Legality of External Military Interventions, Responsibility to Protect (R2P) and the Governing Theories: A Case Study of Afghanistan, Somalia and Libya

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Abstract

It is a general principle of International law that no State should use military forces to intervene internal affairs of another State except under: self-determination and upon implementation of the principle of Responsibility to Protect (R2P) but without causing instability to other States. States are accorded right to external intervention under strict circumstances in safeguarding collective protection to basic human rights and human dignity. In implementing the exceptional circumstances, the International community has been urged to set norms and standards in avoiding tyranny from the super powers likely to cause anarchy to both directly and indirectly involved States in the process. Responsibility to protect aims at addressing anarchy as subsequently affirmed by a Commission of Rapporteurs to the Council of the League of Nations on the Aaland Islands. In expounding the above duties and responsibilities, this study discusses notable incidents of external military interventions from critical human rights and human dignity perspectives. Both doctrinal and comparative methods were employed in this study considering the study being legal research with comparison method employed in contrasting the involved interventions. It is recommended that the International community should refrain from invoking military interventions except under justifiable reasons within the framework of the UN Security Council.

1.0. Introduction

Responsibility to safeguard and protect her citizens from all forms of oppression and insecurity is primarily vested to States. The responsibility of International community to protect citizens shifts when a State fails to protect its nationals[1]. Among established concepts stands an exception under International protection including ''self-determination'' regarding right of a country to form its own statehood and

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[1]Anne Oxford, (2011), *''International Authority and the Responsibility to Protect''*, p. 1.

Government. Such principle is an exception to the general rule that discourages State disintegration. Antonio Cassese[2] refers ''self-determination'' as a medieval phenomenon and well-established norm of International law traced back to the 18th Century vide the American Declaration of Independence of 1776 and the French Revolution of 1789. According to Lee C. Buchheit[3]; the concept of ''self-determination'' however has been discouraged by the International community with exceptions where there exists situations of deliberate suppression of fundamental Human Rights, mankind and dignity hampering stability though there are situations where self-determination have been encouraged or supported for protection, promotion and safeguarding human rights from a general outlook.

''Security'' is a broad phenomenon capturing state of peace and harmonization of all evolving incidents and dangers likely to injure all forms of freedoms, fears, threats and physical violence against mankind and humanity in ensuring States stability, prosperity and development from all spheres regardless of geographical boundaries. Security stands for moral, ideological and normative values shared in the global context. Security captures the notion of balance of power and its associated stemmed allies injurious to human dignity and modern civilization.

Kaplan[4] accords an account to balance of power between States to mean an involvement of all key players covering great powers in the civilized and democratic world. Notably, the author rather refrained from accounting as to what exactly amounts to state of balance of power and with regard to decision makers in the frontline with rational decisions. The author did not as well define what succinctly worth preference with justification regarding the best interests of the operating system warranting application of force upon failure to negotiate and or reaching an agreement with the confronting States towards supranational system captured through balancing of hostilities and differences. As such, this concept falls under realism principle in International Relations centred at the notion that States are always in a state of war and will

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[2]Antonio Cassese, (1995), *"Self – Determination of Peoples: A legal Reappraisal",* pp. 350 - 351.
[3]Lee C. Buchheit, *"Secession: The Legitimacy of Self – Determination",* Note 48, p. 71 quoting *''The Aaland Islands Question: Report Submitted to the Council of the League of Nations by the Commission of Rapporteurs''* (1921), League of Nations Doc. B.7.21/68/106.
[4]Morton A. Kaplan, (1957), *''Balance of power, bipolarity and other model of international systems''*, American Political Science Review, vol. 51, issue 3, pp. 684-695.

always prefer war in advancing and maintaining their supremacy, autonomy and hegemony in the *realpolitik* world.

The concept of ''collective security'' has been controversial I settling its definition as they stand other controversial concepts including ''democracy'' and ''human rights''. According to Kupchan[5], the concept of ''collective security'' can be defined to mean a collective approach capturing joint merging individual efforts and powers into common defense security mechanisms in the fight against aggression and tyranny within and beyond a nation/State. On their part, A. Roberts and B. Kingsbury[6] define ''collective security'' as an arrangement where each State accepts that security or insecurity of one of them is a concern of all with an agreement to join collectively in response to aggression. The main overarching objective focuses at counterbalancing sovereignty of States and maintaining their respective independence which from a practical point of view, States have expressed their overzealous jealousness according to D. C. Hendrickson[7]. Moreover; "Collective Security" refers to collective mechanisms towards common understanding whereas ''an attack against one is an attack against the community'' in accordance with the conclusion arrived at by Glennon[8]. According to L. L. Martin[9], though there is no universal definition of the concept ''collective security'', it captures what in the resultant end, would lastly lead into peace. According to J. J. Mearscheimer[10], through realism principle of International relations; peace in the global is manageable through proper management of military power under aide of institutions as among predominant implementation cornerstone.

The concept of ''collective security'' operates through various assumptions. The first assumption under ''collective security'' is that wars are always likely to occur, hence in redress; it should be prevented.

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[5]Charles A. Kupchan and Clifford A. Kupchan (1995), '*'The Promise of Collective Security''*, International Security 20 (Summer) pp. 52 - 53.
[6]A. Roberts and B. Kingsbury (1993), *"Introduction: The UN's Role in International Society since 1945",* in A. Roberts and B. Kinsgsbury (eds.), *''United Nations, Divided World'',* Oxford: Clarendon Press, p. 30.
[7]David C. Hendrickson, *''The Ethics of Collective Security'',* Ethics and International Affairs 7 (1993).
[8]Glennon, Michael J. (2006), *"Platonism, Adaptivism, and Illusion in UN Reform,"* Chicago Journal of International Law*:* Vol. 6: No. 2, Article 8, p. 622.
[9]L. L. Martin (1992), *"Institution and Cooperation: Sanctions during the Falkland Islands Conflict''*, International Security, Vol. 14 No. 4, Spring, pp. 174-175.
[10]J. J. Mearscheimer, *"The Promise of International Institutions",* International Security, Vol. 19, No. 3 (Winter 1994/1995), pp 26 -27.

Conflicts are referred to outcome of unexpected or rather unplanned passion or deliberate plan whereas the said resort into war normally focuses at acting as a mechanism of dispute resolution for the sake of avoiding impacts of indefinable situations of hostility. Under such circumstances, ''collective security'' acts as specialized instrument of International Policy aiming at preventing arbitrariness and aggressiveness manifested through use of determinable forces governed by International laws and established principles by the International community primarily restraining military resort with an option to resolve and abide into legal obligations.

Another assumption under ''collective security'' is that, there should be restraint to military action achievable through reformation mechanisms with regard to International Policies but without necessarily changing the structures of International systems. In other words, ''collective security'' materializes through encouragement to Governments regarding applicability of morals against misuse of force in a rationalistic approach towards common peace. This assumption aims at ensuring maintenance of International order without disrupting the world order. Such rational approach vide ''collective security'' covers potential belligerents through diplomatic, economic and military sanctions towards peaceful dispute resolutions thus avoiding anticipated damage with foremost interests to respective individual States and the global International community.

Another assumption is that, in regaining security, there will be likelihood of embarking into armed conflicts with the constituted States bearing room to sort out and identify the aggressor State and all member States bearing equal commitment against all forms of aggression regardless of their origin. Likewise, under ''collective security'', Member States have similar or rather identical freedoms in whatever action they prefer, also; with option to either join or refrain from joining preferred military action against identified forms of aggression. Another assumption include cumulative power of the involved Member States and players towards collective security through manageable mechanisms in overpowering the aggressive State powers against the posed aggression, also; a caution to all involved States and other stakeholders to be aware that in overpowering aggression, the aggressor States will

certainly retaliate or make some attempts in defence through policy modification, otherwise; they will be defeated, thus; to get prepared.

''Collective security'' vide collective security system covers, **one;** considerable diffusion of power with commendable equal resources whereas existent willing great power States have been beneficial without much disparity amongst where it has envisaged essential practical strength towards ''collective security'', **two;** ''collective security'' call for universal membership though it does not know the probable aggressor with an assumption that any State is likely to be a potential aggressor. In other words, ''collective security'' operates with focus to create and maintain world order in ensuring security to all States regardless of membership against any sorts of threat. Another operating assumption is that every State being a potential aggressor, needs to be member with crucial inclusion of all great powers towards a meaningful global security.

The last assumption is the best interest of the International community is to ensure global security against aggressors whereas collective security systems ensure security to all respective States against war and all forms of aggression from States both individually and collectively. In that perspective, States are obliged to note that all States are free and protected from all forms of aggression from other States. Collective security acts as Insurance Cover in favour of victims of aggression or war through neutralizing mechanisms. Contemporarily, ''collective security'' has been regarded as the reliable approach towards International Peace in consideration to the robust operationalization of realism theory. Collective Security is considered as deterrent against all forms of aggression vide its collective power. Collective security stands as the chief goal implicating all States, nations and organs. To all States, security runs foremost in the priorities of each State or nation up to sub regional, regional and the globe at large collectively.

The objective of collective security is to eradicate all forms of aggression and their associates, free the aggressed and prevent the aggressor from reaping out of such aggression. Another objective is restoration of health of the victim of aggression and restoration of International peace and security. Collective security differs from collective defence in International systems. Conditions have been set for successful operation of the notion of collective security. Collective defence refers to collective machineries or

mechanisms against aggression whereas collective defence caters for an arrangement by States with common objectives against a common enemy.

Collective defence refers to a specific group while collective security is global. Also; under collective defence, the threat to security is known while in collective security, the imposed threat is over sudden/immediate. According to the United Nations Charter[11], mandate is extended to the Security Council of the United Nations to take military action in securing International peace and security. Collective security is drawn from Charter of the United Nations[12] by requiring all members of the United Nations to contribute support and align efforts, resources and forces in collaboration with the Security Council of the United Nations towards collective security.

On the other hand, the United Nations Charter[13] contains some articles relating to peace keeping mechanisms towards collective security. Since establishment of the United Nations vide the United Nations Charter in 1945, various collective security measures have been taken covering though not limited to the invasion by North Korea to South Korea in the night of 24th – 25th June, 1950 whereas on 25th June, 1950 the Security Council in absence of the United Soviet States of Russia, resorted into action against the aggressor upon argument that the conduct of North Korea constituted breach of International peace necessitating call for immediate withdrawal.

Refusal by North Korea resulted into relation by the Security Council for military action in terms of part VII of the Charter of the United Nations with expression of willingness from 53 States. A unified command vide flag of the United Nations was set on 7th July, 1950 by the Security Council with a call for military assistance from member States. Involved States were the U.S.A, the U.K, Australia and New Zealand through what was referred to as "Peace Operation" in Korea. In 1951, sixteen more countries joined vide the UN unified command which was successful despite difficulties as China intervened in protecting the interests of North Korea.

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[11]The United Nations Charter, article 42.
[12]The United Nations Charter, article 43.
[13]The United Nations Charter, articles 44, 45, 46 and 47.

Another collective approach was witnessed during the Suez crisis of 1956 with results impacted by the role played by the UN in hand with the Soviet threat to Britain, France and Israel. Also; reference is made in the DRC whereas the UN Peace Force played recommendable role in peace restoration in the country. Others include the Hungarian crisis of 1956 where the defunct USSR was compelled to act in response and in favour of the posed pressure from the United Nations, that is, to conduct itself in a manner that would not interfere with internal affairs of Hungary. Notably, from 1956-1990, Collective Security systems vide the United Nations did not succeed towards International peace and security among factors being persistence of the cold war between the Eastern and Western blocks as well as the bipolarity state of affairs existent in International relations and inability of the General Assembly to play its role under the Uniting for Peace Resolution. Another drawback was that there was change in nature of aggression and war whereas the combination acted to prevent operationalisation of Collective Security system.

The next concept down in sequential order regards ''balance of power'' which has to be checked in balancing the weigh bridge failure of which may sail the boat astray and result into war for the globe will be incapable of maintaining peace if at all the state of balance of power is left to be manifested through war. The philosophy of balance of power sometimes failed leading to war outbreak such as the first World War and ultimately the second World War. Balance of power requires military mighty to be equally distributed. Noticeably, the concept of balance of power does not necessarily mean rivalry between States. Balance of power operates to balance power and ensure collective security corresponds into an equilibrium system. Such state of affairs has practically proved to be a remedial mechanism with regard to the whole concept of power.

Another crucial term in this work is ''intervention''. This concept is associated and linked with another concept known as ''interventionism''. Interventionism has been categorized into aspects like political interventionism capturing manipulation of legal actions into Government with some examples drawn from the United States when she intervened in Japan in the end of the 2nd World War through military occupation where the United States facilitated Japan in re-writing its Constitution and in setting up its new Government into power regardless of the wishes of the people of Japan. Another category of

interventionism is military interventionism with an example again drawn from the incident when the United States engaged itself into various Middle Eastern nations against terrorism especially during war ''against terror'' during George W. Bush's regime specifically in the Middle East following imposition of military dangers and threats. The latter sort of intervention, that is, military intervention forms centre of this study.

Also, exists ''economic interventionism'' capturing control of the economy of another State in all forms with regard to its prosperity and stability. An example is drawn from economic pressures and threats of invasion to interfere by the United States during the 19th and early 20th centuries over the known economic decisions met across Latin America. Notable examples were over Mexico during nationalization of oil production where the United States not only threatened to invade, but rather did invade Mexico once over that economic saga. The last category of interventionism is ''cultural interventionism'' where cultural influence is intervened through threat of use of force. The United States used threat of force where Native American nationals such as the Lakota Sioux were forced to adopt farming over semi-nomadic hunting that acted against their traditional means of living which was purely nomadic hunting.

The broad concept of ''crisis management and power management'' in securing International peace and security through collective mechanisms have faced a diverse of some criticism. Some critics have emerged underway the broad concept of collective security. These include the fact that the concept is more of idealistic nature with difficulties in its practical implementation. Some examples include uncertainties regarding what constitutes ''an aggression'', practicability in engagement of all Member States against the aggressor State and the ''collectivist'' concept bearing impracticability notions for no State will play such positive active role in such politics.

Furthermore; there have emerged critics regarding the concept as not all States agree with war as mechanism of redressing aggression by another foreign State. Other States find redress through other dispute resolution mechanisms not involving war. There are also challenges in maintaining neutrality during war and pooling up of resources against the spotted aggression. Another critic regards the involved limitations as it accepts right of a State to resort into war in self defence and the right to form regional

defence pacts and organizations for the sake of self-security and defence regarded as tension towards International peace and security. Notwithstanding the persistent critics and setbacks, collective security has been recognized and preferred through the embraced vision and possibility of collective mechanisms towards preservation of the world peace through crisis management especially during time of war. In a nutshell, Collective Security comprises of a modern mechanism in crisis management with task to all members of the International community to ensure and safeguard humankind and address all forms of war and aggression individually and through collective security mechanisms.

Renunciation of war as solution in solving International Crimes is traced back to the 1928 General Treaty for the Renunciation of War Kellogg Briand Pact[14] also known as "Pact of Paris" aiming at barring interventions considering impacts that States subject to their degree of involvement or association/affiliation with States engaging in wars have experienced. Non–adherence to the established instruments and treaties led into sequential external interventions for Collective Self Defence including the Hungary intervention by United Soviet States of Russia (USSR) in 1956; Lebanon intervention by the US and Jordan intervention by the United Kingdom in 1958; the Dominican Republic intervention by the Organization of American States and the US and the Vietnam intervention by the Unites States (US) in 1965; the Czechoslovakia intervention by the USSR in 1968; the intervention in Afghanistan by the USSR and the intervention in El Salvador, Honduras and Costa Rica by the United States in 1979; the intervention in Grenada by the US and the intervention in Chad by France 1983; the intervention in Kuwait by the US and her Western allies and others in 1991, again; the intervention in Somalia by the United States in 1992 and the intervention by the US in Afghanistan in 2001.

Historically, some external interventions had occurred under the umbrella of protection of human rights, mankind and humanity and under cover of Responsibility to Protect. Responsibility to Protect (R2P) has been embraced under the preamble to the United Nations Charter 1945 in which all people through the United Nations are required to reaffirm faith in fundamental human rights, dignity and worth of human

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[14]Treaty between the United States and other Powers providing for the Renunciation of War as an instrument of national policy, Aug. 27, 1928, article 1.

person and equal rights of men and women and of nations. Right to Protect has emerged in the midst of serious debate between States with others arguing that such right to protect is associated with forceful intervention by powerful States thus creating fear that such right may unjustifiably be exercised by powerful States to the detriment of other States especially the less powerful ones in advancement of some interests in favour of the invading States for political, economic, military, social and diplomatic interests amongst.

R2P principle and canon of Responsibility to Protect were developed vide customary International Law in the aftermath and following failure of the International community to pay attention to the Rwandan genocide in the last quarter of the 20th Century. Invocation of Responsibility to Protect occurs when there is likelihood for anticipated atrocities resulting into negative impacts to mankind and humanity as they stood the incidents which occurred in both Bosnia and Rwanda whereas irresponsiveness of the International community resulted into brutal mass killings of innocent individuals which their sacred lives could have been protected or rather served. Despite the above been referred as the prerequisites for external intervention, from a practical point of view, studies have shown that; political, social or economic reasons have always been reasons in hidden justification for intervention and or non-intervention.

1.1. Disintegrations and wars outbreak in Libya and Tunisia

External intervention by the US in Libya traced its origin from the reigning of the "Arab Spring" that was unexpected movement in the Arab world. The move that ended up with intervention in Libya began with an incident when one Tarek al Tayeb Mohamed Bouazizi on 17th December, 2010 attempted a self-set into fire of in protest of the taking away of his merchandise, an infuriation and humiliation inflicted to him by some municipal officials. Bouazizi later died on 4th January, 2011 as a result of the unprecedented incident. Bouazizi was forced to work as a street vendor due to job opportunities scarcity manifested by amongst; inefficiency of the then Tunisia corrupt Government. The Bouazizi's self-assassination busted

anger of Tunisians to mark strong continuous moves amounting into Tunisian Revolution leading to the then President of Tunisia, Zine El Abidine Ben Ali to step down from power on 14th January, 2011.

The Tunisian Revolution resulted into protests in other Arab states hence, the "Arab Spring". Political protests spread from Tunisia to Egypt, Libya, Yemen, Bahrain, Syria, Algeria, Iraq, Jordan, Kuwait, Morocco, Sudan, Mauritania, Oman, Saudi Arabia, Djibouti, Western Sahara, Palestine and Mali. Unlike Tunisia; revolution in Libya was resisted by the Libyan Government during Muammar Gaddafi's regime. Expressing his bitterness to the Revolutionary movements, Gaddafi referred his opponents as drug addicts, stray dogs and he instigated an outburst against those he famously called 'rats' and 'cockroaches'. He declared publicly his disgrace and agony with declaration to confront the USA, the North Atlantic Treaty Organization (NATO) and other super powers and whoever happened to be against his regime. The Gaddafi regime was externally intervened by the International Community led by the US leading to the assassination of Muammar Gaddafi on 20th October, 2011 while hiding in a culvert in west Sirte.

Prior to the intervention in Libya, the International community witnessed interventions in Somalia, Afghanistan and Libya and refrained from intervening. Similar situations in Syria were reported and evidences of massacres in Syria were noticed in various news media. The regime by Bashar Al Assad in Syria faced some movements whereas unlike his counterpart in Libya, the Assad regime survived despite massive deaths of thousands of Syrians and massive fleeing from Syria as refugees. Likewise, thousands of Syrians and others found themselves internally displaced among other inhuman experiences. Despite mass killings in Syria, the International Community did not make any intervention in Syria as it did in Libya. Reluctance of members of international community from intervening in Syria forms key basis of investigation in this study.

1.2.   Governing Theories for Intervention and Non-intervention

1.2.1   Realism Theory in Relation to Intervention in Libya

Realism in a theoretical perspective in International Relations focusing at safeguarding interests of State powers, national security and threats against use of force as utmost important elements in understanding

the world politics[15]. Under this theory, powerful States enter into regular wars to serve their interests, balance of power or sustenance of their dominance in power through suppression of other emerging powers. Balance of power against rising States is dictated by powerful States whereas weak States are obliged or forced to comply. According to Thucydides, "the strong do what they can and the weak suffer what they must". Interventions in Libya was manifested through "Realism Theory" whereas there were many interests which both the Western and US tried to reach in Africa but blocked by Libya during the Gaddafi regime.

Essentially; Gaddafi intended control over oil production and marketing, establishment of strong Central Africa Banks full-fledged owned, controlled and managed by Africans thus a threat to the Western world and the US. That necessitated intervention in Libya by the US and her allies through what is argued by Jeremy Salt[16] as furthering the US foreign policies in the world. Jorien van de Mortel[17] argues intervention in Libya to have been boosted by interests of the US in Libya in the *realpolitik*. Besides; Kelly L. Gosa[18] adds, the US invading Libya during the Arab Spring was to maintain US hegemony in world politics under umbrella of avoiding blames for inaction as happened in the former Yugoslavia, Somalia, Rwanda and Burundi in 20th century.

Manifestation of the argument that the Western Europe and the US have capitalized economic interests during Libyan invasion is through massive flow of multinational corporations in Libya soon after decline of the Gaddafi regime for search of business opportunities and in building infrastructures. This rather has been argued as a reparation mechanism after war which is rather untrue for even States even not directly involved in the intervention, sought to be parties in the reparation. The need to drain oil from Libya and destruction of Gaddafi's mastermind engineered the Western and United States invasion in Libya during

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[15]Fiona B. A & Chandra L. S (2010), *"Perspectives on International law in International Relations"* in Basak Cali (ed.), (2010), *"International Law for International Relations",* Oxford University Press, p. 27.

[16]Jeremy Salt (2012), *"Containing the 'Arab Spring'"*, a Journal for and about Social Movements Volume 4 (1), pp. 54 – 66, 56.

[17]Jorien van de Mortel (2014), *"Framing U.S. Policy on Libya and Syria a Comparative Analysis on the Frames of Two Similar Conflicts",* Utrecht University, p. 20.

[18]Kelly L. Gosa (2013), *"From Normalization of Relations to War: United States-Libya Relations 2001-2011",* International Studies Department College of Liberal Arts and Social Sciences DePaul University Chicago, IL), (Thesis), p. 46.

the Arab Spring in the 2010s. None is taking care of what was argued to be Humanitarian Intervention if at all that had ever been an intended concern. This is clear because massacres happened in Libya as days passed but none raised meaningful redress against the involved troops in the civil conflicts in Libya with regard to violations to Human Rights and cease of fire. Thus; no intervention was ever made to address Human Rights breaches in Libya by the West and United States as they initially put forth.

Another reason for intervention in Libya is that Libya had no specific affiliation to Western powers unlike Syria which was not intervened despite existence of similar violations against human rights and wars against humanity. Intervention did not occur in Syria because Syria has had close ties with Russia thus creating tensions against other great powers despite end of the Cold War in the late 1980's. There were allegations that Syria possesses chemical weapons used in the Syrian war against opponents to Bashar Al–Assad's regime amounting to crimes against humanity and war crimes. All these were manifested to conquer power and due to security reasons through realism theory. President Assad's mission succeeded through ties with Russia and Iran. In suppression thus; the Western led by US initiated measures to silence Syria for their security. This is because Syria was reputedly growing great in the East in collaboration with Iran ahead of plans to implicate their support to Hezbollah troops in manifestation of Israel destruction. The involved strategies included passing of the Syria Accountability and Lebanese Sovereignty Act (SALSA) aiming at weakening Syria to strike balance of power in the region.

In that regard; by the time of intervention in Libya, there were already measures taken against Syria for checks and balances in reducing the encountered threats. Another reason for non-intervention in Syria was the affiliations Russia had with Syria where Russia is reported to have massively invested in Syria thus creating fears that intervention by the United States and her allies would cause tensions against Russia in protection of her investments in Syria. Besides; Russia is so affiliated with Iran, another State in the Middle East possessing nuclear weapons.

It thus follows; any intervention in Syria would find Iran joining Russia, hence, an International conflict leading to undetermined effects. Russia threatened to use both her VETO vote in the United Nations and military mighty on the field to protect Syria in all folds in case of intervention by the US and her Western

allies. In a nutshell; the above form bases for the intervention and non-intervention in Libya and Syria respectively under the Realist Theory of International Relation. Syria was avoided so as to avoid war eruption between the great powers due to great involvement of Russian in Syria in protection of Russia's economic interests. To the contrary; Libya could not have avoided the articulated and external fueled intervention in the name of democracy under the Realist Theory basing on the above discussion and state of affairs. The principle of Right to Protect favoured by external military intervention remains a rude horse as no one knows where to head to for lack of clear governing mechanism.

1.2.2. Liberalism Theory and its applicability in relation to the interventions in Libya, Afghanistan and Somalia

Liberalism Theory focuses at liberal institutionalism. Fiona & Chandra[19] are of the view that; there are disagreements regarding structure of the International system basing on existent International anarchy of world and power imbalance. Under liberalism, focus is on domestic set ups operating under formed Institutions and rules with ultimate structures as crucial features of democracy. Henceforth, a democratic society adheres to International Obligations. According to liberalism theory, fair International World Order features through conflict reduction and fostering greater level of cooperation among states. Liberals believe that, the World Peace Order will be attained when the world become democratic because liberals believe that democratic States do not fight. Notwithstanding; liberals are categorized in two limbs, that is; classical (valuing at individual liberty) and neo liberalism (widened to capture also free movements of both individuals and commodities i.e. free economies in the globe, hence; the evolution of free market global concepts). The two limbs have resulted into debates creating warring blocks which are so serious than the competition between states Georg Sorensen[20] comments.

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[19]Fiona B. A & Chandra L. S (2010), *"Perspectives on International law in International Relations"* in Basak Cali (ed.), (2010) *"International Law for International Relations",* Oxford University Press, p. 30.
[20]Georg Sorensen, *"Tensions in Liberalism: The Troubled Path to Liberal World Order",* (SP IV 2007 – 308 WZB), Discussion Paper: Social Science Research Center Berlin, 2.

Under Liberalism perspective; it is evident in the Western World and United States that, the intervention in Libya joined hands and support from the Libyan people towards true Democracy and the long time amounting to over 42 years detained freedom as well as Human Rights in Libya during the Gaddafi regime. Jason William Boose[21] argues that; the brutal dictatorship of Gaddafi featured by frivolous spending of the Libyan oil capital while leaving most of the Libyan population to remain malnourished, hence resulting into people's struggles to earn their survival being among the reasons for the International Community not intervening the movements by the communities in Libya, instead, opting to support liberation movements.

To the contrary; liberals on the other hand are not at consensus as to the reasons and justification to the intervention in Libya by United States and her ally Western powers because though they all accept that there were necessities in making Libya a democratic state, yet; they differ as to the approach and methodologies employed in attaining democracy in Libya. In that regard; the intervention in Libya was molded to have based on International Humanitarian reasons though debatable whereas non-intervention in Syria was also based on Humanitarian reasons though the Bashar Al–Assad's regime was for long time accused to have used chemical weapons during the war necessitating intervention which was not the case in Syria as it happened in Libya. This principle under International relations sounds unlikely to what happened in Libya but propagated by the United States which is among the leading champions in propagation of this theory.

1.2.3. Constructivism Theory and its applicability in relation to the interventions in Libya, Afghanistan and Somalia

Fiona & Chandra[22] define Constructivism Theory of International Relations to encompass broad focus on approach to International Relations basing on the role norms, ideas, history, Institutional traditions and

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[21]Jason William Boose (2012), *"Democratization and Civil Society: Libya, Tunisia and the Arab Spring",* International Journal of Social Science and Humanity, Vol. 2, No. 4, 314.
[22]Fiona & Chandra, *"Perspectives on International law in International Relations"* in Basak Cali (ed.), (2010) *"International Law for International Relations",* Oxford University Press, p. 37.

culture play in the world politics. Libyan intervention was featured by reasons for want to make reforms in the country through Constructivism school of thought in justification of the intervention. There are other none or less material aspects which are collectively crucial in understanding the world politics and their operationalization. Supporters of the Constructivism Theory argue that; Libya was not intervened for the purposes of securing Human Rights for the people of Libya, rather; the intervention was effected basing on the long-standing grievances on the part of Western Governments against Libyan Government under Muammar Gaddafi[23]. This proposition is shared by Kelly[24] adding that; the intervention in Libya was from the relation Gaddafi had in murdering the by then Crown Prince Abdullah bin Abdulaziz al Saud and the embarrassment that Gaddafi leveled against Saudi King Abdullah and Qatari Emir Hamad al Thani through several incidents. Gaddafi even named King Abdullah as a "British product and American ally" hence declared as an enemy to the West and Arab States.

The Western World and the United States branded Muammar Gaddafi as an enemy of the Western World. Incidents like the Lockerbie bombing in Scotland in respect of Pan Am Flight 103 on 21st December, 1988 which killed 243 passengers and 16 crew on board whereas the Gaddafi regime sluggishly accepted liability is among reasons for his bad pictured. Therefore; commutative of various causes altogether led the Western World and the US to fight against Muammar Gaddafi as also found by James D. Sidaway[25]. As to non-intervention in Syria; it has been argued that the negative impacts of the War experienced in Libya led to instability of Libya resulting to a failed State of Libya hence turning the same States which were in the forefront not to do the same in Syria despite of the Responsibility to Protect in the auspices of the UN arguing that invocation of the Responsibility to Protect should be considered in bringing justice and stability to the community instead of resulting into more atrocities and instabilities. Such principles in International relations contributed to the military intervention and nonintervention.

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[23]Jeremy Salt, (2012) *"Containing the 'Arab Spring'"*, a journal for and about social movements Volume 4 (1), (May 2012), pp. 54 – 66, p. 56.
[24]Kelly L. Gosa (2013), *"From Normalization of Relations to War: United States-Libya Relations 2001-2011"*, International Studies Department College of Liberal Arts and Social Sciences De Paul University Chicago, IL), p. 44.
[25]James D. Sidaway, (2012) *"Subaltern geopolitics: Libya in the mirror of Europe"*, The Geographical Journal, Vol. 178, No. 4, December 2012, p. 300.

1.3.   The intervention in Libya

Unlike in Tunisia where the uprising was composed and handled internally, the situation in Libya was rather handled and controlled externally by some foreign military powers including the US and her other alien powers. The uprising movements were supported by the International community vide a resolution of the UN Security Council against the referred "illegal regime" of the then President of Libya Muamar Gaddafi for protection of Libyan civilians. The intervention in Libya was construed under Humanitarian reasons though unclear whether the same also fell into R2P though essentially, the doctrine of R2P operates under humanitarian reasons.

Knowingly; Gaddafi was among leaders in the Arab world who vigorously resisted Revolutionary movements against their regimes and he seemed to overpower his potential opponents. Gaddafi's resistance is argued to have prompted the International Community led by the US in the auspices of the North Atlantic Treaty Organization (NATO) to intervene though the same was not the case in Syria. Many reasons have been given as to why Assad's regime in Syria was not intervened by the International Community, unlike Gaddafi's regime in Libya that led to downfall of Gaddafi. The Realism Theory justifies the intervention Libya for all that was done by the US and her allies in the auspices of NATO in Libya were purely for economic reasons camouflaged through Humanitarian intervention in justification for the intervention.

Economic aspects were evidenced by massive flow of Western Companies in Libya searching for business, markets and exploration of Natural Resources such as oil leaving no answer than Western manifestation of individual interests under the Realist Theory. If it was not the Russian resistance in the other limb of the Cold War which still practically subsists, definitely; Syria could not have avoided intervention by United States and other States. Formidably, even the States in the likes of Germany which earlier argued NATO and the United States not to intervene against Libya, have been in the forefront chasing for economic interests in Libya through their oil companies and rehabilitation or rather construction of infrastructures which were greatly destructed by the wars in in the "Arab Spring". During the intervention in Libya on humanitarian reasons, the same was not as demanding as it stood in Syria

where over 100,000 Syrians were killed with thousands fled as refugees or rather; internally displaced. Thus; the situation as happened in the State of Syria could have attracted intervention than in Libya if at all intervention was meant to be on Humanitarian reasons and in broadening democracy. It is from the above that one may conclude that the referred intervention and or nonintervention is more else than the propagated Humanitarian, Human Rights and or democratic reasons.

1.4.   The Intervention in Somalia

Somalia is located in the Horn of Africa. Currently; Somalia is a failed State without an effective Government due to ethnic group wars persisted mainly from the early 1990s resulting from sporadic attacks sponsored by Somali warlords. Every ethnic group focused on sporadic attacks unlike interest of forming a stable Government wherever they conquer power. Regular causes of conflicts in Somalia are due to resource scarcity; domestic politics; geopolitical competitions; cultural and ethnic differences existing in the region for decades. Another affiliated cause is the geographical location of Somalia in the Horn of Africa which facilitates flow of arms from the Arab world to the detriment of Peace stability in Somalia. Commendably; the Somalia intervention by United States in the auspices of the UN has been attributed to many factors.

In January, 1991; the US Embassy in Mogadishu was caught by armed troops of President Siad Barre whereas after few days, the U.S Marines and SEALS relinquished the Embassy Staff and other foreigners. The invasion to the US Embassy in Mogadishu necessitated the US to accord more security strategies in defence of her interests in Somalia and to secure global Peace and Security. Mikael Eriksson[26] promulgates that external intervention in Somalia aimed at solving security dilemma in Somalia and the Horn of Africa in general. Unlike other successful interventions, that has not been the case in Somalia. Massive flow of arms and competition for resources in Somalia especially during Cold War rendered the intervention immeasurable.

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[26]Mikael Ericksson (Ed.), (2013), *"External Intervention in Somalia's Civil War – Security Promotion and National Interests?",* Swedish Defence Research Agency (FOI), p. 33.

Another cause for intervention in Somalia was humanitarian reasons against famine outbreak in Southern Somalia. In the summer of 1992, famine outbreak was reported in Somalia whereas in August, 1992; the US responded through "Operation to Restore Hope" in securing easier food movement from ships to the Somali people countryside. Difficulties emerged where the US used airlift military to provide food and medicines to Somalis. Most food aid was captured by warlords. In 1993; more than 30,000 troops were sent to Somalia for Peace Operations for national reconciliations, transforming the Somalia Central Government and enlivening economy.

In March, 1993; the major 15 Somali groups agreed in Addis Ababa to form transitional Government through Addis Ababa Peace Accord. Due to the interests the warlords in Somalia had to real estate, they viewed UN Operations in Somalia (UNOSOM) plans as mission to reclaim their possession. That amounted into another war outbreak in June, 1993 between the UN and the militiamen of General Aideed where the militia of General Aideed killed 24 Peacekeepers followed by a battle which lasted for four months. The increasing instability in Somalia necessitated the United Nations Security Council (UNSC) in 1992 to deploy Peacekeeping mission; that is, the UNOSOM I which was superseded in December, 1992 by Unified Task Force (UNITAF). The UNITAF handed duties to UNOSOM II with additional mandate to operational bodies in supporting national reconciliation and reconstruction.

In March, 1994; the United States withdrew her troops from the UNOSOM II followed by the European nations. The remainder troops left Somalia in March, 1995. The 1993 Addis Ababa Peace Accord was followed by the 2000 Arta, Djibouti Agreement which established Transitional National Government (TNG) of which managed to survive for two years. Further conflicts were followed by Peace Talks in Kenya resulting into Transitional Federal Government (TFG) and other institutions (TFIs) in 2004. The TFG experienced difficulty in establishing control and legitimacy. By late 2006, TFG formed a coalition with the Islamic Courts Union (ICU) with its own frightening militias but in December, 2006, Ethiopian forces under invitation of the TFG entered Somalia to support the under pressure TFG which was supported by the US Administration for they were worried by information from the ICU that the ICU was

linked to Al Qaeda. Thereafter; the African Union Mission in Somalia (AMISOM) was authorized in early 2007 to substitute the Ethiopian troops in Somalia with its completion in January, 2009.

1.5.   The Intervention in Afghanistan

Amongst debated external interventions was the external intervention in Afghanistan by the US and her allies. Before the said external intervention, the United States had no rivalry relations with Afghanistan especially with regard to the United States Policy against Afghanistan. The situation turned sour following the 1998 attacks in the US Embassies in Dar es Salaam and Nairobi where Osama bin Laden who was hosted by the Taliban in Kandahar Afghanistan was indicted of his involvement. Those incidents prompted the United States and the United Nations to pass sanctions against Taliban vide the United Nations Security Council Resolution No. 1267 of 1999 demanding the Taliban to surrender Osama bin Laden for trial in the United States and to ensure all terrorists' bases in Afghanistan face extinction. The unrest situation in Afghanistan kept on whereas maturity for intervention by the United States in Afghanistan was under inherent right of self-defense in terms of International Customary Law in purview of Article 51 of the United Nations Charter sourced from the aircraft attacks in the United States on September 11th 2001 where 2,996 people including the 19 hijackers were killed in the attacks.

As a result, the then President of the Unites States Mr. George Walker Bush and the then Prime Minister for the United Kingdom Mr. Tony Blaire initiated war against Al Qaeda in Afghanistan on 7th October, 2001, through "Operation Enduring Freedoms". The United States was supported by her allies through the North Atlantic Treaty Organization (NATO), who joined the war in Afghanistan in August, 2003. Apart from US self-defense, justification for the intervention was also backed on 20th December, 2001 when the UN authorized the International Security Assistance Force (ISAF) to help the Afghans to maintain security in Kabul and the surroundings.

The United States intervention in Afghanistan also aimed to effect change of regime to renounce the Taliban from power which had close ties with Al Qaeda. The invasion in Afghanistan by the US, UK and their allies were backed by United Nations Security Council Resolutions No. 1368 and 1373 all of 2001 which disparaged the terrorist attacks. The said Resolutions irretrievably acknowledged the inherent right

of States to self-defense as well as Collective Defense with demand to States to refrain from siding and or assisting terrorists. The United Nations Security Council acknowledged its duty against terrorism and its readiness to order measures in equal response to the threats by terrorism against Global Peace and Security.

1.6.   Critical assessment of interventions in Afghanistan, Somalia and Libya

It should be noted that, in the first place; in authorizing intervention in Afghanistan, the UNSC was alerted to consider, **one;** that the UNSC is the only organ authorized to make decisions in maintaining Peace and Security and **two;** whether the war by the USA against Afghanistan fall clearly under self-defense upon proof of immediate and clear threats to declare a war under International Law. **Three;** whether the attacks in the US comprised a war justifying declaration of defensive war against any Government considering the general perception that the September 11th amounted to criminal acts where individual members of the Al Qaeda could be held responsible and **four;** the invasion should hold both moral and humanitarian justification by securing freedom from fear of further attacks and improving the value of life in Afghanistan.

Generally; intervention to any other foreign State sovereignty is strictly prohibited in terms of article 2(4) of the United Nations Charter. The Charter is clear that; all member States shall abstain from threatening or using force against other territorial jurisdictions or political independence of any State or in any manner inconsistent with the United Nations, that is; to prevent and remove threats to the Peace and for the suppression of acts of aggression or other breaches of Peace and to bring it about by peaceful means and in conformity with the Principles of Justice and International Law, adjustment or settlement of International disputes or situations which might lead to a breach of the Peace in terms of article 1(1) of the UN Charter.

Likewise; article 42 of the United Nations Charter provides that the United Nations Security Council may invoke military measures **but** in conformity with Chapter VII of the United Nations Charter. In terms of

the United Nations Charter[27], the only inherent powers to use force either individually or collectively is with regard to self-defense vide the prescribed procedure or when it has been authorized by the United Nations Security Council which is among key organs of the United Nations for the purposes of maintaining International Peace and global Security. In other words; any external intervention has to be justified and should occurs in exceptional circumstances only from the general principle that restricts external interventions.

Notably; generally, legitimate interventions by the International Community should abide the procedural requirements, that is, **one;** prior notification to the United Nations Security Council, **two;** offering public assessments of the factual and legal assessments that support an assertion of collective self-defense and **three;** developing objective criteria to guide future applications of Article 51 collective self-defense provisions. But lack of the above *per se* cannot render the interventions a nullity in justification and in securing the teleological purposes of the UN Charter; that is, securing Collective International Peace and Security. The International Community through the United Nations and its organs are worth the blame in according double standards to its members in favour of powerful States and to the detriment of weak States.

Besides; external interventions should focus attainment of Collective International Peace and Security or for humanitarian reasons and or in obliging to the Responsibility to Protect. This brings into play the interventions in Somalia and Afghanistan amongst. The issue is whether the said interventions had any justifications under the UN Charter and International Customary Law. Starting with the intervention in Somalia, the persisted situation in Somalia where the US Embassy war invaded also featured by the deaths of 18 Army Rangers in Mogadishu and the famine in Somalia necessitated invasion by the International Community for Self Defense and Humanitarian reasons respectively. Under the situation where the warlords fueled the sufferings to the Somali people through their sponsorship, rendered International intervention intolerable.

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[27]The United Nations Charter, article 51.

The fact that the intervention in Somalia did not absolutely attain the intended purposes should not discredit the intervention because the efforts to restore Peace in Somalia were frustrated by the country disunity necessitating the United Nations to leave Somalia in March, 1995. So many dialogues and Conferences have been held in the region and in Europe to restore Peace in Somalia but in futile. The teleological intervention in Somalia is featured by John G. Fox[28] who portrays; the decision to intervene was purely for humanitarian reasons arguing the failure to have resulted from failure to focus and account for the Somali internal political aspects.

Regarding intervention in Afghanistan, apart from the September, 11th even; it has been controversially argued whether the US had that right of defense in favour of its nationals and the State against a planned armed attack. The intervention in Afghanistan was for self defence in reference to the September 11th eve and in future. Justification towards anticipatory intervention was stated by Antonio Cassese[29] arguing that; strict interpretation of the right to anticipatory action is indispensable considering the consequences if States were to abuse such right. Another support is gained by Richard J. Ericson[30] who accounts for anticipatory self-defense, that is; if States have to keep waiting until armed attacks are inflicted unto them for them to react, obviously; maintenance of International Peace and security cannot be said to materialize.

By so doing, that cannot be said to defeat the teleological enactment of article 51 of the UN Charter which was made in contemplation of maintenance of International Peace and Security by also covering anticipatory self-defense. Addressing the right self defence by a victim State, the International Court of Justice in the case of Nicaragua[31] held that, individual self-defense should be exercised as of such right if

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[28]John G. Fox (2000), *"Approaching Humanitarian Intervention Strategy: The case of Somalia",* National Defence University, National War College Washington, DC, pp. 3-6.

[29]Antonio Cassese (Ed.), (1986), *"Return to Westphalia? Considerations on the Gradual Erosion of the Charter System"*; in *"The Current Legal Regulations of the Use of Force",* pp. 509 & 516.

[30]Richard J. Ericson, (1989), *"Legitimate Use of Military Force against State Sponsored International Terrorism"*, Note 33, p. 139.

[31]*Nicaragua vs. United States of America,* [1986] I.C.J. 14.

the State has been a victim of an armed attack. On his part, Hans Kelsen[32] argues that, Collective Security should be limited to protection of men against use of force by other men only as featured in the 1996 Advisory Opinion[33] where the International Court of Justice took the option not to decline likelihood of alternative to nuclear weapons in extreme situations of self-defense in circumstances of the endurance of a State.

No matter legality of the interventions in Somalia and Afghanistan, the remaining challenge is that, after the said interventions; the intervening States have not played their role in rebuilding the said States which is among the newly emerging values of International Peace and Security. In other words; the intervening States in Somalia and Afghanistan in whichever auspices it been under the United Nations or individually did not accomplish their duty to rebuild as the situations in Somalia and Afghanistan cannot be said to have been better after intervention comparing to the status before the said interventions. Thus; it is crucial for the intervening States to undertake their rebuilding duty to render the interventions meaningful. In expression of interest for intervention for instance, the then US President during Libyan invasion Barack Obama[34] had the following when addressing his nation regarding United States invasion:

> *........ We cannot use our military wherever repression occurs. And given the costs and risks of intervention, we must always measure our interests against the need for action ... In this particular country-Libya- at this particular moment, we were faced with the prospects of violence on a horrific scale. We had a unique ability to stop that violence: an international mandate for action, a broad coalition prepared to join us, the support of Arab countries, and a plea for help from the Libyan people themselves....*

This came amid another non-attention or ineffective focus to the Somalia wars between Somalia War Lords in the same last quarter of the 20th Century with a notable bang in 1990 onwards following marking end of the Cold War in 1989. The emerged effects due to none attention or ineffective address to the atrocities led to a new phenomenon and principle of International Law that envisaged the concept of Responsibility to Protect (R2P) which as such stands as "duty" and has received blessings of the United Nations Security Council in purview of Chapter VII of the United Nations Charter. Such concept emerged as solution initiated by the International community as a whole or some individual States through

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[32]Hans Kelsen, (1957), *"Collective Security under International Law",* Washington DC: United States Government Printing Office, 1957, p. 1.

[33]Legality of the Threat or Use of Nuclear Weapons (United Nations), 1996 I.C.J. 244 paragraph 105(2) E.

[34]Barack Obama, *"Remarks by the President in Address to the Nation on Libya"*, National Defense University, Washington, D.C., 28th March, 2011.

permission of the United Nations. The captioned justification is centred on protection of humanity and all associated freedoms for mankind as an underlining valued worth protection by the International community.

Intervention by the International community emerges when the responsibility to protect their own citizens by the respective States is evidently ineffective, hence, transferring such responsibility to the International community according to Aidan Hehir[35]. This emerges when internal mechanisms appeared to have failed with danger to an outburst of infringement of human rights but through applicability of proper International Humanitarian Laws. In undertaking or rather exercising the R2P, States are allowed to intervene though illegally, hence, "legitimate though illegal intervention" as primarily, all interventions are illegal though can be justified upon establishment of legitimate cause of intervention. Remarkable legitimate but illegal intervention refers to that in Kosovo by NATO in the last quarter of the 20th Century.

According to Alex Bellamy[36], R2P is traced in the times of St. Ambrose (337-397) who argued that people and States are obliged to help others from oppression as a divine duty "he who does not keep harm off a friend if he can, is as much in fault as he who causes it". Under paragraph 139 of the World Summit Outcome Document[37], cognizance was extended to cover external interventions regarding Responsibility to Protect (R2P) to the effect that:

> *[W]e are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.*

Underpinning the principle of R2P in March 2011, the United Nations Security Council passed Security Council Resolution No. 1973 of 2011 with a consequent statement issued by the Arab League dated 12th March, 2011 with a mission to instigate military interventions against Gaddafi's regime in Libya. The referred Security Council Resolution No. 1973 of 2011 comprises of flimsy evidence in justification for engagement of the R2P. The statement by the Arab League fuelled the United States to initiate strategies in facilitation of the move though it was resisted by other global powers i.e. Russia and China which opted to stay away from the resolution. Unlike during other invasions in Afghanistan and Iraq, the invasion in Libya specifically on the way was manifested, caused a series of discussions among scholars, Human Rights activities and the global public at large. For instance, the director of the Global Centre for

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[35]Aidan Hehir (2012), *"The Responsibility to Protect: Rhetoric, reality and the Future of Humanitarian Intervention",* p. 75.
[36]Alex Bellamy (2006), *"Just Wars: From Cicero to Iraq",* p. 24.
[37]2005 World Summit Outcome Document, Note 28 paragraph 139.

the Responsibility to Protect, Dr. Adams, described Libya as a "key turning point in the history of R2P, where the debates shifted from battle around ideas to a battle around implementation"[38].

The debated means under which the invasion was executed led into difficulties in re-finding State stability in the North Western African country. In resultant, it has been debated as to whether truly the manifested invasion had bases on securing respect and individual rights to Libyan citizens in purview of the R2P principle. As such, in the aftermath of the invasion, there was no State-rebuilding strategy for the betterment of the Libyan people through guardianship, guidance and under representation of the UN. Such strategy would have definitely played role in rebuilding Libyan economy and social status unlike leaving the continuing state of unrest.

The Libyan experiment not only was wounded by Responsibility to Protect (R2P) but also limited willingness in the global South particularly among the BRICS countries in supporting propositions that effectively recognized legitimacy of humanity and protection of human dignity in the globe. According to Bolopion, Philippe[39], such mounting apprehensions were bluntly expressed by India's ambassador to the United Nations–Hardeep Singh Puri, who stated, "Libya gave R2P a bad name." Accounting for Libyan invasion, the former United Nations Secretary-General Kofi Annan[40], acknowledged that, "the way R2P was used in Libya caused problems". It is from the appraisal findings that applicability of the principle needs clear definition, focus with steady implementation guided by the whole community unlike individual State moves.

1.7. Concluding Remarks

Considering the reason for intervention in Libya one may be persuaded for existence of a pluralistic view that various factors have contributed as causes for the intervention in Libya, Afghanistan and Somalia by the United States and her allies with the elements proving existence of Realist Theory superseding the other categories of Theories. All the other reasons for foreign intervention are argued to have facilitated as tools towards attainment of the core objective in aiding the Powerful States for national security and threat or use of force as the major components surfacing under Realism Theory of International Relations perspective.

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[38]Interview with Harvard Carr Center for Human Rights Policy, New York, November 2014 in Sarah Brockmeier, Oliver Stuenkel and Marcos Tourinho, *"The Impact of the Libya Intervention Debates on Norms of Protection"*, Global Society 30, No. 1 (2015), p. 113.

[39]Bolopion, Philippe, *"After Libya, the question: To protect or depose?"*, August 25, 2011. Accessed on 25th August, 2017. http://articles.latimes.com/2011/aug/25/opinion/la-oe-bolopion-libya-responsibility-t20110825, in John W. Dietrich, *"R2P and Intervention after Libya"*, Journal of Alternative Perspectives in the Social Sciences 5, No. 2 (2013), p. 346).

[40]Natalie Nougayrcde, 'Kofi Annan: *"Sur la Syrie, a L 'evidence, Nous N' avons Pas R6ussi"*, [Interview with Kofi Annan: 'on Syria, It's Obvious, We Haven't Succeeded'], in Andrew Garwood-Gowers, *"The Responsibility to Protect and the Arab Spring: Libya as the Exception, Syria as the Norm?"*, (2013), UNSW Law Journal 36, No. 2 p. 610.

Though external interventions are generally prohibited by the International Community and Instruments; self-defense and humanitarian reasons including the Responsibility to Protect can justify External Intervention though there has to be obtained prior authorization from the United Nations Security Council. If at all checks and balances are properly observed within the teleological purpose of the United Nations Charter, attaining and maintaining collective international peace and security will be fairly manifested. Decentralization of the responsibility for International Peace and Security is crucially important to all States regardless of their respective status for the world Peace and Security but should continue to be restricted except under exceptional circumstances in justification after obtaining Special Resolution issued by the UN Security Council.

One would rather expect the reasons which applied in Libya, Afghanistan and Somalia to have been applied in Syria, otherwise; non-intervention in Syria with the same Humanitarian reasons in existence manifests manipulation of some other hidden agenda which should not be safeguarded under the umbrella of the United Nations and its respective organs or the associates towards common peace and Human Rights. Unless a serious note is taken by the International community, it is obvious that the superpowers are placed and will continue to ruin the existing lack of clear mechanisms in advancing their individual interests, unlike ensuring true protection and safeguard to Human Rights, mankind and dignity manifested in a democratic society.