

Destroying Libya and World Order – Book Review

Reviewed by Ludwig Watzal

(Francis A. Boyle, Destroying Libya and World Order, Clarity Press, Atlanta 2013, 212 pp.)

This book tells the story of what happened, why it happened and what went wrong between the United States and Libya from a perspective of a professor of international law. Among the U.S. Empire's serving international law professors, Francis A. Boyle is a rare exception because he makes his legal advice available for those who are the victims of aggression by leading Western nations, especially the U. S. and its NATO allies. He has been fighting the unlawful policies of states with his only available "weapon": international law. He could be described as a defender of the downtrodden of the international system such as the Palestinian people, Libya under Muammar al Gaddafi and others. Beyond that, he has contributed a great deal to the advancement of international law by, inter alia, drafting the Biological Weapons Anti-Terrorism Act of 1989.

Since the early 1980s, Boyle visited Libya off and on and advised the government on international legal cases. He convinced Gaddafi to sue the United States and the United Kingdom at the International Court of Justice in The Hague over the Lockerbie bombing allegations. Before the filing of this lawsuit, U. S. President Bush senior ordered the Sixth Fleet off the coast of Libya on hostile maneuvers in preparation of another illegal attack like his predecessor Ronald Reagan did. After Boyle had filed these two World Court lawsuits, Bush senior ordered the warships to stand down. The author also tried to support Gaddafi during the U.S./NATO war of 2011 but to no avail.

Francis A. Boyle is a leading American expert in international law. He teaches it at the University of Illinois, Campaign and is author of numerous books on American foreign policy, international law and the foundations of world order. He served on the Board of Director of Amnesty International and as an adviser to the Palestinian Delegation to the Middle East peace negotiations from 1991 to 1993. This delegation was headed by the highly respected Dr. Haidar Abdel-Shafi. Yasser Arafat was still in Tunis and negotiated behind his back with the Israelis in Oslo. The outcome was the "Declaration of Principles" that paved the way to disaster for the Palestinian people.

In the book, the author provides a comprehensive history of U. S. foreign policy toward Libya, starting with the Reagan administration in 1981 to the U.S./NATO war that led to the overthrow of Gaddafi. Before going into details, Boyle criticizes the American political establishment and gives an explanation why U. S. domestic and international policies are in a malaise. The reason, as stated by him, lies in the teachings of Thomas Hobbes. The author describes the mindset of the U. S. American political and intellectual establishment that is still strongly influenced by Hobbism. Although there are major differences between American lawyers and political scientists in many respects, the author submits "that both groups essentially endorse the Hobbist perspective on the world of international relations and domestic affairs". This commonly shared Hobbism "has become responsibly for many of the major crimes, blunders, and tragedies of contemporary American foreign policy decision-making". (19)

According to Boyle, Hobbesian power politics contradicts several of the most fundamental principles upon which the United States is apparently founded: the inalienable rights of the individual, the self-determination of peoples, the sovereign equality and independence of states, non-interventionism, respect of international law and

organizations, and the peaceful settlement of international disputes. Although the different U. S. administrations tried to live up to these principles, the net result has been a “counterproductive creation of a series of unmitigated disasters” (30) for the U. S. One of the greatest mistakes has been the subversion of the entire post-World War II international and legal order that the United States helped to construct in 1945.

The author accuses in particular the Reagan and the Bush junior administrations’ of a policy of double standards. They often “resort to legalistic subterfuges by pleading principles of international law in order to disguise their realpolitik foreign policy decisions”. (31) Although the rules of international law are not a blueprint for reaching all policy objectives, they can still serve as a guideline for decision-makers what they should avoid running into troubles, writes Boyle.

Boyle’s critic of the American foreign policy towards Libya is based on his functionalist, Fullerian, and anti-Hobbesian framework of analysis for international law and organizations. In two chapters, he describes the series of military conflicts and crisis between the U. S. and Gaddafi over the Gulf of Sidra and the allegations of international terrorism during the Reagan presidency. In chapter four follows the description of the alleged Lockerbie bombing allegations and the dispute by the U. S. and the United Kingdom against Libya over it. The policies of the subsequent U. S. administrations, beginning with Bush senior, Clinton to Bush junior, which aimed at the control of the Libyan oil fields, so Boyle.

In 2011, according to the author, the neoliberal Obama administration took over Libya’s oil fields under the pretext of the so-called Responsibility to Protect (R2P) doctrine illustrating its fraudulent manipulation of international humanitarian law. He debunks not only R2P but also its predecessor “humanitarian intervention” (Serbia) with the

standard criteria of international law as an excuse to overthrow unpopular governments in order to replace them with imported U. S. puppets like in Afghanistan or in Kosovo. All the wars started by the U. S./NATO alliance under a "humanitarian" pretext resulted in humanitarian catastrophes.

The author doubts whether the U. S. and NATO will be able to establish a puppet regime in Libya because of "significant residual support for Gaddafi and his Green Revolution" and of the highly volatile political and military situation throughout the country as the killing of the U. S. ambassador in Benghazi has shown. "All the U. S./NATO really care about in Libya is its continued free flow of oil from Eastern Libya organized around Benghazi." (155) The rest of the country can disintegrate into the Sahara as far as the U. S./NATO is concerned. According to Boyle, Obama uses the R2P doctrine in order to destabilize Syria and overthrow the Assad Family regime.

Boyle even goes so far and claims that R2P has been used by powerful Western countries to justify wanton military aggression and military occupation of weak countries in the South. This pattern is based on racism because the aggression was carried out by white people from the North against colored people from the South. History teaches that great powers do not use military force for humanitarian reasons. The U. S. and its major allies have been behind most of the humanitarian atrocities in the modern world. (156) Humanitarian interventionism is only used in a mere "propagandistic sense". (159)

The World Court has already rejected R2P/Humanitarian Intervention twice and also did the UN General assembly. Western powers claimed "that there existed supposed principles of customary international law that permitted them to engage in the unilateral threat and use of military force against other states, peoples, and regions of the world. In particular, these alleged 'principles' included the so-called

doctrines of intervention, protection, and self-help.” (161) These supposed doctrines were unanimously rejected by the International Court of Justice (World Court). The author counters R2P with the rule of law. This “humanitarian” doctrine is nothing more than “imperialist propaganda for wars of aggression in the name of human rights”. (166) For Boyle, the U. S. and NATO form “the Axis of Genocide”; beyond that, the U. S. “promotes Israeli genocide against the Palestinians”. (167-171) In this chapter, Boyle gave a damning indictment of the R2P doctrine. Some human rights organizations around the world should rethink their policy of being cheerleaders of a doctrine that serves not the people but only Western neo-imperialism.

A detailed analysis on the 2011 U. S./NATO war on Libya is given in chapter six. Since 9/11 the U. S. and its allies in Europe and the Middle East have engaged in “unlimited imperialism” and a “global warfare” against Arab, Muslim and African states in order to steal their hydrocarbon resources. (176) “Libya 2011 was a Nuremberg crime against peace perpetrated by the United States, France and Britain that was aided and abetted and facilitated by the NATO Alliance and its other member states.” (185) Accomplice in this international crime was the Arab League.

The book is a profound and scathing critic of modern Western imperialist policy and its “humanitarian” R2P doctrine, especially in its islamophobic and racist version against the Muslim world that might constitute the only force that has the power to defeat Western unlimited imperialism.

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