

ARAB SPRING INCIDENTS IN THE END OF THE “GREEN ERA” IN LIBYA: QUESTIONS ON THE RIGHT TO INTERVENE AND THE DUTY TO INTERFERE

Gladys Lechini de Álvarez¹, Noemí S. Rabbia²

The Arab Spring has quietly started in the end of 2010 with the wave of protests against the Tunisian regime of Zine el-Abidine Ben Ali, in power for more than two decades. Nonetheless, it caused a *domino effect* that fully impacted the oldest autocracies in Northern Africa and the Middle East. In this context, the Tunis’ case has been constituted in the beginning of a long series of successes that reshaped the Arab and Maghrebi regional political scene with similar results, considering the specifics of each scenario. It is interesting to highlight that Tunis paradoxically had been sustained many times by the same Western countries that defended the end of the Libyan autocracy.

In reference to this particular case, Muammar Gaddafi has died in obscure circumstances during the seizure of his hometown, Sirte, in October 20th, 2011. The elucidation of this fact has been diluted with the euphoria and increasing successes, and Western employees like the Vice-President of the United States of America, Joseph Biden, have limited themselves to affirm that

¹ Gladys Lechini is Profesor of International Relations at Universidad Nacional de Rosario, Argentina; researcher at CONICET; and director of the South-South Cooperation and Relations Program (PRECSUR). E-mail: gladystlechini@yahoo.com.ar.

² Noemí S. Rabbia is a researcher at Latin America-Africa Relations Program. E-mail: piquiten@yahoo.com.ar.

“the important thing is that Gaddafi has gone”, a sentence which interpretations transcend the political insolence and show us much more profound meanings: the complex relation between *realpolitik*, international law, and *colonialism* (Morasso 2011) of *power/knowledge*³ in the present world.

The disappearance of Gaddafi from the local, regional and international political scene has meant to some people the start of a new historical phase in Libya, but it also has meant a relief to many others, mainly the governs and groups of power punctually interested in the Maghrebi country and with a struggling domestic economy. The Libyan case is one of the clearest and most recent examples of the *double standard* of the West in terms of international security and battle against international terrorism, and it has been used as a scapegoat by countries like the USA, France, Great Britain and even Italy to dilute the generalized concerns about the internal situations of their countries, still emerged in one of the latest most profound economic and financial crisis.

The fall and violent death of Muammar Gaddafi was however one of the last and numerous quakes produced by the domino effect of the *Arab Spring*, yet we are all about to see the final happenings in Syria. The outcome of the events in the Arab world has left a series of questions on the table, opening profound discussions and finally allowing evaluations about the crisis in Syria that have put in first the place the debate about why Libya yes and Syria no. In the aftermath of the “Green Era”, the idea of this fact opening the road leading democracy in Libya has been sustained by the academic and political world. However, we can ask ourselves in what extent these arguments have been based upon relevant conditioning elements, like the Western *strategic interests* on one hand, and the *colonization of power/knowledge*, which wrongly reigns in many analysis of the African realities, on the other. Both elements

³ The *colonization of knowledge* is, according to Quijano, a colonization of the imaginary of the dominated peoples, namely the domination over time of: knowledge means; knowledge production; perspective production; images and images systems; symbols and signification ways. It has developed into the application of the same patterns of analysis for very different scenarios, like the African and the European, for example. The imposition of these schemes ends been functional to the global domination logics of the powerful countries.

explain a great deal of the emphasis with which the international support to the intervention in Libya has been sought, and the idea of a quick and lasting stability once the democracy is imposed has been promoted in an almost obsequious way.

The confluence of *realpolitik* – i.e., the foreign policy based on practical interests and both immediate and concrete necessities –, together with the way it has affected the so many times questioned and slammed *international law*, are going to be the lines guiding this analysis of the regional context in which the fall of the *Jamahiriyah* regime has triggered and the lessons of the post-“Green Era” in Libya.

Interventions like the one in Libya are going to produce a more insecure and more militarized world? What is the legacy of this new Western intervention? How is it going to affect the international law? These questions will act like triggers to advance in terms of comprehension of this change of order in the Arab world, the consequent redimension of the regional geopolitics post-Arab Spring, and also the particularities of the Libyan Case. As a complement to the post-“Green Era” analysis, the implications of the debate on the right to intervene and the duty to interfere in the present international context are going to be approached.

A change of order with new elements

“Of course Mohamed Bouazizi did not know that his decision to set himself on fire in front of the city hall of Sid Bouzid would start one of the biggest changes of the last decades, comparable, because of its depth and also because of its still uncertain consequences, to the fall of the Berlin Wall or to the 9/11 attacks in 2001.” (Naïr et al. 2012, 9)

It was a simple and local fact, but of macro-systemic consequences that were not conceivable until that point.

The process of protests that started in Tunis and Egypt had a great expansion potential with effects not only unexpected for the autocrats of the

region, but also for their, until that moment, partners and advocates⁴. It has meant a change of order that has started in Tunis with the popular aversión to the continuity in power of the Ben Alí lineage and spreaded quickly to Algeria, Morrocco, Syria, Bahrein and finally Libya, where we can raise the originality of the process in reference to the precedent revolutionary movements of the region. The most serious cases were the ones from Tunis, Libya and Egypt, with the end of the autarchies and the sequence of violence scenes after the fall of their respective governments.

The first great particularity of the events during *Arab Spring* was the *speed* through which the facts have developed and the protest levels have potencialized. In this sense, the role played by the social networks – taking the protagonism once occupied by the mass media – was esencial not only in the convening of the manifestations, but also in the sum of ideas beyond the national borders⁵. Different from the previous revolutions, the ones in the Arab world have done their street rallies thanks to the internet.

“The technological development has acted like a natural accelerator of the revolutionary processes that had origin in the center of the Arab World. (...) In Maghreb, like the rest of the world, the new technologies have increased their importances in the political and social scenes (...) in such way that their use is not just a elitist question anymore, like it used to be in their early days (...). Increasingly bigger sectors of the urban Maghrebi population are accessing such technologies, specially the younger sectors.” (Macias Amoretti 2011, 54).

In second place, we can highlight the *variety of actors* involved in the events, besides the traditional ones like political parties, religious organizations, groups of interests and opposition political groups in general. Since their

⁴ We refer not only to Western Europe and the U.S., but also to Russia.

⁵ The massive use of internet has accelerated the so-called “contagion effect”, allowing not only the mobilization of societies through their articulation and coordination in these devices, but also getting other countries’ experiences closer to the local realities that their own eyes could see.

beginnings, the events gathered together the most diverse voices, from professional young people to military dissidents fractions – mainly in the Libyan case –, the civil society in general, tribes or clans, to which were added the traditional actors that, in cases like the Egyptian, have ended playing a secondary role due to the rare political freedom that enjoyed for a long time and the consequent inexperience heired by this situation. In the majority of cases, espontaneous manifestations of protest were organized without a defined leadership, contrary to what happened with Nasser in Egypt, or Gaddafi at the beginning of the Green Revolution, in 1969.

As a consequence of the second element, the emergency of a *claim variety* was produced, the third element in consideration. A diversity of disagreements on the power structures of the lasting regimes was then revealed, which in the cases of Tunisia, Libya and Egypt accumulated enough tensions to set the complete regime change as a non-negotiable aspect in the transformation of the countries.

In each of these countries there were punctual facts that acted like catalysts in the situation of latent dissatisfaction that responded to many causes. This way, we can observe that the triggering aspect of the protests in Tunis was of socio-economic origin, while in the Egyptian case it was mostly of political origin; though it was also what happened in Libya, ethnical and clan questions that were particular to the Libyans were added, which gave it a very specific character.

In fourth place, it is important to stress that the Arab Spring happens in a context of *international economic and financial crisis*. The world economic crisis, together with its sequels, like unemployment, loss of social gains, famine and food shortage for many popular sectors, has also affected the Arab world, contributing to rush the social protest processes. Santiago Rico Alba (Naïr et al. 2012, 49-63) names it *anthropological effects* (not only economic) of globalization and a capitalist model in crisis for at least five years.

“Those who say that the Arab revolutions are consequence of the new technologies are right. Those who say that they are consequence of the social and economic exclusion are right, too. It is necessary to announce the explosive relation between corporal exclusion and technological inclusión to understand

what is going on. In the last decade, as we know it, the food prices could not help rising in a single place of the world; according to FAO, between 2000-2010 the inflation was about 105% in nominal terms and about 70.20% in real terms, with 184% for the oil, 116% for the sugar, 110% for milk products and 60% for meat.” (Nair et al. 2012, 60)

Parallel to the rise in the food prices, the technological prices could not help going down. As a consequence, in a world reigned by the Capitalism bosses, the capacity of materially building or possessing has become infinitely smaller than the possibility of imagining and producing technologically, that is to say, through the social networks. “The new technologies, mainly the mobile phones, have been playing a decisive role in the construction of the exclusion/inclusion opposition from which the painful revolutionary spontaneity emerges.” (Nair et al. 2012, 59)

One may gather from it that the globalization had the double “virtue” of what Bernard Cassen named the *neutralization of space and time*, which would be the permanent interaction between the local and the global on one hand, and the *live*, the immediacy that the communication tools made irreversible. These phenomena were the ones that have determined, because of their speed and quick repercussion, the range from Tunis to the rest of the region, through a *domino effect* and in a global context of crisis.

Regarding the purely economical consequences of the international crisis (i.e., its impact on the facts that made the political quake of the region possible), we can point out as most decisive the stagnation of the most important Western economies and the consequent reduction of the export flows aiming these countries, in a frame of generalized international recession characterized by a increase of the *agricultural commodities*⁶, the current decrease of the

⁶ After the outbreak of the last financial crisis, the price of some commodities and services were temporarily downsized, like the oil, the most important commodity of the global market. The world oil consumption is of 86mi barrels each day and its quota has varied between U\$147 and U\$55 since 2008. On the other hand, since 2008 the rise in every *agricultural commodity* has been registered because of elements that showed a demand bigger than the supply of some products. For more information, see: Lorena D’Angelo and Rogelio Pontón, “La crisis financiera y las *commodities agrícolas*”. *Revista Institucional* XCVIII (1506). <http://www.bcr.com.ar/Pages/Publicaciones/revista.aspx>.

energy commodities, the application of conservative measures in the main world economies and the shrinkage of the spendings in Europe and U.S., mainly.

These regimes – autocracies and “securitocracies” – have depended throughout their existence on the welfare of their economies – in general centrally planified –, which has gave them their main base of power and allowed them to “extract or manage” resources with freedom (Gideon 1998, 161). Additionally, one must consider that “both politics and economy contain two important and vital elements that play the spiritual and soul roles inside the structure of any system and which inexistence would make everything impossible; they are: ‘the legitimacy’ and the ‘efficacy’.”⁷

When the two elements yielded the impossibility of these governments to absorb the tensions resulting from the civil society, make adjustments, satisfy needs and give proper answers to punctual demands, their instability and posterior ouster were consequences of their inability to control the high levels of poverty, the inequality, the unfair distribution of income and the high levels of unemployment, among other internal tensions.

If the economic *efficacy* of these regimes⁸ was their main source of *legitimacy* for decades, the deepening of the economical problems, the increase of the use of new technologies – or the wish to have access to them and the consequent restriction by some of these States – resulted in the acceleration of a process consisting in loss of stability and legitimacy.

On balance, the societies of the Arab Spring were governed by autocrats – in power for at least two decades, others for longer time –, through the use of force or the formation of fraudulent political systems that worked for their perpetuity. Besides that, their governments were dominated by corruption and pork-barrel practices in favor of their *protégées* and relatives that applied their public positions for personal gain. Such regimes enjoyed *legitimacy* as long as were stable and were able to accomplish their essential functions, like Defense,

⁷ An interesting article about that: Abdel Monaem Ellafi, “Líbia: la Inflación Política... entre ‘emitir legitimidad’ y ‘producir eficacia’”, *Web Islam*, August 24, 2006. Available at: <http://www.webislam.com/?idt=5571>

⁸ In large part secured not by an efficient administration, but much more by their excessive disposition.

social order and economic development, including at expense of the individual freedom. Great part of these countries have adopted the form of a *Police State*, that is to say, governments that repressively exerted political, economical and social control through the arbitrary utilization of the police, what ended criminalizing the dissidents.

The loss of *efficacy* was added to the generalized unrest in socio-political terms, triggering a wave of political quakes that responded not only internal causes, but also set off because of the intervention – direct or not – of the world powers that protected strategic and economical punctual interests in the affected countries.

Libya and the *fallacy of the single factor*

The particular situation of Libya in the frame of *Arab Spring* and the fall of Muammar Gaddafi reflected to some extent a move beyond the predominant conjectures by the Western academy, which have materialized strategic interests, including in forms that transcended the *international law*.

The interventionist paranoia, previously exclusive to North American governments, has reached the European circles of decision and found France heading a crusade in favor of the defense and protection of civil rights in Libya. Thus, a deep debate on the justifications for this action was opened, establishing parallels with past interventions and also a comparison between European and North American interests.

The events in Libya had an intellectual support based on different theoretical realms, aiming to justify the extra-regional interference. Many analysis echoed the arguments raised by the Resolution 1973 of the UN Security Council: the need to protect civilians, make humanitarian aid possible for them and secure peace and international security (the last one related to the Chapter VII of the UN Charter). Nonetheless, and bearing in mind what Hans Morgenthau called the *fallacy of the single factor*, we can recognize multiple interventionist factors that could give reasons to the end of the “Green Era” in Libya and give strength to the central argument that made the NATO forces’ intervention possible.

A series of underlying internal factors formed the base for the fall of the regime, added to other variables which the Libyan government was not able to

control due to the impact generated and the speed through which produced collateral effects, speeding a process that aimed to restructure the internal politics of the country up.

There were both domestic and extra-regional factors that determined the development of events. The extra-regional strategic interests basically from Western Europe were central, bringing to light more profound questions than the intervention *per se*, for example the manipulation of international community rules' interpretations to warrant the use of force.

In a context of international financial crisis, the intervention in Libya is an interesting example of action lines that belong to *intermestic* spectra, that is to say, where domestic needs – in this case from European countries – have intercrossed questions of external outreach and ended up creating lines of foreign action that were functional to internan political interests. While the U.S.⁹ opted to play a secondary role, seeking to pass the protagonism and command of the operations to their allies and NATO, France, Great Britain and Italy had more important stimuli to take part in the subject¹⁰.

The intervention in Libyan territory was boosted basically from Europe, though a complete harmony with the decisive processes that followed such decision never existed: since the first moment, the coalition members have missed togetherness in relation to political and military objectives, a situation that ultimately resulted in a complete confusion about the role and scope of NATO in the conflict, and also the very objectives of the mission, which started being – at least in words – humanitarian ones.

⁹ Despite the low profile, United States have monitored the evolution of events, mainly because of their concerns about the Islamic integration. For a long time these autocracies were supported by Western countries since they were functional to their regional security objectives, like the cases of Bahrain and Egypt.

¹⁰ These three countries have historically maintained a link of economic cooperation or confrontation with Libya, in which have always prevailed the financial and economic aspects. Italy in particular, including during the Cold War and Libyan detachment due to links with international terrorism agents, sustained increasing links dominated by economic and financial questions. Nonetheless, because of its proximity and strategic localization, the history of Libya is in deep connection with the development of social, economic and political events in Europe; first as a colony, later as a protectorate and finally as an independent State inside its own influence sphere by being considered a door to both African and European Continents.

In the French case, Nicolás Sarkozy was influenced by the need to increase his popularity and the keenness to project the power of France into the Mediterranean region after the meagre success of the Mediterranean Union, a personal initiative by Sarkozy. “It seems France [sought] to affirm its role as an European leader in foreign affairs and security, opposing the role of economic power played by Germany.” Besides:

“(…) France was left out of place after its first answer to rebellions in Tunis and Egypt. The French President intended to distance from the initiatives of his ex-Foreign Affairs Minister, Michele Alliot-Marie, who had offered the support of French security forces to suppress the opposition acts in Tunis, few days before the President Ben Ali left the government. Sarkozy, influenced by the need to increase his popularity, [customized] to a great extent all the initiatives related to the Libyan question. An example of the surprise of these actions was showed by his then-new Minister of Foreign Affairs, the veteran Alain Juppé, when he got to know, while participating of an EU Council, the declarations of the Gallic President in which he recognized the National Transition Council of Libya as the legitimate interlocutor.” (Sorroza 2011, 2)

Great Britain, on the other hand, worked for the approval of the UN Resolution that would function as a legal umbrella to be able to participate of the intervention and contour the critics in an intra-European context of economic recession, readjustments and budget cuts in terms of Defense, where bad antecedents like Afghanistan and Iraq were at the order of the day. Including before the intervention “the United Kingdom [had] a great interest and a lot to gain with a post-Gaddafi government, thankful for the participation in the military mission and that, for that matter, is more receptive to investments and the development of businesses from Great Britain” (Sorroza 2011, 3), that were decreasing due to complaints by the Libyan governments about the Lockerbie attacks since 2007.

Italy, since the first incidents before the fall of the regime, sustained an ambiguous diatribe until the point where the tendencies from its partners sounded out and the probability of the success in a crusade against the Libyan

leader, and ex-close friend, was outlined. These two questions were beared in mind due to the Italian economic interests in Libya, the oldest ones among the European countries.

Despite the Friendship Pact between the two countries signed in 2008, in which Italy committed to prohibit the utilization of its own territory as a operation platform againsts Libya, Rome finally worried about not only staying out of the post-conflict businesses, but also to secure the required support to the rebels' success once the link to Gaddafi was rotten. The Italian attitude responded clearly to the traditional interests of the *realpolitik*, which always leaded its relation with the *Jamahiriyah* regime. Thus, responded clearly to the double standard of the official declarations from Italy and the continuous indecision from defense of the *Jamahiriyah* government, to silence and later build links to Libyan rebels.

The Libyan large oil reserves and the privileged strategic position of the country constituted a reasonable price to the States and private interests to take the risks of entering the conflict and seek at any price to the triumph of the Libyan counter-revolution. Besides protecting civilians, the European countries, with the North American indifference, looked for a *regime change* in the context of the “new democratic wave” that started in the Arab world. The aim was to stabilize the region, with a renewed air that could satisfy the unrest and weariness of the civil societies from these countries.

Interventionism versus international law?

In March, 2011, the Libyan War has started through the intervention of a military coalition leaded by the U.S, the United Kingdom and France – with Italian support –, being the start of what was a long process that ended with the ousting and posterior death of Muammar al-Gaddafi. Once more the international community watched the event as the spectator of an action of Western interference in the internal affairs of a country disguised under a skin made by an intervention with humanitarian goals. But, like some experts deliver:

“The cause of the humanitarian intervention clearly has converted itself into a moral crusade for the intellectual liberals, who seem in love with the idea of fair violence. (...) These interventions have absorbed great quantities of

resources that could have been used in a better way, for more genuinely humanitarian purposes, once they have increased the suffering in the countries that have been their objectives.” (Berube and Gibbs 2012, 2)

Likewise, the problem of this kind of intervention is that it not only generates diversions from the relevant and urgent subjects of domestic realities but also are excused by diffuse criteria, marked by a *double standard* policy. Consequently, the internal humanitarian situation of the countries that are objects of the interventions worsens, the international law deteriorates even more and the already existing asymmetries of global power get deeper and deeper through the imposition of the “law of the strongest” in questions that could be considered as relevant for the whole world, like cases of Human Rights violations.

In the words of Pérez Llana, in the so-called “old international order” the *principle of non-intervention* was violated many times, but who did it at least was morally condemned by the global public opinion. With the emergence of the “new international order” in the context of post-Cold War, and marked by the international intervention by the U.S. in the First Gulf War, the *principle of non-intervention* has started to erode in front of the advent of the denominated *duty to interfere*, concretely in relation to the provision, defense and validity of the Human Rights.

“If the duty to interfere constitutes one of the relevant supports of the new order, immediately appears the central question: in the name of what values and who is the responsible ‘operator’.” (Pérez Llana 1992, 86) Concerning the role that the United Nations could play as a responsible operator, the problem is that in general this international organization ends acting to solve the damages caused by almost arbitrary unilateral or multilateral interventions, through the action of its subsidiary organisms and to put tasks of meagre strategic value in practice.

The erosion of *internation law* has deepened once more in the Libyan case, once it can be considered that NATO has bypassed the UN Charter, through which it is guided (NATO 1949), due to the fact that actions that were first raised as humanitarian had as previous goal – though initially not

announced – a regime change, event that violates the Article 2, Paragraph 4 of the Charter.

One may add that in the recent past other so-called *humanitarian interventions* ended up worsening the humanitarian situations, like the cases of Afghanistan and Iraq. “In general, there is a trend to believe that interventions denominated as ‘humanitarian’ must always have positive results” (Gibbs 2012, 3), a sentence that is very far from reality. Libya was not an exception to the rule.

The *moralpolitik*, that is to say, the policy based on moral or ethical questions, more than oppose the *realpolitik* has passed to be used as a warrant to interventions of dubious relevance. This situation has put on the table questions on why Libya was a case punished through intervention while many actions that violated rights in Syria did not receive the same response or reaction by the European community.

In that regard, Paul MacDonald considers that the Periphery deserves a bigger analytical interest in international politics because what happens there generally causes global repercussions and many times push the behavior of the great powers forward. In other words, these interventions don’t solely answer a simple case of domination in name of the Center, but also more complex and profound interests. Consequently, this author affirms that:

“In first place, the powerful States are those more inclined to see their interests threatened in the Periphery, precisely because it is the place where they are weaker. (...) In second place, the big powers are likely to be more sensible concerning such defiances in Periphery once it is where they feel more vulnerable. (...) In third place, (...) they assume that the intervention in the Periphery is easier because of their comparative advantages in economic and military power.” (MacDonald 2009, 134-135)

These three considerations explain the extra-regional interests in Libya and the fall of the Jamahiriya regime.

However, if the will to use arguments based on moral judgements existed, as it is exemplified by the Deauville’s declaration in the G-8 Chamber in the end of May, 2008, opportunity in which it was sustained that the Libyan

government had failed to fulfill its responsibility to protect its people, losing its legitimacy (Marchetti 2011, 3), can this judgement be enough substantiation to put such intervention in practice? Is this affirmation enough to violate the spirit of the United Nations Charter? Why was the Gaddafi's proposal – right after his meeting with Jacob Zuma – to make an African Union guideline to Libya ignored? Why in June, after this meeting, NATO intensified its attacks, qualified as the most intense since the beginning of the mission?

The end of the “Green Era” in Libya left more doubts than certainties, and a bitter sensation in front of the reality that shows that “the international law is important, but it is at the same time less powerful than what the many public employees, legal experts and media believe.” (Goldsmith and Posner 2005, 1) It has not been able to prevent wars, preserve peace, nor regulate the economical, political and cultural relations between States, being in many occasions ignored and constrained by *realpolitik* or used as an excuse for a presumed *moralpolitik*.

From the “Jamahiriya Era” to democracy?

Libya is a country whose people reached in the last years one of the highest life levels in Africa, a result from the government plan of Muammar al-Gaddafi. Through management of natural resources it benefited the poorest classes of the Libyan society and, at the same time, created many enemies.

Among the successes of the Jamahiriya government, it elevated the role played by women in its society and opened their way to universities – together with the poorest Libyans. It has also known how to profit from the fact that Libya has the second biggest aquifer in the world – situated between the borders of Sudan and Chad, under the desert sand – building a canal that brings water to the Mediterranean Coast, in the Benghazi Zone, transforming its enormous litoral into a green strip of approximately 200 kilometers where the Libyan cities are located, from the border with Tunisia until Egypt. Applied oil as a international bargain tool and the benefits from its exploitation to promote the external direct investment in the non-petroleum sectors of the country, like tourism and the agriculture; destined thousands of millions of petrodollars to increase African power and watch its closest neighbors, what gave Gaddafi the nickname of “King of Kings” in the continent.

Among its excesses are the sortage of political freedom, repression, persecution and death of regime's enemies, and the conflict with sectors of the Armed Forces, the Libyan medium class and some clans of the country, due to the power centralization in Gaddafi's hands, as the leader of the Revolution. One can also count the corruption, the deliver of powerful key sectors to tribes allied to the government, Gaddafi's family (and his own) excentricities, and the support to international companies destined to position the country as a regional and African leader through an Anti-West discourse, that nonetheless become softer after the 9/11 attacks.

The tribal life and structure in Libya were a predominant pattern in the country's history long before its independence. During the reign of Idris I – who has given part of his authority to local families, which consolidated this power base through matrimonial knots –, the “tribalism” was a central element of the United Kingdom of Libya. Belonging to different tribes produced a high level of fragmentation that escorted the social differences linked to education and life quality.

The government of the 1969 Revolution opposed the influence exerted by these clans in the political affairs of the country and sought to weaken the existing tribal loyalties and destroy their organizations. Since the origins of the formation of the Jamahiriya regime, Gaddafi was an emblematic figure that had the virtue to short and canalize great part of the divergences between the different sectors of Libyan societies. On the other hand, thanks to a series of oil production nationalizations canalized through the national Libyan company (National Oil Corporation), the riches of the Libyan State have seen themselves notably favoured by its profits. However, despite the efforts made by the regime, the ideological factors never had the same weight that the tribal and blood ties.

Having blurred the Gaddafi's figure in the political panorama, the believers of the international liberal order celebrate the arrival of democracy in Libya. But is democracy possible in Libya? Because of the aforementioned realites, the Libyan present panorama casts not only existent divisions in the center of society but also picks extreme violence journeys up, shortly before celebrating the first general elections since Gaddafi's death and the fall of his regime last July.

One year has passed since the physical disappearance of Muammar Gaddafi and the levels of violence and deaths are still to be reduced, and the participation or collaboration exerted by the international forces in the subject are not clear. Confrontation between armed factions are still happening and large part of the Colonel's ex-Armed Forces are suffering attacks, persecutions and even death. The pre-announced revanchism of the factions that refuse to put arms down results not only in the revenge against whom participated (or are suspects of) of the Jamahiriya regime, but also against rival groups in a fierce fight for power that is centered in the richest regions. Likewise, the authorities were not able to organize themselves in such a manner that it can support the official forces that fight against men loyal to the dead man in Bani Walid, old Gaddafi's bastion in the north of the country.

In August the Transition Council passed the control of the country to a National Assembly whose function would be the formation of the new government of Libya. Almost three months after this event, the chaotic post-conflict situation is yet to be controlled. The only thing that quickly normalized its activities since the beginning of the “post-Green Era” was the Western oil production, including before the very death of Gaddafi, which explains the priorities of the Western partners about the future of the country.

Moreover, the situation of large part of the population was aggravated by the food and water shortage, the flow of refugees due to the violence and inexistence of hospital centers by virtue of the armed conflicts. To this critical situation one must add that Eurozone countries have closed their borders after the worsening of the crisis' effects in Europe, increasing thus the tensions inside the country and redirecting the flows to other countries in Africa.

On the other hand, in front of the challenge to create a new set of national rules for the country, it is opportune to ask what is going to happen to the virtues of the Jamahiriya, like many of the equality, fairness and popular sovereignty principles that are announced in the Green Book that ruled most part of the Libyan life in the past thirty years.

Generally speaking, democracy is a form of organization in which the ownership of power resides in the entirety of its members; such collective will materializes at least in the election of the people's representatives. But Libya owns a political reality different from other countries, once its composition is

largely clan-based: it is composed of, at least, 150 different clans¹¹. This data does not make more than renewing the question of where is Libya going. Beyond the political inexperience, a whole new political system must be recreated if they want to put all the own structures of the Jamahiriya government, which have been organizing the political life of Libya since 1977, down.

Democracy as a number and a compendium of modernity could once more involve as a result the enforcement of political structures for which Libya, due to its cultural, ethnical and historical particularities – i.e., its structural conditions –, is not prepared.

“Richly circulates in the present political debate the idea that democracy lies in full course of affirmation in the whole world. This idea refers to the fact that the majority of the current governments result from elections. The vote, in consequence, is assumed as the exclusive decisive institution of democracy. (...) With all its vital importance, without the presence of democratic conditions in basic social relations, the vote not only may be object of fraud, manipulation, ignorance (...)” (Quijano 2000)

However, for the Libyan case it might be useful to ask whether the fundamentalisms maintained by Gaddafi since the beginning of the Revolution are going to be contained. Is it possible to think in a democracy of the Libyan people if its particular social organization and the role played by clans and ethnies in political matters are considered? What is the real level of range obtained by this affirmation depending on the predominantly role played by the Islam, not only in the Arab world, but also in Libya? Is it possible to consolidate democratic processes that somehow “displace” the compliance to the divine will that comes from the Islam belief? How a regime of this kind is going to reach stability, bearing in mind challenges like the inexistence of an

¹¹ Despite the ceasefire in March, day after day the conflicts between different tribes repeat themselves, especially in the south of the country. These conflicts are rooted on one hand in the important resources of the respective regions and, on the other, in the fight for local power.

experienced political class and a national identity that overcomes the clan-based sentiments?

Gaddafi *was* the Libyan Stante, the Jamahiriya government, the spiritual leader, and has not left any kind of institutional structure. It makes thinking about a quick national reconstruction starting from zero a tough task, considering also the peculiarities of the case and a scenario dominated by dozens of militias that decline to surrender and still stain the Libyan territory with deaths and armed conflicts. One of the most significant events took place in September, when the North American Ambassador in Libya, Christopher Stevens – who had also acted as a representative in the Transition Council during the Civil War –, was killed in the United States consulate in Benghazi in the middle of an armed assault of radical Islamists militiamen.

If one analyses the Egyptian case, the rise to power through free elections by Mohamed Morsi, candidate of the Muslim Brotherhood, and the strong influence that the Armed Forces still exert over this country’s reality, it is revealed that we are probably going to find ourselves in front of the emergence of “protected democracies” or “procedural democracies” in the Arab world as a form of managing governments.

In the best of cases Libya will follow this path. But it also has many elements that add more complexity to the search for the ideal of democracy, excluding the role that will be played in the whole political process by the giant volume of oil, which are going to be once more essential to the acquisition of loyalty, way beyond the democratic principles that the West supposedly defends so much for the control of the region.

REFERENCES

- Berube, Michael. 2012. "Libya for Libyans." *Foreign Policy in Focus*, January 12. Accessed April 20, 2012. http://www.fpif.org/articles/libya_for_libyans.
- Berube, Michael, and David Gibbs. 2012. "Strategic Dialogue: Libya after Gaddafi". *Foreign Policy in Focus*, January 17. Accessed April 10, 2012. http://www.fpif.org/articles/strategic_dialogue_libya_after_gaddafi.
- Booth, Robert. 2011. "Libya: Coalition bombing may be in breach of UN resolution's legal limits." *The Guardian*, March 28. Accessed April 20, 2012. <http://www.guardian.co.uk/world/2011/mar/28/libya-bombing-un-resolution-law>.
- D'Angelo, Lorena, and Rogelio Pontón. 2008. "La crisis financiera y las *commodities* agrícolas". *Revista Institucional* XCVIII (1506). <http://www.bcr.com.ar/Pages/Publicaciones/revista.aspx>.
- Falk, Richard. "Libya after Gaddafi: A dangerous precedent?" *AlJazeera*, October 22, 2011. Accessed April 16, 2012. <http://www.aljazeera.com/indepth/opinion/2011/10/20111022132758300219.html>.
- Gibbs, David. 2012. "Libya and the New Warmongering". *Foreign Policy in Focus*, January 12. Accessed April 10, 2012. http://www.fpif.org/articles/libya_and_the_new_warmongering.
- Goldsmith, Jack, and Eric A. Posner. 2005. "The Limits of International Law". *American Enterprise Institute for Public Research*. Accessed May 08, 2012 <http://www.angelfire.com/jazz/sugimoto/law.pdf>.
- Group of Eight. 2011. *Deauville Declaration*. <http://www.g20-g8.com/g8-g20/g8/english/live/news/renewed-commitment-for-freedom-and-democracy.1314.html>
- Kauffman, Chaim. 2002 "See No Evil: Why America Doesn't Stop Genocide." *Foreign Affairs*, July/August. Accessed May 08, 2012. <http://www.foreignaffairs.com/articles/58061/chaim-kaufmann/see-no-evil-why-america-doesn-t-stop-genocide>.
- Lahcen, Achy. 2009. "The Maghreb and the Global Economic Crisis: When Does the Tunnel End?" *Carnegie Endowment*, September 17. Accessed June 30, 2012. <http://www.carnegieendowment.org/2009/09/17/maghreb-and-global-economic-crisis-when-does-tunnel-end/oxx>.
- Mac Donald, Paul. 2009. "Distancia y resistencia: Las relaciones entre el centro y la periferia en la política internacional." In *Crisis del Estado e intervencionismo internacional*, edited by Mónica Hirst. Buenos Aires: Editorial EDHASA.
- Macías Amoretti, Juan Antonio. 2011 "La "virtualización" del discurso y la acción política en el Magreb." *CIDOB d'Afers Internacionals* 93-94: 53-71. Accessed June 28, 2012. http://www.cidob.org/ca/publicacions/articulos/revista_cidob_d_afers_internacionals/la_virtualizacion_del_discurso_y_la_accion_politica_en_el_magreb_el_caso_d_el_islam_politico_marroqui_y_su_lucha_por_el_poder_ideologico_en_internet.

- Marchetti, Agustina. 2011. "La Unión Africana frente al conflicto libio: ¿nuevas expectativas?" *Programa de Estudios América Latina – África (PEALA)*. Accessed May 08, 2012. <http://www.catedrarrii.com.ar/docs/La%20UA%20frente%20al%20conflicto%20libio.pdf>.
- Monaem Ellafi, Abdel. 2006. "Libia: La inflación política... entre 'emitir legitimidad' y 'producir eficacia'." Accessed January 15, 2012. <http://www.webislam.com/?idt=5571>. Consultado el 15 de enero de 2011.
- Morasso, Carla. 2011. "Eurocentrismo y estudios africanos en Argentina". *Otro Sur Digital* 1 (2). Accessed April 29, 2012. http://www.catedrarrii.com.ar/docs/otro%20sur/Otro_Sur_2.pdf.
- Nair, Samir et al. 2012. *Las revoluciones árabes. Causas, consecuencias e impacto en América Latina*. Buenos Aires: Capital Intelectual.
- NATO. 1949. North Atlantic Treaty. http://www.nato.int/cps/en/natolive/official_texts_17120.htm.
- Pérez Llana, Carlos. 1992. "La nueva agenda internacional y la política exterior argentina." In *La política exterior argentina en el nuevo orden mundial*, edited by Roberto Russell, 81-88. Buenos Aires: Grupo Editor Latinoamericano.
- Quijano, Aníbal. 2000. "Colonialidad del poder, globalización y democracia". Accessed May 05, 2012. <http://www.rrojasdatabank.info/pfpc/quijan02.pdf>.
- Rabbia, Noemí S. 2011. "Lo importante es que Gaddafi desapareció." *Síntesis Mundial*, October: 19-21. http://www.fundamentar.com/archivos/publicaciones/sintesis_mundial/pdf/sm%20octubre%202011.pdf.
- . 2011. "Tensión en Túnez: ¿El Fin de la Opresión?" *Fundamentar*, January 17. http://www.fundamentar.com/index.php?option=com_content&view=article&id=237:tension-en-tunez-iel-fin-de-la-opresion&catid=4:articulos&Itemid=24.
- Sorroza, Alicia. 2011. "Intervención en Libia: un puzzle de intereses europeos". *ARI* 80. Accessed May 09, 2012. http://www.realinstitutoelcano.org/wps/portal/rielcano/contenido?WCM_GLOBAL_CONTEXT=/elcano/elcano_es/zonas_es/europa/ari80-2011.
- United Nations. 1945. *United Nations Charter*. <http://www.un.org/es/documents/charter/index.shtml>.
- United Nations Security Council. 2011. *Resolution 1973*. <http://estaticos.elmundo.es/documentos/2011/03/17/resolucion1973.pdf>.
2011. "Fuerzas militares en el conflicto libio". *El País*, March 19. Accessed May 04, 2012. http://internacional.elpais.com/internacional/2011/03/19/actualidad/1300489218_850215.html.

ABSTRACT

This paper intends to focus on the analysis of what happened in Libya during the Arab Spring, explaining the intentions of Western powers when opted to intervene in the African country and what the future reserves for the Libyans after the death of Muammar Gaddafi, bearing also in mind legal questions on intervention and interference.

KEYWORDS

Arab Spring; Democracy; Intervention; Civil War.

*Received on November 22, 2012.
Approved on December 15, 2012.*

Translated by Pedro Alt