

# Japan's Passive Support for U.S. Wars: Examining the Case for Humanitarian Intervention in Libya and Syria

GRAY, Gavan\*

## Abstract

*This paper examines Japanese Foreign Policy in regards to claims that it is both passive and unfailingly supportive of US Foreign Policy even when the latter's military actions clash with Japan's professed commitment to international peace and security. To do so it first takes a critical look at Japanese Foreign Policy and the recent cases in which it has endorsed US military action. It then examines in-depth the most recent instance, namely the international intervention in Libya, and also considers the ongoing conflict in Syria. By examining media coverage of these events it can be shown that the version portrayed by the Western governments and media is only one side of a far more complex and morally opaque situation and thus calls into question the invocation of a 'Responsibility to Protect'. Japan's stance on this issue provides evidence to support accusations of uncritical support for US policy, either as a matter of self-interest or a failure of Japanese intelligence and media to more accurately assess the situation in question. Through it, Japan leaves itself open to further accusation of providing support for morally questionable wars and it is also shown that this stance precludes alternate, more proactive, policies that would have the power to promote Japan's influence and prestige in international affairs and the advancement of world peace.*

---

RITSUMEIKAN INTERNATIONAL AFFAIRS Vol.10, pp.269-302 (2011).

\* Language Education Department, Ritsumeikan University.

Department of Politics and International Relations, Leicester University.

## Keywords:

Japan, Libya, Syria, Humanitarian Intervention, Propaganda

## INTRODUCTION

This paper examines Japanese Foreign Policy in relation to claims that it is inherently passive, moribund and unfailingly supportive of US foreign policy even when the latter's military actions conflict with Japan's stated commitment to promoting international peace and security. Looking at recent foreign policy stances taken by the Japanese government reveals several instances where such claims occur. Their legitimacy can be best assessed by judging the cases where Japan has supported military action against the traditional criteria that stipulate the case for *Jus ad Bellum* (legitimate right of war): Just Cause, Last Resort, Proper Authority, Right Intent, Proportionality of Harm and Likelihood of Success.<sup>1)</sup> In each case arguments exist against the meeting of these criteria and this paper focuses in-depth on the most recent case, support for US and NATO military intervention in Libya, and, to a lesser extent, on the growing pressure for similar intervention in Syria.

The cases of Libya and Syria are examined in terms of the epistemological assumptions that dominate Western media framing of the events and contend that they are products of what Herman and Chomsky called the Propaganda Model, i.e. a filtered and biased version of the truth that reflects the strategic desires of the major actors involved rather than an accurate and balanced analysis of the situation.<sup>2)</sup> Taking a strong policy position based upon such flawed information therefore represents either what is called "bandwagoning": alignment in international affairs with the strong against the weak based upon selfish aims, or a worrying inability on the part of the Japanese government to accurately evaluate the issue and see beyond the filters of the propaganda model.

This 'manufactured consent' for military intervention also warns of the need for far greater skepticism regarding broad invocation of the 'Re-

---

1) For details of what 'Just War' theory requires See, J.T. Johnson, *Just War Tradition and the restraint of War: A Moral and Historical Inquiry*, (Princeton: Princeton University Press, 1981), and R. Philips, *Can Modern War be Just?* (New Haven: Yale University press, 1984).

2) Edward S. Herman and Noam Chomsky, *Manufacturing Consent*, (Surrey: Vintage, 1994).

sponsibility to Protect' as championed by theorists such as Bellamy<sup>3)</sup> and Evans<sup>4)</sup> and supports the views of others such as Pattison who see a need for more detailed clarification of what any humanitarian intervention will entail and what parties will be involved.<sup>5)</sup>

Perhaps more importantly, Japan's current policy of uncritical support precludes opportunities for far more proactive and moral policies which would have the potential for not only promoting Japan's prestige and influence in world affairs but also increasing international peace and security.

## A CRITICAL REVIEW OF JAPANESE FOREIGN POLICY

For several decades Japan has laid a light, almost unnoticeable, touch on the table of international affairs, despite the fact that its Official Development Assistance program has provided \$221 billion in infrastructure grants and humanitarian assistance, which has helped lift countless people out of poverty. Yet, in Japan even this was criticized, with many feeling that it had not maximized its investments.<sup>6)</sup> In security affairs Japan has been more harshly written-off as a 'checkbook diplomat' with active support for even UN mandated operations restricted to rear-echelon activities.<sup>7)</sup> With twentieth century Japanese foreign policy thus characterized as ill-conceived and ineffectual,<sup>8)</sup> the advent of the 'War on Terror' saw US pressure on the Koizumi government to take a more forceful military stance. This was undone, however, by a succeeding string of short-term Prime Ministers (five in four years) whose foreign policies oscillated wild-

---

3) Alex J. Bellamy, *Responsibility to Protect: The Global Effort to End Mass Atrocities*, (Cambridge: Polity Press, 2009).

4) Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*, (Washington, D.C.: Brookings Institution Press, 2008).

5) James Pattison, *Humanitarian Intervention and the Responsibility to Protect: Who Should Intervene?* (Oxford: Oxford University Press, 2010).

6) Amy Thernstrom, "Japanese ODA at 50: an Assessment," *Asia Program Special Report* 128. Woodrow Wilson International Center for Scholars, February (2005): 1.

7) Bruce Klingner, "Japan's security policy: Navigating the troubled waters ahead," *Heritage Association Backgrounder* 2340, Heritage Association, 9<sup>th</sup> November (2009).

8) For analysis of both ends of Japanese Foreign Policy in the last decade of the 20<sup>th</sup> century see: "Shadow Boxing: Japanese Foreign Policy," *The Economist (US)*, June 4, 1988, and Gilbert Rozman, "Japan's quest for great power identity," *Orbis*, December 22, 2001.

ly, from Abe's "arc of freedom and prosperity"<sup>9)</sup> to moves by Fukuda and Hatoyama to align with China and develop an "East Asian community".<sup>10)</sup> In some cases, as with Aso and Kan, their tenure was too short to even establish a distinct agenda.

Japan's bureaucrats are often seen as hidebound mandarins, willing to sabotage the plans of elected officials to preserve the status quo,<sup>11)</sup> and although politicians have made some progress in seizing control,<sup>12)</sup> significant problems remain that hobble the power of ministries to form independent and decisive strategy.<sup>13)</sup> Politicians, meanwhile, remain vulnerable to domestic pressures and scandals that frequently compromise the establishment of long-term plans, as evidenced by the recent resignations of Foreign Minister Maehara and Prime Minister Kan.<sup>14)</sup> As a result, there is a widely accepted view that foreign policy remains unfocused,<sup>15)</sup> despite the desires of Japan's leaders for a stronger international role.<sup>16)</sup> Overcoming this entropy requires a paradigm shift in Japanese policy, revitalization of an ossified bureaucracy and renunciation of entrenched and outdated ideas. The two major obstacles to overcome are obeisance to US approval of Japan's international policy and a blithe acceptance of the

---

9) Aso Taro, "Arc of Freedom and Prosperity: Japan's Expanding Diplomatic Horizons," (speech by the Foreign Minister on the Occasion of the Japan Institute of International Affairs Seminar, Ministry of Foreign Affairs, November 30, 2006).

10) See: "The return of the Fukuda doctrine," *The Economist*, December 15, 2007, and Takahata Akio, "A shaky start for Hatoyama's yuai diplomacy," The Tokyo Foundation, Last modified December 13, 2009, <http://www.tokyofoundation.org/en/articles/2009/a-shaky-start-for-hatoyamas-yuai-diplomacy>

11) Gerald L. Curtis, *The Logic of Japanese politics* (New York: Columbia University press, 1999), 8-9.

12) Shinoda looks at the early efforts to enforce stricter control of the bureaucracy in: Shinoda T, *Kantei Gaiko: Seiji Ridaashippu no Yuku*, (Tokyo: Asahi Shinbunsha, 2004). Rozman saw the stance of the Koizumi administration as an example of a new departure toward more decisive foreign policy, see Gilbert Rozman, "Japan's North Korea Initiative and US-Japanese Relations", *Orbis*, Foreign Policy Research Institute, Spring 2003. Also, David Potter and Sudo Sueo, "Japanese Foreign policy: No longer reactive?" *Political Studies Review* 1:3, September (2003): 317-332.

13) For a recent analysis of the politician vs. bureaucrat turf-war, see: Hasegawa Yukihiro, *Nipponkoku no Shotai*, (Tokyo: Kodansha, 2009).

14) See: Justin McCurry, "Japan foreign minister resigns over illegal donations," *The Guardian*, March 7, 2011, and Sakamaki Sachiko, "Kan says he plans to resign after passage of Japan's quake, energy bills," *Bloomberg*, June 14, 2011.

15) See: "Kans political instability forces japan foreign affairs to stall," *Jiji*, February 1, 2011, and Allen Choate, "Japan Gets New Prime Minister, but Same Foreign Policy Challenges Remain", *In Asia*, The Asia Foundation, June 9, 2010.

16) "Japan PM wants more assertive foreign policy," *BBC News*, January 21, 2011

Western media model of world affairs. In order to wield effective, and truly independent, international influence, Japan must accept that both factors frequently conflict with her own best interests and international peace and security.

Japan's 65 year relationship with the US has been called unequal by both participants, though for very different reasons. While America often rails against Japan's 'free ride' beneath its security umbrella, senior Japanese politicians publically bemoan their countries status as a "client-state" of the US.<sup>17)</sup> Nonetheless, Japan has remained a faithful supporter of US foreign policy, even when this clashed with fundamental aspects of Japan's national identity. Article 9 of the Japanese Constitution states,

*"The Japanese people forever renounce war.....and the threat or use of force as means of settling international dispute."*<sup>18)</sup>

Yet these proscriptions never impacted Japan's indirect support for military force. During the 1991 Gulf War, a conflict based upon considerable disinformation, sensationalism and media manipulation,<sup>19)</sup> Japan provided more than 1.4 trillion Yen in financial logistical support, following which the country was still criticized for its purely fiscal contribution.<sup>20)</sup> During the 1999 NATO bombing of Yugoslavia, Japan stated that it understood the "necessity of the violence" in preventing a humanitarian catastrophe despite considerable evidence that this was not the case.<sup>21)</sup> A letter from

---

17) Gavan McCormack, "Ampo's Troubled 50<sup>th</sup>: Hatoyama's Abortive Rebellion, Okinawa's Mounting Resistance and the US-Japan Relationship," *The Asia-Pacific Journal*, May 31 (2010).

18) Article 9, Japanese Constitution. Accessed July 12, 2011, [http://www.mod.go.jp/e/d\\_act/d\\_policy/dp01.html](http://www.mod.go.jp/e/d_act/d_policy/dp01.html)

19) For analysis of the public framing of the Iraq war and the media's role as propagandists see: "How PR sold the War in the Persian Gulf" in John Stauber and Sheldon Rampton, *Toxic Sludge is good for you: Lies, Damn Lies and the Public Relations Industry*, (Monroe: Common Courage Press, 1995), and Victor Marshall, "The lies we are told about Iraq", *Los Angeles Times*, Last modified January 5, 2003, <http://articles.latimes.com/2003/jan/05/opinion/op-marshall5>. For a historical analysis of the political relations of Iraq and Kuwait see Theodore H. Draper, "The Gulf War Reconsidered", *The New York Review of Books*, Last modified January 16, 1992, <http://www.nybooks.com/articles/archives/1992/jan/16/the-gulf-war-reconsidered-2/>

20) Balbina Hwang, "Japan's Troop Dispatch to Iraq: The End of Checkbook Diplomacy," Heritage Foundation, Last modified February 9, 2004, <http://www.heritage.org/Research/Reports/2004/02/Japans-Troop-Dispatch-to-Iraq-The-End-of-Checkbook-Diplomacy>

21) "Japan says it 'understands' use of force," *Japan Times*, March 25, 1999. See later in this article for analysis of the legitimacy of the bombings.

the former Head of the UN mission to Kosovo to German Chancellor Angela Merkel stated,

*“There were huge discrepancies in perception between what the missions in Kosovo have been reporting to their respective governments and capitals and what the latter thereafter released to the media and the public. This discrepancy can only be viewed as input to long-term preparation for war against Yugoslavia.....Accordingly, until 20 March 1999 there was no reason for military intervention, which renders illegitimate measures undertaken thereafter by the international community.”<sup>22)</sup>*

Vocal support for such “illegitimate measures” was still not enough for her allies, however, and the US pushed Japan to adopt a more forceful role as the “Britain of the Far East”.<sup>23)</sup> When the invasion of Afghanistan began Japan was, once again, eager to offer support despite ample evidence that the protracted conflict was not only against the basic principles of Article 9,<sup>24)</sup> but also of questionable international legality.<sup>25)</sup> Similarly, the 2003 Invasion of Iraq was declared by Japan to have had a valid mandate,<sup>26)</sup> with Prime Minister Koizumi stating that Japanese financial support would extend to “everything”.<sup>27)</sup> It went beyond financial measures though, with hawkish Japanese politicians pushing the boundaries of the constitution to ensure that Japan would provide logistical support for US troops. One SDF major stated,

*“Our government's interpretation of logistical support is that we are not participating in the war. This is wrong. Any forces that engage in*

---

22) Noam Chomsky, quoted in “Noam Chomsky: On Libya and the unfolding crises” (interview by Stephen Shalom and Michael Albert, March 31, 2011) transcript available at <http://portland.indymedia.org/en/2011/03/407481.shtml>

23) Institute for National Strategic Studies, *The United States and Japan: Advancing toward a Mature Partnership*, (Washington, National Defense University, 2000).

24) For a detailed breakdown of the argument against Japan’s Afghanistan policy see Gavan McCormack, “Japan’s Afghan Expedition”, *Eureka Street*, last modified December 2001, <http://www.iwanami.co.jp/jpworld/text/Afghanexpedition01.html>

25) For extensive critiques of the legal justification for the war see Michael Mandel, “Say what you want, but this war is illegal,” *Toronto Globe and Mail*, October 9, 2001. and Stephen R. Shalom, “A Just War? A critique of Richard Falk,” *ZNet*, October 22, 2001.

26) “Attack mandate valid,” *Japan Times*, March 18, 2003.

27) McCormack, Op Cit.

*logistic support will be identified as the enemy and it will become the target of enemy attack.*"<sup>28)</sup>

For some this was a sign of a new 'tougher' foreign policy,<sup>29)</sup> but it was a foreign policy tied to American rather than Japanese strategy, control and norms. In the words of Terashima Jitsuo, president of the Mitsui Global Strategic Studies Institute,

*"A country that believes unquestioningly in the US-led cause of 'democracy and freedom', while lacking any sense of their own subjective national interest, cannot be recognized by the world as an 'adult' country".*<sup>30)</sup>

This submissive posture was confirmed in Hirata Keiko's study of Japan foreign relations with Vietnam. While she argued that Japan was capable of taking a more proactive role in foreign affairs, she pointed out that once the US began to exert pressure against activities it disagreed with, Japan was quick to revert to a passive state.<sup>31)</sup>

What justifies such subservience though? While the US is Japan's primary security and trade partner this relationship runs both ways, with the US getting as much from the partnership as Japan, and, if the US was not profiting from the arrangement it would not persist for long on the basis of 'loyalty' or 'friendship'. George Washington himself encouraged his countrymen to remember,

*"There can be no greater error than to expect or calculate upon real favors from nation to nation."*<sup>32)</sup>

Occasionally, Presidents such as Carter proclaim that "human rights are the soul of our foreign policy" but these superficial platitudes are given lie

28) McCormack, Op cit.

29) Suvendri Kakuchi, "Japan's new, tougher foreign policy," *Asia Times*, June 18, 2004.

30) Terashima Jitsuro, "Sekaishi no shinso teiryu wa nanika," *Chuo Koron*, November 2001: 142-149.

31) Hirata Keiko, "Japan as a Reactive State?: Analyzing the Case of Japan-Vietnam Relations," *Japanese Studies* 18: 2, (1998).

32) George Washington, "Farewell address to the nation," (speech September 17, 1796), quoted in Joseph J. Ellis, *His excellency George Washington*, (New York: Vintage, 2005) 232-239.

by US actions. In her damning analysis of international handling of the 1994 Rwanda genocide, Susan Power showed how the first response of the US administration to unrest was to “yank the peacekeepers”.<sup>33)</sup> At the time, US Republican leader Bob Dole argued against US intervention based on a lack of “any national interest”, while official documents warned against using the term ‘genocide’ in case the government was forced to “actually do something”.<sup>34)</sup> Bill Clinton also stated that any US intervention must be driven by ‘sufficient national interests’ while the succeeding Bush Administration declared,

*“Genocide could happen again tomorrow and we wouldn’t respond any differently”.*<sup>35)</sup>

In a similar vein US Secretary of State Madeline Albright was able to take a pragmatic view toward reports that US backed sanctions had led to half a million child deaths in Iraq, saying “we think the price is worth it”.<sup>36)</sup> Given that polls have placed the US among the countries seen to have the most negative influence on world affairs, while Japan is among those seen as having the most positive,<sup>37)</sup> it is strange how consistently Japan defends US policy.

Johann Galtung, a pioneer in peace and conflict studies, called Japan’s relationship with the US a form of monotheism rooted in “blind obedience” resulting from US displacement of the Emperor from the apex of the pre-war power structure.<sup>38)</sup> He sees US influence over Japanese affairs as ultimately negative, with the US seeking a fractured East Asia rather than promoting reconciliation between Japan and either North Korea or China. In Galtung’s view Japan is best served by moving away from rigid adherence to US control, toward integration within an East Asian community. There was some nervousness in Washington in 2009 when the Democratic

---

33) Susan Power, “Bystanders to genocide,” *The Atlantic*, September, 2001.

34) Ibid.

35) Ibid.

36) Madeleine Albright, (interviewed by Leslie Stahl), *Sixty Minutes*, CBS, May 12, 1996.

37) Nick Childs, “Israel, Iran top ‘negative list’,” *BBC News*, March 6, 2007.

38) Johan Galtung, “Can Japan Become Sovereign and Peaceful?,” (interview by Jan Oberg of The Transnational Foundation for Peace and Future Research, September, 25, 2008), accessed at <http://www.youtube.com/watch?v=JTtzwgk9JD8>

Party of Japan (DPJ) seized power after advocating this exact policy.<sup>39)</sup> These worries were unfounded though, as a clash over basing rights in Okinawa soon led to the resignation of Prime Minister Hatoyama, who had failed in a promised goal to “fundamentally alter the country's relations with the US.”<sup>40)</sup> Concerns that his successor, Kan Naoto, might similarly challenge obeisance to US doctrine were assuaged by Japan's announcement of support for sanctions against Libya.<sup>41)</sup> In doing so Kan was only agreeing with the media-driven consensus, but such actions reveal either a lack of awareness of the dangers of biased news coverage or disinterested concern for their effects.

Extensive evidence now shows the extent to which media inaccuracy and deliberate disinformation promoted the hugely unpopular invasion of Iraq in 2003.<sup>42)</sup> More recently, the same techniques were used to cheerlead possible military action against Iran in response to its, legitimate, nuclear research program.<sup>43)</sup> Even in their treatment of Japan, the US media shows little consideration for accuracy, and several media networks continued a campaign of vilification against Toyota even after numerous investigations pronounced the 2010 scare of ‘killer vehicles’ to be unfounded.<sup>44)</sup> In the response to the Fukushima crisis too, the Western media went far beyond their normal hyperbole to vastly inflate the threat posed by the radiation leaks, creating panic not only among foreigners but among Japanese citizens who were left confused as to the gap between national coverage and the scare-mongering of the international press.<sup>45)</sup> In both cases the

---

39) John Pomfret, “U.S. is reaching out to East Asia's powerful nations,” *Washington Post*, November 7, 2009.

40) Justin McCurry, “Japan's Prime Minister, Yukio Hatoyama resigns,” *Guardian*, June 2, 2010.

41) “Japan approves UN sanctions against Libya,” *AFP*, March 8, 2011.

42) For only a few of the many examples see Douglas Keller, “Media Propaganda and Spectacle in the War on Iraq: a Critique of U.S. Broadcasting Networks”, *Cultural Studies, Critical Methodologies* 4:3, August (2004): 329-338, and Morgen Johansen and Mark Joslyn, “Political persuasion during times of crisis: the effects of education and news media on citizens' factual information about Iraq,” *Journalism & Mass Communication Quarterly*, 85:3, Autumn (2008): 591-608, and Kumar Deepa, “Media, War, and Propaganda: Strategies of Information Management During the 2003 Iraq War,” *Communication & Critical/Cultural Studies*, 3:1, March (2006): 48-69.

43) Peter Hart, “Iraq All Over Again”, *Extra!*, 22:12, December (2009): 7.

44) Ed Wallace, “Toyota: The media owe you an apology,” *Newsweek*, February 10, 2011.

45) For partial analysis of an extremely widespread problem see John Dendahl, “News Media Focus on Fukushima: Obscene”, *Accuracy in Media*, last modified April 22, 2011 at <http://www.aim.org/guest-column/news-media-focus-on-fukushima-obscene/>, and Paul Blustein, “Craving spinach after Fukushima nuclear scare,” *Bloomberg*, March 30, 2011.

irresponsible behavior of the media caused Japan significant economic damage.

The same media have been shown to be the major tool for promoting public acceptance for war.<sup>46)</sup> The US Council on Foreign Relations stated that television is the “chief tool in selling our policy”,<sup>47)</sup> while the Pentagon directly controls a variety of regular US television commentators and analysts who, while purporting to give independent advice instead deliver direct US military policy to their audiences.<sup>48)</sup> For some time, the Pentagon openly ran an ‘Office of Strategic Influence’ designed to “provide news items, possibly even false ones, to foreign media organizations” in an effort “to influence public sentiment and policy makers in both friendly and unfriendly countries.”<sup>49)</sup> Recent revelations that the Pentagon even attempts to use PsyOps (psychological operations) to influence US Senators, show it would be naïve to expect them to have any qualms about deceiving the Japanese government or public.<sup>50)</sup> All of these factors: Japan’s lack of clear foreign policy, her subservience to US dictates and the unreliability of the mass-media, should have been kept under consideration during recent events in Libya.

## **EXAMINING THE CASE FOR HUMANITARIAN INTERVENTION IN LIBYA**

Due largely to its acrimonious history with the US and its addition in 2002 to the ‘axis of evil’, Libya has a poor international image. Until recently though, it also had the highest standard of living in Africa; a remarkable feat given that before independence the country had 90% illiteracy, no universities and only a handful of high schools.<sup>51)</sup> Unlike many

---

46) Scott Althaus and Kevin Coe, “The Role of News Coverage in Shaping Public Support for War,” (conference papers, International Communication Association Annual Meeting, 2007): 1.

47) Richard Hass, President of the Council on Foreign Relations, quoted in *New York Times*, November 5, 1991.

48) David Barstow, “Behind TV Analysts, Pentagon’s Hidden Hand,” *New York Times*, April 20, 2008.

49) “Pentagon Propaganda Plan Is Undemocratic, Possibly Illegal,” *Fairness and Accuracy in Reporting*, February 19, 2002.

50) Micheal Hastings, “Another Runaway General: Army Deploys Psy-Ops on U.S. Senators,” *Rolling Stone*, February 23, 2011.

51) Henri Pierre Habib, *Politics and Government of Revolutionary Libya*, (Montmagny, Quebec: Le circle de livre de france, ltee. 1975), 1.

other oil-rich, third-world countries, Libya invested the majority of its profits into social development projects that provided state housing, free education and medical services,<sup>52)</sup> and produced a GDP that had been growing strongly over recent years.<sup>53)</sup> It was also well-known for allowing women to climb to heights of authority unthinkable in many other Arab nations, something the rebel leadership have thus far failed to match.<sup>54)</sup> This is not to say the country was without problems, the Gadhafi ruling elite were considered repressive, highly corrupt and nepotistic, and the country's economy had been badly damaged by several decades of international sanctions. Nonetheless, it was a very different society to those of Egypt, Tunisia and other sites of recent democratic protest. Galtung highlighted pride in independence from direct Western control and relatively even standards of income as the primary factors for why internal dissent was markedly lower in Libya than others.<sup>55)</sup>

Japan's relations with Libya have never been extensive, with imports totaling only ¥220 million and exports ¥22.5 billion each year.<sup>56)</sup> Even so, once UN sanctions were lifted in 2003 the two countries were quick to establish amicable ties. Libya was courted by Japan as a key supporter for its campaign for a permanent UN security seat<sup>57)</sup> and in return offered to put pressure on North Korea regarding the abduction issue.<sup>58)</sup> The same year Japanese oil companies also successfully bid for the rights to develop several Libyan oil fields,<sup>59)</sup> and, while the status of these projects is now unclear, Africa remains an important potential source for Japan's resource needs.<sup>60)</sup> Given that Libya had much to offer in this regard, Prime Minister Kan's condemnation of alleged Libyan attacks on protestors as

---

52) Gerald A. Perreira, "Libya, Getting it Right: A Revolutionary Pan-African Perspective," *Dissident Voice*, March 4, 2011.

53) "African research bulletin: Economic, financial and technical series" 44:11, January (2008).

54) Daa Hadid, "Taboo-breaking women among Gadhafi's biggest fans," *AP*, July 8, 2011.

55) David Swanson, "Predication: 20 Years of War in Libya," *Transcend Media Service*, Last modified May 30, 2011, <http://www.transcend.org/tms/2011/04/prediction-20-years-of-war-in-libya/>

56) "Japan approves UN sanctions against Libya," *AFP*, March 8, 2011.

57) "Japan seeks Libya's support for security council seat," *Asia Africa Intelligence Wire*, June 21, 2005.

58) "Libya assures Japan of support over N. Korea Nuke Issue," *Jiji*, December 21, 2004

59) Michael Penn, "The roots of the Japanese oil victory in Libya," *Japan Focus*, October 30, 2005.

60) "Japan increasingly looking to Africa for natural resources," *Shingetsu Institute Newsletter* 896, February 6 (2008).

“unforgiveable”,<sup>61)</sup> and his quick movement to support sanctions,<sup>62)</sup> were particularly disappointing, not least in what they said about Japan’s inability to analyze the dominant media version of events for flaws.

It may be that Gadhafi was a corrupt and dictatorial ruler and that the instillation of a more progressive and egalitarian government is in Libya’s best interests, although arguments exist against attempting to implant Western democratic ideals on societies with fundamentally different cultural values, structures and traditions.<sup>63)</sup> Either way, this paper is in no way intended as a defense of the Gadhafi regime, but instead highlights the importance of critically reviewing media coverage of the conflict as, despite attempts to make the uprising in Libya seem identical to those of Tunisia and Egypt, conditions on the ground were vastly different and the ‘just cause’ offered by NATO for intervention, of a government massacring unarmed protestors, was far from clear cut.

Rather than a country in which a majority of impoverished citizens were ruled over by a small elite, Libya was divided by tribal loyalties rather than class. The Eastern region, where the rebellion began, was a former Italian colony that produced King Idris I, who was overthrown by Gadhafi during the 1969 revolution. As a result, the Senussi tribe of Eastern Libya have always been dissatisfied with Gadhafi’s rule. In the West, however, the Qadhadhfa, Maghrahah and Warfalla tribes had been generally supportive of Gadhafi.<sup>64)</sup> With a country made up of hundreds of such tribes, of which the latter are among the most influential, popular support is a constantly shifting pattern of loyalty and dissatisfaction driven by self-serving tribal politics. Even after NATO bombing began, much of the popular unrest was driven by the imposition of “severe fuel shortages, shortages in medicine and a rise in basic food prices” rather than enmity toward the regime.<sup>65)</sup> News reports of ‘protests’ were rarely balanced against the frequent, large-scale, pro-government rallies and in some cases the latter

---

61) “Japan PM says Libya attacks ‘unforgiveable,’” *BBC News*, February 25, 2011.

62) “Japan approves Libya sanctions including al-Qadhafi assets freeze,” *BBC News*, March 8, 2011.

63) For examples see: David Ronfeldt, “21<sup>st</sup> century tribes,” *Los Angeles Times*, December 12, 2004, and Steven Pressfield, “Tribalism is the real enemy in Iraq,” *Seattle Post-Intelligencer*, June 17, 2006.

64) Steven Erlanger, “Even a weakened Qaddafi may be hard to dislodge,” *New York Times*, March 1, 2011.

65) Dina Hadid, “Libyan capital buffeted by airstrikes,” *Associated Press*, May 13, 2011.

were portrayed as the former.<sup>66)</sup>

The framed story of the uprising was painted in very stark terms though. Jose Moreno-Ocampo, Prosecutor for the International Criminal Court, declared that “war crimes are apparently committed as a matter of policy” by the Libyan government. His evidence involved eyewitness testimony of “victims who were shot at by security forces”.<sup>67)</sup> His claims failed to mention whether this involved live rounds, rubber bullets or tear gas, whether the victims were armed or unarmed, simply protesting or attacking Libyan police, or whether the witnesses were free from personal bias. In this manner, it was much like the rest of the ‘evidence’ used to justify the assault on Libya, at first notice seemingly newsworthy and shocking, yet, with only a little consideration, deeply flawed.

Unlike protests in Tunisia, Egypt and Bahrain, where demonstrations remained entirely peaceful for weeks, the situation in Libya descended into violent rioting from the outset. The first reports of violence against protestors came from Eastern Libya, home of the tribes who opposed Gaddafi’s rule and who now saw a wave of popular protest unseating the rulers of neighboring states. These were the sole sources of initial reports of government violence and repression and yet they were taken at face value without any independent verification.

These initial protests were based around Benghazi, regional capital of the opposition tribes and now center of the rebel leadership. Amid the first outbreak of violence more than 100 members of a banned militant Islamist group were released from a Benghazi jail. Soon after, reports were stating that rioters had set ablaze government buildings, including multiple police stations.<sup>68)</sup> These ‘protestors’ were armed with rocks and petrol bombs and their initial clashes with police had left at least 10 officers injured.<sup>69)</sup> Hundreds of other jailed criminals had also reportedly used the chaos to violently overwhelm guards and escape.<sup>70)</sup> The response of Libya’s police was, according to a well-known Libyan novelist, to use “tear gas, batons and hot

---

66) For example, an ABC affiliate presented the following as a ‘protest’ despite the clear presence of the green flags and banners of government loyalists: WMAR ABC2 News, last modified March 7, 2011, <http://www.youtube.com/watch?v=TKqEue9hJuA>

67) John Swaine, “Muammar Gaddafi facing war crimes arrest warrant,” *The Telegraph*, May 4, 2011

68) “Protests grow violent across Middle East,” *USAToday*, February 18, 2011.

69) “Libyan police stations torched,” *Al Jazeera*, February 16, 2011.

70) *USAToday*, Op cit.

water, to disperse crowds".<sup>71)</sup> The idea that Western police would not respond with as much force is easy to judge by the violence they frequently use in response to perfectly peaceful protests in countries such as the US, Britain and Spain.<sup>72)</sup> Despite the relatively muted response of Libyan police, video footage used repeatedly by the BBC and other news outlets, showed protestors, some injured, running from gunfire. This was later revealed to be more than a year old, and devoid of any context, but its impact on popular opinion had already been made.<sup>73)</sup> As the violence in Libya escalated so did the government's response but there is little evidence to suggest that government actions were unprovoked, unjustified or excessive.

One early story praised two Libyan pilots who, refusing orders to bomb civilians, instead defected, stating that other pilots had not been so conscientious.<sup>74)</sup> That these two pilots who 'refused orders' were both high-ranking colonels is itself suspicious but no evidence was produced to verify their claims, while Russia announced that military satellite surveillance revealed no sign that any such attacks had taken place.<sup>75)</sup> Meanwhile the US commander of African operations, Admiral Locklear, stated that prior to NATO operations Libya's Air Force was "not in good repair" and her tactical capability amounted to "several dozen helicopters".<sup>76)</sup> The US Department of Defense also openly admitted they had "seen no confirmation whatsoever" of air strikes against civilians.<sup>77)</sup> Despite this, Libyan air power was portrayed as a major threat to civilians and the primary justification for the nationwide 'no-fly zone'.

US President Barack Obama claimed that action was needed to pre-

71) Al Jazeera, Op cit.

72) Countless examples of police repression of peaceful protests by the US, UK and other NATO members exist, for a few examples see: Fiona Govan, "Spanish youth demonstrations turn violent as police fire rubber bullets at protestors in Barcelona," *The Telegraph*, May 27, 2011, and Dana Hull, "Police violence shocks activists, others at Port of Oakland protest," *San Jose Mercury News*, April 7, 2003, and Beth McGrath, "G20: The Police ruined a peaceful protest," *The Guardian*, April 2, 2009.

73) "Libya protests: Second city Benghazi hit by violence," *BBC News*, February 16, 2011.

74) "Libya: Colonels defected to Malta rather than bomb protestors," *Los Angeles Times*, February 21, 2011.

75) Irina Galushko, "Airstrikes in Libya did not take place – Russian Military," *Russia Today*, March 1, 2011.

76) Karen Parrish, "Task force commander provides Libya update," *American forces press Service*, March 22, 2011.

77) "DOD News Briefing with Secretary Gates and Adm. Mullen from the Pentagon," *US Department of Defense*, March 1, 2011.

vent a “bloodbath” by Libyan government troops and that Gadhafi himself had called for a “massacre” of civilians in which he labeled his own people “rats”.<sup>78)</sup> Germany’s Angela Merkel, stated that Gadhafi “declared war on his own people”.<sup>79)</sup> In both cases Gadhafi’s threats were clearly directed solely against the militant rebels rather than civilians and included repeated offers of amnesty for rebels willing to lay down their weapons or an escape route to Egypt for those preferring to flee.<sup>80)</sup> Human Rights Watch revealed data on rebel-held cities targeted by the government which showed Gadhafi’s forces had taken pains to avoid collateral damage and were instead narrowly targeting rebel fighters. After two months of conflict in Misrata, only 247 people had been killed from a population of 550,000. Of 949 wounded, only 22 were women, figures that in no way support indiscriminate bombing of civilians.<sup>81)</sup> The Institute for Strategic Studies highlighted the fact that Gadhafi was likely going to “extraordinary measures” to avoid civilian casualties.<sup>82)</sup> Nonetheless, the international media were content to disseminate stories of government violence that they admitted they were unable to confirm and were not fact but rather “claims” and “allegations” by unidentified sources.<sup>83)</sup> The former Libyan Deputy Ambassador to the UN, defecting to the rebel side, claimed Libyan soldiers were using ambulances to ambush injured protestors, an accusation that made headlines despite the lack of any corroborating evidence whatsoever.<sup>84)</sup> A perfect example of the power of such unfounded rumor-mongering was the rapid spread of claims that Gadhafi had issued troops with Viagra and orders to rape. Once the ‘rumor as fact’ headlines were made, the message was imprinted in the public mind regardless of later statements by military and intelligence officials and Amnesty Inter-

---

78) Mike Dorning and Hans Nichols, “Obama says Libya civilian massacre would have stained world conscience,” *AFP*, March 30, 2011.

79) “Gadhafi vows bloody backlash against insurrection,” *Mail and Guardian*, February 23, 2011.

80) Alan J. Kuperman, “False pretenses for war in Libya?” *Boston globe*, April 14, 2011.

81) *Ibid.*

82) “Military Briefing, ISIS Defense Analysis Program,” ISIS, last modified March 16, 2011, <http://www.youtube.com/watch?v=t5AEEbuV8Hg>

83) Jon Williams, “The difficulty of reporting from inside Libya,” *BBC World News*, February 20, 2011.

84) Bill Varner, “Libyan envoy, comparing Qaddafi to Hitler, seeks UN sanctions,” *Bloomberg*, February 26, 2011.

national that the initial claims were backed by no actual evidence.<sup>85)</sup> In the end, even UN human rights investigators felt compelled to state the allegations appeared to be “massive hysteria” intended as scare tactics.<sup>86)</sup>

Despite this blatant media manipulation, Western governments were very quick to forego a role of neutral mediation and instead aligned themselves with rebel forces. This is in stark contrast to their response to protests in other nations where, even when there was clear evidence of one-sided violence by government forces against unarmed protestors, no calls were made for intervention. In Egypt, despite the fact that violence was instigated solely by the government, US Secretary of State Clinton judged the regime to be “stable”<sup>87)</sup> and called for “restraint on both sides”.<sup>88)</sup> In Bahrain, where UK-trained Saudi Arabian troops were used to crush civilian protest, the extent of Britain’s response was a statement that it was “deeply concerned”.<sup>89)</sup> Protests against the government of US ally Yemen drew a weak encouragement for Yemen’s leadership “to focus on.....political reforms”.<sup>90)</sup>

Given the widespread violence being used by such Arab leaders against the wave of protests, it was difficult to see the logic behind Clinton’s claim that it was their request of support for Libyan democracy that helped push the US into action.<sup>91)</sup> In a recent interview, Noam Chomsky rebutted the US invocation of the United Nation’s ‘Responsibility to Protect’ doctrine as justification,<sup>92)</sup> arguing that “virtually every resort to force could be justified in those terms” and that the key test was whether states

85) See: Victor Kostev, “Fatigue shows in Libya,” *Asia Times*, May 6, 2011, “US intel: No evidence of Viagra as weapon in Libya,” *NBC News*, April 29, 2011 and Patrick Cockburn, “Amnesty questions claim that Gaddafi ordered rape as a weapon of war,” *The Independent*, June 24, 2011.

86) “UN officials bicker over claims Gaddafi used rape as a weapon,” *National Post*, June 10, 2011.

87) “El Baradei: Egypt is not stable,” (interview), *CNN*, Last modified January 25, 2011, <http://edition.cnn.com/video/?/video/world/2011/01/25/ctw.intv.elbaradei.cnn>

88) “Egypt: Clinton calls for restraint on both sides,” *Los Angeles Times*, January 28, 2011.

89) Jamie Doward and Philippa Stewart, “UK training Saudi forces used to crush Arab spring,” *The Guardian*, May 28, 2011.

90) “Yemeni leader lashes out at US as protests continue,” *CNN*, March 1, 2011.

91) Nicole Gaouette, “Clinton says Arab League vote for no-fly-zone changed minds,” *Bloomberg*, March 16, 2011.

92) The ‘Responsibility to Protect’ (R2P) was first codified in UN Security Resolution 1674 in 2006 and further promoted by the 2009 publication of ‘Implementing the Responsibility to Protect’, United Nations Report of the Secretary General A/63/667, 12th January 2009. It is a normative guideline rather than an international law and has no legal weight. Neither does it have, due to its inconsistent invocation, any moral authority.

applied such rules to themselves and their allies rather than only states they found inconvenient<sup>93)</sup> In this instance Obama's championing of the 'Responsibility to Protect' is even more disingenuous than George W. Bush's doctrine of the 'Preemptive Strike' as it is quite easy to see that actions in Libya were not aimed at easing humanitarian suffering.

American politicians, such as Congressman Dennis Kucinich, themselves denounced the attack as a simple cover for regime change,<sup>94)</sup> something evident in demands by coalition leaders that Gadhafi surrender power as a condition for peace.<sup>95)</sup> This despite the fact that regime change was not included as a required element of any UN resolution. In actuality, United Nations stipulations for the use of force, and the 'Last Resort' criteria for Just War, explicitly state that all peaceful options must first be exhausted, conditions that are in no way met by rejection of ceasefire offers or demands for leadership change.<sup>96)</sup> These same guidelines also require those enforcing UN resolutions to remain neutral in any internal conflict yet clearly this was not the case in Libya. Hardly surprising, given Libya's rancorous history with the US.

American ties to Libya have been acrimonious since the revolution in which Gadhafi rose to power. Nationalization of the oil industry and reduction of Western influence in the region saw the US withdraw its Libyan ambassador in 1972, despite Libya being independent of both US capitalism and the communism of the USSR as a member of the Non-Aligned Movement. Libya was listed by the US as a 'state sponsor of terror' in 1979, on the basis of alleged support for groups such as the IRA and ETA and from this period on the US began sustained efforts to destabilize the Libyan government.<sup>97)</sup> Efforts to build anti-Libyan propaganda included stories of Gadhafi-sponsored assassins prowling Washington DC. These turned out, after the story had faded from the public consciousness, to be

---

93) "Noam Chomsky: On Libya and the unfolding crises," (interview by Stephen Shalom and Michael Albert) *ZNet*, March 31, 2011.

94) "Obama Doctrine Allows for Regime Change by Assassination," Press Release, Office of Congressman Dennis Kucinich, Washington DC, April 30, 2011.

95) "Libya: Obama, Cameron and Sarkozy vow Gadhafi must go," *BBC News*, April 15, 2011.

96) The requirement within Resolution 1973 to "Take all necessary measures" is in clear opposition to the ongoing bombardment of Libya that is patently unnecessary as long as peaceful alternative options exist. For full text of UNSCR 1973 see, "UN security council resolution 1973 (2011) on Libya," *The Guardian*, March 17, 2011.

97) Documented in Christopher M. Blanchard and James Zanotti, *Libya: Background and US relations*, (Washington DC: Congressional Research Service, 2011), 12.

members of an anti-Gadhafi militant Islamic group.<sup>98)</sup>

In 1986 US naval forces moved into Libyan coastal waters to challenge Libyan claims to sovereignty over the Gulf of Sidra. After 32 days of uneventful standoff, US jet-fighters penetrated Libyan air-space and were chased out by the Libyan air force in what legal scholar Alfred Rubin of Tufts University called an “unnecessary provocation” that “went beyond what we were clearly authorized to do”.<sup>99)</sup> When Libyan boats moved into international waters to challenge the US vessels they were fired upon and several sunk. Soon after, on April 5<sup>th</sup> a bombing of a disco in Germany that killed several US servicemen was blamed on Libya. This was despite the fact that there were several other plausible suspects, including drug gangs and neo-Nazi groups, and that on April 28<sup>th</sup> Manfred Ganschow, head of Berlin’s Domestic Intelligence and chief investigator of the incident stated,

*“I have no more evidence that Libya was connected to the bombing than I had when you first called me two days after the act. Which is none.”*<sup>100)</sup>

By April 14<sup>th</sup>, however, the US had already initiated reprisals against Libya, striking targets in Tripoli and Benghazi that killed some 100 people, generating widespread international condemnation and a groundswell of sympathy for Libya.<sup>101)</sup> This was displaced, however, by the 1988 bombing of a Pan Am airplane over Lockerbie in Scotland that killed 270 people. Libya was convicted of plotting the attacks despite serious criticism by figures, including Noam Chomsky and senior British MPs, over the reliability of the prosecution’s key witness whose testimony contradicted previous, exonerating, evidence and who was later found to have been paid more than \$2 million for his ‘assistance’.<sup>102)</sup> Robert Black, the Scottish Law Professor who organized the trial, said that he was “absolutely astounded” by the verdict and that the prosecution was based on “a very, very weak cir-

---

98) Noam Chomsky, *Pirates and emperors old and new: international terrorism in the real world*, (Cambridge: south end press, 2001) 89.

99) *Ibid.* p. 52.

100) *Ibid.* p. 94.

101) Patrick Thornberry, “International Law and its Discontent: The U.S. Raid on Libya”, *The Liverpool Law Review* 8:1 (1986): 81.

102) Caroline Muscat, “British MPs, activist say Malta should defend itself on Lockerbie case,” *The Sunday Times*, November 29, 2009.

cumstantial case".<sup>103)</sup> The case resulted in heavy sanctions against Libya which were only lifted in 2003 following Libyan acceptance of its actions, a renunciation of terrorism and payment of compensation to victim's families. Libya consistently denied its role in the attacks but accepted the judgement as the cost of normalizing international relations.<sup>104)</sup> More recently, Mustafa Abdel Jalil, former Libyan Justice Minister and a current leader of rebel forces, proclaimed he possessed solid evidence that would show Gadhafi's involvement in Lockerbie.<sup>105)</sup> The interview succeeded in securing headlines in international newspapers and linking Gadhafi, once again, to the Lockerbie case but since that point no evidence of any form has been produced.

Following the end of sanctions in 2003 Libya became a role-model for a reformed state and was the first to be removed, without regime change, from the US list of state-sponsors of terrorism.<sup>106)</sup> The West remained unperturbed by heavy-handed government crackdowns against actual anti-government rallies in 2006 and 2008. US government sources had previously implied that economic ties between the two countries should not be swayed by "issues of international law or justice".<sup>107)</sup> In 2008 the EU entered \$482 million worth of military contracts with Libya,<sup>108)</sup> Britain granted £187 million in arms export licenses as late as Autumn 2010 and the US decided to reestablish military ties with Libya in 2010 by providing military training for Libyan officers.<sup>109)</sup> Yet, Gadhafi himself was concerned over the reliability of Western 'friendship', stating in 2008,

*"He (Saddam Hussein) was their friend. Cheney was a friend..... Rumsfeld..... was a close friend..... and they sold him out. They hung him. Even you who are friend of America – no, I will say we – we, the*

---

103) Jenny Booth, "Architect of Lockerbie trial attacks guilty verdict," *The Telegraph*, February 4, 2011.

104) Saif al-Islam el-Qaddafi, "No hero's welcome in Libya," *New York Times*, August 29, 2009.

105) Mustafa Abdel Jalil, (interview with Rob Crilly) *The Telegraph*, March 14, 2011.

106) Jonathan B. Schwartz, "Dealing with a Rogue State: The Libya Precedent", *The American Journal of International Law*, 101:3 (2007): 553.

107) Blanchard and Zanotti, Op cit. pp. 12-13.

108) European Union, "Twelfth annual report according to article 8(2) of Council Common position 2008/944/CFSP defining common rules governing export of military technology and equipment," *Official journal of the European Union* 24:C9 (2011).

109) Alice Johnson, "Fox defends west's arms sales to Libya," *Gulf News*, April 3, 2011.

*friends of America, America may approve of our hanging one day.*"<sup>110)</sup>

He was not wrong. General Carter Ham, of US Africa Command led operations in Libya before NATO took over, but even then the commander, US Admiral James Stravridis, remained answerable, as an American, to Barack Obama. However, NATO itself did not have to defer to direct civilian control, once greenlit by the United Nations it was free to conduct its policy of regime change in whatever manner it chose. If this was not a humanitarian mission though, and the location and nature of NATO targets thus far lend no support to such an idea, what drove their agenda?

Vladimir Putin was among those wondering if resource acquisition might be the leading motive for intervention.<sup>111)</sup> Libya's oil reserves are about 41 billion barrels (one third of Iraq's), and it possesses Africa's fourth largest natural gas reserves.<sup>112)</sup> As early as 1993, the Libyan opposition in exile was debating privatization of national industries at a conference organized by the Center for Strategic and International Studies in Washington. A key participant, Ali Tarhouni, an American professor of economics, later served as the Rebel's Oil and Finance Minister and soon began oil sales by the Rebels to America, the only Libyan sales the US and her allies would recognize as legitimate.<sup>113)</sup> The importance of oil as a strategic element cannot be overlooked but there are more significant factors.

Despite remaining neutral during the Cold War, Libya had found that unless you were 'with' the West, you would be regarded as an enemy. Nonetheless, Gadhafi tempted fate by rejecting a French plan for a 'Mediterranean Union' that would link the sea's European, Arab and African states, saying that it would be harmful to both Arab and African relations.<sup>114)</sup> In February the US government seized \$33 billion dollars of Libyan funds and soon after attempted to divert it to the rebels.<sup>115)</sup> While the media have repeatedly framed it as the seizure of "Gadhafi's" assets, the dictator was never recognized as a billionaire let alone one of the world's

---

110) Muammar Qaddafi, (speech at the Twentieth Arab League Summit in Damascus, Syria, March 29, 2008).

111) "Putin says Libyan oil main goal of NATO campaign", *Ria Novosti*, April 26, 2011.

112) *Reuters*, 23<sup>rd</sup> March 2011.

113) Eric Watkins, "Libya: Rebels aim to restart oil production," *Oil and Gas Journal*, June 9, 2011.

114) "Gaddafi opposes Mediterranean Union plan," *France24*, June 10, 2008.

115) Steven lee Myers and Rachel Donadio, "US seeks to aid Libyan rebels with seized assets," *New York Times*, May 5, 2011.

richest men.<sup>116)</sup> Laying aside the illegality of the US using it to bolster one side of a civil war, the funds, a portion of a reported \$90 billion that Libya pledged toward promoting African Unity,<sup>117)</sup> are unquestionably the property of the Libyan state and had been set aside for specific investment purposes, including funding three vital organizations: the African Investment Bank, the African Monetary Fund and the African Central Bank. It was expected that the creation of these three entities would allow Africa to break free of the economic domination of the World Bank and International Monetary Fund and also allow a renunciation of the CFA Franc, the France-backed currency used by 14 former colonies.<sup>118)</sup> Libya itself was already free from such influence as its Central Bank, backed by 144 tons of gold, had complete freedom from the influence of the Bank of International Settlements, International Monetary Fund, World Bank and other international economic institutions. Over the past decade Gadhafi consistently promoted efforts to form a more independent African Union with closer political and economic ties, including a single currency<sup>119)</sup> and the creation of a 29 state, African trade bloc.<sup>120)</sup>

Since the end of the Cold War US strategy has been based upon preventing the rise of any threat to its hegemony by “detering potential competitors from even aspiring to a larger regional or global role.”<sup>121)</sup> George Friedman, founder of STRATFOR, one of the world’s leading private strategic intelligence firms,<sup>122)</sup> believes US military intervention is never intended to achieve something as much as it is to prevent something, specifically to “prevent stability in areas where another power might emerge..... to destabilize”.<sup>123)</sup> In this light, Libya’s rejection of the France-backed Med-

---

116) Gadhafi does not appear anywhere on Forbes exhaustive list of the world’s billionaires, which includes both drug dealers and children’s authors and consolidates family wealth. “The world’s billionaires”, *Forbes*, February 14, 2011. (estimated wealth locked in at values as of 14<sup>th</sup> February 2011).

117) “Kadhafi offers Africa 90 billion dollars: Senegal leader,” *AFP*, July 23, 2011.

118) Manlio Dinucci, “The crime of the century: The theft of the Libyan sovereign funds,” *Pravda*, June 1, 2011.

119) “Gaddafi outlines African vision,” *BBC News*, April 15, 2009.

120) “Kadhafi offers Africa 90 billion dollars”. Op Cit.

121) A statement from a White House-approved Pentagon strategic policy outline, quoted in Patrick E. Taylor, “Pentagon’s Document Outlines Ways to Thwart Challenges to Primacy of America,” *New York Times*, March 8, 1992.

122) For credentials see [http://www.stratfor.com/media\\_room/media\\_coverage](http://www.stratfor.com/media_room/media_coverage)

123) George Friedman, *The next 100 years: A forecast for the 21<sup>st</sup> century*, (New York: Anchor Books, 2010) 46.

iterranean Union and the possible rise of an truly independent African Union, free from the economic control of France, the US and the institutions they dominate, was a sign of exactly the sort of ‘dangerous’ stability the US sees as a threat to its power. While Libya’s Central Bank was one of the few that remain 100% state owned, one of the rebels first moves, while fighting was still intense, was to establish their own ‘central’ bank.<sup>124)</sup> Ownership of this bank is not yet clear but the rebels have already denounced their Western backers for offering aid but instead sending analysts “looking for business”.<sup>125)</sup> Suffice to say the Just War criteria of ‘Right Intent’ is also open to strong criticism.

The legality of the intervention is based entirely upon United Nations Security Council Resolutions 1970 and 1973. The resolutions were abstained from by India, Brazil, Germany, Russia and China leaving as primary supporters the US, UK and France. All such resolutions are required to abide by the United Nations Charter, including the Chapter VI exhortation to,

*“first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.”*<sup>126)</sup>

Only where, “measures not involving the use of force have failed” does Chapter VII allow use of force. In the case of Libya these quite explicit rules were flagrantly ignored. As early as March 10<sup>th</sup> it was reported that Gaddafi offered proposals for a peaceful transition of power that were rejected by the rebels.<sup>127)</sup> Since then Libya repeatedly stated that it was willing to adhere to cease-fire agreements and called for international observers from China, Malta, Turkey and Germany “to come to Libya as soon as possible ... to make sure that there is a real cease-fire on the ground.”<sup>128)</sup> A similar offer to Britain, itself a participant in the attacks, was ignored.<sup>129)</sup>

---

124) John Carney, “Libyan rebels form their own central bank,” *CNBC*, March 28, 2011.

125) Rebel Finance Minister Ali Tarhouni quoted in “NATO strikes command center at Gadhafi compound,” *AP*, March 29, 2011.

126) Article 33, Chapter 7, United Nations Charter. Accessed on July 12 2011 at <http://www.un.org/en/documents/charter/chapter6.shtml>

127) “Arab media says Gaddafi looking for exit deal,” *Reuters*, March 10, 2011.

128) “Libya says its adhering to ceasefire,” *CNN*, March 18, 2011.

129) Tom Raynor, “No evidence of Gadhafi violence say Britons,” *Sky News*, April 19, 2011.

Efforts by the African Union to broker a peaceful settlement were accepted by the government yet rejected by rebel forces,<sup>130)</sup> while cease-fire offers by Gaddafi were dismissed out of hand by the US as “not credible”<sup>131)</sup> and an offer for internationally monitored free elections rejected as “too late”.<sup>132)</sup> Even later ceasefire requests by Italy and the Arab league were dismissed by NATO’s leaders in favor of further bombing.<sup>133)</sup> This is in violation of UN requirements to both exhaust all “measures not involving the use of force”, and to “remain neutral and impartial between warring parties”.<sup>134)</sup> Security Council Resolutions are only binding insofar as they adhere to the Charter and these dual violations were enough to render them void and bring into question the legitimacy of claims to Just War under ‘Proper Authority’.

Even if you set this aside and argue, as Michael Schmitt does, that the resolutions are legitimate in their prohibition of “any operations that are placing, or might place, the civilian population at risk”,<sup>135)</sup> it is clear that in a period of obvious civil war, to view only one side as the sole threat to civilians, exhibits a blatant bias. This imbalance was visible in repeated labeling by Western media of rebel fighters as either ‘protestors’<sup>136)</sup> or ‘civilians’. A Heritage Foundation report stated, “there is little question that the Libyan government is willfully killing civilian protestors and likely committing other serious crimes in its effort to maintain power.”<sup>137)</sup> Yet, as soon as protests began in neighboring states, a ragtag army of Libyan dissidents, Islamists and terrorists entered the country and quickly formed themselves into “military brigades”.<sup>138)</sup> From the very beginning of the dis-

---

130) “South Africa Leader Says Libya Accepts Cease-Fire Plan,” *Fox News*, April 10, 2011.

131) “White House says Libya cease-fire offer not credible,” *Reuters*, May 26, 2011.

132) “Diplomatic Efforts Heat Up as Bombs Target Tripoli,” *AP*, June 17, 2011.

133) Ian Black, “UK and France dismiss Italy’s call for pause in NATO bombing of Libya,” *The Guardian*, June 22, 2011.

134) Boutros Boutros Ghali, *Agenda for Peace*, 2<sup>nd</sup> Ed. (New York: UN department of public information, 1995) 10.

135) Michael N. Schmitt, “Wings over Libya: The No-Fly Zone in Legal Perspective,” *The Yale Journal of International Law* 36 (2011): 45.

136) See: Fridhi Noureddine, “Apology offered for Libya civilians deaths by NATO chief,” *Al Arabiya*, April 9, 2011, in which rebels using heavy weaponry and armored vehicles are still classed as ‘protestors’.

137) Brett Schaefer and Steven Groves, “The Motivation for the Referral of Libya to the ICC: Political Pressure or Justice?” *The Heritage Foundation, WebMemo 3180*, March 4, 2011.

138) Ned Parker, “Libyan rebel’s story shows links to Taliban, Al Qaeda, NATO,” *Los Angeles Times*, April 19, 2011.

turbances in Libya, these rebel soldiers, many of them not even Libyan citizens, let alone ‘civilians’, rejected legitimate protest for direct violent revolution. As the violence grew, mujahedeen, some linked to al-Qaeda, returned from fighting against NATO in Afghanistan to fight alongside NATO in Libya.<sup>139)</sup> For many of them, they were returning home, as a study by West Point revealed the area around Benghazi was the second largest source of foreign fighters in Iraq.<sup>140)</sup> Operating under NATO protection, these ‘protestors’ have since pillaged surface-to-air missiles from government armories that could be used to target commercial airliners.<sup>141)</sup>

Even prior to the UN resolution, and again in breach of requirements to exhaust peaceful options, these rebels were receiving military assistance from US covert agents and British Special Forces,<sup>142)</sup> while Dutch commandos were also captured operating without clearance within Libya.<sup>143)</sup> The first UN resolution (Res:1970) explicitly forbade any arms shipments to the country but it soon became clear that the rebels were receiving shipments from abroad.<sup>144)</sup> While NATO leaders repeatedly refused to answer questions of whether they were involved in providing these arms,<sup>145)</sup> Hilary Clinton eventually stated that the US felt that the “all necessary means” clause of Res:1973 overrode such restrictions,<sup>146)</sup> a view challenged by scholars of international law.<sup>147)</sup>

Given that one of the few claims to legitimacy the NATO coalition could still make was the protection of civilians, it would be expected that

---

139) See, Charles Levinson, “Ex mujahedeen help lead libyan rebels,” *Wall Street Journal*, April 2, 2011, and Praveen Swami, Nick Squires and Duncan Gradham, “Libyan rebel commander admits his fighters have al-Qaeda links,” *The Telegraph*, March 25, 2011.

140) Joseph Felter and Brian Fishman, *Al-qa’ida’s foreign fighters in Iraq: First look at the sinjar records*, (New York: West Point US Military Academy, 2007) 7-12.

141) “Libya chaos allows al-Qaida to grab surface to air missiles,” *The Guardian*, April 4, 2011.

142) See: Caroline Gammell, Nick Meo, James Kirkup, “Libya: SAS mission that began and ended in terror,” *The Daily Telegraph*, March 6, 2011, and Mark Hosenball, “US agents were in Libya before secret Obama order,” *Reuters*. March 31, 2011.

143) Michael Georgy and Maria Golovina, “Libya to hand over captured Dutch marines – Gaddafi son” *Reuters*, March 10<sup>th</sup> 2011.

144) Rod Nordland, “Libyan rebels say they’re being sent weapons,” *The New York Times*, April 16, 2011.

145) NATO Secretary General Anders Fogh Rasmussen in “Battle for Libya” (interview with Ghida Fakhry), *Al Jazeera*, April 8, 2011.

146) David Stringer, “Top envoys agree Libya’s Moammar Gadhafi must step down but don’t discuss arming rebels,” *Associated Press*, March 29, 2011.

147) Christine Seisun, “The problems of arming the Libyan rebels,” *Yale Journal of International Affairs*, 12<sup>th</sup> April (2011).

operations would scrupulously avoid collateral damage. The record shows though, that they had no qualms in fueling the violence caused by terrorist-linked rebel forces that repeatedly spurn ceasefire offers. As such, it is not surprising to discover that NATO's operations inflicted at least as much damage to the civilian population as the government forces they condemn.

Since the beginning of operations, NATO conducted thousands of bombing missions,<sup>148)</sup> ostensibly aimed at protecting civilians although the Russian government categorized it as an 'indiscriminate' bombing campaign.<sup>149)</sup> This claim became increasingly hard to deny when a failure to break the Libyan government by targeting purely military facilities led NATO to expand its targets to 'any' government facility on the illegitimate grounds that they were part of the broader military network. Strikes against the national television station were "the first sign of the new target list."<sup>150)</sup> Soon after, another strike killed Gadhafi's youngest, non-political, son and three of his infant grandchildren.<sup>151)</sup> The Vatican was among the first to openly denounced the NATO strikes and the civilian damage they were inflicting,<sup>152)</sup> which government sources claim killed 856 civilians by mid-June,<sup>153)</sup> including casualties at Red Crescent centers and universities.<sup>154)</sup> Yet, the Western media repeatedly scoffed at these claims, stating, without any evidence of their own, that mass funerals and bodies of the dead were all part of a government propaganda scheme.<sup>155)</sup> Given NATO's open admission of an expanded target list and their extensive re-

---

148) From the 31<sup>st</sup> of March 2011 to the 26<sup>th</sup> of August 2011 NATO conducted 20,395 air sorties, including 7,681 military strikes. "NATO and Libya", Operational Media Update for 26<sup>th</sup> August March 2011, NATO Allied Joint Force Command, Naples. Last modified on August 26, 2011 at [http://www.jfcnaples.nato.int/resources/24/Daily/OUP/Update/August/20110826\\_110826-oup-update.pdf](http://www.jfcnaples.nato.int/resources/24/Daily/OUP/Update/August/20110826_110826-oup-update.pdf)

149) "Russia: Stop indiscriminate bombing of Libya," *Metro*, March 19, 2011.

150) "NATO says it is broadening attacks on Libya targets," *New York Times*, April 26, 2011.

151) Simon Denyer and Leila Fadel, "Gaddafi's youngest son killed in NATO airstrike; Russia condemns attack," *Washington Post*, May 1, 2011.

152) Sami Aboudi, "NATO Shells Libya Red Crescent centers," *Reuters*, May 14, 2011.

153) "NATO cites errant missile in Libyan civilian deaths", *MSNBC*, 19 June 2011.

154) "Deadly NATO raid hits Libyan university," *Press TV*, June 13, 2011.

155) For a small sample, see Simon Denver, "Libya government fails to prove claims of NATO casualties," *Washington Post*, June 6, 2011, "Civilian casualties in question at Tripoli funeral," *Wall Street Journal*, March 24, 2011 and "In Libya coffins carry a mystery," *Sydney Morning Herald*, March 26, 2011.

cord of friendly fire against rebel allies,<sup>156)</sup> it is hard to believe collateral damage did not occur on a frequent basis. Such fears were only amplified by revelations that Canadian pilots aborted a bombing mission on their own discretion after they realized a target listed as an ‘airfield’ was directly adjacent to a hospital.<sup>157)</sup>

Early in the campaign Hilary Clinton was quick to remind people, “We’ve been at this a relatively short period of time. (We) bombed targets in Serbia for 78 days”.<sup>158)</sup> Regarding that prior case of state-sponsored terrorism, former Air Force General John Jumper stated,

*“It was when we went in and began to disturb important and symbolic sites in Belgrade, and began to bring to a halt the middle-class life in Belgrade that Milosevic’s own people began to turn on him.”*<sup>159)</sup>

During this campaign the US flew more than 38,000 combat missions that increasingly began targeting civilian structures, from broadcasting facilities and water treatment plants to oil refineries, bridges and powers stations.<sup>160)</sup> As previously stated, the bombing in Yugoslavia was based on a major media campaign of disinformation that portrayed an impending humanitarian crisis where none existed and ignored reports, from the US military itself, that the bombing would only be likely to incite increased violence.<sup>161)</sup>

The Just War criteria of ‘Proportionality of Harm’ requires any violence used be less than what might otherwise take place and leave the state in question a better place. The final effects of the bombing of Libya are hard to know, but looking at the example of Afghanistan, we can see

---

156) See, several incidents from April alone: “Rebel after NATO friendly fire: The coalition protects us,” *MSNBC*, April 3, 2011, “Another NATO ‘friendly fire’ in Libya”, *Arab News*, April 8, 2011, Xan Rice, “Libya: Rebels in Misrata killed by Nato friendly fire,” *The Guardian*, April 28, 2011. More recently NATO has mistakenly targeted rebels because “they believed they posed a threat to civilians”, see “NATO: Airstrike Mistakenly Hit Libyan Rebels,” *AP*, June 18, 2011.

157) “Canadian pilots abort bombing over risk to civilians,” *CTV News*, March 23, 2011.

158) Clovis Casali, “US deploys armed drones as Libyan rebels advance,” *France 24*, April 22, 2011.

159) Tom Shanker and David E. Sanger, “NATO says it is stepping up Attacks on Libya targets,” *New York Times*, April 26, 2011.

160) “Kosovo cost, cripples Yugoslavia,” *BBC News*, August 23, 1999.

161) Chomsky, “Noam Chomsky: On Libya and the unfolding crises”.

that many more civilians died from the indirect effects of bombing than from the weapons themselves.<sup>162)</sup> In Pakistan meanwhile, the US managed only a 2% hit rate for military targets, that is 98 out of every 100 people killed by its bombs have been civilians.<sup>163)</sup> A recent commentary from the Council on Foreign Relations, suggested that knowingly targeting a large number of women and children to kill a smaller number of military targets was a legitimate, even laudable, policy.<sup>164)</sup> Clearly the security of civilians within Libya was unlikely to be best met by such actors.

Johan Galtung believes the post-intervention civil conflict is likely to last twenty years or more,<sup>165)</sup> while NATO' commanders have admitted considering sending in ground troops as part of a "stabilizing regime".<sup>166)</sup> President Obama stated he would not take such a step but this is the same message given by Bill Clinton shortly before he committed 20,000 troops to Bosnia.<sup>167)</sup> Obama previously stated "there is no question that Libya – and the world – would be better off with Qaddafi out of power",<sup>168)</sup> which is again all too similar to the message of a previous President, George W. Bush referring to Saddam Hussein. While the US assured the world that Iraq would be, without question, better off without Hussein, the reality turned out to be very different. Both the leaders of Iraq and the United Nations reported that torture and the spread of 'death squads' increased in the post-Hussein era.<sup>169)</sup> In 2006 Kofi Annan declared the country to be in a state of civil war, and that people had been better-off before

---

162) Jonathan Steele, "Forgotten victims," *The Guardian*, May 20, 2002.

163) From an interview with renowned counter-insurgency specialist David Kilcullen in, James Blitz, "Swat outlook pretty bleak for Pakistan," *Financial Times*, May 13, 2009.

164) Micah Zenko, "Osama Bin Laden's death: One month later," Council on Foreign Relations, last modified June 1, 2011, <http://blogs.cfr.org/zenko/2011/06/01/osama-bin-ladens-death-one-month-later/>

165) Johan Galtung, (interview "Johan Galtung on Libya: Obama stuck in wars, Sarkozy aims to rule NATO," ), *Russia Today*, April 13, 2011.

166) Stated by Admrial Stravridis in US Senate Armed Services Committee, US Europe Command and US Strategic Command in review of the defense Authorization Request for fiscal year 2012 and the Future Years defense program, 112<sup>th</sup> congress, 2011 1<sup>st</sup> session March 29, 2011.

167) Spencer Ackerman, "NATO Chief opens door to Libya ground troops," *Wired*, March 29, 2011.

168) Barack Obama, (Address to the Nation on March 28, 2011), transcript from CNN, March 29, available at <http://archives.cnn.com/TRANSCRIPTS/1103/29/cnr.01.html>

169) See, Peter Beaumont, "Abuse worse than under Saddam," *The Observer*, November 27, 2005, and "Iraq torture 'worse after Saddam'," *BBC News*, September 21, 2006.

the invasion<sup>170)</sup> with the country producing significantly less oil, clean water and electricity in the aftermath of ‘humanitarian intervention’.<sup>171)</sup>

The idea that the coalition even desires an improvement in the security of the Libyan people is debatable. Certainly, prolonged civil conflict will weaken the state as well as the cohesion and solidarity of its people and provide an ongoing justification for a foreign presence in the country, though such a presence might be bargain-hunting energy companies and businessmen rather than peacekeeping troops. Britain’s Foreign Minister, William Hague, declared that if the troubles persisted the area could see “opportunities for terrorism or extremism”, although he failed to declare the role his government and its allies would play in producing these effects.<sup>172)</sup> By early March the citizens of rebel-held Benghazi were reportedly terrified to go out on the streets at night due to rebel gangs,<sup>173)</sup> who fire-bombed buildings and ruthlessly hunted down anyone suspected of loyalist leanings.<sup>174)</sup> By May, the corpses of death squad victims were being discarded in public places to discourage possible opposition to the rebel gang’s control.<sup>175)</sup> These same gangs, led by men who are nothing less than unelected ‘warlords’, also pillaged national banks, stealing the savings of private citizens and businesses to fund their uprising.<sup>176)</sup> The likely evolution of the conflict is thus a repeat of Iraq, unending civil conflict interlaced with terrorism, and thus contrary to the criteria of Proportionality. Libya will not, however, be the sole victim of this latest wave of Western ‘humanitarian’ intervention.

## EXAMINING THE CASE FOR HUMANITARIAN INTERVENTION IN SYRIA

Already a campaign is well under way to promote similar intervention in Syria where, during the developing events in neighboring Arab states, tens

---

170) “Kofi Annan Says Iraq Is Experiencing ‘Civil War’,” *Der Spiegel*, April 12, 2006.

171) “Iraq worse off now than under Saddam,” *UPI*, April 24, 2006.

172) “Top diplomats agree: Gadhafi must go,” *MSNBC*, March 29, 2011.

173) Rob Crilly, “Libya: it wasn’t supposed to be like this in free Benghazi,” *London Telegraph*, March 23, 2011.

174) Robin Wigglesworth, “Fears rise as gaddafi loyalists purged,” *FinancialTimes*, April 17, 2011.

175) Kareem Fahim “Killings and Rumors unsettle a Libyan City,” *New York Times*, May 10, 2011.

176) Kareem Fahim, “Rebel Libya Finance Chief hunts for funds and hope,” *New York Times*, June 3, 2011.

of thousands of people marched in Damascus to show support for the government of Bashar al Asad. As in Libya though, the widespread loyalist movement was ignored by the Western press in favor of unverified reports of attacks on 'activists' and 'protestors' and vastly inflated estimations of anti-government protest, frequently citing rallies in excess of the entire population of the towns they took place in.<sup>177)</sup> Frequently images of massive pro-government rallies have been used to represent anti-government protestors.<sup>178)</sup>

Of course, Syria is also an imperfect state and the government is minority controlled. However, what public unrest initially existed was not an issue of democracy or human rights as much as it was deteriorating socio-economic conditions, including rising unemployment, drops in social welfare and wage freezes that were all direct results of IMF intervention and the strain of maintaining social support for some 450,000 Palestinian and more than one million Iraqi refugees.<sup>179)</sup>

Even more than was the case with Libya, the US and her allies have long pushed for regime change in Syria,<sup>180)</sup> again raising the question of why this nation is being targeted rather than Bahrain, Yemen or Israel,<sup>181)</sup> and how impartial we can expect coverage by Western media to be. Although the vast majority of Syria's human rights and social groups are based in Damascus and Aleppo, the first protests (as with Libya) started far from the capital, in the small town of Dar'a. Initial efforts by unidentified online 'activists' to promote demonstrations in Damascus were ig-

---

177) "Eight killed as Syria quells massive protest", *AFP*, July 21 2011.

178) See, Paul McGeough, "A leader stares down his people", *Sydney Morning Herald*, April 2, 2011, accessed July 17 2011 at <http://www.smh.com.au/world/a-leader-stares-down-his-people-20110401-1crm9.html>

179) See, "Report: Iraqi refugees cause problems in Syria," *AP*, February 21, 2010, and Phil Sands, "Syria strives to resettle Iraqi Palestinians," *The National (AE)*, October 11, 2010.

180) For details of efforts to destabilize the government, see Craig Whitlock, "U.S. secretly backed Syrian opposition groups, cables released by WikiLeaks show," *Washington Post*, April 18, 2011, while as far back as 2007 senior US government officials pushed for military intervention, see "Senate coverage from C-Span," C-Span, last modified February 27, 2007, [http://www.youtube.com/watch?v=OiDFlpr075A&feature=player\\_embedded](http://www.youtube.com/watch?v=OiDFlpr075A&feature=player_embedded)

181) On June 5<sup>th</sup> Israeli soldiers opened fire on unarmed protestors on the Syrian border, reportedly killing more than 20 and wounding over 350. See, Isabel Kershener, "Israeli Soldiers Shoot at Protesters on Syrian Border," *New York Times*, June 5, 2011. Western coverage has been unreservedly pro-Israel, blaming Syria for instigating the event as a 'distraction'. Even the headline here refers to soldiers simply 'shooting at' protestors and the articles contents are a perfect example of media language downplaying state violence.

nored and later efforts drew only a few dozen half-hearted protestors. It was only following the Dar'a protests, which were directed against the arrest of teenage boys for anti-government graffiti, that the media campaign gained ground. Covering these protests the Western press inflated the size of the town from 75,000 to 300,000 and said that police had fired on protestors, killing 24.<sup>182)</sup> In contrast, Israeli National News (generally hostile to Syria) reported that both a courthouse and Baath Party headquarters were set ablaze and 7 police officers killed by rioters. Syrian national news also reported that both police and protestors had come under fire from snipers who they believed were trying to instigate bloodshed between the two groups.<sup>183)</sup>

As the violence began to spread and reports of troops firing on civilians grew, one of Al Jazeera's top journalists, Ghassan Bin Jeddo, who had been banned from Syria for advocating "reform and freedom", resigned, accusing the network of incitement, fabrication of sources and outright lies in its coverage of events in Syria.<sup>184)</sup> Similarly, Danish TV aired footage of brutal beatings with the title of 'Syria: Systematic Torture', proclaiming it undeniably authentic. They were then forced to issue retractions when the footage was proven to have been several years old and from Iraq.<sup>185)</sup> A further exposure of the campaign to manipulate public perception came with the revelation that Amina Abdullah, a Syrian lesbian and media-labeled "heroine of the revolution",<sup>186)</sup> was not even a real person but a fictional character created on the internet to stir up popular support for protest.<sup>187)</sup> More tellingly, even 'Katherine Marsh' the author of one of the original articles highlighting the fictional activist, is simply a pseudonym for an unidentified 'writer' in Damascus whose only contribution to the widely respected Guardian newspaper was no less than 36 anti-regime articles.<sup>188)</sup>

---

182) Adrian Blomfield, "Syria protests: Evidence that government forces killed protesters," *The Telegraph*, March 27, 2011.

183) Gavriel Queenann, "Syria: Seven police killed, buildings torched in protests," *Arutz Sheva* (Israel National News), March 21, 2011.

184) "Prominent Aljazeera journalist resigns," *Emirates 24/7*, April 24, 2011.

185) "DRs billed af toterede fra Syria var falske," *Ritzau*, May 17, 2011.

186) Katherine Marsh, "A gay girl in Damascus becomes a heroine of the Syrian revolt," *The Guardian*, May 6, 2011.

187) "A gay girl in Damascus: How the hoax unfolded," *The Telegraph*, June 13, 2011.

188) See, Katherine Marsh, op cit. and <http://www.guardian.co.uk/profile/katherine-marsh>, for further details on the subterfuge involved in the case see, Les Politiques at <http://lespolitiques.blogspot.com/2011/06/tom-macmaster-britta-froelicher.html>

One of them stated that Syrian troops had been shot by their own officers for refusing to fire on demonstrators,<sup>189)</sup> but evidence was soon provided by experts that this was totally untrue.<sup>190)</sup> Unidentified writers, using unidentified sources, some of which have been proven to be outright lies and anti-government propaganda, are not suitable grounds for basing decisions of military action upon.

Recent news from Syria include reports from 'activists' of government forces attacking unarmed civilians with tanks and helicopter gunships while conducting a scorched earth policy against its own citizens by bulldozing their homes and torching cropland.<sup>191)</sup> These reports should not be ignored as, in both Libya and Syria, there has been considerable evidence of violence against civilians. The question in many, if not the vast majority, of cases remains the identity of the perpetrators of this violence. While the specific sources of violence are extremely unclear, they are consistently portrayed by the Western media as crimes by the Libyan and Syrian governments and used as grounds for further military intervention. As shown above, such intervention is only likely to exacerbate the violence and prevent a full and proper investigation of the situation. Russia and China have attempted to forestall harsh sanctions against Syria,<sup>192)</sup> but left unchecked this will simply be the precursor to further and larger interventions.

In 2006, US General Wesley Clark stated that, as early as 2001, a senior Pentagon official showed him a list of states that would be targeted for regime change as part of what was seen, due to 9/11, as a five to fifteen year "window of opportunity" where the US was free to use "military force with impunity".<sup>193)</sup> The states were: Iraq, Sudan, Somalia, Libya, Syria, Lebanon and Iran. Of these, one has been invaded and left in ruin, one effectively partitioned, one targeted for 'anti-piracy' operations and two are being currently targeted. There is no reason to believe that, once Libya

---

189) Katherine Marsh, "Syrian soldiers shot for refusing to fire on protestors", *The Guardian*, April 12, 2011.

190) Joshua Landis, Director of the Center for Middle East Studies at University of Oklahoma, provides a thorough breakdown of the true story here <http://www.joshualandis.com/blog/?p=9115>

191) "Syria unrest: Renewed clashes leave 28 dead," *BBC News*, June 11, 2011.

192) "Russia, China boycott Syria sanctions talks at UN Security Council », *AFP*, 28 August 2011.

193) Wesley K. Clark, interviewed in "Iraq: The Way Forward—A Conversation with General Wesley Clark," Council on Foreign Relations, February 10, 2006.

and Syria have been sufficiently destabilized by recent events, similar operations will not be initiated against Iran and Lebanon with the price being paid in blood by their civilians. Lebanon's ties to Syria mean it is directly affected by events there,<sup>194)</sup> while US media reports have already linked Iran to Syria's 'crackdown'.<sup>195)</sup> US think-tanks have previously drafted detailed plans for instigating regime change in Iran, including the warning that "if the US ever succeeds in sparking a revolt.....Washington may have to consider whether to provide it with some form of military support".<sup>196)</sup>

Despite the need for caution regarding acceptance of mainstream media coverage, there is still a large amount of video footage and testimonial evidence that suggests crimes have occurred in both Libya and Syria and, as such, there is a clear need for the international community to investigate them. At the same time, the legitimacy of such an enquiry would be hopelessly compromised by the participation of states with a proven bias against the governments involved and a conflict of interest regarding the outcome of any proceedings. Additionally, the international community cannot afford to cherry-pick cases that require such humanitarian consideration. Where Libya and Syria are justifiable cases for investigation, so too are recent attacks against civilians by the governments of Bahrain, Yemen and Israel. Failing to adhere to consistent and evenly applied standards of judgement will only serve to remove the validity of any findings and ensure that they are shown no respect by offenders.

## **JAPAN'S STANCE ON LIBYA & SYRIA AND THE NEGLECTED ALTERNATIVES**

This paper has shown that of the six necessary criteria for Just War: Just Cause, Last Resort, Proper Authority, Right Intent, Proportionality of Harm and Likelihood of Success, a strong case can only be made for the last. Nonetheless, without debate or investigation of these issues, the Japanese government was quick to condemn the Libyan government for unverified attacks on civilians and to support US sanctions against the coun-

---

194) Josh Wood, "Syria's Unrest Seeps Into Lebanon," *New York Times*, May 4, 2011.

195) Joby Warrick, "Iran reportedly aiding Syrian crackdown," *Washington Post*, May 28, 2011.

196) "Which path to Persia: Options for a new American strategy toward Iran," *Brookings Institute, Analysis Paper* 20, June (2009): 109.

try. Since then they have also conceded to Western pressure to recognize the rebel forces as Libya's legitimate government.<sup>197)</sup> Regarding Syria, even in late August both the Japanese government and media continue to promote an entirely one-sided analysis of the crisis there.<sup>198)</sup> In doing so, the government displays either a fundamental lack of critical analysis and inability to collate even open-source intelligence, or an awareness of and support for, the rapacious motives of the Western states. Of course, in real-politik the latter option is a legitimate policy, whether following in the West's wake like a jackal trailing predators or emulating Russia and China, expressing temporary opposition purely to trade it for later gain.

Another choice, one far more suitable for Japan, both morally and strategically, would be to publicly condemn unjustified military and media campaigns of intervention and push for renewed recognition of the sovereignty of the states in question. Only by denouncing all forms of violence and seeking a purely peaceful resolution can any change that truly benefits the citizenry be achieved. An initial stepping stone would be to create a tribunal to investigate the validity of the various claims made by both sides and the dispatch of neutral international observers to the areas in question. Later, developmental assistance, economic investment and educational initiatives can promote both the restabilization of these damaged societies and Japan's ties to the strategically vital region.

In 2002, Sakamoto Yoshikazu proposed the idea of a 'Human Security Corps' to expand Japan's diplomatic influence.<sup>199)</sup> More recently, a government advisory panel called for Japan to change from a peace-loving nation to a "proactive peace-loving nation".<sup>200)</sup> Such a stance does not simply mean open-ended support for 'humanitarian' intervention but also having the strength to speak out effectively against unnecessary or self-serving military action. Current events in the Middle East provide a perfect opportunity for this and, given Japan's inability to rely upon nuclear power and

---

197) Tsutomu Ishia, "Japan must cut ties with Gadhafi regime, opposition head says", *Asahi Shimbun*, July 19 2011.

198) See, "Statement by the Minister for Foreign Affairs of Japan on the Situation in Syria", Ministry of Foreign Affairs, 19 August 2010. Available at [http://www.mofa.go.jp/announce/announce/2011/8/0819\\_01.html](http://www.mofa.go.jp/announce/announce/2011/8/0819_01.html) and "Endgame in Syria", *Japan Times*, 20 August 2010, for superficial and one-sided synopses of events that ignore all of the points raised in this paper.

199) Sakamoto Yoshimizu, "The politics of terrorism and civilization: How to respond as a human being," *Sekai*, 697, January (2002).

200) "Risks of a more active defense", *Japan Times*, 6 September 2010.

its daunting energy deficit, establishing close with North Africa and the Middle East should be a vital element of Japanese security policy. Those strategic resources, however, make these regions the focus of intense violence, something Japan has the power to reduce. While an isolated position and abundant resources allow the US to follow a grand strategy of destabilization, Japan, resource-deprived and enmeshed in volatile regional relationships, cannot hope to benefit from tagging-along on such a confrontational course. Japan needs a grand strategy of its own and the longer it delays in implementing one, the lower its recognition, and relevance, in the international community will sink.

## **CONCLUDING COMMENTS**

This paper has outlined how Japan squandered an opportunity provided by the crisis in Libya to revitalize a listless foreign policy that accepts at face value, and frequently supports, highly questionable military actions. Failure to contest the necessity of such conflict makes Japan a passive accomplice and renders any purported commitment to international peace as unjustified posturing. The current subservient doctrine will endure until the countries representatives, both political and bureaucratic, summon the courage and willpower to initiate policies which place the interests of Japan, and peace, above supporting the agenda of uncertain allies or maintaining a stagnant status quo. While the people of both Japan and Libya would have benefitted from an earlier display of assured and autonomous policy-making, the ongoing problems in the Middle East mean that, unfortunately, further opportunities for Japan to show a sincerely 'proactive' love of peace are likely to occur.

Paris uses the case study of Libya as an example to point out the five fundamental structural problems in this logic of military intervention to end the killing of civilians. This article is useful for my essay since the article provides a counterargument against academics that argue in defence of the R2P.Â

South Africa and Syria 2 South Africa and the Wider Middle East Region 2 Problem Statement 3 Objectives 3 Options 4 Sanctions 4 Military Intervention 5 Support the Actions of the Arab League of Nations 5 Analysis of Options 5 Sanctions 5 Military Intervention 6 Support the Actions of the Arab League of Nations 6 Recommendation 7 Conclusion 7 Bibliography 9 Introduction

The intervention in Libya was the first full-blown test of the guiding principles of R2P and provides a valuable lens through which to examine the application of these principles. Although initially hailed as a model case of how R2P should be applied, the wisdom of intervention in Libya has increasingly been called into question as the country descends further into civil war. The deteriorating security situation in Libya demonstrates the moral risks of applying R2P in an international response to prevent mass atrocities through the use of force.Â

This article examines the ethical and legal implications of the Responsibility to Protect (R2P) through a case study of humanitarian intervention in Libya. In the case of humanitarian interventions in third party states, authorisation from multilateral institutions is often thought to justify intervention. The UN Security Council is the legal body that can authorise such action " or, in its absence, regional bodies such as the African Union, which endorsed intervention in Libya.Â

What confidence do we have that limited aerial intervention in Syria will help protect civilians? A year ago the US and its allies argued for bombing the regime. Now they argue for bombing the Islamic State.Â

Finally, a war in Syria and Iraq must be proportional, which is best understood as follows: the number of civilians protected must well exceed the number of additional lives lost as a result of intervention. It is difficult to assess the proportionality claim. Examining cases such as Kosovo and Syria and identifying the factors that explain why or why not the United States will intervene is a critical and valuable research pursuit for a number of reasons. Primarily, decisions made by policymakers in Washington D.C. concerning military intervention directly affect the lives of thousands domestically and worldwide. This is true whether it be the sons and daughters of America's armed forces or the children of an unstable foreign country at war who risk their lives simply by waking up and facing a new day.Â

Therefore, examining the reasons and circumstances in which the U.S. decides to use this force is an undeniably worthy pursuit. It forces us to confront challenging and ethical questions.