

OPPORTUNITIES FOR THE UNITED STATES IN THE LIBYAN CRISIS OF 2011
AND BEYOND

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05 MAY 2011

On December 17, 2010 a disenfranchised 26-year-old Tunisian street vendor set himself on fire to protest the repression and corruption of the Tunisian government. This act of desperation cost the young man his life, ignited the passion and frustration of millions, and set into action a course of events that will inevitably result in the overthrow of Libyan tyrant Muammar Gaddafi. Mohamed Bouazizi's self immolation inspired protests demanding greater freedom throughout the Middle East, which led many Libyans to organize and openly defy the iron fist of their despotic leader for the first time in 42 years. For protesting 42 years of oppression endured under the boot of Gaddafi's regime, the Libyan people were attacked with helicopter gunships and extrajudicial killings by Libyan military forces and African mercenaries. The crisis reached a flashpoint in February when military attempts to suppress protests turned violent and sparked open rebellion against the brutality of Gaddafi's regime. The rebellion surged toward Libya's capital city of Tripoli, only to be repulsed by military air strikes and superior firepower. By mid March, the rebellion was on the brink of defeat and begged the U.N. to establish a "no fly zone" over Libya to prevent the slaughter of innocent civilians caught in the middle of what has become a civil war. In accordance with U.N. Security Council Resolution 1973 the U.S., U.K., France, Qatar, U.A.E. and several other NATO partners began Operation Odyssey Dawn to enforce a "no fly zone" over Libyan airspace. Now the Libyan National Transitional Council is gaining international recognition as the sole legitimate authority of Libya while their rebellion is engaged in armed conflict to end Gaddafi's 42-year rule and establish a democratic government in Libya.

Although the progress of the conflict is slowing to a crawl, U.S., U.K., French, German, and Italian governments are all calling for an end to Gaddafi's regime as he indiscriminately murders Libyan civilians in the sole remaining western rebel city of Misrata. Contributions of 30 "military advisors" from France, Britain, and Italy, as well as U.S. drones and CIA assistance holds potential to help the Libyan rebels organize and renew their momentum in what appears to be a stalemate. This crisis presents an unprecedented opportunity for a massive shift in U.S.-Libyan relations, away from a violent antagonistic past to one of cooperation that could lead to more stability in North Africa and the Middle East. If NATO efforts are successful in deposing Gaddafi and establishing a democratic government in Libya, history will smile upon "The Obama Doctrine," and the United States' standing in the Muslim world will surely be improved. Historically, U.S.-Libyan relations have ranged from cool to violent, therefore any scenario in which Gaddafi remains in power would not be too costly for the United States to bear. Additionally, the United States is beginning to financially cooperate with the Transitional National Council, establishing a foundation for future business deals, thereby securing the only permanent interest the United States has in Libya—energy.

BACKGROUND INFORMATION ABOUT THE STATE OF LIBYA

Since Col. Muammar Gaddafi deposed king Idris in 1969 and assumed power as the revolutionary leader of "The Great Socialist People's Libyan Arab Jamahiriya," Libya has effectively become an authoritarian state. Officially claiming to be a "Jamahiriya" in which the populace governs itself through local councils in an islamist form of tribally-oriented socialism, the Libyan government under Gaddafi has maintained absolute power

over its people through widespread cronyism and a political culture of oppression. Despite despotism, 40 years of a fractured political culture, and only 1.03% arable land, Libya enjoys considerable economic power due to an abundance of crude oil, natural gas, and petroleum products, which provide 80% of government revenue.¹ Libya is ranked 15th for oil exports in the world, while 55% of all goods exported go primarily to Italy, Germany, and France.²

HISTORY OF U.S.-LIBYAN RELATIONS UNDER GADDAFI

The United States supported a U.N. resolution establishing Libya's independence from Italy in 1951, yet relations between the two countries soured in 1972, after three years of Gaddafi's rule. Gaddafi sought to extend his vision of tribally-oriented Islamic socialism through using oil revenues to fund violent Arab Nationalist movements like Black September and Abu Nidal, as well as Islamic militants in Algeria and Morocco. By the end of 1979, the United States broke diplomatic relations with Libya because "employment of different terrorist groups by the Libyan government was an intrinsic feature of its foreign policy,"³ which eventually led to a proxy war between the United States and Libyan intelligence agencies.

After funding, supporting, arming, harboring, and encouraging terrorist organizations to murder U.S. embassy personnel and innocent civilians abroad, Libya became increasingly isolated from the international community. In response to continuing attacks

¹ <http://www.state.gov/r/pa/ei/bgn/5425.htm>

² <https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html>

³ [http://www.jamestown.org/single/?no_cache=1&tx_ttnews\[tt_news\]=305](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=305)

on Americans and innocent civilians in Europe and the Middle East, President Reagan severed ties and froze Libyan assets. In retaliation, Libyan intelligence bombed a West Berlin discotheque frequented by U.S. servicemen, killing three and injuring dozens. This act of state-sponsored terrorism provoked Operation El Dorado Canyon in 1986, in which the United States targeted Libyan leadership elements in a command and control air strike. After receiving a warning by phone call immediately before the strike, Gaddafi managed to escape the bombing, and retaliated by ordering the bombing of Pan Am 103, which exploded over Lockerbie, Scotland on December 21, 1988. The bombing killed 270 people, including one CIA, one DIA, and two Diplomatic Security Service members. Initially shrouded by confusion and allegations of conspiracy, responsibility for the attack was determined by 1991, and a federal indictment demanded Gaddafi surrender two Libyan intelligence agents for extradition to face charges. Gaddafi refused, leading the United Nations Security Council to issue a limited trade embargo and asset freeze, which sealed Gaddafi's isolation from the international community.

In 1999, Gaddafi finally agreed to extradite the two suspects for trial in Utrecht under Scottish law. In 2001, one suspect was exonerated and Abdelbaset Al-Megrahi was sentenced to life in prison for the bombing of Pan Am 103. Soon after the U.S. invasion of Iraq in 2003 Gaddafi announced Libya would abandon its WMD and ballistic missile programs, which initiated a series of conciliatory gestures with the United States. Since 2004 the U.N. ended its embargo and U.S relations with Libya have steadily defrosted, leading to the establishment of full diplomatic ties in November 2008. Business opportunities, along with the Libyan government accepting responsibility for several

terrorist attacks and paying \$1.5 billion to victims' families, contributed significantly to the normalization of relations between Libya and the West. In May 2010 Libya was elected to its first ever seat on the U.N. Human Rights Council, which is a considerable diplomatic achievement for a country characterized by authoritarianism, human rights abuses, and less than two decades removed from being considered "foremost on the list of countries supporting terrorism."⁴

CURRENT CRISIS AND U.S. RESPONSE

Now, U.S. relations with Gaddafi have irrevocably soured as he brutalizes the Libyan people, the international community demands his surrender, and the rebels fight for their freedom. United States-led Operation Odyssey Dawn was the first defining action of what is considered "The Obama Doctrine," characterized by cooperation with international partners and the use of military force to secure humanitarian interests.⁵

Now, NATO-led Operation Unified Protector is limiting Gaddafi's atrocities and giving the rebels a chance to consolidate their gains and organize a decisive offensive. The CIA as well as special forces elements from several NATO countries are assisting the rebels with intelligence, communications capabilities, operational planning, and possibly weapons training or even covert action.⁶ The conflict is solidifying as a stalemate

⁴ Boaz Ganor, Reprinted from "Survey of Arab Affairs-A periodic supplement to Jerusalem Letter /Viewpoints" SAA:28 29 Iyar 5752 1 June 1992.

⁵ <http://www.worldpoliticsreview.com/articles/8683/the-realist-prism-reconciling-the-new-obama-doctrine-with-the-old>

⁶ <http://www.voanews.com/english/news/CIA-Secretly-as-Work-Inside-Libya-119250474.html>

because the rebels are poorly organized, minimally trained, inexperienced, and sparsely armed. Many analysts believe the rebels must be provided with more sophisticated weaponry and munitions to ensure victory, but American politicians are wary of the blowback caused by Operation Cyclone in Afghanistan and Pakistan. The United States has ardently refused to wage a conventional military operation on Libyan soil, yet options to arm the rebels or even directly target Gaddafi in an air strike have not been ruled out.

SIGNIFICANCE FOR THE U.S.

American action in Libya is extremely important for the Obama Administration, the “Arab Spring,” and international relations. Although criticized by politicians for either undertaking a hawkish operation or failing to act more decisively, Obama’s decision to enact a no fly zone and quickly relinquish leadership to NATO control is a shrewd move. Approval from the Arab League and media coverage of rebels begging for a no-fly zone ensures military operations are justified and nullifies much of the inherent political risk of intervening in the Middle East. The United States’ limited use of force at the behest of the rebels and with the blessing of the U.N. surely earns the Obama Administration political capital in the international community. Current U.S. actions entail minimal risk in terms of bilateral relations with Libya, American lives, and domestic political capital. If the Libyan rebels succeed and implement a government in accordance with their rhetoric, the “Obama Doctrine” will be considered an enormous success, and the United States will gain a sorely needed partner in Middle Eastern affairs. If political will evaporates during a protracted conflict, the United States and NATO will

have wasted billions of dollars, but can still claim limited success for securing the noble cause of preventing atrocities.

Mohamed Bouazizi's self immolation has sparked widespread upheaval in the "Arab Spring," and until Operation Odyssey Dawn the United States reacted in rather delicate ways to such a volatile regional situation. The United States' action in Libya sends a positive message to those struggling against oppression in the Middle East. At the very least, it demonstrates that the U.S. promotes freedom from oppression and isn't always eager to meddle in Middle Eastern affairs. It also conveys that those seeking to effect democratic change in Middle Eastern countries can count on some form of support from the United States provided they pursue their goals in accordance with international law and incorporate some form of democratic governance. Instead of being perceived as an outside invader seeking to dominate another country, the United States is supporting an organic, popular revolution at the request of the Libyan people. Other revolutions in the Middle East can consider the United States a valuable potential partner for establishing a new government and developing commercial ties. In short, the "Arab Spring" should view the United States' actions in Libya as a significant opportunity.

OPPORTUNITIES

When Gaddafi's regime falls Libya will be at a crossroads. A poorly developed political culture and the lack of charismatic leadership within the TNC means Libya will be at risk of becoming a failed state. The tribal nature of Libyan society as well as the cultural implications of a 40-year experience in a surveillance state puts any fledgling

Libyan government at risk of falling apart. If the new Libyan government appears to be failing, the United States or NATO could opt to install another, yet Western-friendly strongman. However, if the European military advisors accomplish their mission in Libya, a professional Libyan military could ensure the stability necessary for democratic institutions to grow.⁷ Additional U.S. or European partnership in building and operating a democratic government would serve as a powerful inoculation against succumbing to a culture of violence.

The Transitional National Council of Libya is increasingly recognized as the legitimate authority of Libya, and is already negotiating oil deals to fund their rebellion against Gaddafi. Once Gaddafi's regime falls and the TNC assumes responsibility for Libya's entire oil production, economic arrangements will likely be renegotiated. The United States and its European allies have already invested in developing Libya's oil and gas extraction and refining infrastructure, but support of the TNC in its infancy should result in more favorable business deals and a friendly bilateral posture conducive to increasingly close economic ties.

OPTIONS

Military intervention on behalf of humanitarian interests always entails a limited application of force and often suffers from mission creep. Since the rebellion in Libya has lost momentum and several NATO countries are sending military advisors, the United States has opted to use predator drones and CIA operations to help effect change on the

⁷ <http://www.csmonitor.com/Commentary/Opinion/2011/0413/Time-to-arm-Libyan-rebels-Here-s-how/%28page%29/2>

ground. There are a number of potential solutions for the conflict in Libya, but many of them are too costly for the U.S. or NATO to bear. One option is to expand operations and follow the Italians, British, and French by deploying a limited amount of Special Forces units to help the rebels better organize and operate. Since Secretary of Defense Gates dismissed the option of deploying troops, CIA Special Activities Division paramilitary officers and European military advisors will have to suffice.

Many analysts believe the rebellion will be unable to make any significant gains without additional weaponry. In fact, Libyan rebels are poorly trained, poorly armed and possess sparse amounts of ammunition, despite the addition of Egyptian weapons shipments since mid March.⁸ Although their logistical and organizational situation is improving, Libyan rebels need mortars, more assault rifles and grenades, and especially RPGs and Katyusha rocket launchers. Gaddafi's forces have resorted to using human shields by concentrating forces, and placing artillery and tanks in heavily populated areas because NATO is unwilling to inflict civilian casualties. However, properly armed and trained rebel forces could destroy pro-Gaddafi artillery and armored vehicles as they fight to control an area. This would entail more precision than NATO airstrikes, and the international community would be better insulated from the negative fallout of civilian casualties. The United States and NATO could organize weapons donations from third party countries that may not be directly involved in the conflict, yet support the rebel cause. Additionally, the United States could directly donate select munitions to the rebels through CIA and allied Special Forces contacts. The United States is very reluctant to

⁸ <http://online.wsj.com/article/SB10001424052748704360404576206992835270906.html>

arm Libyan rebels because of blowback experienced from Operation Cyclone, which created a “Kalashnikov culture” in Afghanistan, which greatly hinders NATO efforts today.⁹ Blowback from establishing a small arms and light weaponry pipeline is a legitimate concern, especially considering the conservative nature of longtime rebel Libyan Islamic Fighting Group. Concerns about arming potential jihadists are too late for action because the entire Middle East is saturated with small arms and light weaponry from organizations such as Hizballah, Iranian and Pakistani intelligence, the Taliban, and ties to unstable nations such as Sudan, Yemen, and Zimbabwe. A newly established weapons pipeline would serve to accelerate the downfall of Gaddafi’s regime without inflicting the devastatingly drastic cultural impact that Operation Cyclone had in the 80s.

News sources have speculated that the Obama Administration is searching for a country that will harbor Gaddafi after he is forced into exile. However, since the International Criminal Court will likely indict Gaddafi for the Lockerbie bombing and atrocities against Libyan civilians, only those countries that haven’t signed the Rome statute can be considered.¹⁰ Additionally, Gaddafi has vowed “to die a martyr¹¹” in Libya, indicating any deal involving exile will require significant coercion. Likely options for Gaddafi’s exile are Chad, Zimbabwe, Sudan, or Venezuela, due to the close

⁹ http://articles.sfgate.com/2001-11-18/news/17627909_1_taliban-militia-pashtun-afghan-border

¹⁰ http://www.nytimes.com/2011/04/17/world/africa/17rebels.html?pagewanted=2&_r=2&ref=world

¹¹ <http://www.reuters.com/article/2011/02/22/us-libya-protests-idUSTRE71G0A620110222>

bilateral relations these countries share with Libya as well as their refusal to accept International Criminal Court jurisdiction.

A final option NATO and the United States have carefully avoided discussing is directly targeting the Gaddafi regime. President Reagan's Executive Order 12333 expressly forbids U.S. involvement in assassination, yet Reagan ordered Operation Odyssey Dawn for the very purpose of killing Gaddafi. If successful, a "command and control strike" killing Gaddafi would likely accelerate the surrender of Libya's military and facilitate transfer of power to the Transitional National Council. Since Gaddafi's family and tribe have dominated Libyan political culture for over 40 years, remaining elements of his regime would likely crumble soon after his demise.

SUGGESTED COURSE OF ACTION

Through waging Operation Odyssey Dawn and consequently Operation Unified Protector, the U.S. and NATO have already achieved their stated goals in Libya: prevent Gaddafi from utilizing his air power to inflict atrocities on Libyan Civilians. Now, the mission has expanded to include support of rebel forces and further destruction of Libyan forces attempting to harm civilians. If the stalemate becomes too costly for the international community, NATO and the U.S. should declare victory and remove themselves from kinetic operations while resorting to covert, political, and economic warfare. As long as political will supports engagement, NATO should maintain dominance of the skies over Libya, while military advisors and the CIA should continue to help train and organize the rebels. Britain, France, Egypt, and Italy stand to suffer the most in case of a protracted conflict and humanitarian disaster, which means they should

assume more responsibility and undertake a direct role in funding, arming, and supporting the Libyan rebels. The United States should continue cooperative efforts by organizing humanitarian aid as well as weapons donations for the rebels. Additionally, the United States should offer immunity to some potential defectors within the Libyan regime to further erode Gaddafi's power over Libya. Finally, those who are responsible for committing atrocities, including Gaddafi, should be targeted for U.S., NATO, or Israeli strikes. Although unpleasant to consider, every day that Gaddafi remains in power ensures more suffering and death for the Libyan people, and serves to exacerbate a humanitarian and regional crisis. Since his death would undoubtedly save innocent lives and improve the quality of life for everyone involved, Gaddafi is certainly worth killing.

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