

Jul 26 2011

South Africa's about-turn on Libya: Is speaking with the AU/BRIC majority defending the indefensible?

LSE IDEAS

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On 17 March, 2011, South Africa joined a number of other permanent and non-permanent members of the UN Security Council in adopting UNSC Resolution 1973. The resolution authorised "all necessary measures" to protect civilians in the escalating civil conflict in Libya, and was ultimately implemented by NATO, with controversial consequences. South Africa's decision came as a surprise to the country's foreign policy observers because it contradicted a number of key tenets of post-Apartheid South Africa's foreign policy. These include non-intervention in the domestic affairs of other states, (especially African states); a reticence to agree to the use of force in resolving international crises, especially in the absence of a cease-fire and host government approval; and, its recent (under former president, Thabo Mbeki) proclivity for obstructing UNSC resolutions aimed at military action in, or even strongly worded resolutions on, events in third countries not considered to be threats to international peace and security. This prompted the question why South Africa had opted to support the resolution, rather than simply abstaining from voting, especially in light of its noted anti-imperialist stance toward military interventions and US foreign policy. Notwithstanding the questionable implementation of the resolution, it was highly unusual for South Africa to vote in favour of its adoption.



Not much regarding the background of this decision has come to light. Instead government officials now register their regret over the manner in which the resolution has been implemented, and their own lack of clarity over how a no-fly zone would be imposed at the time of supporting its passage (although the inclusion of the term 'Chapter VII' in the resolution may have offered clues). This curious incident has, as a by-product, raised questions on two key aspects of the conflict: the role of continental instruments, and major continental powers, in its resolution; and, the broader question of the legitimacy of NATO actions in Libya.

South Africa's change of heart first became evident at the BRICs Leaders Meeting hosted by China in April, when the country revised its position, and along with other leading nations from the developing world and Russia, voiced its opposition to the use of force in Libya. This represented a discomfiting moment for South Africa, as it was the only one among the five – for the current period all represented in the UN Security Council – to have voted in favour of the no-fly zone in March. Since then, the South African and African National Congress political leadership, including President Jacob Zuma, Deputy President Kgalema Motlanthe, and Foreign Minister Maite Nkoana-Mashabane, have stuck to the line of seeking a 'political solution' to the conflict, and calling for a halt to the NATO campaign.



South Africa's initial decision at the UN, in favour of Resolution 1973, took place within a wider context of notable African Union slow-footedness regarding the growing levels of violence and civil discord in Libya following the early demonstrations in Benghazi in February. Granted, the grouping condemned the government's crackdown on peaceful protesters one week after the start of the uprising; established an ad hoc High Level Committee on Libya, and produced a 'Road Map' on 10 March. The latter occurred some weeks after a number of other, more decisive, diplomatic steps had been taken by various sections of the international community, however. The Arab League had suspended Libya in February, and Western leaders issued strident calls for Qaddafi to leave. Qaddafi, one of the masterminds and chief financial backer of a renaissance, if utopian, Pan-Africanism (he proposed a 'United States of Africa') at the turn of the twenty-first century, was always going to be an unlikely target of African criticism or interference, even while his forces sought to ruthlessly suppress the growing civilian protests against his rule.

Yet, the African position is not monolithic, as a number of African states have turned their backs on Qaddafi, while not necessarily supporting the NATO bombings. Prominent among these is the West African 'sea of tranquility', Senegal, which at the end of May granted recognition to the Transitional National Council (TNC), the political representative of the Libyan rebels. More recently, on 8 June, Mauritania, a member of the AU Heads of State Panel on Libya along with Mali, Uganda and Congo-Brazzaville, stated that it is necessary for Qaddafi to leave, exposing faultlines in the AU's position. At the end of June it was reported, following an AU summit in Pretoria, that Qaddafi had finally been omitted from the body's plans to resolve the conflict with proposed peace talks.

There is the feeling of indignation among prominent African observers at the manner in which the African Union has apparently been undermined by the NATO campaign. Yet, two issues remain overlooked. The first is the patent incapacity of the organisation to launch credible military campaigns, especially those of the kind required to enforce a 'no-fly zone'. The two best-resourced regional bodies, ECOWAS and SADC, have no jurisdiction over Libya and would therefore have found it difficult to mount arguments in favour of involvement. While Nigeria did recently express a willingness to intervene in Ivory Coast to unseat the recalcitrant Laurent Gbagbo, South Africa declined a request to dispatch troops to Somalia to boost the flagging African Union Mission in Somalia (AMISOM).

Second, there is no reason to believe that the AU would enjoy any greater measure of legitimacy than NATO currently does, given Qaddafi's colourful history as chief financial patron of the organization. As has so often been the case in the history of conflict between African states and their people, the rebels and the African Union sit on opposite sides of the conflict, with any hint of a diplomatic or political solution to the crisis (the AU's preference) seen as tantamount to a continuation of business as usual under Qaddafi by the rebels. This is a point on which the rebels and NATO agree seamlessly. Hence the failure of AU overtures and attempts at brokering a resolution to the crisis. To date, the AU has steered clear of according the rebels diplomatic status, taking care not to cut itself off from Qaddafi, while at the same time, including the TNC in discussions with its ad hoc Committee on the crisis which meets at Ministerial level.

But indignation is not exclusively African. Apprehension about the 'no-fly zone' Resolution 1973 passed by the Security Council was registered by abstentions from Brazil, India, China, Russia and Germany, although no veto votes were cast. Ten countries, including the main protagonists in the intervention, the United States, United Kingdom, and France, voted in favour. The timing of the passage of the resolution was presented as crucial given the impending descent of Qaddafi's forces on Benghazi, a key eastern town at that time just barely held by the rebels. The subsequent ill-disguised attacks by NATO bombers on Qaddafi's homes and key members of his family and political supporters, not to mention civilian casualties; and, the rather protracted duration of the campaign (NATO's Anders Fogh Rasmussen announced in May that the Libyan government was isolated and Qaddafi's resignation was imminent), have cast a shadow over the NATO operation.

The old arguments about solidarity between repressive regimes do not hold water anymore, as among the states that abstained are Germany, Brazil and India – all democracies. Bar Germany, perhaps, this dissenting voice – raised for a number of diverse domestic and foreign policy reasons – questions the propensity of Western powers, such as the US, UK and France, to embark on interventions in sovereign states, according to the requirements of their own foreign policy interests. In addition, there is a concern with the ease with which powerful states have turned to armed intervention as a resolution to the conflict. Unfortunately, this is also the voice of a number of African states – members of the African Union – of dubious democratic pedigree, and the voice of Russia and China, hardly models of democracy.

Qaddafi's history of destruction and duplicitousness cannot be ignored: from staging military interventions of his own (in Chad), supporting coups and war in Africa (he assisted Charles Taylor at a formative stage in the latter's career of warmongering), to his refusal for seven years to hand over the Lockerbie bombers. Not to mention his repeated offers of a ceasefire during the current conflict, even while the shelling of rebel-held cities and towns continues. While the case for humanitarian intervention in Libya was strong, the voice of apprehension – in spite of initial uncertainty – is clearly one that is not commonly heard in the Western media, but its merits should be interrogated.

After decades of squabbles about burden-sharing in military interventions between the EU and the US, it did not seem likely that Western powers would be as willing to embark on another project of humanitarian intervention/regime change. Furthermore, for observers in places like Johannesburg, Delhi or Rio, the decision to intervene in Libya – the West's longstanding antipathy toward Qaddafi notwithstanding – must have come as a surprise, owing to the arduous, drawn-out conflicts in Afghanistan and Iraq. It should not have, however, as it contained more or less the same ingredients as the latter two conflicts: the prospect of regime change, oil, and some room for justification based upon humanitarian protection.

The Libyan intervention raises the perennial question – and one central to the foreign policies of Brazil, India and South Africa among influential states of the developing South – of the composition and voting strength of the Security Council. While, in the face of excessive brutality by Qaddafi in suppressing early peaceful protest, few good arguments could be found against the proposed 'no-fly zone', reluctance to agree to the use of force and the transgression of sovereign boundaries have been hallmarks of non-Western opposition to humanitarian intervention. Brazil's former president Lula da Silva has proclaimed that were the UN stronger (and implicitly, Brazil a permanent Security Council member) a different scenario would be playing itself out in Libya.

In returning to its default position on military interventions, and finding itself back on the side of a sizeable portion of the 'international community', is South Africa defending the indefensible? Well, the country – along with other likeminded states – has called for the protection of Libyan civilians since the start of Qaddafi's air campaign against the rebels. Indeed, this is one of the reasons given by Foreign Minister Nkoana-Mashabane for the 'yes' vote in the Security Council. South Africa, at least on paper, is, like other African states and the BRIC states, not explicitly defending Qaddafi. Instead, it is defending due process in multilateral interventions, which includes a degree of deference to regional bodies and their efforts at conflict resolution; the circumspect use of force; and, the creation of conditions for negotiation, which do not include attempting to bomb the sitting head of state. The rub, of course, is that in the absence of force projection – something the AU is arguably not capable of – the

window for negotiation might by now have been much smaller. We may never know if Zuma's visit to Tripoli in May would have resulted in just such negotiation, or whether this would have served simply to buy Qaddafi more time, had the rebels been agreeable.

For South Africa, still considered a major continental force by external actors, the implications of the Libya issue for its foreign policy are stark. While the controversial implementation of Resolution 1973 has gifted officials the opportunity to recant on their initial support of it, the 'yes' vote has yet to be adequately explained. Indeed, a cabinet statement on a meeting held just a day before the UN vote reveals no discussion of Libya. This begs questions about process in the taking of key foreign policy decisions. Next, South Africa's rhetorical commitment to Africa as a foreign policy priority, through the African Union, must find meaning in tough conditions, such as the Egyptian, Tunisian, and Libyan uprisings and the recently concluded stand-off in Côte d'Ivoire, if external powers are not to assume the lead. Finally, and especially as a new member of BRICs, South African policymakers must determine how the country will manage values of pacific internationalism in dealing with undemocratic diplomatic partners and despotic African neighbours.

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