim to have a moral obligation to  
232 intervene in conflict, especially Africa, the lack of knowledge on the root cause of conflicts as well as the dynamics  
233 of the actors involved in these conflicts has therefore made liberal western interventionism counterproductive.  
234 This has posited "nothing new" critique of the concept of humanitarian intervention and the newly adopted  
235 RtoP in terms of their evolution, theory, practice and complexities in Africa civil wars. For Basaran 35 , both  
236 concepts are associated with military intrusion in the affairs of sovereign states. Though RtoP aims primarily at  
237 the prevention of mass atrocities and regards military intervention as a final resort in exceptional situations, the  
238 substance of the RtoP doctrine is essentially the same as that of humanitarian intervention military intervention  
239 in (and as a result of) an internal crisis in a sovereign state. Moreover, Africa's bitter experience with the forces  
240 of colonialism, neo-colonialism and cold war politics have continued to shape Africa's perspectives on intervention  
241 with emphasis on devising African solutions to African problems.

### 242 3 III. Background to the Nato Intervention in Libya

243 The RtoP doctrine grew out of the frustration of the international community to its lackluster intervention  
244 in Rwanda and Kosovo. RtoP fundamentally presents the idea that states have a primary responsibility of  
245 protecting their citizens from genocide and ethnic cleansing. Should a state fail in that responsibility for whatever  
246 reason, then it falls upon the international community to take it up. According to the International Commission  
247 on Intervention and State Sovereignty, 36 the RtoP rests on three main pillars: (i) states have the primary  
248 responsibility to protect their own people from genocide, war crime, crime against humanity, ethnic cleansing;  
249 (ii) the international community has a responsibility to assist the states to fulfill its primary responsibility in  
250 building capacity to protect its people; and (iii) in case the state fails to protect its citizens from the four above  
251 atrocities or unwilling to meet that responsibility, the international community has the responsibility to take  
252 timely and decisive action to prevent violence and atrocious crimes.

253 However, before RtoP can be applied, the international community must first exhaust all diplomatic, legal  
254 and other peaceful measures; deployment of military force remains only as a last resort. The crisis in Libya was  
255 the first case where the RtoP was fully invoked in a bid to put an end to the loss of lives. The RtoP also sought  
256 to remind Ghaddafi of his primary role of protecting his citizens. With such stark conditions domestically and  
257 with diminished international pressure on the Gaddafi regime to reform, few people expected the revolution of  
258 2011 by Mohamed Bouazizi, a street vendor, would provide the catalyst for a series of protests (now called the  
259 Arab Spring) that spread throughout the Middle East and Northern Africa in protest of government corruption  
260 and economy misery. He lit himself on fire to protest the seizure of his produce-laden wheelbarrow and the  
261 physical mistreatment he received at the hands of public officials. Bouazizi's death sparks series of protests in his  
262 hometown (Tunisia), which rapidly spread to surrounding areas and, eventually, the capital city of Tunis. Mere  
263 twenty-eight days following Bouazizi's selfimmolation the Tunisian government fell and President Zine al-Abidine  
264 Ben Ali fled to Saudi Arabia in exile ????. Inspired by the Tunisian experience, mass demonstrations against the  
265 politically bankrupt regime of President Hosni Mubarak began soon after in Egypt. The spirit of the uprising  
266 in Tunisia rapidly spread to other nations in the Arab world, being fueled by widespread discontent about  
267 unemployment, increasing costs of living, corruption, and autocratic leaders. Egypt fell in only eighteen days,  
268 with Hosni Mubarak being forced to step down and leave the country. Libya was also not spared from this series  
269 of protest, especially against the perceived autocratic style of leadership adopted by late president Ghaddafi.

270 Consequently, following the anti-government movements in neighboring Egypt and Tunisia, Libya itself soon  
271 became the next nation in the Arab world to feel the effects of populist uprisings. On February 15, riots broke out  
272 in the city of Benghazi following the arrest of a human rights activist, which then turned into a conflict against the  
273 government with the protesters ultimately calling for Gaddafi's resignation 38 . The crisis that started out with  
274 peaceful demonstrations quickly turned into an internal conflict after street protests were violently suppressed by  
275 the Government, especially in the eastern parts of the country. The protests that began notably in the country's  
276 second city, Benghazi, which became the opposition's major stronghold and was soon subject to shocking brutality  
277 as Muammar Gaddafi dispatched the national army to crush the unrest, spread within weeks across the country  
278 39 .Nevertheless, violence quickly escalated, with reports of the deaths of 24 protesters on 17 February, and of  
279 security forces attacking peaceful protesters with teargas and live ammunition. As of March 2, 2011, the exact  
280 death toll was unknown, with U.N. Secretary General Ban Ki-moon citing reports that around 1,000 people had  
281 died in the conflicts in Libya since February 15, 2011, and one Libyan human rights organization claiming that  
282 possibly 6,000 people had been killed 40 .

283 More striking is the fact that the Ghaddafi's regime did not in any way show signs of weakness in terms of  
284 responding to the protest against his policies. A furious Ghaddafi expressed a clear intent to continue committing  
285 massive human rights violations by announcing to Benghazi residents that his forces would show no mercy to  
286 rebels. Gaddafi once more issued threats to protesters which Kinsman describes as disturbingly similar to radio  
287 broadcasts before the massacre in Rwanda, saying we will march to cleanse Libya, inch by inch, house by house,  
288 home by home, alley by alley, person by person, until the country is cleansed of dirt and scum 41 . As if this  
289 was not enough, Ghaddafi son Saif al-Islam Gaddafi, on 21 February 2011 was quoted as boasting that: Libya  
290 is at a crossroads. If we do not agree today on reforms ... rivers of blood will run through Libya?We will take up

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291 arms?we will fight to the last bullet. We will destroy seditious elements. If everybody is armed, it is a civil war,  
292 we will kill each other?Libya is not Egypt, it is not Tunisia 42 .

293 The UNSC decision to intervene in Libya is said to be the first time that the international community is  
294 setting in the full application the new RtoP concept for a forceful intervention in another state. When taking  
295 the decision to intervene in Libya using its Chapter VII powers, the UNSC equally found ample legal evidence  
296 in accordance with the RtoP principle, namely that the Libyan government had failed to protect its citizens by  
297 itself committing gross violations of their rights. Shortly before resolution 1973 was adopted, it was apparent  
298 that Libya had manifestly failed in its responsibility to protect its citizens 43 . With Ghaddafi's forces on the  
299 outskirts of Benghazi, the risk of civilian massacres seemed highly apparent if the city was allowed to fall. Urged  
300 on by the Arab League, ten UN Security Council members supported Resolution 1973 (Bosnia-Herzegovina,  
301 Colombia, France, Gabon, Lebanon, Nigeria, Portugal, South Africa, United Kingdom and the United States)  
302 and five abstained (Brazil, China, Germany, India, and Russia). Although the AU did not call for a no-fly  
303 zone, all three African members of the UN Security Council voted for Resolution 1973. Such a vote was entirely  
304 in keeping with Article 4(h) of the AU's Constitutive Act, which advocates a policy of nonindifference, rather  
305 than non-interference, in the sovereign affairs of other states when grave circumstances, including crimes against  
306 humanity, are concerned 44 .

307 Resolution 1973 was however adopted in Libya authorizing the use of all necessary means to protect civilians,  
308 short of foreign occupation force and established a no -fly -zone. Resolution 1973 called for an immediate cease-  
309 fire and a complete end to violence and all attacks against, and abuses of civilians. The UNSC stressed the  
310 need to reinforce efforts to find a solution to the crisis which response to the legitimate demands of the Libyan  
311 people. The text employed the phrase all necessary measures, including coercive military action but short of a  
312 foreign occupation force. Essentially, the highlights of the resolution was the protection of civilians and civilian  
313 populated areas under threat of attack, and the imposition of a ban on all flights in the airspace of the Libyan  
314 Arab Jamahiriya in order to help protect civilians .

### 315 4 IV. The Mistakes Nato's Intervention in

316 Libya and its Consequent Effect on Global Insecurity

317 Despite its humanitarian pretext, the NATO intervention in Libya has thrown up some emerging consequences  
318 for Libya and the international community. Notably, the question of who has the legitimate authority to intervene  
319 and how such intervention should be carried out became an immediate problem among Western states and their  
320 African counterparts. Since the UN Charter does not permit the use of military force, the decision to intervene was  
321 only supported by the contentious RtoP doctrine. According to Chapter VIII of the RtoP, regional organizations  
322 "shall make every effort to achieve pacific settlement of local disputes through such regional arrangements".  
323 Hence, since there was practically nowhere in the UNSC pronouncement where the mandate was handed over  
324 to NATO, NATO's action runs contrary to paragraph 8 of the UNSC Res 1973 which strictly imposes the  
325 duty to intervene on regional bodies. In addition, these regional bodies customarily draw their legitimacy for  
326 intervention in conflicts from Chapter VIII of the UN charter. The implication of the foregoing is that since the  
327 muddled intervention in Libya as well as the misinterpretation of who has the right to intervene coupled with  
328 the controversial phrase "All means necessary", Russia and China have continued to block international action  
329 in Syria. Thus, while the global powers express divergent views in Syria, mass atrocities is being committed on  
330 Syrians by the Assad government, and these have led to mass migration with global security challenges across  
331 Europe.

332 Given that NATO which was primarily set up as a collective security defense pact during the cold war and  
333 continue to exist since then, blundered to have assumed the role of a regional organization. At best, NATO can  
334 only lay claim to Chapter VII of the UN charter which still disqualifies NATO from the role it played in the Libya  
335 Intervention. In this light, Fred Agwu 46 , NATO lacks the capacity to function as a regional arrangement because  
336 it was totally fashioned towards the collective self -defense unlike the ECOWAS which possess the capacity to  
337 function as regional arrangement by virtue of its Additional Protocols of Non -Aggression of 1978 as well as the  
338 Mutual Assistance in Defense Matters of 1981. More so, the contents of the Res 1973 call for intervention through  
339 the regional organization, and nowhere in the document was neither NATO nor RtoP mentioned.

340 Evidently, why regional organizations such as the League of Arab States, African Union as well as the Gulf  
341 Cooperation Council seems to have earlier thrown their weight behind calls for an imposition of a No-fly Zone  
342 in a bid to persuade Ghaddafi, it wasn't surprising that they all backtrack their decisions especially when it  
343 became clear that regional organisations were only playing gatekeeping roles in Libya. In response to the way and  
344 manner NATO carried out its earlier attack in Libya, the Arab League Secretary General, Aner Mussa, declares  
345 that " (W) hat is happening in Libya differs from the aim of imposing a no -fly -zone. Speaking further, he stated  
346 that the goal of resolution 1973 was the protection of civilians and that it never approved support for the rebels  
347 or regime change 47 .

348 In spite of this position, NATO, and its allies carried out series of unholy practices to the dismay of these  
349 regional bodies. One of such astonishment is the NATO use of aerial bombardment in a bid to carry out the  
350 UNSC mandate. This not only blurs the lines between western imperialism and human rights protection but  
351 also establishes the inability of the NATO forces to distinguish between combatants and noncombatants, the  
352 bombing of a place of worship violated the basic international humanitarian law and the rules of engagement.

353 Article 35 (2) of the Additional Protocol I, "prohibits against causing superfluous injury or unnecessary suffering  
354 to combatants", furthermore, Article 57 of the 1999 Protocol I which states that adequate precautions must  
355 be taken in the attacks. As it were, "if military exigencies permit, and unless surprise is considered to be an  
356 essential element of success, the commander of an attacking force must do all in his power to warn authorities of  
357 a defended place before commencing a bombardment".

358 Although conventional wisdom will suggest that the NATO's intervention in Libya brought succor to the  
359 Libyan people, however, the reverse seems to be the case, especially as the intervention and its outcomes turn  
360 out to be. In spite of the assurances from NATO on the strict enforcement of UNSCR 1973 which are as follows:  
361 a) end attacks against civilian populated areas b) withdraw to bases all military forces and c) permit unlimited  
362 humanitarian access. Not long into the execution of Res 1973, the feeling quickly emerged that NATO and  
363 its allies were not an impartial protector of civilians, rather they were seen to be pursuing the toppling of the  
364 Ghaddafi's regime to ease access to its resources which eventually became successful as a result of the NATO  
365 forces backing the rebels. Hence, NATO's intervention was "less about protecting the population and more about  
366 regime change 48 . Consequently, against wide expectations that the death of Ghaddafi would bring an end  
367 to hostilities in Libya, the country is today confronted with proliferations of arms as well as arise in terrorist  
368 activities. This has not only led to great political instability in Libya but also the spread of it. Considering the  
369 porous nature of borders in most African countries, the NATO intervention has resulted into increased terrorist  
370 activities among already failing states within the Sahel region of Africa, and, especially in Mali. Nigeria is also  
371 not spared from this global insecurity especially in the wake of increased activities of the Boko haram insurgents.  
372 More importantly, the transfer of weapons from armed groups and the National Transition Council in Libya to  
373 the rebels in Syria have apparently increased the intensity of violence with more and more deaths recorded day  
374 in day out. Apart from the wanton destruction of lives and properties in Syria, the international community is  
375 confronted with huge refugee and humanitarian crises with Turkey as worst hit.

376 The authorisation of resolution 1973 was the needed cover NATO and their allies desired to carry out its  
377 ulterior motives in Libya with the aid of the rebels. Hence apart from deepening into the huge oil resources  
378 in Libya, NATO also proved not to be a neutral party in the conflict. Evidently, the quick recognition of the  
379 National Transition Council (a body formed by those who were "opposed" to Col Ghaddafi) by NATO as well  
380 as adding the activities of the rebel groups both in terms of arms, diplomatic support, military training run foul  
381 of the rules of engagement. By passing Resolution (1973), the UNSC gave NATO-deliberately or unwittingly-the  
382 right to aid rebels in their fight against Gaddafi under the Responsibility to protect (RtoP) façade 49 . Therefore,  
383 the Free Syrian Army (FSA), marveled by the activities of the NTC, attempted to employ such means in Syria.  
384 However, Not only that the FSA was left to their fate in terms of external support, Western nations who initially  
385 pledged to support the FSA have tactically withdrawn leaving the FSA to face the Assad government. Hence,  
386 the Assad regime continues to bomb this rebel stronghold day in day out, while the FSA remain helpless.

387 Considering that Ghaddafi in his usual style vowed to fight to the end, his death remains an issue for  
388 antagonists of the NATO mission in Libya while posing grave consequences for the RtoP doctrine as a whole.  
389 Though so many versions abound as to how Ghaddafi died, the more appealing is that of a video footage taken  
390 on camera phones which show a wounded Colonel Gaddafi being dragged, beaten and tortured but very much  
391 alive. Evidently, such cruel act suggests that the Geneva Convention related to the treatment of prisoners of  
392 war was violated; thus, the action of NATO and the thuwar forces who claimed to have captured Ghaddafi  
393 constituted war crimes and punishable under Article 13, Article III of the Geneva Convention as well as Article  
394 8 (2) (c) (iv) and Article 8 (2) (e) (ix) respectively. While, Article 13 of the Third Geneva Convention states  
395 clearly that "prisoners of war must at all times be protected particularly against acts of violence or intimidation  
396 against insults and public curiosity", Article III of the Geneva Convention explicitly prohibits "the passing of  
397 sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted  
398 court, affording all the judicial guarantees which are recognised as indispensable by civilized people". Besides,  
399 since there were no news or evidences that Ghaddafi attempted to escape from captivity, his eventual killing,  
400 either in the hands of NATO or the thuwar forces goes against the spirit of Article 3 (1) (9) of the Geneva  
401 Convention which expressly states that " under no circumstances may detainees be killed ".

402 No doubt, the killing of Saddam Hussein, Osama Bin Laden, Ghaddafi (all leaders who play a historic role  
403 within their regions and their people, who also acted as stabilizing factors in the region), is likely to spring up new  
404 security challenges. For instance, since the demise of Ghaddafi, there has been an absence of central authority  
405 just as terrorist activities flourish. The Same can be argued in the case of Hussein who was executed by western  
406 imperialist. Afghanistan today is a for terrorist activities with great implications for Europe. Terrorist groups  
407 have now shifted their activities to Europe with France, Turkey, Saudi Arabia, and Germany as early victims.

## 408 5 V. Conclusion

409 In contrast to claims by NATO and their allies that thousands of people were about being "massacred" in  
410 Benghazi, NATO's destruction of Libya was nothing but a war crime committed against Libyan people. It also  
411 violated the UN Charter as well as the rules of engagement in armed conflict. Even though some scholars have  
412 argued that the intervention, to a large extent was successful in that it "deter" Ghaddafi from killing his "people",  
413 the way and manner NATO carried out its campaign suggests otherwise. The Post intervention era in Libya  
414 further exposes the flaws associated with the NATO intervention. Hence, Its involvement in Libya portrays severe

415 implications for global security as the activities of terrorist groups in Libya has spread widely, spawning the war  
416 in Syria, the birth of the Boko haram in Nigeria, various militia groups in Africa, and of course leading to the  
417 coming of ISIS / ISIL. Evidently, NATO's action in Iraq, Libya, amongst other points to a post 9/11 agenda  
418 to create instability in those regions. Hence, Libya today is in tatters just as it stands as a ready option for  
419 launching of terrorist activities across Europe. The activities of the ISIS (a body which came up after the fall of  
420 Ghaddaffi) speak volume in this direction. More so, in arriving at the real reason behind the global insecurity  
421 as experienced now, it is imperative to investigate what the crime was in Libya that warranted Resolution 1973,  
422 and who were the criminals. This has become imperative because a careful look at the intervention in Libya  
423 would suggest that the crimes, for which Ghaddaffi was indicted and subsequently killed, were also committed  
424 by NATO and its allies committed same, if not worse in Libya.

425 Ultimately, global insecurity has its roots in Western imperialism through the activities of NATO in the affairs  
426 of sovereign state. This study, therefore concludes that for the RtoP to live up to expectations, NATO and  
427 their allies need to review its operational strategy, especially as it concerns the use of force. The world has gone  
428 beyond NATO unacceptable excuses of "Weapon Malfunction" to commit mass atrocities against civilians. Also,  
429 there is the urgent need for institutional synergy between the United Nations and the Africa Union since regional  
430 organizations enjoy the confidence of their members in the authorization of the RtoP doctrine in terms of Pillar  
431 III (power to intervene in member states in a conflict situation). Importantly, regional organisations needed to  
432 stand up to these challenges in terms of political settlement of averting these conflicts through early warning  
433 system. Also, the ICC needed to beam their search light not only to Africa Leaders but to foreign counterparts  
434 who violates basic international law principles, as it is in the case of NATO officials in Libya. Lastly, members of  
435 the opposition parties in countries that play acritical role in NATO operation need to checkmate the activities of  
436 this body, and lastly, the RtoP must wake up to its primary objective of prevention as a key strategy to avoiding  
437 conflict.

## 438 6 Notes

439 [Routledge] , Routledge . NY New York.

440 [Krasner ()] , S Krasner . *Organized Hypocrisy* 1999. Princeton University Press.

441 [Basaran ()] , H Basaran . *Fletcher forum of world affairs* 2014. 38 (1) p. . (identifying the Responsibility to  
442 Protect)

443 [African Union Constitutive Act of African Union ()] ‘African Union’. *Constitutive Act of African Union* 2000.  
444 4. (Lome; Togo. Article)

445 [African Union Constitutive Act of African Union ()] ‘African Union’. *Constitutive Act of African Union* 2000.  
446 4. (Lome; Togo. Article)

447 [Vandewalle (2011)] ‘After Ghadafi’. Dirk Vandewalle . *Newsweek* March 7, 2011.

448 [Boutros-Ghali (1992)] *An Agenda for Peace*, B Boutros-Ghali . [http://www.unrol.org/files/A\\_47\\_277.](http://www.unrol.org/files/A_47_277.Pdf)  
449 Pdf. Accessed 1992. June 12 2016.

450 [Mussa (2011)] *Arab League Condemns Broad Western Campaign in Libya - Washington Post*, A Mussa . [http://](http://www.washingtonpost.com/world/arab-league-condemn-broad-bombing-campaign-in-Libya/2011/03/20/AB1PSgl_story.html)  
451 [www.washingtonpost.com/world/arab-league-condemn-broad-bombing-campaign-in-Libya/](http://www.washingtonpost.com/world/arab-league-condemn-broad-bombing-campaign-in-Libya/2011/03/20/AB1PSgl_story.html)  
452 [2011/03/20/AB1PSgl\\_story.html](http://www.washingtonpost.com/world/arab-league-condemn-broad-bombing-campaign-in-Libya/2011/03/20/AB1PSgl_story.html). Accessed 27th 2011. July 2016.

453 [Welsh ()] ‘Civilian Protection in Libya: Putting Coercion and Controversy Back into RtoP’. J Welsh . *Ethics*  
454 *and International Affairs* 2011. 25 (3) p. .

455 [Shawcross ()] *Deliver Us from Evil*, W Shawcross . 2000. New York: Simon and Schuster.

456 [Donnelly ()] J Donnelly . *State Sovereignty and Human Rights*, 2004. p. 21.

457 [English (2016)] Aljazeera English . [http://english.aljazeera.net/indepth/spotlight/libya/](http://english.aljazeera.net/indepth/spotlight/libya/2011/10/20111020104244706760.html)  
458 [2011/10/20111020104244706760.html](http://english.aljazeera.net/indepth/spotlight/libya/2011/10/20111020104244706760.html) *Doha 2011 Battle for Libya: Key moments 19 November*, June  
459 11. 2016.

460 [Stanglin (2011)] *Gaddafi Vows to Attack Benghazi and Show No Mercy*, USA Today, D Stanglin . [http:](http://tinyurl.com/6atpca3)  
461 [://tinyurl.com/6atpca3](http://tinyurl.com/6atpca3) 2011. March 17. June 12, 2016.

462 [News ()] *Gaddafi Vows to Fight to Last Man and Woman as Loyal Forces Battle*, Fox News . 2011.

463 [Western and Goldstein ()] ‘Humanitarian Intervention Comes of Age: Lessons for Somalia to Libya’. J & J S  
464 Western , Goldstein . *Foreign Affairs* 2011. 90 (6) p. .

465 [Icrtop ()] Icrtop . *Libya, Syria, and the Responsibility to Protect (RtoP)*, (The Weekly Round-Up) 2011.

466 [Rijke ()] ‘Intervention In Libya: A Crime Of Aggression?, ICD Brief 4 [www.internationalcrimesdatabase.org](http://www.internationalcrimesdatabase.org)  
467 March 32. Branch A 2011: The Irresponsibility of The Responsibility to Protect in Africa’. N Rijke . *Critical*  
468 *Perspectives on the Responsibility to Protect: Interrogating Theory and Practice*. Routledge, Philip Cunliffe  
469 (ed.) (New York) 2014. p. .

470 [Simmons ()] ‘Leading from Behind: The Responsibility to Protect, the Obama Doctrine and Humanitarian  
471 Intervention after Libya’. C Simmons . *Ethics and International Affairs* 2011. 25 (3) p. 280.

472 [Dembinski and Reinold ()] *Libya and the Future of the Responsibility to Protect -African and European*  
473 *Perspectives*, M & Dembinski , Reinold . 2011. Peace Research Institute Frankfurt: PRIF. (PRIF-Report)

474 [Libya conflict: France air-dropped arms to rebels BBC (2011)] ‘Libya conflict: France air-dropped arms to  
475 rebels’. <http://www.bbc.co.uk/news/world-africa-13955751> *BBC* 2011. Accessed 24 October,  
476 2016. June 29.

477 [Kinsman ()] ‘Libya: A Case for Humanitarian Intervention’. J Kinsman . *Policy* 2011. 81 p. .

478 [Emadi ()] ‘Libya: the Road to Regime Change’. H Emadi . *Global Dialogue* 2012. 14 (20) p. .

479 [President Obama: Libya aftermath ”worst mistake BBC (2016)] ‘President Obama: Libya aftermath ”worst  
480 mistake’. <http://www.bbc.com/news/world-us-canada-36013703> *BBC* 2016. Accessed May 8, 2016.

481 [Williams and Bellamy ()] ‘Principles, politics, and prudence: Libya, and the responsibility to protect, and the  
482 use of military force’. P D Williams , A J Bellamy . *Global Governance* 2012. 18 (3) p. .

483 [Nuruzzaman ()] ‘Responsibility to Protect’. M Nuruzzaman . *Doctrine: Revived in Libya, Buried in Syria* 2013.  
484 15 (2) p. . (Insight Turkey)

485 [ Accessed (2011)] *Responsibility to Protect” to Justify Libya Intervention,*  
486 Accessed . [http://www.heritage.org/research/reports/2011/03/](http://www.heritage.org/research/reports/2011/03/libya-intervention-obama-wrongly-adopts-un-responsibility-to-protect)  
487 [libya-intervention-obama-wrongly-adopts-un-responsibility-to-protect](http://www.heritage.org/research/reports/2011/03/libya-intervention-obama-wrongly-adopts-un-responsibility-to-protect) May 9. 2016  
488 21. 2011. September 2026. (Obama Wrongly Adopts U.N)

489 [Weiss ()] ‘RtoP is Well and Alive after Libya’. T Weiss . *Ethics and International Affairs* 2011. 25 (3) p. .

490 [ UN (2011)] *Security Council Resolution on Libya -Full Text*, UN . March 2011.

491 [Security Forces Kill 84 Over Three Days (2011)] *Security Forces Kill 84 Over Three Days*, [http://www.hrw.](http://www.hrw.org/news/2011/02/18/libya-security-forces-kill-84-over-three-days:19)  
492 [org/news/2011/02/18/libya-security-forces-kill-84-over-three-days:19](http://www.hrw.org/news/2011/02/18/libya-security-forces-kill-84-over-three-days:19) 2011. February.  
493 HRW.

- 494 [Forte ()] *slouching towards Sirte: NATO's War on Libya and Africa*, M Forte . 2011. Baraka. Books.
- 495 [Forte ()] *slouching towards Sirte: NATO's War on Libya and Africa*, M Forte . 2011. Baraka. Books.
- 496 [Glanville ()] 'The Antecedents of 'Sovereignty as Responsibility'. L Glanville . *European Journal of International*  
497 *Relations* 2011. 19 (2) p. .
- 498 [Walzer (2011)] *The Case Against Our Attack on Libya*, M Walzer . [https://newrepublic.com/article/](https://newrepublic.com/article/85509/the-case-against-our-attack-libya)  
499 [85509/the-case-against-our-attack-libya](https://newrepublic.com/article/85509/the-case-against-our-attack-libya) 2011. 18 August 2016.
- 500 [The Dilemma of the United Nations Security Council] *The Dilemma of the United Nations Security Council*,  
501 University Press Plc.
- 502 [Wai ()] 'The Empire's New Clothes: Africa, Liberal Interventionism and Contemporary World Order'. Z Wai .  
503 *Review of Africa Political Economy* 2014. 41 (142) p. .
- 504 [Pattison ()] 'The ethics of Humanitarian Intervention in Libya'. J Pattison . *Ethics & international affairs* 2011.  
505 25 (3) p. .
- 506 [Chipaika ()] 'The Libya Crisis: The Militarisation of the New Scramble and More'. R Chipaika . *International*  
507 *Journal of Humanities and Social Science* 2012. 2 (8) . (Special Issue -April)
- 508 [Engelbrekt et al. ()] *The NATO Intervention in Libya; Lessons Learnt from the Campaign Contemporary*  
509 *Security Studies*, K Engelbrekt , M Mohlin , C Wagnsson . 2014.
- 510 [Bellamy and Williams ()] 'The new politics of protection? Cote d'Ivoire, Libya and the Responsibility to  
511 Protect'. A J & Bellamy , P Williams . *International Affairs* 2011. 87 (4) p. . (Ibid)
- 512 [Cohn ()] *The Responsibility to Protect -The Cases of Libya and Ivory Coast*, M Cohn . [http://www.e-ir.](http://www.e-ir.info/2011/05/15/the-responsibility-to-protect-the-cases-of-libya-and-ivory-coast/)  
513 [Info/2011/05/15/the-responsibility-to-protect-the-cases-of-libya-and-ivory-coast/](http://www.e-ir.info/2011/05/15/the-responsibility-to-protect-the-cases-of-libya-and-ivory-coast/)  
514 2011. (Available at)
- 515 [The Responsibility to Protect: Report of the International Commission on The Responsibility to Protect ICISS (2001)]  
516 'The Responsibility to Protect: Report of the International Commission on The Responsibility to Protect'.  
517 <http://www.iciss.ca/pdf/Commission-Report.pdf> ICISS 2001. December 2001. March 22. 2016.
- 518 [Noor (2011)] 'The Revolution that Started it All'. N Noor . <http://www.iar-gwu.org/node/257> *Interna-*  
519 *tional Affairs Review* 2011. January 31. June 11. 2016.
- 520 [Nuruye ()] 'The United Nation's Responsibility to Protect Civilians from Massive Human Rights Violations in  
521 Light of the Intervention in the Libyan Crisis in 2011'. B Nuruye . *School of Graduate Studies* 2012. 1 (2) p.  
522 . Addis Ababa University (Ph.d Thesis)
- 523 [Agwu ()] *Themes and Perspectives on Comtemporany Africa's International Relations*, F Agwu . 2013. Ibadan:  
524 University Press Plc.
- 525 [O' Connell (2011)] 'theresponsibility-to-protect-challenges-opportunitiesin-light-of-Libya-intervention'. M O'  
526 Connell . <http://www.e-ir.info/2011/11/12/> Available at, 2011. Accessed May 9. 2016. (How to lose a  
527 Revolution)
- 528 [Annan (1999)] 'Two Concepts of Sovereignty'. Kofi Annan . [http://www.un.org/Overview/SG/kaecon.](http://www.un.org/Overview/SG/kaecon.htm)  
529 [htm](http://www.un.org/Overview/SG/kaecon.htm) *The Economist* 1999. 18 September.
- 530 [UN Doc A/RES/60/1 at paras World Summit Outcome Document ()] 'UN Doc A/RES/60/1 at paras'. *World*  
531 *Summit Outcome Document* 2005. 60/1, 24 October. p. . (UNGA Res)
- 532 [Agwu ()] *World Peace through World Law*, F Agwu . 2007.