

Article

R2P's "Ulterior Motive Exemption" and the Failure to Protect in Libya

Jeffrey Bachman

School of International Service, American University, Washington, DC 20016, USA; E-Mail: bachman@american.edu

Submitted: 1 May 2015 | In Revised Form: 23 June 2015 | Accepted: 30 June 2015 |
Published: 26 November 2015

Abstract

Mass atrocity prevention has been controversial, both when members of the international community have taken action as well as when they have failed to do so. In 1999, then UN Secretary-General Kofi Annan challenged the international community to reconcile the need to respect state sovereignty with the need to protect populations from egregious human rights violations. R2P's emergence offered an opportunity to move past the discourse and practice associated with its predecessor—"humanitarian intervention." However, while R2P has succeeded in changing the discourse, it has failed to make a change in practice. A source of this failure is R2P's "ulterior motive exemption." Using the R2P intervention in Libya as a case study, this article concludes that because ulterior motives existed: (1) NATO's primary intent of civilian protection quickly evolved into the intent to overthrow Muammar Qaddafi; (2) in exceeding its mandate, NATO committed an act of aggression; (3) NATO continued to militarily support the rebels while they were committing war crimes and severe human rights violations; (4) NATO's actions resulted in civilian casualties, which NATO has refused to investigate; and (5) NATO abdicated its responsibility to protect Libyans from the human suffering that continued subsequent to Qaddafi's execution.

Keywords

humanitarian intervention; Libya; NATO; R2P

Issue

This article is part of the special issue "Mass Atrocity Prevention", edited by Professor Karen E. Smith (London School of Economics and Political Science, UK).

© 2015 by the author; licensee Cogitatio (Lisbon, Portugal). This article is licensed under a Creative Commons Attribution 4.0 International License (CC BY).

1. Introduction

At the end of a decade that saw varied responses to numerous mass atrocities, then UN Secretary-General Kofi Annan challenged the international community to reconcile the need to preserve state sovereignty rights with the human right to be protected from the most egregious forms of human rights violations. The Canadian government responded to Annan's challenge by forming the International Commission on Intervention and State Sovereignty (ICISS). In 2001, ICISS published *The Responsibility to Protect* (R2P).

Gareth Evans and Ramesh Thakur, R2P's principal authors, have gone to great lengths to separate R2P from the "right to intervene" and "humanitarian intervention" discourse that preceded it. According to

Thakur (2013), R2P is victim- and people-centered; it puts the needs of the victims and potential victims ahead of the needs of the intervening states, whereas humanitarian intervention is deferential to the preferences and priorities of the intervening states. For Evans and Thakur (2013), the shift away from a right of humanitarian intervention to the responsibility to protect is exemplified by R2P's embrace of "a whole spectrum of preventive and reactive responses, with coercive military action reserved only for those extreme and exceptional cases" (p. 202). The shift in discourse is further buttressed by R2P's incorporation of its three core elements: (1) the responsibility to prevent; (2) the responsibility to react; and (3) the responsibility to rebuild. Evans and Thakur (2013) argue that if interventions are truly motivated primarily by humanitarian

concerns, then the solidarity implied by its implementation would also be expressed prior and subsequent to the military intervention.

In their concerted efforts to distance R2P from its predecessors, Evans and Thakur (2013; Thakur, 2015) have demonstrated a preoccupation with celebrating the change in discourse ushered in by R2P, while failing to objectively evaluate whether the change in discourse can effectively change the way states intervene for alleged humanitarian purposes in practice. For example, in response to a critique authored by Robert Pape (2012), Evans and Thakur (2013) argue that Pape took the intervention debate “straight back to the deeply divisive, problematical, costly (in blood and treasure), and utterly ineffectual pre-2001 status quo ante” by resurrecting the humanitarian intervention discourse (p. 202). Success in changing the discourse is far from trivial; it is significant for all the reasons Evans, Thakur, and other R2P proponents have cited. However, a change in discourse is only as valuable as the changes in practice it elicits. Therefore, currently, the more important question is whether R2P interventions in practice will mirror the change in discourse.

The 2011 R2P intervention in Libya provides the first and only case for analysis. The intervention in Libya has been hailed a success by the media and politicians (Kuperman, 2013a; O’Connell, 2011), as well as R2P’s architects and proponents (Pattison, 2011; Thakur, 2011; Thakur, 2013; Weiss, 2011a). However, as will be demonstrated through an analysis of the NATO-led intervention in Libya, R2P’s “ulterior motive exemption” ensures the likelihood that the overall change in discourse around intervention for alleged civilian protection will not be met with a similar change in practice. NATO’s ulterior motives had a detrimental effect on the intentions behind NATO’s use of force, raising significant questions regarding whether the presence of ulterior motives and, therefore, multiple intentions behind the use of force, can be restrained while carrying out an intervention.

This article begins with a discussion of R2P’s ulterior motive exemption. It then analyzes the role ulterior motives played in NATO’s actions in Libya. This article concludes that because ulterior motives existed: (1) NATO’s primary intent of civilian protection quickly evolved into the primary intent of overthrowing Muammar Qaddafi; (2) in exceeding what was mandated by Security Council Resolution 1973, NATO committed an act of aggression in violation of the UN Charter; (3) NATO continued to militarily support the rebels despite the fact that they were committing war crimes and egregious human rights violations; (4) NATO’s actions resulted in civilian casualties, which NATO has refused to investigate; and (5) NATO abdicated its responsibility to protect Libyans from the human suffering that continued subsequent to Qaddafi’s execution.

2. R2P’s “Ulterior Motive Exemption”

R2P’s right intention principle states that the “primary purpose of the intervention, whatever other motives intervening states may have, must be to halt or avert human suffering” (ICISS, 2001, p. XII). According to ICISS (2001), intervention cannot be justified if, from the outset, the intent of the intervening force is to alter borders or advance “a particular group’s claim to self-determination” (p. 35). Further, ICISS (2001) states that regime change is not a legitimate objective, though it allows that disabling a regime’s ability to harm its own people “may be essential to discharging the mandate of protection” (p. 35.).

That R2P permits other motives is referred to as the “ulterior motive exemption” because it allows intervening states to have motives other than civilian protection driving their participation in an intervention. ICISS’s inclusion of an ulterior motive exemption in R2P is based on the reality of how states operate in international affairs. ICISS (2001) notes, “Complete disinterestedness—the absence of any narrow self-interest at all—may be an ideal, but it is not likely always to be reality: mixed motives, in international relations as everywhere else, are a fact of life” (p. 36). ICISS (2001) argues that the variety of costs involved when participating in a military intervention, including budgetary costs and physical risk to military personnel, make it politically necessary for participants in a military intervention to have some degree of self-interest in the intervention.

In his defense of the ulterior motive exemption, James Pattison (2010) reiterates much of what has already been presented, while also emphasizing the importance of differentiating between “intentions” and “motives.” Pattison argues that intentions and motives are often wrongly used interchangeably. The intention of the intervening force equates to the purpose behind the intervention. For the intention to be humanitarian, the purpose of the intervention must be to prevent, reduce, or halt the human suffering resulting from the humanitarian crisis. The motive, however, is better explained as the reason behind the intervening force’s involvement in the intervention. According to Pattison (2010), conflating intention with motive “leads to the conclusion that there can be no such thing as ‘humanitarian intervention’ since interveners rarely, if ever, possess humanitarian motives” (p. 155).

Defenders of R2P’s ulterior motive exemption inevitably get trapped in a logical fallacy. In the effort to minimize the impact considerations of national interest will have on an intervention and to distinguish intent from motive, they tend to isolate self-interests from intentions and motives from intent. Defenders seek to justify the claim that military intervention for civilian protection can be carried out by intervening states that hold ulterior motives for their participation without the

intervening states acting on the motives that drove their participation in the first place. Yet, if intervening states are motivated to provide civilian protection within a humanitarian crisis by their desire to achieve something in their self-interest, what the intervening states seeks to achieve must also be part of their intent. In other words, the ulterior motive will ultimately impact the purpose behind the intervention, extending it beyond achieving civilian protection. If the reason for participating in the intervention is motivated by self-interest then it would follow that the intervening states would seek to satisfy their self-interest. Not doing so would be logically inconsistent.

Roland Paris (2014) levies similar criticisms regarding R2P's ulterior motive exemption, as well as the lack of attention paid to how ulterior motives will impact interventions in practice. Paris finds defenses of the ulterior motive exemption unsatisfactory because "they investigate the mixed motives problem as a normative, legal and procedural puzzle, but largely overlook the impact of mixed motives on the feasibility of preventive humanitarian intervention" (p. 574). Paris (2014) also raises the possibility that self-interested acts emanating from intervening states' ulterior motives could result in a backlash against R2P, "particularly if the doctrine is viewed as a 'cover' for imperialism, pre-emptive war, or other ulterior motives" (p. 574). In response to Paris, Thakur seems more concerned with Paris' repeated references to "humanitarian intervention" than he is with the issues Paris raised. According to Thakur (2015), any backlash against R2P due to the doctrine being viewed in the ways Paris describes "will come more from the use of the language of humanitarian intervention than from mixed motives" (p. 17). Thakur's response to Paris further demonstrates a preoccupation with discourse. Contrary to Thakur's claim, it is how R2P interventions unfold in practice rather than the language that is used to discuss the interventions that will determine whether R2P is viewed as "humanitarian intervention" in new clothing.

3. R2P and Libya at the Security Council

On February 25, 2011, ten days after the first anti-Qaddafi protests were held, the United Nations Security Council met to discuss the situation in Libya. Secretary-General Ban Ki-moon briefed the Security Council on the situation in Libya, claiming that reports indicated that more than 1,000 people had already been killed by violence and indiscriminate use of force (United Nations, Security Council [UNSC], 2011a). Ki-moon would go on to note that accounts provided by the press, human rights groups, and civilians included allegations of indiscriminate force, arbitrary arrests, targeting of peaceful protesters, detention and torture of members of the opposition, and the use of foreign fighters. After making these allegations, Ki-moon added

that he lacked "conclusive proof, but the reports appear to be credible and consistent" (UNSC, 2011a, p. 3).

The next day, the United Kingdom introduced Resolution 1970. Unanimously adopted, Resolution 1970 referred to "widespread and systematic attacks...against the civilian population" and reminded Libya of its "responsibility to protect its population" (UNSC, 2011c, p.1). The resolution imposed an arms embargo, banned Libyan officials from traveling, froze officials' assets, and referred the situation to the International Criminal Court (ICC). Following the resolution's adoption, France stated, "The text unanimously adopted today, recalls the responsibility of each State to protect its own population and of the international community to intervene when States fail in their duty" (UNSC, 2011b, p. 5).

Unanimous support for Resolution 1970 included affirmative votes from China and Russia—two countries traditionally opposed to interference in the internal affairs of sovereign states. A key factor in their support was the demands of regional stakeholders, such as the Arab League, African Union, and Organization of the Islamic Conference, for a cessation to the hostilities in Libya (Chang, 2014). Also, though the resolution referred the situation to the ICC, it did not include language that could have been interpreted as authorizing the use of force against Libya. Russia made sure to emphasize this point. In a likely reference to the United States using Saddam Hussein's failure to abide by Security Council resolutions to justify the invasion of Iraq in 2003, Russia argued that "it does not enjoin sanctions, even indirect, for forceful interference in Libya's affairs" (UNSC, 2011b, p. 4). Finally, both Chinese and Russian citizens living in Libya were at potential risk. Therefore, it was in their interest to ensure their safe evacuation from Libya (Chang, 2014).

Following the Security Council's adoption of Resolution 1970, rather than a cessation in hostilities, the next three weeks saw an escalation in the violence between Qaddafi's security forces and the armed opposition. The rebels made significant territorial gains, beginning in eastern Libya, then moving to the central coast, and then farther west. By March 5, the rebels controlled about half of Libya's populated areas. The rebels' success did not last long. A little more than a week later, Qaddafi's forces had retaken nearly every area held by the rebels other than their primary stronghold of Benghazi (Kuperman, 2013b).

Qaddafi's forces had taken up positions in preparation to move on Benghazi when the Security Council next met to discuss the situation in Libya on March 17. France introduced a draft resolution prepared in conjunction with the United States and United Kingdom. In support of the draft resolution, France stated, "We do not have much time left. It is a matter of days, perhaps even hours....Every hour and day that goes by increases the burden of responsibility on our shoulders" (UNSC, 2011e, p. 3). Following France's remarks, Resolution

1973 was adopted with ten votes for, none against, and five abstentions. Resolution 1973 authorized Member States “through regional organizations or arrangements...to take all necessary measures...to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya” (UNSC, 2011d, p. 3).

Four of the five BRICS countries—Brazil, Russia, India and China—were joined by NATO member Germany in abstaining. Presciently, each of the five abstaining countries raised issues particularly relevant to the role ulterior motives would ultimately play in the NATO-led intervention. For example, Brazil recognized the League of Arab States’ support for the implementation of a no-fly zone, but argued, “It is our view that the text of resolution 1973 (2011) contemplates measures that go far beyond that call” (UNSC, 2011e, p. 6). Germany was primarily concerned that military intervention would cause more harm than good. “If the steps proposed turn out to be ineffective,” Germany worried, “we see the danger of being drawn into a protracted military conflict that would affect the wider region. We should not enter into a militarily confrontation on the optimistic assumption that quick results with few casualties will be achieved” (UNSC, 2011e, p. 5).

China and Russia expressed frustration that questions they asked went unanswered prior to the vote on Resolution 1973 (UNSC, 2011e). Russia criticized some members of the Security Council for failing to address how the no-fly zone would be enforced, what the rules of engagement would be, and whether there would be specific limits on the use of force. Like Brazil, Russia was not convinced that implementation of Resolution 1973 would be limited exclusively to civilian protection, noting that provisions were added to the resolution that exceeded the initial concept sought by the League of Arab States. Russia warned that the “inevitable humanitarian consequences of the excessive use of outside force in Libya will fall fair and square on the shoulders of those who might undertake such action” (UNSC, 2011e, p. 8).

India called into question the objectivity of the information the Security Council had received prior to being asked to vote on Resolution 1973, stating that the resolution authorized “far-reaching measures under Chapter VII of the United Nations Charter, with relatively little credible information on the situation on the ground in Libya” (p. 6). India’s criticism is significant because there were alternative narratives to that which was propagated at the Security Council. According to the narrative that justified adoption of Resolutions 1970 and 1973, Qaddafi targeted peaceful protesters with lethal force. However, some protesters in Libya had taken up and used arms from the first day of the uprising on February 15, 2011 (Kuperman, 2013a). Many more began using violent means in their opposition to Qaddafi soon thereafter (O’Connell, 2011).

The urban environment in which the fighting was taking place was a contributing factor in the deaths of civilians during the conflict’s early stages. Human Rights Watch reported that in the first seven weeks of intense fighting in Misurata, a total of 949 people were wounded. Of the 949 wounded, 22 were women and eight were children (Kuperman, 2013a). Kuperman concludes, “If government forces had targeted civilian areas indiscriminately, as alleged, the female percentage of wounded should have approached 50 percent, rather than 3 percent” (p. 111). A standard of fifty percent is arguably a high burden to meet to demonstrate indiscriminate use of force, but three percent clearly fails to substantiate such claims. Kuperman (2011) acknowledges that Qaddafi’s forces killed hundreds of people while retaking control of cities from the rebels, and likely exceeded the laws of war while doing so; however, comparisons of Qaddafi’s actions to those of genocidal regimes were simply unfounded.

Challenges to the narrative that justified the NATO-led intervention were not limited to academic circles. On March 21, only four days after Resolution 1973 was passed, *The New York Times* reported that “the rebels feel no loyalty to the truth in shaping their propaganda...making vastly inflated claims of his [Qaddafi’s] barbaric behavior” (Kirkpatrick, 2011). Disregard for alternative narratives does not necessarily mean that some of NATO’s members intentionally fabricated their claims. Rather, it emphasizes the problems associated with the ulterior motive exemption. NATO’s ulterior motives would not allow it to consider alternative narratives, because to do so could have undermined their justification for the use of force in Libya, which would have impeded them from achieving their self-interested objective of regime change.

Each of the five abstaining countries raised concerns that could have warranted voting against Resolution 1973. This begs the question: why did they choose to abstain? A common explanation for the abstentions was the Arab League’s support for the imposition of a no-fly zone. The abstaining countries chose not to vote against the wishes of the regional stakeholders. It is also likely that the lack of certainty regarding what might have happened in Benghazi had Resolution 1973 failed to pass played a significant role in their votes. For Russia and China, “no” votes are equivalent to a veto. Had Russia and China vetoed the resolution, there would not have been an intervention, at least not in the same timeframe. If the failure to intervene resulted in a massacre at Benghazi, as was claimed to be inevitable, there would have been serious political ramifications. Brazil, India, and Germany would have shared these ramifications had they also voted against the resolution. To put it simply, it was easier and less risky to abstain from voting than it would have been to vote against the resolution. For Germany, abstaining also provided the added benefit of not voting against its fel-

low NATO members' resolution while publicly stating that it would not be contributing any of its own forces to the military effort.

4. NATO's Primary Intent: From Civilian Protection to Regime Change

The NATO-led bombing campaign began within hours of the adoption of Resolution 1973, and only one month after Libya's civil war had begun. Pattison (2011) argues that, at least initially, the predominant intention behind NATO's intervention was civilian protection. Yet, even in the early stages of the intervention "regime change did appear to be an intention, but only a secondary one" (Pattison, 2011, p. 273). Other R2P proponents are less willing than Pattison to recognize that NATO's ulterior motive of regime change evolved into regime change being one of its intentions. For example, Weiss (2011a) is dismissive of the idea that NATO may have had other intentions behind the intervention, stating, "The anguished hue and cry about R2P being a ruse for Western Imperialism is disingenuous but resonant in parts of the global South" (p. 289). Further, according to Weiss (2011a), "The international action against Libya was not about bombing for...regime change...or pursuing narrow interests. These may result from such action, but the dominant motivation for using military force was to protect civilians" (p. 291).

Where regime change fits among NATO's early set of priorities is open to debate; however, that NATO was intent on regime change in Libya is not. In a March 3 statement, two weeks before Resolution 1973 was adopted, President Obama stated, "Muammar Gaddafi has lost legitimacy to lead, and he must leave" (Calabresi, 2011). On March 21, 2011, only days after NATO's bombing campaign had begun, Obama stated that it was "U.S. policy that Qaddafi needs to go. But when it comes to our military action, we are doing so in support of U.N. Security Resolution 1973...and we are going to make sure we stick to that mandate" (Condon, 2011). Similarly, in an April 14 letter signed by Obama, Prime Minister Cameron, and President Sarkozy, it states, "Our duty and our mandate under UN Security Council Resolution 1973 is to protect civilians, and we are doing that. It is not to remove Gaddafi by force. But it is impossible to imagine a future for Libya with Gaddafi in power" (Stratton, 2011).

NATO members tried to have it both ways; they repeatedly proclaimed that Qaddafi needed to go while also claiming that they would stick to the mandate defined by Resolution 1973. Despite their efforts, NATO's actions belie their rhetorical reassurances. NATO went beyond anything that could reasonably be interpreted to have been authorized (O'Connell, 2011). According to its own numbers, NATO launched 9,700 strike sorties, destroying 5,900 military targets during its seven

month campaign (Amnesty International, 2012b). If NATO had intended to provide civilian protection as it was authorized to do, it would have limited its actions to administering a no-fly zone and bombing forces—including rebel forces—that were threatening civilians. Instead, the "intervention quickly exceeded the UN mandate of civilian protection by bombing Libyan forces in retreat or based in bastions of Khadafy support, such as Sirte, where they threatened no civilians" (Kuperman, 2011).

NATO also repeatedly stood in opposition to forging a ceasefire between the Qaddafi regime and the rebels. Hours before NATO began its bombing campaign, Qaddafi proposed a ceasefire between his forces and the rebels that was rejected (Bumiller & Kirkpatrick, 2011). On April 10, NATO rejected a second ceasefire offer, one that was developed by the African Union, and was fully consistent with what was called for by Resolution 1973. The proposal, endorsed by Qaddafi, included a ceasefire, the creation of corridors for the delivery of humanitarian aid, and a dialogue to open discussions on reforming Libya's political system (Parker & Daragahi, 2011). Again, on April 29, NATO rejected a proposed ceasefire based on the African Union roadmap (Noueihed, 2011).

NATO's response to the ceasefire proposals is not consistent with a humanitarian intent. If NATO's intention was humanitarian, ceasefire offers would have been taken as opportunities to alleviate human suffering across Libya. Instead, NATO openly supported the rebels and repeatedly rejected ceasefire proposals. As Kuperman (2013b) notes, "This significantly extended the war, magnifying the harm to civilians, contrary to the intent of the UN authorization" (p. 197).

Evans and Thakur (2013) are critical of NATO for some of the same reasons noted above. Yet, rather than connect NATO's actions to R2P's ulterior motive exemption, they essentially treat NATO's actions as unbecoming of states who claim to be operating under R2P, stating that they are not sure "that the NATO-led operation in Libya remained a textbook R2P case for its duration" (p. 206). Going beyond what is authorized is a symptom of the ulterior motive exemption and its associated influence over the intervener's intentions. If the motive for participation in a military intervention is something other than civilian protection, the interveners will not limit their actions to the protection of the civilian population. In fact, if the reason for their participation is the pursuance of some self-interested objective, there is no incentive for the interveners to limit their actions to those authorized. Rather, their participation in the intervention actually incentivizes the interveners to go beyond that which was authorized. This is simple logic. If ulterior motives are the driving force behind the decision to participate in a military intervention, then those motives must be pursued to make participation worthwhile.

5. From Authorized Intervention to the Crime of Aggression

Article 2(4) of the United Nations Charter prohibits “threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.” There are only two exceptions to the prohibition of the use of force: (1) the use of force authorized by the Security Council under Chapter VII of the United Nations Charter, and (2) the use of force in self-defense under Article 51 of the Charter. The NATO-led intervention began as a lawful use of force because the Security Council authorized it with the adoption of Resolution 1973. However, the force that may be used under Security Council authorization is limited to that which is mandated.

It was noted previously that Resolution 1973 authorized Member States “through regional organizations or arrangements...to take all necessary measures...to protect civilians and civilian populated areas under threat of attack” (UNSC, 2011d, p. 3). Resolution 1973 also demanded the establishment of a ceasefire and reinforced the arms embargo previously established by Resolution 1970. Further, Resolution 1973 reaffirmed Libya’s sovereignty, independence, and territorial integrity.

It is clear that the NATO-led intervention exceeded its mandate in violation of its legal obligation to limit its actions to those that were authorized. First and foremost, NATO participated on the side of the rebels in their civil war with the Qaddafi regime. Not only did NATO support the rebels in their efforts, NATO was responsible for direct attacks against Qaddafi’s forces who did not pose a threat to civilians. Qaddafi, no matter how reviled by some, maintained the legal right as Libya’s head of state to defend Libya from an armed internal threat. Any actions taken by NATO that went beyond that which was mandated constitute acts of aggression. Related, the NATO-led intervention was operating under a mandate that required that all civilians and civilian-populated areas be protected. By taking sides in the civil war, NATO put civilians in areas loyal to Qaddafi, especially in Tripoli, at greater risk as the rebels and NATO made their advances. Civilian supporters of Qaddafi not only deserved the same level of protection as the civilian supporters of the armed rebels, but their protection was also required under Resolution 1973.

NATO joined the rebels in rejecting multiple ceasefires offered by Qaddafi despite Resolution 1973 demanding the immediate establishment of one. Whether Qaddafi’s offers were to be trusted is debatable, but the offers were consistent with Resolution 1973. Yet, NATO rejected the offers outright in violation of the spirit of their mandate. Additionally, some NATO members participating in the intervention provided

arms to the rebels in violation of Resolutions 1970 and 1973. Evans and Thakur (2013) ask a series of important questions in this regard:

If the objective genuinely was, and remained throughout, “the protection of civilians and civilian populated areas” and not regime change as such, why—at least after the initial defense of Benghazi—were ceasefire offers that may have been serious rejected outright without exploration? Why were fleeing personnel posing no immediate risk to civilians, and locations of no obvious military significance, targeted? Why did the interveners break their own arms embargo in supplying the rebels? (p. 206).

Again, Evans and Thakur (2013) view NATO’s behavior as evidence that at some point during the intervention it strayed from its commitment to R2P’s principles, rather than NATO’s behavior being directly connected to R2P’s ulterior motive exemption.

Criticism of NATO for exceeding its mandate has generally been understated. It is not simply the case that NATO marginally exceeded its mandate. The NATO powers that led the intervention actively opposed alternative resolutions to Libya’s civil war so that it could achieve its objective of regime change. NATO’s actions demonstrate that it never intended to limit its actions to those authorized. The provision of weapons to the rebels in violation of Resolution 1973 is a clear and unequivocal violation of international law. More egregiously, NATO’s participation in a civil war on the side of the rebels constitutes an act of aggression, crossing the line that separates the lawful and unlawful use of force. NATO’s attempt at a defense of its actions included the claim that in order to fulfill its mandate to protect civilians, it was necessary to overthrow the Qaddafi regime (Evans & Thakur, 2013). In other words, NATO claimed it needed to exceed its mandate in order to carry out its mandate. Based on the evidence, such a defense is unconvincing.

6. NATO’s Complicity in Crimes Committed by the Rebels

One week into NATO’s intervention, it was reported that the rebels had been perpetrating the same violations of human rights that they accused Qaddafi of (Zucchini, 2011). In June 2011, about half-way through the civil war, the International Commission of Inquiry on Libya submitted its provincial report. The Commission concluded that both Qaddafi’s security forces and the rebels had committed war crimes. Despite knowing early on that the rebels had allegedly committed acts that constituted war crimes, NATO continued to provide the rebels with offensive military support in Libya’s civil war.

The full extent of the crimes committed by the rebels was documented in the International Commission of Inquiry on Libya's March 2012 report to the Human Rights Council. The Commission (2012) concluded that the rebels "committed serious violations, including war crimes and breaches of human rights law, the latter continuing at the time of the present report" (p. 2). Specifically, during the civil war, the Commission found that the rebels committed "acts of extrajudicial executions of those perceived to be loyalists, suspected mercenaries and captured Qadhafi soldiers, particularly when towns first came under control of *thumar* (anti-Qaddafi forces)" (p. 197). Further, the Commission stated that allegations of violations of international humanitarian law and human rights law were not being treated equally. The Commission (2012) concluded, "Failure to apply criminal law to crimes committed by *thumar* during and after the end of the conflict creates an environment of impunity and leaves the victims of *thumar* violations without protection of the law, justice and redress" (p. 195).

As Prashad (2012) notes, "NATO's partisan bombardment allowed the rebels to seize the country faster than they might have had in a more protracted war, but it also allowed them *carte blanche* to continue with their own crimes against humanity." Because NATO was openly supporting the rebels, it was clear the rebels would be able to commit their crimes with impunity. This sentiment was echoed in the Commission's report, which stated that the Commissioners were "deeply concerned that no independent investigation or prosecution appear to have been instigated into killings committed by *thumar*" (Independent Commission of Inquiry on Libya, 2012).

Because of NATO's military support for the rebels, it shares responsibility for how the rebels conducted themselves during and after the civil war. NATO was aware that the rebels were committing crimes, even going so far as to warn the rebels against committing crimes against civilians less than two weeks into the intervention (Bumiller & Kirkpatrick, 2011). Further, the International Commission of Inquiry on Libya stated explicitly in June 2011 that the rebels had committed war crimes. If NATO's primary intent was civilian protection, why did some of its members arm the rebels and continue to participate in a civil war in support of rebels that were committing war crimes? In doing so, NATO is complicit in the rebels' crimes.

7. Civilian Casualties from NATO Airstrikes

As noted previously, NATO launched 9,700 strike sorties, destroying 5,900 military targets during its seven month campaign (Amnesty International, 2012b). In November 2011, NATO claimed, "We have carried out this operation very carefully, without confirmed civilian casualties" (Chivers & Schmitt, 2011). Kristele Younes, director of field operations for Civic, noted a serious

contradiction in NATO's position regarding civilian casualties. Younes states that NATO created its own definition of what constitutes a "confirmed" civilian death from NATO airstrikes—only those confirmed by a NATO investigation. Yet, NATO also refused to investigate allegations. Therefore, by NATO's logic, it could claim that there were zero civilian casualties. Younes stated, "The position was absurd. But they made it very clear: there was no appetite within NATO to look at these incidents" (Chivers & Schmitt, 2011).

In late 2011 and early 2012, *The New York Times*, Amnesty International, and Human Rights Watch conducted investigations into NATO airstrikes. *The New York Times* found "credible accounts of dozens of civilians killed by NATO in many distinct attacks. The victims, including at least 29 women or children, often had been asleep in homes when the ordinance hit" (Chivers & Schmitt, 2011). Amnesty International (2012b) was able to document at least 55 civilian casualties from NATO airstrikes, including 16 children and 14 women. Many of the deaths were the result of NATO airstrikes on private homes in urban and rural areas of Libya. Following its investigation, Amnesty International (2012b) concluded that NATO "made significant efforts to minimize the risk of causing civilian casualties....However, scores of Libyan civilians who did not directly participate in hostilities were killed and many more injured as a result of NATO strikes" (pp. 5-6). Human Rights Watch (2012b) came to similar findings in its investigation, acknowledging that the overall loss of civilian life in NATO airstrikes appears to demonstrate that precautions were generally taken. However, "NATO air strikes killed at least 72 civilians, one-third of them children under age 18" (Human Rights Watch, 2012b, p. 4).

The International Commission of Inquiry on Libya found that NATO successfully avoided killing large numbers of civilians in its airstrikes. However, the Commission (2012) confirmed civilian casualties and "found targets that showed no evidence of military utility" (p. 2). The Commission (2012) stated that it was unable to draw conclusions regarding these incidents based on "the information provided by NATO" (p. 2). The Commission called upon NATO to complete an investigation to fill the information gap. Amnesty International (2012b) and Human Rights Watch (2012b) have called for the same. Amnesty International (2012b) called on NATO "to take all necessary measures to ensure that independent, impartial and thorough investigations are conducted without further delay, that the findings be publicly disclosed, and that adequate reparation be afforded to all victims of any violations and their families" (p. 18). In its response, NATO expressed regret that civilians were harmed in its airstrikes, but deflected Amnesty International's call for investigations, claiming that NATO "has no mandate to conduct any activities in Libya following OUP's Op-

eration United Protector) termination on 31 October 2011” (Amnesty International, 2012b, p. 18).

International law requires that suspected violations of international humanitarian law be investigated by the state responsible for the acts in question. Further, when appropriate, those responsible for the violations must be punished and the families of those who were victimized must be compensated. Following NATO’s intervention, Russia repeatedly asked for an impartial investigation into the means NATO used during its intervention in Libya. In a statement expressing the United States’ refusal to allow such an investigation, Ambassador Rice stated,

This is a distraction and a diversion...from the fact that this Council’s actions, and that of NATO and its partners, saved tens of thousands, if not hundreds of thousands, of Libyan lives....And if the Libyans want to work with NATO to investigate any concerns they have, we’re more than willing to do that. I think it’s notable that we have not heard that call from the Libyan government (Goodman, 2012).

The U.S. response to Russia’s call for investigations is problematic for two reasons. First, even if Rice’s claims were true, civilian casualties from NATO airstrikes would still be relevant and would still require investigation under international humanitarian law. Second, Rice implies that NATO was innocent of any potential wrongdoing because the new Libyan government had not called upon NATO to investigate civilian casualties from its airstrikes. However, the rebels had no incentive to call for investigations, because NATO made it possible for them to take power and because the rebels had committed crimes of their own.

NATO’s refusal to investigate civilian deaths caused by its airstrikes further calls into question the intentions behind its actions in Libya. The refusal demonstrates a lack of honesty, remorse, and willingness to accept responsibility. These are not the characteristics of an intervener committed to civilian protection; they are the characteristics of an intervener bent on achieving the objectives that motivated its involvement in the conflict in the first place. Prashad asks a series of pertinent questions: “The real question is, why won’t NATO allow an evaluation of the Libyan war? What if we discover that the number of civilian casualties, the bombing in places like Marjah, the bombing in places in the center of Tripoli, had indeed cost the lives of a very large number of civilians? What is the harm of NATO coming under an evaluation?” (Goodman, 2012). Allowing such an evaluation, according to Prashad, would demonstrate “the actual commitment to human rights and to responsibility to protect civilians that the United States purports to support” (Goodman, 2012). Yet, rather than do so, NATO members have continued to shield themselves from any accountability.

8. NATO’s Shared Responsibility for Rebel Crimes Committed Post-Intervention

Thanks to NATO’s support, the rebels ultimately succeeded in overthrowing Qaddafi. NATO’s lack of concern for the crimes committed by the rebels during the civil war continued unabated following the war’s conclusion and the summary execution of Qaddafi, itself a war crime. In fact, far from concerned that Qaddafi had been executed, Secretary of State Hillary Clinton and Prime Minister David Cameron made light of it. When informed of Qaddafi’s death, Clinton joked, “We came, we saw, he died” (Daly, 2011). Meanwhile Cameron, in a speech celebrating the Hindu festival of Diwali, said, “Obviously, Diwali being the festival of good over evil, and also celebrating the death of a devil, perhaps there’s a little resonance in what I’m saying tonight” (Media Lens, 2011).

While celebrating the death of Qaddafi, the same NATO powers that had facilitated the rebels’ success turned their backs on Libya. Post-intervention Libya was consumed by rampant lawlessness. Some of the most horrific human rights violations were perpetrated by the rebels against both real and perceived Qaddafi loyalists. Four days after Qaddafi was killed, Human Rights Watch documented the execution of Qaddafi supporters in Sirte. According to Peter Bouckaert, “We found 53 decomposing bodies, apparently Gaddafi supporters, at an abandoned hotel in Sirte, and some had their hands bound behind their backs when they were shot” (Human Rights Watch, 2011a). These executions were part of what Daniel Williams (2011) describes as “a vast revenge killing spree.” According to Williams (2011), “Members of these militias have engaged in torture, pursued suspected enemies far and wide, detained them and shot them in detention.” Execution of individuals who have been detained is a war crime.

The town of Tawergha was cleansed of its 30,000 inhabitants by the rebels. Tawergha had been populated mainly by citizens loyal to Qaddafi. On October 30, 2011, Human Rights Watch (2011b) reported that even after cleansing the town, the rebels continued to terrorize those who had been displaced. Human Rights Watch (2011b) received “credible accounts of some Misrata militias shooting unarmed Tawerghans, and of arbitrary arrests and beatings of Tawerghan detainees, in a few cases leading to death.” Tawerghans who were interviewed by the International Commission of Inquiry on Libya (2012) described being tortured and forced to confess to crimes they did not commit. The Commission concluded that the attacks against Tawerghans constituted war crimes when committed during the civil war and crimes against humanity subsequent to it.

In January 2012, three months after Qaddafi had been executed, Doctors Without Borders (MSF) announced that it was no longer able to provide medical

treatment at detention centers in Libya because its staff were being delivered patients who showed clear signs of torture. These patients had undergone interrogation sessions involving torture carried out by the rebels. "Patients were brought to us in the middle of interrogation for medical care, in order to make them fit for more interrogation," MSF General Director Christopher Stokes said in a statement. "This is unacceptable. Our role is to provide medical care to war casualties and sick detainees, not to repeatedly treat the same patients between torture sessions" (Doctors Without Borders, 2012). On February 16, 2012, Amnesty International (2012a) reported on attacks carried out by rebels against African migrants, forcibly displacing entire communities. A few days later, Human Rights Watch reported that villages that were home to Qaddafi supporters were being razed and that those who were displaced were being refused access to their homes (Human Rights Watch, 2012a).

In its March 2012 report, the International Commission of Inquiry on Libya (2012) provides a thorough summary of the crimes committed by the rebels subsequent to the end of Libya's civil war:

Torture and other forms of ill-treatment are prevalent in detention centres, and at least a dozen individuals died as a result of torture at the hands of *thumar*. The *thumar* have also carried out revenge attacks against targeted communities perceived as loyalist. The Commission found acts of extrajudicial killings, torture, enforced disappearance, indiscriminate attacks, and pillage. Tens of thousands are prevented from returning home. No investigations have been carried out into any violations committed by the *thumar* (p. 197).

The former rebels are responsible for some of the most egregious human rights violations imaginable. Without NATO's support, it is unlikely that the rebels would have been in the position to commit the acts detailed above. NATO's refusal to investigate its own actions and its continued support for the rebels while they were committing war crimes during the civil war contributed to a culture of impunity in Libya. The lack of accountability represents a clear case of victors' justice.

9. Filling the Accountability Vacuum?

In November 2011, Brazil introduced the concept of "responsibility while protecting" (RWP) as part of an effort to ensure that the use of force for humanitarian purposes produces as little violence and instability as possible (UNSC, 2011f). The main idea behind RWP is that through committing itself to holding intervening states accountable for exceeding that which is authorized, the Security Council can better ensure the protection of civilian populations. In support of its proposal,

Brazil stated, "In the event that the use of force is contemplated, action must be judicious, proportionate and limited to the objectives established by the Security Council. Enhanced Council procedures are needed to monitor and assess the manner in which resolutions are interpreted and implemented to ensure responsibility while protecting" (p. 17).

Though well-intended, Brazil's proposal is ultimately short-sighted. Even if institutionalized, RWP cannot overcome the ulterior motives problem or the accountability vacuum, which is unfortunate because accountability could be one of the only means to minimizing the ulterior motive problem. Regarding the former, Xenia Avezov (2013) argues, "While it is politically incorrect to say so, intervention is often guided by a calculation of economic, political, and human costs to the intervener. Neither R2P nor RWP realistically address these costs of intervention and how they influence the decision to intervene." Regarding the latter, Brazil's proposal presumes an international system made up of sovereign states that equally benefit from and are accountable to international law, and that the institutions necessary to hold Libya's former rebels and their NATO benefactors accountable for their violations of international law are effective. The reality is that the ICC is plagued by its own biases and has also failed to garner universal recognition. This is evident in that not a single former rebel has been investigated, even though Resolution 1970 referred the situation in Libya to the ICC without limiting the referral to only those crimes committed by Gaddafi's regime. Further, unlike the United States, the United Kingdom and France are members of the ICC, yet neither has been investigated for its complicity in the rebels' crimes. Additionally, even if there were formal mechanisms at the Security Council that could assess the manner in which the United States, United Kingdom, and France implemented Resolution 1973, any attempt at accountability ranging from censure to a more tangible punishment would be vetoed.

10. Conclusion

The responsibility to protect's ulterior motive exemption permits intervention in a humanitarian crisis for the purpose of providing civilian protection when the intervener is driven to do so for reasons other than providing that protection. The purpose of this exemption is to promote intervention in cases in which providing civilian protection alone would not sufficiently motivate states to act. The problem with this approach is that it assumes that the intervener is capable of restraining itself from taking actions that seek to achieve the self-interested objective that motivated its involvement in the first place when such actions may undermine the purpose of the mission.

Evidence shows that NATO's ulterior motive for in-

tervening in Libya had disastrous consequences. The NATO-led intervention was based on a distorted narrative, which was relied upon throughout the duration of Libya's civil war in order to justify NATO's continued involvement, and NATO's continued involvement was needed to ensure that its self-interested objective was achieved. While achieving its objective, NATO violated international law by committing an act of aggression against Libya in violation of the United Nations Charter; by killing civilians in its airstrike without completing publicly disclosed investigations required by international humanitarian law; and by its complicity in crimes committed by the rebels due to its continued military support of the rebels despite being aware that the rebels were committing war crimes and other egregious human rights violations during the conflict. Additionally, NATO failed to act on its responsibility to rebuild when it turned its back to the crimes being committed by the rebels after the overthrow of Qaddafi.

The emergence of R2P was supposed to correct the deficiencies associated with its "humanitarian intervention" predecessor. R2P has successfully shifted the discourse regarding when, why, and how the international community ought to respond to pressing humanitarian crises resulting from a state's neglect or inability to protect its population from mass atrocity crimes, or its active participation in the commission of such crimes. However, it has not yet succeeded in bringing interventionary practice in line with the discourse, and it is not clear currently whether doing so is even possible. Such criticism may seem harsh when considering R2P's relative youth, but it should not be interpreted this way. R2P's ulterior motive exemption is not the root of the problems identified here; the prioritization of self-interests even when these interests are in competition with humanitarian objectives is the root of the problem. Surrounding R2P's ulterior motive exemption with a number of principles that seek to constrain an intervener's actions to those which are required for civilian protection cannot overcome such a great obstacle; nor can the development of responsibilities while protecting.

Acknowledgments

Special thanks to Jeannie Khouri, my wonderful partner, for helping me copy edit the final draft.

Conflict of Interests

The author declares no conflict of interests.

References

Amnesty International. (2012a). Amnesty International says "out of control" Libyan militias are committing widespread abuses against suspected al-Gaddafi

loyalists, including torture and killings. Amnesty International. Retrieved from <http://www.amnestyusa.org/news/news-item/amnesty-international-says-out-of-control-libyanmilitias-are-committing-widespread-abuses-against-su>

- Amnesty International. (2012b). Libya: The forgotten victims of NATO strikes. *Amnesty International*. Retrieved from <https://www.amnesty.org/en/documents/MDE19/003/2012/en/>
- Avezov, X. (2013). "Responsibility while protecting": Are we asking the wrong questions? *Stockholm International Peace Research Institute*. Retrieved from http://www.sipri.org/media/newsletter/essay/Avezov_Jan13
- Bumiller, E., & Kirkpatrick, D. (2011, March 18). Obama warns Libya, but attacks go on. *The New York Times*. Retrieved from <http://www.nytimes.com/2011/03/19/world/africa/19libya.html?pagewanted=all>
- Calabresi, M. (2011, March 4). Obama refines talk of Libya intervention. *Time*. Retrieved from <http://content.time.com/time/nation/article/0,8599,2057191,00.html>
- Chang, I. (2014). Chinese policies on the Arab Spring. In R. Mason (Ed.), *The international politics of the Arab Spring* (pp. 177-192). New York: Palgrave Macmillan.
- Chivers, C. J., & Schmitt, E. (2011, December 17). In strikes on Libya by NATO, an unspoken civilian toll. *The New York Times*. Retrieved from http://www.nytimes.com/2011/12/18/world/africa/score-s-of-unintended-casualties-in-nato-war-in-libya.html?_r=2&pagewanted=all
- Condon, S. (2011, March 21). Obama: Qaddafi must go, but current Libya mission focused on humanitarian efforts. *CBS*. Retrieved from <http://www.cbsnews.com/news/obama-qaddafi-must-go-but-current-libya-mission-focused-on-humanitarian-efforts/>
- Daly, C. (2011, October 20). Clinton on Qaddafi: "We came, we saw, he died." *CBS*. Retrieved from <http://www.cbsnews.com/news/clinton-on-qaddafi-we-came-we-saw-he-died/>
- Doctors Without Borders. (2012). Libya: Detainees tortured and denied medical care. *Doctors Without Borders*. Retrieved from <http://www.doctorswithoutborders.org/news-stories/press-release/libya-detainees-tortured-and-denied-medical-care>
- Evans, G., & Thakur, R. (2013). Humanitarian intervention and the responsibility to protect. *International Security*, 37(4), 199-214.
- Goodman, A. (2012). As calls for intervention in Syria grow, Vijay Prashad urges reevaluation of NATO attack on Libya. *Democracy Now*. Retrieved from http://www.democracynow.org/2012/2/21/as_call_s_for_intervention_in_syria
- Human Rights Watch. (2011a). Libya: Apparent execution of 53 Gaddafi supporters. *Human Rights*

- Watch. Retrieved from <http://www.hrw.org/news/2011/10/24/libya-apparent-execution-53-gaddafi-supporters>
- Human Rights Watch. (2011b). Libya: Militias terrorizing residents of “loyalist” town. *Human Rights Watch*. Retrieved from <http://www.hrw.org/news/2011/10/30/libya-militias-terrorizing-residents-loyalist-town>
- Human Rights Watch. (2012a). Libya: Displaced people barred from homes. *Human Rights Watch*. Retrieved from <http://www.hrw.org/news/2012/02/21/libya-displaced-people-barred-homes>
- Human Rights Watch. (2012b). Unacknowledged deaths: Civilian casualties in NATO’s air campaign in Libya. *Human Rights Watch*. Retrieved from <http://www.hrw.org/reports/2012/05/13/unacknowledged-deaths>
- International Commission of Inquiry on Libya (2012). Report of the International Commission of Inquiry on Libya. *Responsibility to Protect*. Retrieved from <http://www.responsibilitytoprotect.org/index.php/crises/190-crisis-in-libya/4051-un-human-rights-council-report-of-the-international-commission-on-inquiry-on-libya>
- International Commission on Intervention and State Sovereignty. (2001). *The responsibility to protect: The report of the International Commission on Intervention and State Sovereignty*. Ottawa, Ontario: IDRC Books.
- Kirkpatrick, D. D. (2011, March 21). Hopes for a Qaddafi exit, and worries of what comes next. *The New York Times*. Retrieved from <http://www.nytimes.com/2011/03/22/world/africa/22tripoli.html?pagewanted=all>
- Kuperman, A. J. (2011, April 14). False pretense for war in Libya? *The Boston Globe*. Retrieved from http://www.boston.com/bostonglobe/editorial_opinion/oped/articles/2011/04/14/false_pretense_for_war_in_libya/.
- Kuperman, A. J. (2013a). A model humanitarian intervention? Reassessing NATO’s Libya campaign. *International Security*, 38(1), 105-136.
- Kuperman, A. J. (2013b). NATO’s intervention in Libya: A humanitarian success? In A. Hahir & R. Murray (Eds.), *Libya: The responsibility to protect and the future of humanitarian intervention* (pp. 191-221). New York: Palgrave Macmillan.
- Media Lens. (2011, October 29). Killing Gaddafi. *Dissident Voice*. Retrieved from http://dissidentvoice.org/2011/10/killing-gaddafi/#identifier_0_38824
- Noueihed, L. (2011, April 29). NATO rejects Gaddafi ceasefire offer, continues bombing Tripoli. *Reuters*. Retrieved from http://www.huffingtonpost.com/2011/04/29/gaddafi-says-libya-ready-for-ceasefire_n_855815.html
- O’Connell, M. E. (2011). How to lose a revolution. *e-International Relations*, 15-17.
- Pape, R. (2012). When duty calls: A pragmatic standard for humanitarian intervention. *International Security*, 37(1), 41-80.
- Paris, R. (2014). The “responsibility to protect” and the structural problems of preventive humanitarian intervention. *International Peacekeeping*, 21(5), 569-603.
- Parker, N., & Daragahi, B. (2011, April 11). Libyan rebels reject cease-fire plan. *Los Angeles Times*. Retrieved from <http://articles.latimes.com/2011/apr/11/world/la-fg-libya-fighting-20110412>
- Pattison, J. (2010). *Humanitarian intervention and the responsibility to protect: Who should intervene?* New York: Oxford University Press.
- Pattison, J. (2011). The ethics of humanitarian intervention in Libya. *Ethics & International Affairs*, 25(3), 271-277.
- Prashad, V. (2012). NATO’s craven coverup of its Libyan bombing. *Counterpunch*. Retrieved from http://www.counterpunch.org/2012/03/15/natos-craven-coverup-of-it-libyan-bombing/?utm_source=rss&utm_medium=rss&utm_campaign=natos-craven-coverup-of-it-libyan-bombing
- Stratton, A. (2011, April 14). Obama, Cameron and Sarkozy: No let-up in Libya until Gaddafi departs. *The Guardian*. Retrieved from <http://www.theguardian.com/world/2011/apr/15/obama-sarkozy-cameron-libya>
- Thakur, R. (2011). R2P, Libya and international politics as the struggle for competing normative architectures. *e-International Relations*, 12-14.
- Thakur, R. (2013). R2P after Libya and Syria: Engaging emerging powers. *The Washington Quarterly*, 36(2), 61-76.
- Thakur, R. (2015). R2P’s “structural” problems: A response to Roland Paris. *International Peacekeeping*, 22(1), 11-25.
- United Nations, Security Council. (2011a). *Peace and security in Africa* (S/PV.6490). Retrieved from http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.6490
- United Nations, Security Council. (2011b). *Peace and security in Africa* (S/PV.6491). Retrieved from http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.6491
- United Nations, Security Council. (2011c). *Resolution 1970 (2011)* (S/RES/1970) (2011). Retrieved from http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1970%20%282011%29
- United Nations, Security Council. (2011d). *Resolution 1973 (2011)* (S/RES/1973) (2011). Retrieved from http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973%20%282011%29
- United Nations, Security Council. (2011e). *The situation in Libya* (S/PV.6498). Retrieved from http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.6498

United Nations, Security Council. (2011f). *Protection of civilians in armed conflict (S/PV.6650)*. Retrieved from http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.6650

Weiss, T. G. (2011a). RtoP alive and well after Libya.

Ethics & International Affairs, 25(3), 287-293.

Williams, D. (2011). The murder brigades of Misrata. *Human Rights Watch*. Retrieved from <http://www.hrw.org/news/2011/10/28/murder-brigades-misrata>

About the Author



Dr. Jeff Bachman

Jeff Bachman is a Professorial Lecturer in Human Rights and Co-Director of the Ethics, Peace, and Global Affairs MA Program at American University's School of International Service. His teaching and research interests focus primarily on US foreign policy and human rights. He is also interested in the role news media plays in constructing human rights narratives. Other recent publications assess the lawfulness of U.S. targeted killing operations and *The New York Times'* and *Washington Post's* coverage of such operations.