

Libya two years on: the African Union perspective

Professor Paul Jackson



NATO intervention in Libya generated fears of loss of sovereignty, the nature of external military intervention and broader human security on the continent, whilst precipitating a human security crisis that has led to increased violence throughout the Sahel, and the creation of a stronger foothold for external intervention against terrorism and insurgency.

Gaddafi was a divisive figure across the entire continent, seen by some in Africa as an authentic voice of the continent who was able to stand up to the West. Libyan oil money provided African funding and the asset-freezing of accounts after the war created fiscal issues for several countries, as well as reinforcing the idea that intervention was driven by oil revenues. Gaddafi was central to much of the AU, which has rarely led to intervention against member governments.

Despite the inclusion of UN 'responsibility to protect' principles within Article 4 of the AU constitution, Gaddafi succeeded in amending it to cases of 'serious threat to legitimate order' with 'cases of unrest or external aggression' and changing the emphasis to regime protection. This architecture has clearly hampered the AU in promoting democracy on the continent. Removing heads of state can either be interpreted as direct democracy or as an unconstitutional threat to government stability.

In March 2011 the AU Peace and Security Council (PSC) condemned the violence of the Libyan state, established a panel led by Jacob Zuma, and rejected any 'foreign military intervention', resolving to go to Tripoli on a peace mission. Remarkably, the PSC itself contained some of the most authoritarian states on the continent (Equatorial Guinea, Zimbabwe). Meanwhile, Western states established the 'no-fly zone' over Libya in March with all three African member states voting in favour of intervention.

Zuma therefore found himself the living embodiment of the AU dilemma: on the one hand supporting intervention and on the other maintaining the AU position of seeking non-intervention. The unwillingness to act reflected both the history of imposing sanctions on those seeking unconstitutional changes to government and also that the AU's decision-making entities contain many states that have no interest in supporting popular uprisings against authoritarian regimes. Furthermore, where they have intervened, they have usually done so at the invitation of the state itself, rather than a popular uprising.

Two years on, the AU has a number of issues to ponder regarding the implications of Libya. Firstly, there is the issue of its internal management of disputes and what is, and is not, legitimate government. Secondly, resolving the issue of the AU's unwillingness to intervene without the consent of the state in question regardless of its nature. Thirdly, North Africa must be seen as a distinct sub-region within Africa where there are not only African solutions but also Mediterranean and Arab positions. Finally, the AU needs to be clear about when the removal of a head of state is legitimate.

The AU needs to calculate how it guides popular uprisings towards constitutional democracy. Given the fallout of Libya and migration of arms and fighters to Mali and subsequent pressures placed on that regime, violence in the Sahel is likely to lead to new cycles of foreign intervention that the AU will need to deal with.

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