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The rocky road ahead to peace: the Arab Uprisings and the conflict in Libya

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Commentary

The rocky road ahead to peace: the Arab Uprisings and the conflict in Libya

Ilia Xypolia¹

Since December 2010, the Arab world has been undergoing a historical process of rapid and deep change in its political and social structures. Outcomes have varied widely across countries in the region, from regime resilience (Morocco, Algeria, Jordan) to violent civil war (Libya, Iraq, Yemen) and a certain type of transformation (Egypt, Tunisia).

Since 2011, Libya has been experiencing a fast-paced and deep-rooted breakdown of its political system that is likely to have long-term consequences breakdown of its political system. In early 2011, protests were sparked by outrage at the arrest of Fathi Tirbil, a legal advocate for families of victims of the 1996 Abu Slim prison massacre. In 2011, Libya was host to the first civil war brought on by the uprisings. After the overthrow of the Gaddafi regime with the critical assistance of the Nato-led military campaign, a short-lived illusionary euphoria was evident in 2012. International observers reported that the July 2012 elections were free and fair, and many optimistically foresaw a democratic transition commencing. However, the subsequent turn of events saw the failure of the emergence of a state. Newly established political institutions had neither the capacity nor mechanisms to support a new political system.

By drawing upon the case of Libya, I can explore the relationship between democratic transition and civil war. Various academic disciplines have emphasised different determinants of a civil war. While international relations scholarship has focused on the role of ethnic heterogeneity, political economists have stressed the role of natural resources and comparative politics scholars have highlighted the role of the state. However, here I focus on the nature of the Libyan state in order to understand the failure of the popular uprisings. The Libyan state is arguably a prototype of a security state with a façade of strength that is at the same time a fierce state that lacks the required coherence and legitimacy among its own population.

The fierce state

In 2011, Libya was host to the first civil war brought on by the so-called Arab Uprisings. The Nato-led intervention in Libya changed the internal balance of power and soon resulted in a regime change. It was only because of this foreign intervention that in a relatively short period of time the former ruler of the country, Muammar Gaddafi, was overthrown. In 2014, the struggle for power and resources to fill the political vacuum that the Gaddafi overthrow left took a very violent tone. This second outburst of wide-spread conflict constituted the “second civil war” for the country in a very short period. The war is increasing becoming more lethal, with

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the number of casualties already reaching very high levels.¹ With an ongoing battle among at least three competing factions and without the capacity to effectively control its territory and population, the Libyan state has been transformed into a growing terrorist hub.

Many scholars and commentators were surprised by the turn of events in the post-Gaddafi era. The illusionary optimism of change and the beginning of the process towards a Western-type democracy were not realised after Gaddafi was overthrown. In addition to considering the accounts that stress the role of the foreign intervention in the aftermath of the first civil war, it is important to examine the nature of the Libyan state.

Nazih Ayubi, in his ground-breaking *Over-stating the Arab State*, explained that there are two types of regimes in the Arab world:

“although most Arab states are ‘hard’ states, and indeed many of them are ‘fierce’ states, few of them are really ‘strong’ states. Although they have large bureaucracies, mighty armies and harsh prisons, they are lamentably feeble when it comes to collecting taxes, winning wars and forging a really ‘hegemonic’ power block that can carry the state beyond the coercive and ‘cooperative’ level and into the moral and intellectual sphere” (Ayubi 1996).

Ayubi adds that there are two types of regime dominate in the Arab world:

“one relying for its survival mostly on political capital revolving around categories such as nationalism, populism, radicalism and revolution (thawra); the other relying for its survival on kin-based relations, but above all else on financial capital, or wealth (tharwa)” (Ayubi 1996).

The difference between a ‘hard state’ and a ‘strong state’ is of paramount importance for Ayubi’s conceptualisation of the nature of the state. While a hard state systematically uses methods of punishment and coercion, it is not effective in exercising its power. These states have invested large amounts of funds in the security forces and bureaucracies. However, they do not enjoy genuine legitimacy and are essentially weak when it comes to collecting taxes and enforcing laws. For Ayubi, all the Arab states belong to the category of hard states. Conversely, a strong state is a state that successfully achieves its goals without the need to preserve itself by extensive use of force.

Libya, like many other countries in the region, has long been considered as over-relying on an extensive use of violence in order to enforce law and order. With only a façade of strength, Libya has fundamentally been a weak state that has not managed to gain the necessary legitimacy across its population.

The imperial legacies are also demonstrated at the geography of the conflict. The factions and regions combatting each other are built upon divides that have a long history. In 1951, the modern state of Libya was created out of three more or less independent entities, Tripolitania in the west, Cyrenaica in the east, and the Fezzan in the south. During the Ottoman era (1511–1911), these three regions were separately administered. It was only in 1911 when Italy conquered Libya that these regions with diverse historical trajectories were ruled as a single entity.

The imperial legacies are evident not only in the fighting of the regions against each other but also in the uneven development within the country. The internal division in Libya has manifested itself in many ways over the course of the past few years. The structure of the political elites during the Gaddafi era had a strong regional dimension. Almost half of

policymakers came from the western part of the country, whereas the south of the country was systematically under-represented in any decision-making process.

What is to be done?

New evidence from the research conducted within “Arab Transitions”, an EU-funded international project (2013-2016)² that explored political and social transformations in the Arab world by using survey-based research, highlights the degree of insecurity that is present throughout the Libyan population. The project also explored beliefs, values and behaviour with respect to political and social transformations in Libya, and found that over 40 per cent of Libyans have considered living abroad. The main reason is, unsurprisingly, security concerns.

While parts of the country are *de facto* controlled by various tribal militias and jihadist groups, three governments are currently competing for power: the Tobruk-based parliament, the UN-brokered Government of National Unity and the Tripoli-based General National Congress.

The announcement of a new UN-backed national unity government in the beginning of 2016 seeks to put together rival parties mainly so that they can collaborate in the fight against Daesh. Yet this fight cannot be successful without first bringing stability to Libya.

Since the overthrow of the Gaddafi regime, Libya has been experiencing significant challenges in political, security and economic fields. Therefore, how can the agreement reached facilitate the process in order that these issues can be addressed? The following challenges will certainly have to be dealt with by the new Libyan government.

Political reconciliation and state building

The legacy of Gaddafi’s era of the non-existence of democratic institutions makes it very difficult for the current government to construct state institutions *ex nihilo*. Newly created formal political institutions, such as the General National Congress, lack the capacity for effectively exercising political power. The attempt to create a National Dialogue in 2013 is indicative of this lack.

The elections of July 2012 caused an illusionary euphoria in the international community that optimistically foresaw a democratic transition commencing. In contrast, in the 2013 elections for the Constitutional Drafting Assembly, the popular registration was much lower than in the 2012 elections. By early 2014, the initial optimism of 2012 had been completely replaced with pessimism. A state had failed to emerge and the country’s institutions had neither the capacity nor mechanisms to support a new political system.

Libya today, in 2016, has to deal effectively with issues of national reconciliation. The new ruling bargain has to be formulated as part of a broader strategy that promotes inclusiveness and reform.

Libya also faces constitutional challenges. The 1969 constitution designated the RCC (Revolutionary Command Council) as the highest political authority. The 1977 Declaration on the Establishment of the Authority of the People established Gaddafi’s *Jamahiriya*, or ‘the state of the masses’. The government established the General People’s Congress (which partly

replaced the RCC and had both executive and legislative powers, with Gaddafi himself appointed as the general secretary) and the Arab Socialist Union (an official mass-mobilisation party) organisations. During the Gaddafi era there were five centres of power that reflected the structure of the elite in Libya: Gaddafi; the remaining members of the Revolutionary Command Council (RCC); the leaders of the armed forces and internal security services; technocrats in government; and members of the General People's Congress (GCP) and the Libyan cabinet. Political participation was limited to a particular class of policymakers located in the centres of power.

The Libyan Interim Constitutional Declaration that has been in effect since 2011 guarantees cultural rights for all Libyans in order to reverse the racial discrimination against black African ethnic groups that had been operated systematically by the Gaddafi regime.

Since the overthrow of Gaddafi's regime, the number of Civil Society Organisations (CSOs) has increased. These CSOs, which include a high number of 'women CSOs', have focused their activities on service delivery, advocacy and dialogue. However, although their number is increasing, the ongoing civil war and the deteriorating economic situation of the country have decreased the funding support offered to CSOs.

Disarming militias and securing state security

The Gaddafi regime's security apparatus was notorious for violently fighting against dissidents. The security vacuum that it left was filled with diverse paramilitary forces and militias. In the eastern part of the country, violent campaigns of assassination against state officials took place in significantly larger numbers than in the western part of Libya.

After the end of the first civil war, there was significant difficulty in constructing a state security apparatus. The various armed groups were not willing to give up their arms and become loyal to the state security forces. In October 2011, the National Transitional Council (NTC) created the Supreme Security Committee, which recruited about 100,000 troops from militias. In 2012, the NTC also attempted to create an alternative parallel army, the Libyan Shield, in order to integrate the militias into state security structures. In reality, the revolutionary militias were integrated as entire battalions, keeping their relatively autonomous structures. This meant that these militias, though on the state payroll, had very little loyalty to the state government.

Therefore, Libya's security challenge is how to effectively integrate the militias into state security structures. The need for security-sector reform is urgent within this current difficult security environment in which the struggle between various armed elements, local militias and state security forces is an everyday phenomenon. The state remains fragmented, has little capacity to enforce law and order, and does not have a monopoly over the means of violence.

In addition to forging a monopoly on the use of force, Libya also needs to take action in order to limit the porosity of borders and to control the proliferation of weapons. The emergence of Daesh and groups affiliated with it is posing a serious threat in strategically vital areas of Libya. These groups have been using Libya as a launching pad for attacks on the surrounding countries. The growing peril of terrorism is alarming, and it can only be effectively dealt with by addressing the socioeconomic root causes of radicalisation. Nevertheless, the developments in Libya are very closely connected with the events in Syria. This interconnectedness of the ongoing events was evident when, after the Russian intervention in

the war in Syria, an increasing number of senior Daesh fighters had reportedly relocated to Libya.

The oil curse and economic insecurity

It is impossible for the Libyan political system to commence a process towards democracy without first reaching a certain degree of economic equality. One thing is certain: as long as Libyan society cannot achieve a certain amount of social cohesion and economic growth by democratising the oil economy, it will be very vulnerable or at risk of being recruited for or involved in violent extremism.

Libya's economy is almost entirely dependent on the nation's energy sector, which generates about 80 per cent of GDP and 96 per cent of government revenue. Rival political factions in late 2014 were competing for control of the central bank and the national oil company, while funding for economic reform and infrastructure projects had stopped.

Libya is facing a typical problem of a rentier state where the economy is based on the inflow of massive amounts of external rent. Oil has provided the seemingly limitless funds for the ever-growing collection of militias that has torn Libya apart since 2011. By November 2011, demands for payment led to Libya's government successfully petitioning the UN for the release of billions of dollars in frozen state assets. However, the vast majority of this was used for the payment of fighters. At that time, the public payroll had over 200,000 self-styled 'revolutionaries'. This enormous number is inconceivable in a country of six million people.

Restoring economic stability is a major challenge for the Libyan government. Since the beginning of the first civil war in 2011, the energy sector has experienced severe disruptions. Several militias and other groups have extensively occupied oil facilities and terminals where oil and gas is exported and have got hold of enormous funds.

The Libyan state also needs to work towards achieving a fairer distribution of wealth. In doing so, it is of paramount importance to achieve economic democratisation of the oil industry so that it is based on transparency and accountability in order to fight corruption.

Conclusion

In order to fully grasp the reason why the protests in Libya resulted in a violent civil conflict, it is necessary to seek to explore the root causes of these protests, how Libya has been transformed (economically, socially and politically), and the overall outlook for the region.

Libya has long been a fierce state and today remains fragmented. It has little capacity to effectively exercise its power over its territory and population, and does not have a monopoly over the means of violence.

Unless the political leadership can reach a shared vision for Libya's future, the competition for political power between the militant groups could lead to protracted conflict. The new agenda of the national unity government has to address the above-mentioned urgent challenges and promote economic equality and social cohesion.

The current state of Libya lacks the capacity to enforce laws and adapt to changing conditions. The unclear lines of authority, control, factionalism and corruption of today's civil

war are arguably a distorted reflection of Gaddafi's state. Until a certain level of security is reached, the situation is going to destabilise even further. Without a certain degree of socioeconomic equality, which can be achieved through a democratisation of the oil economy, Libya is bound to be vulnerable to radicalisation.

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Notes

¹ See data from Libya Body Count, <http://www.libyabodycount.org/>

² See the project's website at <http://www.arabtrans.eu/>